

ACADEMIC REGULATIONS 10:

Expulsion on Academic Grounds

2011-2012

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EXPULSION ON ACADEMIC GROUNDS

INTRODUCTION

- 1 The Board of Governors of the Kingston University after consultation with the Academic Board and with representatives of the Guild of Students of the University approved this Scheme of Discipline under Article 12.4 of the Articles of Government of the Kingston University HEC dated 1 April 1989 and amended December 1994.

INTERPRETATION

- 2 Where reference is made to the Vice-Chancellor, it is understood that in his/her absence the Deputy Vice-Chancellor shall assume all the Vice-Chancellor's responsibilities and powers. In the absence of any other member of staff referred to in these procedures, his/her responsibilities and powers shall be assumed by a person nominated by the Vice-Chancellor.

EXPULSION PROCEDURES

- 3 The following procedures shall be used for the expulsion of students for an unsatisfactory standard of work or other reasons connected with their academic powers.
- 4 In considering the possible expulsion of a student from the University for an unsatisfactory standard of work or other academic reason, it is necessary to distinguish between:
 - i) expulsion as a consequence of failure in course assessment stage, where the expulsion is the result of a decision taken by a duly constituted Board of Examiners; and
 - ii) expulsion for other academic reason such as attendance; quality of work; failure to submit work when required. This list is not intended to be exhaustive.
- 5 Expulsion for unsatisfactory standard of work or other academic reason is separate and distinct from disciplinary matters which are the subject of separate rules and procedures set out in the General Regulations and the Student Disciplinary Procedures. Matters relating to cheating shall normally be dealt with by the Student Assessment: Cheating in Assessment procedures.

Expulsion as a consequence of failure in assessments

- 6 Procedures for expulsion as a consequence of failure in assessment and examination shall be as set out in the Academic Regulations.

Expulsion for other academic reasons

- 7 Where a Course Director considers that a student's academic performance on the course is inadequate on grounds other than those referred to in paragraph 6, s/he must interview the student and warn the student in writing. Should the student fail to attend the interview when summoned, the warning letter must include a reference to the seriousness of the student's failure to attend the interview. The warning letter shall set out:

- i) the grounds for concern (eg. failure to attend, failure to submit work, poor quality of work)
 - ii) a period (not normally less than three weeks or more than six weeks of term-time) during which the student may attempt to remedy such weakness
 - iii) advice to the student on how weaknesses may be remedied and about the support available to the student in this process
 - iv) the consequences of not remedying weaknesses within the stipulated period
 - v) the requirement that the student acknowledge receipt of the letter within seven days
- 8 A copy of the warning letter shall be lodged by the Course Director with the Head of School responsible for the administration of the course and with the Academic Registrar.
- 9 Where a student either fails to acknowledge the warning letter or fails to make the progress required in the time specified in the letter, the Course Director shall formally notify the Head of School of the facts, in writing, with a recommendation that the student's enrolment be terminated and that s/he be expelled from the University. Such a recommendation shall be accompanied by a full report on the student's progress to date, including provisional marks awarded, a general statement about the student's attendance record; and any evidence relating to allegations of cheating and plagiarism. A copy of the recommendation shall be sent to the student with or without the supporting documentation.
- 10 The Head of School shall investigate the alleged grounds for the recommendation submitted by the Course Director by reference to the staff teaching on the course and that the facts to the recommendation to expel the student are correct as far as it may be ascertained. In conducting this investigation, the Head of School may interview the student concerned.
- 11 The Head of School shall either:
- i) determine that the grounds for the recommendation to expel the student are inadequate. In this case the matter will be referred back to the Course Director with a requirement that the student is properly supported and advised; or
 - ii) confirm the recommendation on behalf of the School and forward it to the Dean of the Faculty
- 12 The student shall be informed in writing of the decision of the Head of School.
- 13 When a recommendation to expel a student is received, the Dean of the Faculty shall:
- i) ensure that all the requirements of paragraphs above have been met and that all facts relating to the recommendation are fully documented;
 - ii) confirm the recommendation on behalf of the Faculty Board and forward the recommendation with full documentation to the Academic Registrar.

