



# Student Code of Conduct 2023/24

**Owner:** Student Engagement, Conduct, Complaints and Appeals (SECCA)

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# UCD Student Code of Conduct

The University is a community of faculty staff and students joined together for the common purpose of the advancement and dissemination of knowledge. Becoming a member of this community means that you have joined a diverse and vibrant environment, and you have accepted the University's rules and the responsibilities associated with being a student here. It is important that you are respectful in your interactions with others and that you uphold the high standards of personal responsibility and integrity that is expected of everyone at UCD.

This Code of Conduct sets out the standards of behaviour the University expects of you. You should familiarise yourself with these expectations as understanding your responsibilities will help you to make the most of your experience and to contribute to a positive learning and living environment for others. The [UCD Strategy](#) highlights the University's values and aspirations and the [Student Charter](#) establishes the roles and responsibilities of all members of the University community.

The vast majority of students successfully uphold the University's expectations regarding good conduct throughout their time at UCD. Where breaches of the Student Code of Conduct are reported to the University the [Student Discipline Procedure](#) will be followed.

## 1. Standards of Good Conduct

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The Student Code of Conduct is established on three principles: respect, responsibility and academic integrity.

### Respect

The University promotes a culture which protects the dignity and respect of everyone and which supports your right to study in an environment which is free from discrimination, bullying, harassment and sexual harassment. All members of the University community are expected to respect each other and to contribute to the creation of a positive environment. See the [UCD Dignity and Respect Bullying and Harassment Policy](#) and the [Dignity and Respect Sexual Misconduct Policy](#) for more information.

Under this Code you are expected to

- Conduct yourself in a manner that demonstrates respect for your fellow students, staff members and the University's facilities and property.
- Respect those living around you and members of the local community. Behaviour that adversely impacts on others may impact the University's reputation. If you are living in University Residences, you must abide by the requirements of the License to Reside.
- Communicate with your fellow students and staff members in a respectful and courteous manner. This includes formal communications with the University such as feedback mechanisms and surveys.

### Responsibility

You are expected to act in a responsible way and take responsibility for your conduct. You should familiarise yourself with the standards of behaviour that the University expects and ensure that you are aware of your responsibilities as a UCD student.

You are expected to

- Abide by the University's academic and student regulations, policies and procedures including this Student Code of Conduct.
- Acknowledge and respect the authority of staff of the University in the performance of their duties and co-operate with them accordingly.
- Take responsibility for your behaviour, on and off campus, and ensure that your actions don't have a negative impact on yourself, others or the University.
- Uphold the same high standards of good conduct while undertaking internships or work experience placements.
- Be responsible for your student ID ensuring it is not used by others. ID cards must be presented to university staff on request.
- Ensure that you understand and adhere to your responsibilities and obligations under any regulations or codes required by placement providers or host institutions. Students registered to programmes with student fitness to practise requirements should consult their [Student Fitness to Practise Programme Statements](#).

## Academic Integrity

Academic integrity is a fundamental principle that should underpin all academic activity. You should value honesty in your scholarship. Working independently, expressing original ideas, and appropriately acknowledging the ideas of others are important skills that will benefit you beyond your time at UCD. Those engaging in academic misconduct negatively impact other students and diminish their own learning experience.

You are expected to

- Attend lectures and engage in all other learning activities of your programme; learn the core values and skills required to appreciate your disciplinary tradition and value the need for integrity and honesty.
- Abide by the [Examination Regulations](#), the [UCD Plagiarism Policy](#) and any other academic conduct policies that the University may establish to ensure a fair and equitable assessment system for all students.
- Ensure that the work that you present for assessment is your own work and that the use of work and / or ideas of others are acknowledged using a recognised referencing system. For information on referencing, citation and how to avoid plagiarism see [UCD Library guidelines](#).

## 2. Academic Misconduct

Academic misconduct includes any action or attempted action that may result in creating an unfair academic advantage; this includes plagiarism, copying, possession of unauthorised materials during an assessment and collusion (unauthorised or unattributed collaboration with others in a piece of assessed work). The following is a broad but not exhaustive list of examples of academic misconduct.

