
UNIVERSITY HANDBOOK ON DISCIPLINE 2013-2014



CENTRAL UNIVERSITY OF GUJARAT
GANDHINAGAR, GUJARAT

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Preface

This Central University of Gujarat Handbook on Discipline was prepared by a committee consisting of the Proctor, CUG and two faculty members: Dr. Hemant Kumar and Dr. Tulika Tripathi. The committee members consulted students' handbooks or code of conducts of a number of international universities such as Norfolk State University, Howard University, University of California, Western Michigan University, and Saint Peter's University. The regulations of these universities have had largely inspired the present Handbook.

This CUG Handbook summarises general rules and policies that govern the activities of student, staff and faculty in the CUG campus. It only serves as a preliminary guide for students with the anticipation that they will become familiar with the University policy, procedure and regulation contained in the other university policy documents including Ordinances and Statutes.

It is the individual responsibility of the students to comprehend about the handbook (available online at www.cug.ac.in) and complying with the regulations therein. For more information related to the CUG rules, regulations, and policies, students are advised to contact the Dean of Student Welfare, GSCASH, SC/ST Cell, Equal Opportunity Cell and others.

The University reserves the right to change, modify and/or update the Disciplinary Handbook at any time.



Preamble

The Central University of Gujarat has been established by the Parliament vide the Central University Act, 2009 (No.25 of 2009) with objective to disseminate and advancement of knowledge, to make special provisions for integrated courses, to educate and train manpower for the development of the country, to appropriate measure for promoting innovation in teaching-learning and to pay special attention to the improvement of social and economic conditions and welfare of the people, their intellectual, academic and cultural development.

The University aspire to establish and enrich an academic community with a free environment to educate to learn and to discover new avenues of skill and knowledge. It is the common responsibility of every member of the CUG community to maintain an appropriate sense of orderly functioning for the pursuit of these objectives in an environment that is both safe and free of invidious disruption.

Students who get the opportunity of attending the Central University of Gujarat become members of the academic community while retaining status as citizens. Students are entitled to the same fundamental rights, privileges and immunities that are guaranteed to every citizen of the Republic of India. Further, the members of the academic community shall enjoy all of the fundamental rights recognised as essential to the achievement of the goals and mission of the Central University of Gujarat.

In addition to this on becoming members of the academic community of CUG, students voluntarily assume the obligation to fulfil the responsibilities of all citizens, as well as the obligation of performance and behaviour imposed by the University in relation to its endorsed vision and mission. The University has the responsibility to develop policies, procedures and standards that will ensure protection of the rights of each member of the academic community. Rules and regulations are necessary to mark the boundaries of this needed order. However, the rights of the individual demand that honesty, integrity, responsibility, and respect for persons and property must form the core values upon which those rules and regulations are based. All members of the University community share a mutual responsibility to practice these values.

Instances of prohibited student behaviour are described in this Handbook of Discipline (“Code”). Behaviours that reasonably indicate a violation of the Code will give rise to the immediate consideration of resolution through the University’s disciplinary body.

The Code is applicable to all students and it is the responsibility and duty of students to become acquainted with all provisions of the Code. It is presumed that every student, from the date of his/her enrolment at the University, has the knowledge of the Code.



Philosophy of the Code

Code seeks to ensure a learning environment that is respectable, safe, free, fair and conducive for the advancement of knowledge. Thus it envisages the followings:

Academic integrity and honesty with an understanding and adherence to the requirements of legitimate academic work and responsible use of the University's tangible and intangible resources;

Appropriate recognition of intellectual property rights;

Appreciating others' privacy;

Valuing the safety of University community members by avoiding behaviour that harms, endangers, or intimidates others, including the behaviour of individuals you bring to the campus as guests;

Avoiding harassing, hazing or bullying behaviour, by any means based on gender, caste, religion, sexual orientation, age, ability, race and ethnic or national origin;

Being absolutely certain that gender relations are mutually agreed upon and complying with the requirements of the GSCASH Policy of the University;

Respecting the property of the University and of community members;

Respecting and adhering to the law of the land (city, state and nation);

Cooperating with University officials;

Respecting and adhering to policies of hostels and guest house of the University; and

Valuing the policies of any community in which CUG members participate in any University-related work or recreation, both on and off the campus.

Definitions

"University" or "CUG" means "Central University of Gujarat".

