

7.12 Disciplinary Matters Regarding Students

The Senate exercises disciplinary control over students in the manner outlined below:

7.12.1. General Information

The appropriate body for formulating policies for the discipline of students is the Senate. To carry out the major disciplinary functions the Senate appoints the *Student Disciplinary Committee (SDC)*.

7.12.2. Disciplinary Offences

Disciplinary offences are classified into major and minor offences. Major offences (except Cheating and Plagiarism) are examined by the SDC, whereas minor offences are examined by the relevant Department Council. Both bodies may impose punishment. Cheating and Plagiarism is initially examined by the lecturer and/or Department Council.

(a) Major or Minor Offences

Major or minor offences are those that violate the Internal Regulations and other Directives of the University or are contrary to the University's philosophy and the University's Code of Conduct.

(b) Major offences

The following offences are considered major:

- Cases of academic plagiarism and cheating related to examinations or written work
- Replication of degrees, diplomas, certificates and in general any University degree or of falsifying student records
- Theft of University funds or purposeful damage to University property
- Provocation of disturbance or engaging in improper behavior in such a way as to inflict damage to buildings, laboratories and other property of the University
- Offences under Criminal Law when these are immediately related to the University
- Violations of security provisions of electronic equipment of the University and/or causing malfunction of such equipment
- Sexual harassment
- Violations of Internal Regulations and the University Code of Conduct.

(c) Minor Offences

Minor offences are those that cannot be considered major.

7.12.3. Referring of the Disciplinary Offences (except Cheating and Plagiarism)

A disciplinary offence depending if it is regarded as being major or minor, can be referred to the appropriate body only after a written charge has been forwarded to the collective body or officer of the University listed below:

- a. Department Council (Head of Department)
- b. School Council (Dean of School)
- c. Students' Disciplinary Committee (Chair)
- d. Senate's Disciplinary Council (Rector or Vice Rector)
- d. Senate Appeals Committee (Vice Rector and Dean of Schools)

The official or body of the University to whom the written charge has been submitted to or the person, who has confirmed the offence, is to decide as to how serious the offence is and, thereby, refer it to where appropriate for examination.

7.12.4. Definitions of Cheating and Plagiarism

Plagiarism means to take and use another person's work, whether such work is made up of code, formulas, ideas, language, research, strategies, writing or other form(s), and to pass it off as one's own by failing to give appropriate acknowledgement in order to gain unfair advantage.

Cheating means seeking to obtain an unfair advantage in an examination or in other written or practical work required to be submitted or completed by a student for assessment. Cheating refers to any kind of dishonesty in connection to assignments or examinations; it applies to both giving and receiving unauthorized help.

Cheating may also take the form of similar work submitted by students who may have worked together. It is essential that the Lecturer provides students with clear instructions as to whether they have been permitted to work on the assignment jointly or individually and what the outcome of possible cheating will be for the students involved.

7.12.4. Procedure for Disciplinary Action on Cheating and Plagiarism

(a) Level One

Step One:

Upon determining that a disciplinary infraction (plagiarism or cheating) has taken place the lecturer has an immediate responsibility to inform the student.

Step Two:

The lecturer must then arrange a meeting with the student to discuss the infraction. Based on the result of this joint conversation and depending on the gravity of the offence, the lecturer can decide on one of two ways to proceed:

A: To impose a penalty of up to 100% of mark deduction for the specific assessment

B: To refer the disciplinary offence to the Department Council

Step Three:

Once a disciplinary measure has been agreed upon, both the lecturer and the student must sign the Cheating and Plagiarism form. This form ensures that the student is clear on the disciplinary

measures that will follow. Copies of the form are sent to the student's Academic Advisor, the Head of Department, and the Dean of the School.

Additionally the form is also sent to the University Registrar and placed in the student's permanent record.

(b) Level Two

Step One:

Level Two covers cases where the student and lecturer do not come to an agreement on disciplinary measures to be **taken**, or where the lecturer has previously deemed the offence to be of a gravity to be directly referred to the Department Council (see Level One, Step Two).

In both such situations the case moves under the authority of the Department Council.

Step Two:

In such a case, it is the responsibility of the Department Council Head (DCH) (Head of Department),

to inform the **student** in writing of the offence s/he is accused of no later than five (5) working days after the lecturer has notified the Department Council Head (Head of Department).

Step Three:

The student then has ten (10) working days to submit a response to the accusation.

The Department Council is required to meet no later than five (5) working days after it has received the student's response to the accusation.

If the student does not submit a response the DC will meet within five (5) working days from the end of the ten day period. In addition the student has the right to defend him/herself in person before the Department Council

The student must be informed of the outcome of the accusation within five (5) working days from the date of the Department Council's meeting.

In a case where the student admits to the infraction or where the Department Council concludes that an infraction did indeed take place, the Department Council has the right to impose a penalty on the student. The penalty that can be imposed is referred to in items a. and b. of point 7.12. 4.1.

To ensure that the student is made completely aware of the Department Council's decision, it is recommended that the student not only receive the outcome in writing but also, meet in person with the DCH or another appointed member of the DC to discuss the decision. This will additionally ensure that the student is made aware of the process for an explanatory appeal and the deadlines involved.

Process for Appeal

The student is allowed to submit an explanatory appeal to the SDC (Student Disciplinary Committee) within ten (10) working days of the notification from the DC (defined as the date of the letter). Late submission of an appeal letter to the SDC will not be considered.

Step Four:

If the Department Council perceives that a case referred to it constitutes a more serious offence the case is forwarded to the Student Disciplinary Committee. In such a case the Department Council is required to inform the student of its decision in writing within five (5) working days of its meeting.