### Breaches of the [Examination Regulations](#)

- 2.1 Failure to be in possession of your university ID card.
- 2.2 Copying or cheating at any examination or other assessments, such as an in-semester test. This includes colluding with others during an online examination. This means seeking the assistance of others, or offering to assist others, during a period in which the examination is taking place.
- 2.3 Sitting/attempting to sit an examination under another student's identity at any examination or in-semester test.
- 2.4 Arranging for someone else to sit an examination under your name / on your behalf.
- 2.5 Bringing unauthorised notes or other materials into an examination or test.
- 2.6 Use, or attempted use, of a mobile phone or any other unauthorised electronic device during an examination or test.
- 2.7 Removing examination scripts, question papers or other stationery from an examination.
- 2.8 Any other breach of the examination regulations or any action that may jeopardise the integrity of an assessment.

### Plagiarism

Plagiarism is defined below in accordance with the [UCD Plagiarism Policy](#).

- 2.9 Plagiarism is the inclusion, in any form of assessment, of material without due acknowledgement of its original source. Plagiarism is a form of academic dishonesty and may include, but is not limited to, the following:
  - Presenting in your own name, work authored by a third party, such as other students, friends or family (with or without permission), or work purchased through any source or given to you by a third party<sup>1</sup>, including organisations such as essay mills. The original source may be in written form or in any other media (for example, audio or video).
  - Presenting ideas, theories, concepts, methodologies or data from the work of another without due acknowledgement.
  - Presenting text, digital work, music, video recordings or images copied with only minor changes from sources such as the internet, books, journals or any other media, without due acknowledgement;
  - Paraphrasing (i.e., putting a passage or idea from another source into your own words), without due acknowledgement of the source.
  - Failing to include appropriate citation of all original sources.
  - Representing collaborative work as solely your own, including colluding with or copying from others during examinations.
  - Presenting work for an assignment which has also been submitted (in part or whole) for another assignment at UCD or another institution (i.e. self-plagiarism).

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<sup>1</sup> As stipulated under Section 43A of the Amendment Act 2019 to the Qualifications and Quality Assurance (Education and Training) Act 2012 purchasing work from any such source is purchasing work from an illegal organisation.

## Other

- 2.10 Use of fraudulent or falsified UCD documents, e.g. transcripts or examination results.
- 2.11 Submission of fraudulent or falsified data or content in work submitted for assessment.
- 2.12 Failure to conduct research ethically, lawfully or in compliance with the UCD *Code of Good Practice in Research, Research Integrity Policy*.

## 3. General Misconduct

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This section provides a broad, but not exhaustive, list of example breaches that the University considers to be 'general misconduct'. This includes any activities or behaviour that adversely impacts the University or members of the University community, or which disrupts the orderly and responsible conduct of any University activity, or which breaches any rules of the University.

### 3.1 Failure to comply with University rules

Failure to comply with any University regulations, policies, codes and procedures, and any relevant legislation, including but not limited to:

- Behaviour that contravenes any University regulations or policies including those of the UCD Library, UCD Residences (License to Reside), IT Services ([Acceptable Use Policy](#)) and [Ucard Terms and Conditions of Use](#).
- Behaviour that contravenes the University's regulations or policies regarding smoking or alcohol consumption.
- Refusal to engage with or comply with the Student Discipline Procedure or other processes initiated by the University.
- Refusal or failure to comply with a student discipline decision or penalty (subject to the right of appeal) imposed at any stage of the student discipline procedure.

### 3.2 Obstructive, disruptive or reckless behaviour

- Activities or behaviour that obstructs or disrupts, or is likely to obstruct or disrupt members of the University from performing their duties or work or another student's right to study, learn or complete an academic activity, such as the disruption of lectures, classes, tutorials, field work, or administrative activities or processes.
- Actions or behaviour that interferes, or is likely to interfere, with university-related activities, including sporting and social activities, either within the University or organised by the University, a University Club or Society.
- Activities or behaviour causing health and safety risks to yourself or others.

### 3.3 Violent, abusive, threatening, offensive or unacceptable behaviour, including bullying, harassment sexual misconduct and sexual harassment.

Any form of violent (including assault), indecent, abusive, threatening or offensive behaviour is not acceptable. This includes behaviour and actions that take place face-to-face, online or through messaging platforms.

