

Document Particulars	
Document Name	Student Guide to the Inquiry Process
Document Category	Student Code of Conduct
Amendment Date - current version	June 2022
Amendment Date - previous version	25 April 2016
Effective Date	25 November 2016
Approval Committees	Disciplinary Committee

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1. Introduction

The purpose of this document is to give an overview of the IMM Graduate School Student Inquiry and Student Appeal Hearing process, and where necessary may be altered without prejudicing the rights of any party.

1.1 Events leading to a Student Inquiry

As explained in the IMM Graduate School Student Code of Conduct, students are required to attend a Student Inquiry in the event of:

- 1.1.1. Academic misconduct
- 1.1.2. Non-academic misconduct

1.2 The Student Inquiry Chairperson

The IMM Graduate School Student Disciplinary Committee Chair will appoint a member of staff to act as the Student Inquiry Chairperson or as duly delegated.

2. Research into the allegation/s

2.1 Commencement of research

Research into allegations of academic or non-academic misconduct will commence within ten business days from the date the incident was reported.

2.2 Timeframe to conduct research

Research must be concluded within twenty days from the date the incident was reported.

3. The Student Inquiry

3.1 The student inquiry notification

- 3.1.1. A Student Notice of Inquiry will be sent to the student within thirty days from the date the incident was reported.
- 3.1.2. The Student Notice of Inquiry will contain the purpose and protocols of the student inquiry, as well as the details to book the date of the inquiry.
- 3.1.3. The Disciplinary Committee will inform the student of the inquiry via the following media:
 - 3.1.3.1. The Student Notice of Inquiry will be uploaded to the individual Student Portal.
 - 3.1.3.2. An SMS will be sent referring the student to the Student Portal.

3.2 The student inquiry protocols:

- 3.2.1. The student inquiry will be held in private in a fair and proper manner.
- 3.2.2. The student may be represented by a fellow student or a parent/guardian. No legal representation is allowed.
- 3.2.3. The student will be allowed at least 48 hours to prepare.
- 3.2.4. The student may engage the services of an interpreter at his/her own cost.
- 3.2.5. The student will be afforded the opportunity to provide any information that may clarify the matter and to ask questions regarding any information provided by the IMM Graduate School.
- 3.2.6. The student will receive the outcome and sanction within fifteen working days from the date of the inquiry.
- 3.2.7. The student may appeal the outcome on the bases of procedural or substantive unfairness.

3.3 The student inquiry procedures

A student inquiry will be conducted as follows:

- 3.3.1. The purpose of a student inquiry is to determine if the student is guilty or not guilty of the alleged misconduct. The student will be provided with the opportunity to record his/her plea regarding the alleged misconduct.
- 3.3.2. The student will be reminded of protocols to be observed throughout the inquiry process.
- 3.3.3. The IMM Graduate School will provide all relevant information relating to the alleged misconduct and may raise any clarifying questions.
- 3.3.4. The student will be afforded the opportunity to provide any information that may clarify the matter and to ask questions regarding any information provided by the IMM Graduate School.

3.4 The sanctioning process

- 3.4.1 The chairperson will take into account the information presented during the student inquiry and based on the balance of probabilities, recommend an outcome and sanction to the Disciplinary Committee.
- 3.4.2 The Disciplinary Committee will review the recommendation by the chairperson and communicate the approved outcome and sanction within fifteen business days from the date of the inquiry via the following media:
 - 3.4.2.1 The Outcome Letter will be uploaded to the individual Student Portal.
 - 3.4.2.2 An SMS will be sent referring the student to the Student Portal.

4. Student First Appeal Hearings

- 4.1 A student inquiry finding and sanction may be appealed on the basis of procedural or substantive unfairness.
 - 4.1.1 Procedural unfairness: the student inquiry was not conducted fairly and the student did not have the opportunity to present clarifying information.
 - 4.1.2 Substantive unfairness:
 - 4.1.2.1 The information presented during the inquiry was not sufficient to prove that an IMM Graduate School policy or a generally accepted academic norm or practice was not adhered to.
 - 4.1.2.2 The sanction was not appropriate according to the IMM Graduate School policies and procedures.

4.2 An Appeal Application must reach the Office of the Registrar within five business days from the date on which the outcome was loaded on the Student Portal. The Appeal Application form must be forwarded to the Disciplinary Committee Chair via the following means:

Email: appeal@immngsm.ac.za

By hand: At any IMM Graduate School office, addressed to The Chair, Student Disciplinary Committee, IMM Graduate School, Johannesburg

4.3 The Office of the Registrar will confirm receipt of the Appeal Application within 72 (seventy-two) hours via email.

4.4 If the Appeal Application reaches the Office of the Registrar after five business days from the date on which the outcome was loaded on the Student Portal has lapsed, the student will be informed that the appeal application has not been received within the specified time frame and will therefore not be heard.