"Student" includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw during a pending conduct charge or proceeding, or who are not officially enrolled for a particular term but who have a continuing relationship with the University or persons who are living in University hostels, although not enrolled in this institution are considered as students. Those persons include, but are not limited to new, continuing or transfer students, participants involved in workshops, seminars, special classes, summer programs, games programs, and camps affiliated with the University. The Code applies to all locations of the University and to all student groups and organisations operating there.

"School" means the School of Studies structured by the university such as "School of Social Sciences", "School of International Studies", "School of Chemical Sciences", "School of Life Sciences", or "School of Environmental Sciences" and so on.

"Faculty Member" means any person assigned by the University to conduct teaching and research activities or who is otherwise considered by the University to be a member of the faculty.

"Staff Member" and "Administrator" mean any person employed by the University to conduct administrative, professional, or trade assignments.

"University Official" includes any individual employed by the University, performing assigned administrative or professional duties. A University official may include staff such as section officer, system analyst, Medical Officers.

"Member of the University Community" includes any person who is a student, faculty member, staff member, administrator, University official, or any other person employed by the University or acting as a University volunteer. The Dean of Student Welfare of the CUG shall determine a person's status in a particular situation.

"University Premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University.

"Organisation" means any number of persons who have complied with the formal requirements for University recognition and registration with Dean of Student Welfare, CUG.

Proctor is the official designated by the CUG Vice-Chancellor to be responsible for the administration of the Code.



"CUG Disciplinary Committee" or "CUGDC" means a specific Board comprised of university officials, faculty members and a student representative constituted by the Procter office on the advice of Vice-Chancellor.

"CUG Higher Disciplinary Committee" or "CUGHDC" means a specific Board comprised of the Vice-Chancellor, Procter, Dean of the School of Studies concerned, and university officials.

"Policy" means the written regulations of the University in the form of ordinances, statutes and as found in but not limited to the Code.

"Accused Student" means any student accused of violating the Code.

"Complainant" means the person who submits a charge alleging that a student violated the Code.

Rights and Obligations of CUG Students

CUG community members shall have the following rights and freedoms:

I. General Rights

A. All members of the CUG community are guaranteed freedom of expression, inquiry and assembly, the right to form an organisation, to join associations in support of any cause or common interest, and to peacefully protest, provided that such activity is conducted in a conformity with the laws of the land, and in accordance with University regulations, and does not encroach the rights of others.

B. Students have the right of equal access to all educational opportunities and benefits available at the University in a safe and free environment.

C. CUG Members have the right and responsibility to report, in good faith and without fear of retaliation, violations of this Code, to appropriate officers of the University.

II. Procedural Rights

Following rights lies with the accused CUG Members of violating this Code:

A. To have access to all University policies and procedures regarding the functioning of the disciplinary process.

B. To be informed of and to have explained as required the pending charges.

C. To be free from intimidation by University authority or any other members in the resolution of disciplinary matters.

D. To face accuser(s) and have the opportunity to cross-examine them and any witnesses.

E. To be free from searches or seizures unless based on reasonable cause by appropriate officials.



F. To have a fair and impartial hearing before an appropriately appointed disciplinary committee, higher disciplinary committee or Proctor.

III. Obligations

The University will frame policies, measures and procedures for ensuring the protection of the rights of each member of the CUG community. Along with the above mentioned general and procedural rights community members share the following responsibilities:

For being fully acquainted with the regulations of the University including the Code and for compliance with them.

For assisting the University administration in protecting the rights of others through orderly disciplinary procedures.

For acting appropriately in the interests of the personal and property rights of other CUG community members.

For protecting and fostering the intellectual, academic, cultural, social, and other objectives of the University.

For observing the laws of local, state, and central governments.

In the above background, the University has the responsibility to set standards of necessary conduct for achieving its vision and mission. Where appropriate due process of the CUG does not preclude adjudication of offenses by local and state agencies.

Since the enrolment, a student has initiated a contract with the University and is bound by the following declaration:

"I hereby accept and submit myself to the ordinances, statutes, and rules of the Central University of Gujarat, and of the School/Center in which I am registered, and to any amendments thereto which may be made while I am a student of the University, and I promise to observe the same."