- 14 The Academic Registrar shall inform the Chair of the Academic Board that such a recommendation has been made; inform the student that s/he has a right to appear with a friend and be heard before a committee of the Academic Board as soon as is reasonably practicable before the decision is implemented; and require the student to notify the Academic Registrar in writing within seven working days whether s/he wishes to attend such a hearing.
- 15 If the student does not indicate within seven working days his/her intention to attend a hearing, the Vice-Chancellor of the University shall inform the student in writing that his/her course is terminated and that s/he may no longer attend the University as a student.
- 16 If the student notifies the Academic Registrar of the wish to attend a hearing, the Academic Registrar shall inform the Chairman of the Academic Board who shall instruct the Academic Registrar to convene a committee of at least three staff members of the Academic Board none of whom shall belong to the Faculty making the recommendation. The committee shall have power to act on behalf of the Academic Board in the matter. The committee shall normally be chaired by a member of the Executive designated by the Vice-Chancellor and shall have a quorum of two.
- 17 The committee shall be convened as soon as is reasonably possible, normally within fourteen days of the notification referred to in the paragraph above being received by the Academic Registrar. Members of the Committee shall be provided with the documentation forwarded by the Dean to the Academic Registry under the terms of the paragraph above. The committee shall meet with the student and a friend and shall examine the facts as alleged in the correspondence. It shall hear any representations on the facts advanced by the student and/or any reason why the student should not be expelled from the University in accordance with the recommendation. The committee shall also meet separately with the Dean of the Faculty, Head of School and Course Director and shall discuss with them the facts of the case, the procedures followed to date and the outcome of the discussion between the committee and the student. If the facts of the case are disputed, the committee may meet with all parties together in order to seek to resolve their differences if possible.
- 18 Following its deliberations, the committee, having established the facts to its satisfaction shall either:
 - i) determine that there are insufficient grounds for proceeding to the expulsion of the student; or
 - ii) inform the Vice-Chancellor and Chair of the Academic Board that the recommendation of the Faculty should be supported
- 19 In either case, the Committee may include in its report additional observations relating to the procedures followed and make recommendations intended to avoid as far as possible similar instances in the future.
- 20 When the Vice-Chancellor receives a decision from the committee that there are insufficient grounds for excluding the student, s/he shall inform the student and the Dean of the Faculty in writing, and shall make it clear to both parties that the proceedings and their outcome shall not prejudice the formal assessment of the student's performance at the appropriate time by the Examination Board.

- 21 When the Vice-Chancellor is informed by the committee that the recommendation of the School should be supported, s/he shall inform the student that his/her enrolment is terminated and that s/he may no longer attend the University as a student. The Vice-Chancellor shall also inform the student that s/he may appeal to the Board of Governors, if s/he can show *prima facie* evidence that due procedure had not been followed.

Appeal to the Board of Governors

- 22 A student wishing to appeal to the Board of Governors shall give notice in writing of his/her intention to appeal to the Clerk to the Board of Governors within fourteen days of being informed by the Vice-Chancellor.
- 23 The Clerk to the Board of Governors shall advise the Chairman of the Board and the Vice-Chancellor of receipt of the letter and the grounds for appeal advanced by the student.
- 24 The Chairman of the Board, or in his/her absence, the Vice Chairman of the Board, shall establish a committee of Governors comprising at least three members of the Board of Governors none of whom shall be members of staff or students of the University. The committee, acting on behalf of the Board, shall consider the documentation relating to the appeal and may, if it wishes, require the student and/or members of the University staff to attend and give evidence.
- 25 Should the committee determine that the recommendation to expel the student is justified and that procedures had been followed correctly, the appeal shall be dismissed and the Clerk to the Board of Governors shall inform the Chairman of the Board, the Vice-Chancellor of the University and the student accordingly. The University shall then consider the case to be closed and there shall be no further discussion. Should the committee determine that the procedures for the Review of an Assessment Board decision had been followed correctly, the appeal shall be dismissed and arrangements made as indicated above.
- 26 Should the committee determine that the recommendation to expel was unjustified, it shall report this matter to the Chairman of the Board of Governors and the Vice-Chancellor and shall determine that the appeal should be upheld and that the Vice-Chancellor should be required to reinstate the student. Such a decision shall not prejudice the formal assessment of the student's performance at the appropriate time by the Board of Examiners. In transmitting its decision to the Chairman of the Board of Governors and the Vice-Chancellor, the committee of Governors may make associated recommendations concerning matters arising from its consideration of the case.
- 27 Should the committee determine that the procedures for the Review of an Assessment Board decision were not properly followed, it shall determine that the appeal be upheld and shall require the procedures to be conducted again correctly as if for the first time. Individuals concerned with the processing of the first case (eg. the Review Committee members) shall be excluded from the processing of the second consideration. The Board of Governors' committee shall report its decision to the Chairman of the Board of Governors and the Vice-Chancellor. The committee may also make associated recommendations concerning matters arising from its consideration of the case.