4.5 The Appeal Application is reviewed by the Office of the Registrar. The student will be informed via email within fifteen business days of the application if the appeal is approved or declined.

4.6 If the Appeal Application is approved by the Office of the Registrar, the Office of the Registrar will inform the student of the date, time, and venue/online link/telephone number of the Appeal Hearing at least 48 hours before the date.

4.7 If the Appeal Application is denied, reasons will be provided in writing and the student will have the right to transfer the Appeal Application to the Office of the Dean: Student Affairs for consideration. The decision of the Office of the Dean: Student Affairs will be binding.

4.8 The appeal will be limited to the Record of the Student Inquiry and the supporting information that was presented during the Student Inquiry. New evidence will not be considered.

4.9 The same protocols will be observed during the appeal hearing as during student inquiries.

4.10 The Disciplinary Committee Chair will identify an impartial person to chair the Student Appeal Hearing from the list of possible Appeal Chairs

4.11 The Disciplinary Committee will provide the following documentation to the Student Appeal Chair:

4.11.1 The Student Inquiry Record

4.11.2 Notification to the student containing the outcome of the Original Student Inquiry

4.11.3 Appeal Hearing Application Form as submitted by the student

4.11.4 Any additional relevant information that the Appeal Chair may request

4.12 The following principles should guide decision-making

4.12.1 The Student Appeal Chair will generally only need to determine the issues raised by the student in his/her application for a Student Appeal Hearing (i.e. the Grounds of Appeal). Due to the nature of these proceedings, the Student Appeal Chair may, however, in his/her sole discretion consider any other factors which are deemed appropriate to come to a fair decision.

4.12.2 The Student Appeal Chair can confirm the outcome by the Original Hearing and therefore dismiss the Student Appeal, or the student appeal can be upheld.

4.12.3 If the Student Appeal is upheld, the Student Appeal Chair is authorised to change the outcome of the Disciplinary Inquiry to not guilty; the student may be found guilty on a lesser sanction or the matter may be referred to a newly appointed Chair to conduct a new Student Inquiry.

4.13 The student appeal chair will be required to present a Student Appeal Hearing Record containing the following information:

4.13.1 The name and job title of the Student Appeal Chair.

4.13.2 The date and time of the Student Inquiry.

4.13.3 A list stating all documentation considered.

4.13.4 A description of the process followed.

4.13.5 The decision taken by Student Appeal Chair together with the reasons for the decision, citing evidence used to support the decision.

4.13.6 The student may be informed after the Student Appeal Hearing that more information is needed before making a decision. If more information is needed before making a decision, the student will be provided with a date by which the decision will be made. Alternatively, the outcome of the Appeal Hearing will be communicated to the student within ten business days.

5. Appeal to the Academic Board (Second Appeal)

5.1 The student has the right to appeal in writing to the Academic Board after receipt of the outcome of the Student First Appeal Hearing by making use of the Appeal Application Form. Such an appeal is referred to as a Second Appeal.

5.2 The Appeal Hearing Application form for a second appeal must reach the IMM Graduate School within seven business days of the outcome of the Student First Appeal. If the time frame of seven business days has elapsed, the student will be informed that the appeal is not within the specified time frame and will therefore not be heard.

5.3 An Appeal Application will be considered on the following grounds:

5.3.1 Procedural unfairness: the student did not have the opportunity to present clarifying information.

5.3.2 Substantive unfairness:

5.3.2.1 The information presented was not sufficient to prove that an IMM Graduate School policy or a generally accepted academic norm or practice was not adhered to.

5.3.2.2 The sanction was not appropriate according to the IMM Graduate School policies and procedures.

5.4 The protocols remain unchanged from the Student First Appeal.

5.5 The Academic Board meets every quarter. The date of the next sitting of the Academic Board meeting will be communicated to the student upon approval of the Second Appeal application.

5.6 A Second Appeal will be conducted as follows:

5.6.1 The student has the right to provide a full written argument to the Academic Board providing comprehensive details on the grounds for the second appeal.

5.6.2 The Academic Board Chair will present the documentation as stated in 4.13 to the members of the Academic Board.

5.6.3 The Academic Board will decide on an outcome based on the documentation stated in 4.13, the information contained in the Appeal Application Form as well as the written statement by the student.

5.6.4 Once all these factors are considered as a whole, and the Academic Board Chair is confident that no further additional evidence needs to be heard, the Academic Board Chair will proceed to make a finding based on the recommendations of the members of the Academic Board. The Academic Board can confirm the decision by the Student Appeal Hearing Chair and therefore dismiss the Student Appeal. If the Academic Board upholds the Second Appeal, the student can be found not guilty; the student can be found guilty on a lesser sanction, or a new hearing is to be held.

5.6.5 The decision of the Academic Board is final and no further appeals will be considered by the IMM Graduate School.