No student shall be enrolled if she/he does not agree to become bound by the declaration above. While appreciating the tradition of freedom of expression on the CUG campus, the University reasserts its commitment to fostering and tolerating plurality of viewpoints on different issues. It acknowledges protests as medium of expression as divergent point of view. However, the University will not tolerate disruption to its academic activities nor the means of protest that interfere with the legitimate rights of others.

Authority for the Code and its Amendment

Ultimate authority for all university policies on discipline is vested with the Vice- Chancellor of Central University of Gujarat. Disciplinary authority has been delegated by the University to the Proctor to implement the Code and take all necessary and appropriate action to protect the safety and well-being of the CUG community. The Central University of Gujarat reserves the right to review, and to take any action it deems necessary, in any disciplinary case even not mentioned in this document. Students are provided with the opportunity to be in the disciplinary system in order to contribute their skills and insights to the resolution of disciplinary cases. The university reserves the right to amend this Code at any time accordingly.



Prohibited Misconducts and Behaviours

Students may be disciplined for violations or attempted violations (including aiding, abetting, or participating in the planning of an act that would be in violation of this Code, whether or not the individual who carries out that act is a student). Violations include the following types of misconduct.

I. Prohibited Academic Misconduct

It includes, but not limited to, cheating, fabrication, plagiarism, multiple submissions or facilitating academic misconduct by others. Under the University Code, the following illustrative conducts (actual or attempts to engage in such conduct) are prohibited. A reasonable suspicion that a student has engaged in or attempted to engage in, such prohibited conduct will result in the immediate consideration of disciplinary action under this Code.

1. Cheating

Cheating includes, but is not limited to, the use of unauthorised materials, information, or study aids in any academic exercise; the alteration of any answers on a graded document before submitting it for regarding; or the failure to observe the expressed procedures or instructions of an academic exercise (e.g., examination instructions regarding alternate seating or conversation during an examination).

2. Fabrication

Fabrication includes, but is not limited to, falsification or invention of any information or citation in an academic exercise.

3. Plagiarism

Plagiarism includes, but is not limited to, the use of another's words or ideas as if they were one's own, including, but not limited to, representing, either with the intent to deceive or by the omission of the true source, part of or an entire work produced by someone other than the student, obtained by purchase or otherwise, as the student's original work or representing the identifiable but altered ideas, data, or writing of another person as if those ideas, data, or writing were the student's original work.

4. Multiple Submissions

Multiple submissions includes, but is not limited to, the resubmission by a student of any work which has been previously submitted for credit in identical or similar form in one course to fulfil the requirements of a second course, without the informed permission/consent of the instructor of the second course; or the submission by a student of any work submitted for credit in identical or similar form in one course to fulfil the requirements of a concurrent course, without the permission/consent of the instructors of both courses.

5. Facilitating academic dishonesty

Facilitating academic dishonesty includes, but is not limited to, knowingly helping another student commit an act of academic misconduct (e.g., cheating, fabrication, plagiarism, multiple submissions).

6. Coercion Regarding Grading or Evaluation of Coursework

Threatening personal or professional repercussions or discipline against an instructor to coerce the instructor to change a grade or otherwise evaluate the student's work by criteria not directly reflective of coursework.

II. Prohibited Non- Academic Misconduct

1. Safety

A. Conduct and behaviour that endangers the safety and wellbeing of oneself, individuals, groups of individuals, or the University community.

B. Tampering with and damaging of safety measures or devices, such as alarm systems, fire extinguishers, exit signs, emergency phone systems, smoke or heat detectors, security systems, locked exterior or interior doors, and sprinkler systems.

C. Conduct and behaviour incompatible with the University safety guidelines, including false reporting of emergency situations, failure to conform with evacuate facilities in a timely fashion, inappropriate use of the alarm system, etc.

D. False reporting of threat of a bomb or any other dangerous objects or conditions.



E. Failure to share the information of an event or act that would potentially endanger members of the University community.

F. Circulating or spreading rumours by any means that may create fear and disharmony among the University community.

2. Weapons

A. Possession and use of weapons, explosives, fireworks, or ammunition that may cause bodily harm. For security reasons the University may consider the request for bringing authorised weapons in extra ordinary cases.

B. Possession and use of tear gas and dangerous chemicals, except as authorised for use in class, laboratory or in connection with University-sponsored research or other approved activities.

3. Discrimination

A. Intimidating, offensive, and demining conduct in verbal or physical forms directed at an individual or group based on regional origin, caste, creed, gender, religious beliefs, nationality, race, or sexual orientation.