Complaints of bullying, harassment and sexual misconduct may be made under the procedures of the UCD Dignity and Respect Bullying and Harassment Policy and Sexual Misconduct Policy. Definitions and examples of behaviour<sup>2</sup> associated with bullying, harassment and sexual misconduct are drawn from these policies.

#### 3.3.1 Bullying

In accordance with the Code of Practice on Bullying 2021 bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work/study and/or in the course of employment/study which could reasonably be regarded as undermining the individual's right to dignity at the place of work/study. An isolated incident of the behaviour described in this definition may be an affront to dignity at work or study but, as a once off incident, is not considered to be bullying.

The University will apply the following criteria set out by the Code of Practice on Bullying 2021:

- an ongoing series of accumulation of seriously negative targeted behaviours against a person or persons to undermine their esteem and standing in a harmful, sustained way.
- behaviour is offensive, on-going, targeted and outside the reasonable "norm."
- a pattern and trend are involved so that a reasonable person would regard such behaviour as clearly wrong, undermining and humiliating.

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<sup>2</sup> The UCD Dignity and Respect Bullying and Harassment Policy and the Dignity and Respect Sexual Misconduct Policy applies to both students and University employees. The policies set out in full the definitions and examples of behaviour that also relates to employees and the workplace.

- involves repeated incidents or pattern of behaviour that is usually intended to intimidate, offend, degrade or humiliate a particular person or group of people – but the intention is not important in the identification process.

Examples of bullying behaviour include but are not limited to

- Verbal abuse /insults
- Physical abuse
- Intrusion – pestering, spying or stalking
- Unjustifiable exclusion e.g. withholding information, isolation or non-co-operation, non-response or repeated unavailability, exclusion from classroom and social activities.
- Menacing behaviour
- Offensive, intimidating, malicious or insulting behaviour, open aggression, threats, shouting.
- Undermining behaviour
- Controlling, coercive and threatening behaviour
- Humiliation
- Gossip
- Blame for things beyond the person’s control
- Misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- Bullying and Harassment on Social Media whether conducted on a personal device or University equipment.

### **3.3.2 Cyber Bullying**

Cyberbullying is bullying that takes place over digital devices such as phones, computers, and tablets. It can also occur through SMS, Text, and apps, or online in social media and forums. Cyberbullying includes sending, posting, or sharing (even once) an offensive or hurtful message, image or statement on a social network or another public forum where that message, image or statement can be viewed and or repeated by other people.

### **3.3.3 Harassment**

Harassment is any form of unwanted conduct related to any of the discriminatory grounds<sup>3</sup> under the Equal Status Act which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment can be a one-off incident.

Examples of harassment include but are not limited to: verbal harassment – jokes, comments, ridicule or songs; written harassment – including text messages, social media, including group messages, emails, physical harassment – jostling, shoving or any form of assault, intimidatory harassment – gestures, posturing or threatening poses.

### **3.3.4 Sexual Misconduct and Sexual Harassment<sup>4</sup>**

Sexual misconduct covers a broad range of inappropriate and unwanted behaviours of a sexual nature including sexual harassment and sexual violence. Sexual misconduct can be committed by a person of any gender and it can occur between people of the same or different genders. It is often gender targeted and perpetrated to demean, diminish and intimidate. Sexual misconduct may occur between strangers or acquaintances, including people involved, or formally involved, in an intimate or sexual relationship.

The following are examples of behaviours associated with sexual misconduct (non-exhaustive list)

- Grooming, psychological abuse and coercive contact.
- Controlling, coercive and threatening behaviour include all or some forms of domestic (emotional, physical, financial, sexual including threats) by a partner or ex-partner.
- Making unwanted remarks of a sexual nature, either directly or via text or social media apps.
- Sharing private sexual materials of another person without consent.
- Any behaviour of a sexual nature that is committed without consent.
- Kissing without consent.
- Touching inappropriately through clothes without consent.
- Non-consensual taking or sharing of intimate images.
- Sexual harassment/sexual misconduct on social media.
- Verbal or physical harassment in a sexual context.

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<sup>3</sup> Discriminatory grounds: gender (including gender identity), civil status, family status, socio-economic status, sexual orientation, religion, age, disability, race, membership of the Traveller community.

<sup>4</sup> Safe, Respectful, Supportive and Positive: Ending Sexual Violence and Harassment in Irish Higher Education Institutions, 2019. Definition of Sexual Misconduct.

