

NMIT STUDENT MISCONDUCT POLICY

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

Section	Learner		
Approval Date	21.04.2026	Sponsor	Director Māori and Learner Success
Next Review	01.01.2027	Approved by	SLT

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.01.2026	Transition Lead	New

Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- all ākonga of NMIT engaged in campus-based learning at any location; and online or remote learning via any mode; and work based learning. This includes managed apprentices and other non-standard enrolments, and encompasses all references to learners, ākonga or students, and
- all employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy).

This policy **does not** apply to potential or alleged breaches of academic integrity (refer to [NMIT Academic Integrity and Academic Misconduct Policy](#)), or unsatisfactory academic progress (refer to [NMIT Academic Regulations](#) and [NMIT Academic Procedures Manual](#)).

This policy **does** apply to all situations where an allegation of misconduct also involves the Police.

The NMIT Student Misconduct Policy and procedures do not replace specific Programme Regulations which may also address expectations of professional or ‘fit and proper’ behaviour and the consequences of misconduct, as determined by a professional body eg. Nursing Council of New Zealand; Civil Aviation Authority.

The [NMIT Academic Procedures Manual](#) provides detailed guidance to support implementation of this policy.

Te Pūtaki | Purpose

The purpose of this policy is to provide guidance for ākonga and kaimahi to ensure understanding of

- behaviours or actions that constitute a breach of their obligations under the [NMIT Student Charter and Student Rules](#) and that may be considered misconduct or serious misconduct, and
- the consequences of ākonga misconduct, and NMIT’s response to allegations of misconduct

Ngā Mātāpono | Principles

Our Values

NMIT values guide our behaviour as an organisation and establish a foundation for how we all work as part of the NMIT community. Ākonga and kaimahi alike have an individual and collective responsibility to behave in ways that uphold our values and maintain integrity and quality in everything we do.

Giving Effect to Te Tiriti o Waitangi

NMIT is committed to fulfilling our responsibilities and obligations as a Te Tiriti o Waitangi partner and to being reflective and open as we work towards excellence in our ways of working to give effect to te Tiriti.

We will work to embed culturally appropriate processes and responses into our practices for modelling and maintaining a positive learning environment and responding to student misconduct.

Culturally appropriate processes

All parties are entitled to culturally appropriate processes and responses that consider traditional processes for raising and resolving issues.

Natural justice

NMIT's policy and procedures for maintaining expected standards of behaviour, and responding to breaches, follow the principles of natural justice, which ensure that students are treated fairly without bias, and that decisions are made impartially following fair processes.

Confidentiality and privacy

Information is shared only with those who need to know, being mindful of the rights of parties within any investigation process and their entitlement to confidentiality and privacy.

Students at the Centre of what we do

NMIT puts students at the centre of our mahi and has a strong focus on equity of access, learning experience and outcomes. NMIT commits to supporting the wellbeing, safety and learning experience of learners enrolled at NMIT, ensuring that we listen, support, guide and respond to learners in ways that uphold their mana and autonomy.

Responsibility and Accountability

Students are responsible for ensuring that their own behaviour meets the standards expected while studying at NMIT. We encourage and support all ākonga to hold themselves and their peers accountable to the highest standards of behaviour.

Support and advocacy

All parties are entitled to accessible information, guidance, professional advice, advocacy and support, as appropriate at every step in the concerns and complaints resolution process.

Kaupapa Here | Policy Statements

NMIT values its partnership with ākonga throughout their learning journey at NMIT, and is committed to ensuring a safe, rewarding, successful learning experience built on shared responsibilities and transparency.

Students take personal responsibility for ensuring their behaviour meets the expectations set out in the [NMIT Student Charter and Student Rules](#), and any other programme regulations.

Any NMIT kaimahi or ākonga may make an allegation of misconduct in response to an alleged breach of the [NMIT Student Charter and Student Rules](#).

MISCONDUCT

Misconduct is when an ākonga actions have a negative impact, either by doing something, or not doing something, eg.

- Using inappropriate language
- Internet misuse
- Minor instances of failing to follow reasonable and lawful instruction
- Minor breaches of the [NMIT Student Charter and Student Rules](#) eg. smoking, parking violations

Misconduct, if upheld, may result in disciplinary and/or remedial action.

SERIOUS MISCONDUCT

Misconduct will be regarded as **serious misconduct** if by its nature or degree it:

- adversely affects (or has the potential to adversely affect) the safety and/or wellbeing of other ākonga or kaimahi; or
- is likely to bring the name of NMIT or its quality standards into disrepute; or
- involves behaviour considered to be seriously inappropriate for an ākonga of NMIT; or
- is part of a number of instances of misconduct committed by the same ākonga, or represents continued, willful disobedience or repetitive violations of the Student Charter.

In determining whether misconduct is 'serious', consideration will be given to whether the misconduct:

- involves intent or deliberate action
- undermines or destroys trust and confidence in the ākonga's ability to participate in or complete the programme

Actions are likely to be considered serious misconduct if they involve:

- Violent behaviour
- Bullying or harassment
- Theft or fraud
- Behaviour that endangers the health or safety of others
- The use of illegal drugs

Serious misconduct, if upheld, may result in suspension or exclusion from NMIT and/or a programme within NMIT.

ALLEGATIONS OF MISCONDUCT

An allegation of misconduct must be made in writing within 21 days of an incident, or when concerns have not been satisfactorily resolved by other means, as specified in [NMIT Student Misconduct Procedure](#).

All allegations are assessed by the Chief Executive Officer against legal or other implications, relevant NMIT policies and procedures, the nature of the investigation and the subject matter expertise needed, to inform the next step.

The investigation and/or resolution process is allocated to a Resolution Facilitator with the appropriate skills and objectivity.

Any alleged breach of the [NMIT Student Charter and Student Rules](#) will be investigated fairly, transparently, and consistently as potential misconduct.

MISCONDUCT INVESTIGATION

Investigation procedures are initiated as promptly as is reasonably possible having regard to the nature of the allegation.

The Curriculum Area Manager can suspend an ākonga for alleged serious misconduct for 12 – 48 hours. If not yet resolved, the Chief Executive Officer can extend the suspension for up to two (2) weeks.

Failure to engage in the investigation process may result in recommendation for suspension or exclusion from NMIT and/or a programme within NMIT.

Those involved in any aspect of the investigation will observe the utmost confidentiality to protect individual privacy. All information relating to the allegation will remain confidential to those parties involved in the case and will not be divulged to outside parties or agencies, with the following exceptions:

- where the alleged misconduct relates to criminal activity or activities which contravene any external regulations
- where someone is at risk of causing harm to themselves or others
- to allow any of the parties (NMIT, the person making the allegation, the ākongā) to take legal advice.

All documentation relating to misconduct investigations is kept in accordance with relevant legislation and [NMIT Information and Records Management Policy](#) and General Disposal Authority.

SUPPORT AND ADVOCACY

At all times during the process, ākongā are entitled to an advocate or support person available within NMIT or externally through unions, independent student services, whānau and community or professional services.

Any situations that involve a learner under 18 years should involve a parent, caregiver or other whānau member, with permission from the ākongā.

APPEALS AND DISPUTE RESOLUTION

The complainant has the right to appeal the outcome decision of a misconduct investigation.

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

[NMIT Student Charter and Student Rules](#)

NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Academic Procedures Manual