B. Demonstrations of bias against any individual or group within the University through any media such as wearing articles of clothing, graphic message either in words or picture based on region, caste, race, gender, and so on so forth.

4. Harassment

Verbal, electronic, visual, written or physical behaviour directed to an individual or groups that may result in a negative or injurious response, mental or emotional distress:

A. Threatening, in explicit or implicit manner, another person's academic pursuits, University employment, or participation in activities sponsored by the University or organisations or groups related to the University;

B. Unwarranted obstruction or interference in the classroom, laboratory, or clerkship, or any activity directly related to teaching, instruction or academic advisement and counselling, or any academic support services throughout the University community.

5. Sexual Harassment, sexual abuse and sexual misconduct

Submissions on such misconduct as defined by the University's Gender Sensitisation Committee against Sexual Harassment (GSCASH) guidelines of the University may be received by the Proctor office.

6. Stalking

Wilfully, maliciously and repeatedly following another person, physically or electronically, in a manner that would cause a reasonable person to fear for his or her safety.

7. Ragging

Any activity, on or off-campus, that causes physical or emotional harm for the student or intends to cause an unreasonable expenditure, embarrassment, intimidation or demeaning behaviour, on her/him for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in any sanctioned or unsanctioned group or organization at the University.

8. Offensive physical contact

Encounter between two or more persons with weapons, blows or other personal violence and that may include pushing, shoving, and other acts of physical abusive contact. Depending on the circumstance self-defence may be a mitigating factor to this charge.

9. Assault

Any intentional use of force to attempt or create threat to bodily harm another person. This may occur without actually touching or striking, or doing bodily harm. Depending on the circumstance self-defence may be a mitigating factor to this charge.



10. Alcoholic Beverages

A. The University prohibits unauthorised possession, consumption or distribution of alcoholic beverages. Relevant state laws or regulations on the sale and use of alcohol are also applicable.

B. Disorderly conduct in the University premise due to all or in part being under the influence of alcohol consumed outside the campus.

11. Drugs/Controlled Substances

The University prohibits the possession, consumption, sale or distribution of illegal drugs or controlled substances. The University has a “zero” tolerance policy on the improper use of controlled substances.

Within the University premise aiding or abetting an individual or individuals having possession, or an intent to use, sale, or to distribute controlled substances or drug paraphernalia.

12. Forgery, Fraud, Dishonesty

Forging of names, knowingly furnishing false information and statements (to University officers, officials, faculty and/or employees), altering or misusing official University documents, records, stored data, electronic data bases, and providing false information involving or referring to the University to off-campus organisations, institutions, or individuals. Aiding and abetting another individual in the conduct of above mentioned actions also constitutes a violation of the Code.

Students may not use the seal, logo(s), motto, trademarks, or other intellectual property of the University without written permission from the University’s Office. Authorized student organizations must be pre-approved by the office of the Dean of Students Welfare.

13. Property Damage

A. Damaging, destroying, defacing, or removing University property or property under University custody, and the property of others on the University premises or at University-sponsored activities.

14. Theft

Attempted theft or stealing of tangible or intangible property of the University; knowingly possessing or transporting stolen property.

15. Unauthorised Entry, Use, or Trespassing

Unauthorised entry or use of University facilities or property, or with an improper purpose, or assisting others in doing so.

16. Organisation and Event Registration

Non-compliance with policies and regulations governing the registration of student organisations, events on campus, or the use of University facilities or resources.

17. Failure to Comply/Non-Compliance

A. Not obeying the directions or instructions of an authorised University official, faculty, or staff member acting in accordance with his or her duties.

B. The student identification card of the University shall be carried by students all the times and produced upon the request of any University Official, Faculty Member, Staff Member and all hostel officials.

18. Smoking

Smoking is prohibited inside the University and hostels.

19. Disruptive Conduct

Interfering or obstructing the orderly conduct, processes, or functions of the University or at any University-sponsored event.

Disruptive behaviours while participating in academic programmes including talking, the use of electronic devices such as cell phones, video games, walkman, personal music players, playing computer games during class sessions, laboratory or clinical practical or clerkships and periods of academic instruction, remediation, or tutorial assistance. Wearing of apparels or clothing that conveys those messages in print or picture capable of disrupting the



instructors' ability to maintain the academic decorum during the class. These messages can be, but not limited to, vulgar or sexually explicit, patently offensive, casteist, racist or discriminatory in nature. This also includes students' disruptive behaviours or communications with an instructor, such as swearing or cursing.

