

Instructions for investigating suspected cases of misconduct and disruptions of student learning

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1 The Code of Conduct

The Aalto Academic Affairs Committee (AAC) approved [principles of responsible behaviour for the University environment \(i.e. the Code of Conduct\)](#) on 19 May 2015. According to the AAC decision, further provisions on implementation of the Code and on the procedures for solving conflicts and dealing with disruption of University operations will be issued by the President or person delegated by the President as necessary.

The present guidelines deal with the investigation and means of resolving suspected cases of disruption and misconduct affecting students and learning. The guidelines focus on safety, prevention and how to deal appropriately with problem situations.

2 Mistreatment of students

2.1 Mistreatment occurring during studies

A student who feels subjected to inappropriate conduct or other conflicts that interfere with course studies (problems in group work, for example) may directly tell the harassing or disruptive person to stop and that their behaviour is unacceptable. The person may have been unaware of the offensiveness of his or her actions. Should the misconduct or conflict continue, the student should first contact the teacher-in-charge of the course to resolve the situation. If necessary, the teacher may request the help of an investigator. **The investigator is an academic affairs manager or other individual** assigned to investigate matters involving student misconduct or students who have been the target of misconduct.

The student should write down what occurred, when it took place and what people were present at the time. It is also worth keeping all emails or other messages. Documentation facilitates the investigation of the matter.

A student who feels subjected to misconduct from a teacher, another staff member or a student, or who is experiencing problems with teaching arrangements or with other Aalto operations which have a bearing on student rights protection issues may contact the investigator for the School (ordinarily the School's academic affairs manager). If the charge is directed against a teacher or other member of staff, the investigator will inform the HR manager and arrange an investigation with HR ([the sustainable well-being at work model \(aalto.fi\)](#), login required)

When necessary, the investigator will hear from the different parties to the incident and inform them about the proceedings and the findings of the report. The investigator may also arrange meetings between the parties. A University psychologist, student healthcare (FSHS) representative, legal counsel, well-being specialist or campus chaplain may assist in the investigation when necessary.

University employees are bound by the obligation of non-disclosure set forth in the Act on the Openness of Government Activities (*Laki viranomaisten toiminnan julkisuudesta* 621/1999). Personal details shall be treated with care, and the matter will be communicated only to those persons who deal with the matter as part of their duties or who may provide information on the matter. The privacy of students is protected by not disclosing their identity unless necessary. The plaintiff may be required to disclose his/her identity to those involved the matter. To safeguard the rights of other involved persons and resolve the matter, it may be necessary to disclose the identity of the plaintiff to the person named in the complaint. If the plaintiff requests that his/her identity not be disclosed to a particular person, s/he will be informed if such disclosure is nevertheless necessary for resolution of the matter. It may be impossible to process a complaint raised by anonymous contacts.

The investigator will retain correspondence and other documents pertaining to the matter until s/he deems the matter resolved. If the process produces no such documents for the archive, the investigator will retain information on concluded investigations only to the extent necessary for the execution of his or her duties and for any follow-up measures on the matter.

2.2 Possible consequences of the investigation

The primary aim is to rectify the faults that are discovered. Where a teacher or other staff member is deemed culpable of mistreatment or harassment, the labour law actions to be taken are decided by the Dean of School, or if a shared services member, by the HR director. A student deemed culpable of misconduct by disrupting teaching, behaving violently or intimidatingly, or committing other breaches of university order may be sentenced to disciplinary measures under the Universities Act (558/2009) (see below).

3 Suspected inappropriate conduct by students

3.1 Guidelines for teachers if a student behaves disruptively or threateningly during a teaching event

Teachers in whose estimation a situation presents an immediate threat to the life or limb of a person should follow the guidelines at [Link 2](#), 'Procedures in case of emergency' (see end of document) instead of these guidelines.

3.1.1 Guidelines for encountering a threatening individual

If you encounter a threatening individual

- Give the individual room and let them maintain their turf.
- Speak clearly, briefly and be compliant.
- Keep your hands visible.
- Do not turn your back.
- Avoid sudden movements.
- Stay calm.
- Avoid staring.
- Do not minimise the situation or the threatening individual.
- Better to bend than be inflexible.
- Do not attempt to correct or disabuse the intoxicated or erratically acting individual of his or her delusions.
- Gain time for others to arrive at the scene.
- Attempt to report or send out an alarm without the threatening individual noticing.
- If needed, call the emergency number **112**.

If the situation poses no immediate threat, follow the directions below as appropriate.