- Inappropriately showing sexual organs to another person.
- Creating, accessing, viewing or distributing child pornography material online or offline.
- Stalking behaviours whether online or offline.
- All forms of sexual violence including attempting to engage in sexual intercourse or engaging in a sexual act without consent.
- Misuse of power, by academic or professional staff towards students or more junior levels of employee or misuse of power in a relationship between students or employees who have unequal institutional power.

This definition of Sexual Misconduct also embraces Sexual Harassment (as defined below).

### **Sexual Harassment**

Sexual Harassment is defined under the Employment Equality Acts 1998 – 2015. It includes any act of physical intimacy, request for sexual favours, other act or conduct including spoken words, gestures or the production, display or circulation of written words, picture or other material that is unwelcome and could reasonably be regarded as sexually offensive, humiliating or intimidating.

The following are examples of behaviours associated with sexual harassment: (non-exhaustive list)

- Physical contact such as unnecessary touching, patting or pinching or brushing against another body, assault, coercive sexual intercourse or rape.
- Sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity after it has been made clear that such suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendos or lewd comments.
- The display of pornographic or sexually suggestive pictures, objects, written materials including posters, emails, text-messages, social media messaging.
- Leering, whistling or making sexually suggestive gestures.
- Conduct that denigrates or ridicules or is intimidatory or physically abusive of a person because of their sex.

### **Consent**

Consent in the context of sexual misconduct is defined as the freely given verbal or non-verbal communication of a feeling of willingness to engage in sexual activity. A person consents to a sexual act if they freely and voluntarily agree to engage in that act. There is no consent if the victim is asleep or unconscious; force or the threat of force is used; they cannot consent because of the effect of alcohol/other drug; they cannot communicate consent because of a physical and mental disability; they are mistaken about the act or about the identity of the other person; the only indication of consent came from a third person, or if they are being unlawfully detained at the time of the act. This is not an exhaustive list and are illustrative only. Consent can be withdrawn at any time, and just because someone has previously given consent, does not preclude that person from withdrawing consent. Non-consensual sexual activity may amount to a prosecutable criminal offence. This definition is consistent with the definition of consent in the Criminal Law (Sexual Offences) Act 2017

#### **3.3.5 Other Misconduct**

Other behaviour deemed unacceptable including a single incident of misconduct may be reported and addressed under the Student Discipline Procedure.

### **3.4 Misuse of IT Services**

The University provides information technology services to students and staff. All users of the services must adhere to the IT Services [Acceptable Use Policy](#). A student's failure to comply with the policy may be considered a breach of the Student Code of Conduct.

The following are examples of unacceptable use:

- Transmitting viruses or other malicious computer code to other users.
- Viewing, downloading, storing or dissemination of any offensive messages or images, indecent images or other material via UCD email or online platforms.
- Undertaking or facilitating any activity that could jeopardise the integrity, reliability and performance of UCD IT resources, or compromise their utility or availability to other UCD users.

### **3.5 Damage to, or misuse of, property**

- Occupying or using University property without permission.
- Damaging or defacing any property of the University, or property of members of the University community.

### **3.6 Theft, fraudulent and dishonest behaviour**

Acts including but not limited to:

- Submitting fraudulent or falsified documents to support claims of extenuating or mitigating factors.
- The unauthorised amendment or alteration of University documentation.
- Production of fraudulent University documentation or attempted use of fraudulent University documentation.
- Misuse of student identification or personation of a student, including the misuse of a student ID card.
- Misappropriation of property or funds of the University, or any associated club, society or a host institution.
- Theft from a retail premises located on campus.
- Making false, frivolous or vexatious complaints.

### **3.7 Alcohol and drug and controlled substance abuse**

- Misuse of alcohol, or other controlled substances on the campus, including contravention of any relevant regulations or policies which may be made relating to the consumption of alcohol on the campus.
- Illegal possession, use, consumption, manufacture, sale or distribution of drugs and/or drug paraphernalia on campus.

### **3.8 Reputational Damage**

Activities or behaviour that may negatively impact the reputation of the University or its members, including misconduct that takes place on or off campus.

### **3.9 Incitement**

Incitement or encouragement of others to do any of the things that are breaches of the Student Code of Conduct.