20. Electronic Communication

Illegal or improper use of the University telecommunications, data communication networks or any electronic means.

21. Harboring

Knowingly allowing any fugitive from law or person with an outstanding warrant, or any student, employee, or any other individual who has been barred from the University, to stay in, University owned or operated property or facilities.

22. Contracts

Unauthorised verbal or written agreements entered by students as individuals or representatives of student organisations that obligate or create liability of any kind for the University. Such students individually be liable for any financial or legal consequences or damages that may result from such unauthorised actions.

23. Violation of Criminal Codes of the Local, State, or Central Governments

Activities, on or off-campus, that violates law of the land.

24. Embezzlement

Unauthorized appropriation and/or use of funds belonging to any University unit, organisation, or individual.

25. Contempt/Interference with the Disciplinary Process

Failure to respect the disciplinary programme, including failing to appear for a meeting or hearing if requested to do so, interfering with attendance by any person or persons mandated to attend a meeting or hearing, or interfering with the hearing or disciplinary process of any disciplinary committee or administrative hearing. Acting in a threatening or harassing manner towards hearing participants before, during or after a hearing.

26. Media Contact

Without the express written permission of the University, students are not allowed to speak on behalf of, or for, the University with any media organisation or publication. Also, they should not invite the same to any University-owned or operated property, facility, or event.

27. Presenting False Testimony

Knowingly making false statements regarding a disciplinary matter before, during or after the disciplinary adjudication process.

28. Unauthorised Use or Sale of University Materials

Without the written consent of the University and the instructor, no student will give, sell, or otherwise distribute to others or publish any recording in any medium made during any course presentation.

29. Standards of Classroom Behaviour

The instructor/teacher has the primary responsibility for managing the classroom environment. In case of any prohibited or unlawful acts that result in disruption of a class, the faculty may direct the concerned student to leave the class for the remainder of the class period. Longer suspensions from class or dismissal on disciplinary grounds shall be based on a disciplinary hearing under this Code. Students will be subject to the Code and this matter can be looked by either The Proctor or The Dean of the respective schools or Chairperson of the Centre or jointly.

30. Student Groups and Organisations

The Code also governed the behaviours of student groups and organisations.

A. When a student group or organisation or their leaders/officers provides consent or encouragement for conducts that violates the Code such organisations and their officers may be held collectively or individually responsible.



B. The Proctor may order the officers/leaders/any identifiable spokesperson for a student group or organisation to take appropriate action designed to prevent or end violations of this Code by the group. Non-compliance with the Proctor's order by not making reasonable efforts shall be considered a violation of this Code.

C. Revocation/denial of registration and other appropriate measures may be taken against groups/organisations for their misconduct by the Proctor's office.

D. Any anonymous poster related to the University or its any matter of concerns, in or outside the University, shall not be allowed in any circumstances.

E. One copy of every poster/pamphlet has to be submitted to the Dean of Student Welfare office by the individual or students' group/organisation before pasting it in the University.

F. During the time of Students' Council election 'Election Code of Conduct' formulated by the Election Committee of the University shall be strictly followed.

Scope and Applicability of the Code

The Proctor's office plays a number of roles throughout the University with the emphasis on the safety and discipline of the university community and maintaining a healthy learning environment for all. The Executive Council of the University appoints the Proctor on the recommendation of the Vice Chancellor.

The Code applies to incidents occurring on campus and to some situations occurring off-campus. Students who are involved in internships, externships, field visits or other activities directly involved with an academic program of study at this University are also subject to the Code.

The administration, enforcement and operation of the Code of the University are delegated to the office of the Proctor. Official action against any student committing a violation of the Code will be considered on a case-by-case basis upon receipt of the filing by a written complainant. After review of the complaint application, Proctor office will make a determination of its appropriateness for University disciplinary action.

Disciplinary actions including suspension, expulsions and declaration of out of bound from all University-owned and operated property and all University-sponsored events and activities may be considered depending on the severity and nature of the charge.

Any student who knowingly and wilfully misuses the procedures of the Code to harm another member of the University Community, shall be subject to disciplinary action with severe consequences.