- The **teacher calls on** the threatening individual to **cease** his or her disruptive behaviour and, if necessary, to leave the premises.
- **The teacher reports the incident to the lobby services of the property or calls the AaltoAPUA helpline (050 46 46 462)**. Teachers do not have the right to attempt to physically remove the individual from the premises.

After the incident, proceed as follows:

- **The teacher makes a record of what actions were taken and sends it to the investigator.** If the teacher that day was not the course teacher-in-charge, contact the latter without delay. The teacher-in-charge of the course is responsible to see that the investigator (generally the academic affairs manager for the School) is informed of the disturbance and that immediate measures are taken, regardless of whether the identity or student status of the disrupter has been verified. The **investigator** judges the severity of the situation, determines what measures are available, and **makes an incident report ('deviation report') of the security findings**. A standard form for incident reporting has been introduced at Aalto. When used effectively, it and its supporting system can help to prevent greater mishaps and damage. Incident reporting is used to record irregular events and situations that affect security, as well as process and compile statistics on them systematically.
- If necessary, the investigator brings the matter to the Dean or President for decision-making and also records the actions taken. When reporting sensitive data, special attention must be paid to maintaining its secrecy and its processing confidential.

If the inappropriately behaving individual is an Aalto student, the disciplinary measures mentioned in the Universities Act (558/2009) may be applied. Other measures are decided on a case-by-case basis. If the individual who committed the disruption is an outsider, the responsible actors and possible further measures are decided case-by-case, depending on the situation.

3.2 Student misconduct in the Aalto community without causing disruptions to teaching: Guidelines for staff

Staff in whose estimation a situation presents an immediate threat to the life or limb of a person should see Section 1.1 of '[Procedures in case of emergency \(aalto.fi, login required\)](#)' (see end of document) instead of these guidelines.

If the situation poses no immediate threat, follow the directions below as appropriate.

- **An Aalto staff member or student may report to the investigator for the School** if he or she observes a student or supposed student acting inappropriately in the Aalto environment.
- **The investigator judges the severity of the situation, determines what measures are available, and makes a 'deviation report'** ([aalto.fi](#), login required). If necessary, the investigator brings the matter to the Dean or President for a decision and records the actions taken. Special attention must be paid to confidential handling and secrecy in connection with the reporting of any sensitive data.

If the inappropriately behaving individual is an Aalto student, the disciplinary measures mentioned in the Universities Act (558/2009) may be applied. Other measures are decided on a case-by-case basis depending on the seriousness of the incident. If the individual who committed disturbance is an outsider, the actors responsible for the matter and any further measures are decided on a case-by-case basis, depending on the situation.

3.3 Disciplinary measures for student misconduct

3.3.1 Suspending the right to study of a student who disrupts teaching

Regardless of whether a student was asked to leave the site of a teaching event, the student's right to attend teaching may be suspended for a maximum of three (3) days if there is a risk to the safety of another student or person working in the university due to violence or threats by the student or if teaching and related activities are made unreasonably difficult due to disruptive conduct by the student, according to the Universities Act.

- The teacher-in-charge of the course may ban the student from attending *the course in question* for up to three (3) days for violent or threatening behaviour.
- Alternatively the Dean of the School or an individual assigned by the Dean may ban the student from attending *all teaching at the School* for up to three (3) days.
- Alternatively, the President may ban the student from attending *all teaching at the University* for up to three (3) days.

The ban on the right to attend teaching may not continue if the student no longer presents a danger. Independently of any ban on attendance, the student may be subject to other disciplinary measures.

3.3.2 Procedure for suspending the right to attend

- The teacher-in-charge of the course must immediately report to the School investigator if there is a need to suspend a student's right to attendance.
- The investigator judges the severity of the situation, determines available measures, brings the matter to the Dean or President for decision, when needed, and records the actions taken.
- In acute situations the teacher-in-charge may ban the student's right to attend teaching for up to three (3) days unassisted by the investigator. In that case, the teacher-in-charge is responsible for recording the actions taken, and he/she reports without delay to the investigator about the actions taken.

3.3.3 Warning and suspension

The President decides on issuing a warning to the student and the Board decides on suspension, as stipulated in the Universities Act. The procedure is to follow the applicable guidelines for dealing with cases of cheating or fraud. Administratively, the measures taken (warnings or suspensions) may be initiated only by the University (the Dean or President). The person who was the target of the misconduct and others involved, except for the suspect, is not a proper party to the disciplinary aspects of the matter and so cannot appeal the disciplinary decision.