Above all the Proctor of the University has the sole discretionary power to take suo moto cognizance of any matter not covered under this Code but which affects the University, directly or indirectly, and therefore, he/she reserves the right to initiate a disciplinary action to protect the University's interest.



Disciplinary Process: Hearing and Action

I. Interim Suspension

A student may be suspended by the proctor on interim basis from the university whenever there is a strong possibility that the continued presence of the student at the university poses a substantial and immediate threat to him or herself, to others, or to the stability and continuance of normal university functions. Interim suspension excludes students from university premises and other privileges or activities. However such suspended student will have an opportunity to appear personally before the dean of student welfare or designee in order to discuss the relevant issues.

II. Procedures for Disciplinary Hearings

1. Central University of Gujarat Disciplinary Committee (CUGDC):

This board shall be constituted by the Proctor in consultation with the Vice Chancellor. Members of committee shall be constituted of students representative, faculty members, and administrators deemed by the Proctor.

The disciplinary committee have jurisdiction over all students subject to the Code. It is responsible for considering and evaluating all of the relevant information, conducting hearings, rendering a decision and making recommendations for appropriate measures, if any, to the Dean of Student Welfare.

2. CUGDC Membership

Each committee shall be comprised of six members on the case to case basis. A minimum of four (4) members will constitute a quorum. Only members present may vote.

Membership of CUGDC is as follows:

Proctor or her/his nominee (Chair)

Chairperson of the concerned centre or her/his nominee

Dean of School of Studies concerned or her/his nominee

A faculty member external to the school of studies

One Student Representative

Assistant Registrar of the concerned school/Assistant Registrar (Admin) in case of complaint involving support staff.

The Chair

The Proctor or his appointee shall chair the committee.

3. Central University of Gujarat Higher Disciplinary Committee (CUGHDC)

Student(s) subjected to disciplinary measures by the CUGDC or Disciplinary Officer may submit a written request for the reconsideration of the decision to the Proctor office. This application shall be duly forwarded to the Higher Disciplinary Committee of the University. Re-appeal shall only be considered within the ten (10) working days from the date of the notification of the decision of the CUGDC.

CUGHDC shall be comprised of the following members:

Vice Chancellor or her/his nominee (Chair)

Proctor or her/his nominee

Dean of School of Studies concerned or her/his nominee

A faculty member external to the school of studies

One Student Representative

Deputy Registrar (Academics)/ Registrar in case of complaint involving support staff.

Members served on the CUGDC shall not serve on a CUGHDC on the same case.

A minimum of four (4) members will constitute a quorum. Only members present may vote.

III. Hearing Particulars

1. Notification of Hearing

The date, place and time of a scheduled hearing shall be notified to the members of the University Disciplinary Committee, the Accused Student(s), and the Complainant(s) by the Proctor not less than ten (10) working days prior to the hearing date (excluding holidays). Both the Complainant(s) and the Accused Student(s) are responsible for contacting their own witnesses, informing them of the hearing, and ensuring their attendance before the



committee. Notification shall be delivered by hand, mailed, e-mail or written to their respective official addresses.

2. Failure to Attend a Hearing

If either the Accused Student(s) or the Complainant(s) or the witness(s) cannot attend a scheduled hearing due to compelling circumstances, he/she must notify Proctor as soon as this fact is known. Written documentation of extenuating circumstances must be provided. Failure to adhere to this policy may result in additional disciplinary action and/or conducting the proceeding without the benefit of the absent person's participation.

A witness, who is called by the Proctor or a Disciplinary Committee, with evidence critical to the resolution of a violation of the Code who refuses to attend may be considered in contempt of the disciplinary process and subject to possible disciplinary action.

3. Document Access

The documents prepared by the Proctor office and those submitted for the hearing, including the statements given constitute the relevant case documents. The Accused Student(s) and complaining student(s) shall have reasonable access to these documents. Documents shall also be available to members of the disciplinary committee for review prior to one day from the hearing.

4. Briefings and Consultations

Committee chairs and members may be briefed by the Proctor on factual and procedural matters. Legal advice may be provided on demand such members by the competent person.

5. Rules of Evidence and Legal Representation

The University disciplinary proceedings are not subject to the formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court. Rather, committees shall make a determination based on whether the record makes it more likely than not that the charges are true.

The Accused Student(s) and the Complainant(s) may consult with their personal legal counsel in preparation for a hearing; however, attorneys are not allowed to attend a disciplinary hearing or to represent a student at a hearing.

7. Scope of Evidence Considered in a Disciplinary Action

The Committee Chair shall be the sole judge of the relevancy and admissibility of evidence presented for consideration.



Procedures for Conducting a Disciplinary Hearing

1. Closed Hearings

All hearings are closed, except to those persons directly involved (committee members, Complainant(s), the Accused Student(s), and witnesses), unless the committee determines otherwise.

2. Witnesses

Persons with direct knowledge of the incident shall be allowed to appear as witnesses.

3. Postponement

A one-time request for postponement by either the Accused Student or the Complainant(s) may be considered by the Proctor, and granted only when Proctor determines that there is a compelling reason for the delay. The Proctor will set a new date for the hearing and notify all parties involved. Further requests for postponement do not have to be considered and a hearing may be held in the absence of either party.

4. Role of the Chair

The Chair of a disciplinary committee has the responsibility of conducting the hearing in a fair and equitable manner. He/she shall take such action as necessary to sanction or mitigate disruptive or inappropriate behaviour.

5. Burden of Proof

The Complainant carries the burden of proof to establish the guilt of the Accused Student. The Accused Student should be prepared to respond to charges against him/her with witnesses and/or documents, as appropriate.

6. Decision Making and Reporting Results to the Proctor

A. Deliberations shall be conducted only with committee members, University counsel, and Proctor staff present.

B. Committee shall consider only such information as may constitute the record.

C. A simple majority vote of the committee shall determine the sanction, except the cases like suspension and expulsion that requires a two-thirds vote of the member present.

D. The Chair of the committee shall prepare and submit a written report of the hearing finding(s), including the basis(es) for the finding(s) to the Proctor office within ten (10) days of the hearing. In case the Accused Student is found “Responsible” for violating the Code, there shall be recommendations for sanctions in the report signed by the chair. The Proctor will provide notification to the Accused Student and Complainant of the board’s decision.

E. Sensitive information considered by the disciplinary authority to determine sanctions shall be deemed confidential and will not be shared with students, except that upon written request from any alleged victim of a crime of violence.

Notification of Hearing Outcome

The hearing outcomes and sanctions of the University’s disciplinary proceedings shall be disclosed by the Proctor within 20 working days after receipt of the reports from the disciplinary committee. The Proctor reserves the right to delay notification when it determines that such delay is in the best interest of the University. When deemed necessary or appropriate by the Proctor, it shall notify relevant University officers, officials, units and organisations of hearing outcomes and sanctions.



Appeal of a Disciplinary Hearing Decision

1. Criteria for a Re- Appeal

A re- appeal can only be considered if it is found that the first hearing committed an error in identification and interpretation of available information or surfacing of relevant new evidence/s or the disproportionate sanctions to the offence.

2. Process for Filing a Re- Appeal of Disciplinary Action

An Appeal of Disciplinary Action must be submitted in written to the Proctor office by the student found “Responsible” within five (5) working days of receipt of the letter of notice of hearing outcome. The statement must clearly specify the grounds on which the appeal is being made and have attached any supporting documentation. Each case may be appealed only once.

3. Re- Appeal Review Process

The Proctor will forward the appeal to the Vice Chancellor who shall have the authority to determine if the appeal is reasonable and refers the case to the Higher Disciplinary committee.

4. Appeal Hearing

Appeal hearings will be limited to a presentation of evidence by the appellant that directly addresses the grounds for an appeal.

5. Remedies on Appeal

Based on a majority vote in the higher disciplinary committee the following actions may be taken with a recommendation to the Proctor office:

A. Affirm the findings of the disciplinary committee.

B. Affirm the findings, but may change the sanction(s) levied.

C. Overturn the sanctions of the disciplinary committee and pronounce new sanctions.

6. Notification of Finding

The results and the recommendations of an appeal will be sent by the Chair, to Proctor office within twenty (20) working days of the decisions. Within five (5) working days, the Proctor will then inform the parties of the decisions of higher disciplinary committee.

7. Limitations

A. Each case may be appealed only once. Therefore the finding of the higher disciplinary committee is final and binding.

B. Only the Accused Student may file an appeal.

C. Appeals filed after the stated deadline will not be considered, except in compelling circumstances as determined by the Dean Student Welfare.

8. Stay of Sanction(s) During the Appeal Process

The Proctor may stay the sanction imposed on an appellant pending the appeal process.