4 Other possible measures – mediation

Aalto's use of mediation for work-community conflicts has been expanded to include conflicts between 1) staff and students, and 2) students themselves, when the conflict pertains to studies or study support services. Mediation does not extend to conflicts pertaining to students' free time.

Aalto's internally trained mediators are used in the mediation. A representative of Aalto University Student Union (AYY), student healthcare (FSHS) or an Aalto chaplain may be included as support.

4.1 Background on mediation

- Mediation is a voluntary form of conflict management in which an impartial outside mediating partner assists the parties to a dispute to find, through mediation procedures, a resolution amenable to all.
- The aim of mediation is for the parties themselves to resolve the conflict, make an agreement and bear responsibility for holding to the agreement.
- The principles of mediation include voluntariness, openness, trust, person-centredness, impartiality, restoration of status and respect for the value of the parties.

4.2 Conflicts between staff and students

- The party to a conflict (whether a student or a teacher) may contact work-community mediation (email address for work-community mediation tyoyhteisosovittelu@aalto.fi, or the AYY harassment contact person, the School's academic affairs manager or the HR manager.
- The academic affairs manager and/or the HR manager evaluates the situation. If a mediation process seems suitable for it, the process is begun.
- Mediation is not an alternative for disciplinary proceedings and it is not possible in cases of suspected sexual harassment or violence or threat of the same.
- Mediation processes do not necessarily end with a formal agreement. However, the mediating partner does record in writing the main points of agreement. If needed, a follow-up meeting may be arranged.
- Mediation can enable and facilitate the parties to work normally among the university community in the future. It also furthers learning involving interactive, cooperative and working-life situations, and it alleviates the psychological burden.

4.3 Conflict between students

- Contact with work-community mediation (email address for work-community mediation tyoyhteisosovittelu@aalto.fi) may be initiated by a student, an academic affairs manager, the AYY harassment contact person or an FSHS representative.
- If the conflict relates to the student community's free-time activities, e.g. in guilds and associations, contact should be with the AYY harassment contact person.
- If the conflict relates to learning or studies, then the teacher or academic affairs manager, having primary responsibility, should be contacted first, and the director of the degree programme may be informed as well.
- After evaluating the situation the academic affairs manager may initiate a mediation process. Mediation may also be started through the initiative of students.
- Mediation is not an alternative to disciplinary proceedings and it is not possible in cases of suspected sexual harassment or violence or threat of the same.

- Mediation processes do not necessarily end with a formal agreement. However, the mediating partner does record in writing the main points of agreement. If needed, a follow-up meeting may be arranged.
- Mediation can enable and facilitate the parties to establish normal working relations among the University community in the future. It also furthers learning involving interactive, cooperative and working-life situations, and it alleviates the psychological burden.

[Aalto University work mediation for the needs of students and teaching personnel](#)

5 Referral to seek help

In the course of investigating a suspected case of harassment or inappropriate conduct it may emerge that one of the parties involved should seek healthcare services for their own health or security. If the matter involves a student within the FSHS student healthcare system, the academic affairs manager will arrange the necessary treatment referral negotiations. If the student does not agree to the recommended treatment, the academic affairs manager provides the student with the contact information for student healthcare so that he or she may seek treatment independently.

The necessary background information is collected for the referral negotiations and the participants are sent written invitations with information about the participants and the goal of the meeting.

Participants in the negotiations include: 1) the student, 2) an FSHS representative, 3) representative(s) of the School, and 4) a support person for the student, if needed. The FSHS representative serves as chair of the negotiations. It is recommended that, in order to expedite the treatment referral, students should contact FSHS themselves already before the negotiations for a review of the situation and a treatment plan. The content of the visit(s) is confidential.

Student healthcare takes an inventory of what treatment modes are suitable for the student. If the issue involves student misuse of substances, the negotiations include making a treatment commitment.

6 Handling suspected criminal cases

- A teacher, student or other person who suspects they have been subject to a criminal offence may lodge a request for investigation or report the crime to the police.
- Aalto University gives separate consideration to crime reports and requests for police investigations, and to compensation claims when there is a suspicion that the University was the object of a criminal act or vandalism.
- The University may not itself resolve the question of whether an incident did in fact constitute a criminal offence or how much compensation should be paid to the victim.
- The University may launch its own administrative investigation and disciplinary proceedings, whether or not a crime report or request for a criminal investigation was made on the same case by Aalto or some other party.

Guideline roles, persons in charge and contact information

[Guideline roles and persons in charge \(pdf\)](#)

[Guideline persons in charge and contact information \(pdf\)](#)