(c) Level Three

Step One:

In a case where the infraction has been forwarded to the Student Disciplinary Committee (SDC) the SDC invites the student to a hearing to be held once all evidence has been collected.

- ◆ The conditions for such a hearing are as follows:
 - The student is informed in writing that the SDC is to hear his/her case. (Herewith in to be referred to as the Letter of Notification)
 - The Letter of Notification must relay clearly to the student the case against them, the date and time of the hearing and the SDC members who will constitute the committee.
 - The accused has the right to request the replacement of a member or members of the SDC in a written letter to the Rector, providing any reasons for the request. The Rector takes a decision on the request, and the decision is final.
 - Upon receiving The Letter of Notification the student has the right to submit an explanatory statement to the SDC.
 - This statement must be received within ten (10) working days of the date of the Letter of Notification.
 - Late submissions of the student's statement to the SDC will not be considered.
 - Once the SDC has received a student's statement it must then convene within ten (10) working days.
 - If a student does not submit a statement, the SDC will convene twenty days from the of date the Letter of Notification.

Step Two

The Hearing

During his/her defense before the SDC, the student has the right to be accompanied by his/her Academic Advisor, or by another student who may speak on his/her behalf.

S/he also has the right to call in witnesses to defend him/her. These witnesses must be made known to the Chair of the SDC prior to the commencement of the hearing.

The Committee is required to inform the student of its final decision within 5 working days after the hearing. The decision is also made known to the Head of the Department, the Dean of the School, the Academic Advisor of the student and the University Registrar so that the student's file is brought up to date.

This concludes any appeal process for the student and the decision of the SDC is final.

7.12.5. The Student Disciplinary Committee (SDC)

(a) Responsibilities

The SDC examines major offences. It also examines appeals against decisions of the Lecturer or Departmental Council on Cheating and Plagiarism.

(b) Composition

The SDC has the following composition:

- Three faculty members who hold the rank of Professor or Associate Professor. (Whenever possible, one faculty is from the Department of Law). The term of service is two years.
- Two student representatives (one graduate and one undergraduate) appointed in consultation with the Student Union. Term of service is one year.
- The Head of Student Affairs.
- The Vice President for Administration (who also acts as secretary).

(c) Function

The SDC meets only to examine offences that have been referred to it and is convened by its Chair.

The presence of five members of the Committee constitutes a quorum if at least one student representative is present. If not, another meeting is convened half an hour later where the presence of a student representative is not required to form a quorum. Decisions of the SDC are reached through secret vote with simple majority.

7.12.6. Senate Appeals Committee

The SDC elects its Chairman and Vice Chairman from among the three faculty members. The Senate Appeals Committee consists of the Vice Rector and Deans of Schools.

(a) Responsibilities

The Committee deals with appeals submitted by students to the SDC decisions on major offences and by faculty members appealing to decisions of the Faculty Disciplinary Committee (still to be checked with Internal Regulations).

(b) Composition

The Senate Appeals Committee consists of the Vice Rector and the Deans of Schools.

7.12.7. Penalties Imposed for Disciplinary Offences

(a) Penalties for Major Offences (including Cheating and Plagiarism)

These are as follows:

- Written reprimand
- Grade penalties for offences related to examinations and written work
- Suspension
- Withdrawal of privileges the nature of which does not affect the students' education
- Expulsion from the University for a period up to two Semesters
- Dismissal from the University
- Obligation to offer unpaid services within the University
- Impose fees for the whole or part of the damage inflicted on buildings, premises or equipment of the University
- Any combination of the above.

(b) Penalties for Minor Offences

These are as follows:

- Oral reprimand
- Written reprimand

7.12.8. Procedure for examining Disciplinary Offences (except Cheating and Plagiarism)

(a) Procedure for Minor Offences

- The accused is informed in writing of the offence she/he is accused of by and has the right to defend him/herself before the Department Council. The warning letter is made known to the student's Academic Advisor who can then advise him/her on the necessary actions to be taken.
- In case the accused admits his/her guilt, or the guilt is proven after the procedure, the Department Council can then impose the penalty.
- The Department Council informs the student of its decision within 5 working days in writing. The student is allowed to submit an explanatory appeal to the SDC within ten working days starting from the day s/he has been informed. The decisions are also made known to the Head of the Department, the Dean of the School and the Academic Advisor of the student. The penalty is also made known to the University Registrar so that the student's file is brought up to date.

(b) Procedure for Major Offences (except for Cheating and Plagiarism)

- The accused is informed in writing of the offence s/he is accused of and has the right to defend him/herself before the SDC. The accusation is made known to the Head of the department, the Dean of the School and to the student's Academic Advisor, who can then advise him/her on the necessary actions to be taken.
- After all evidence is collected, the SDC invites the accused to defend him/herself within a reasonable period of time however not earlier than ten working days or later than twenty working days. The members of the SDC and the place and time of the meeting are spelled out in the invitation.
- The accused has the right to request the replacement of a member or members of the

Committee in a written letter to the Rector, providing reasons for the request. The Rector takes a decision on the request, and the decision is final.

- During his/her defense before the SDC, the accused has the right to be accompanied by his/her Academic Advisor, or by another student who may speak on his/her behalf. She/he also has the right to call in witnesses to defend him/her the names of which must be made known to the Chair of the SDC prior to the commencement of the hearing.
- The Committee makes known in writing the decisions it has taken to the accused student within seven working days. The decisions are also made known to the Head of the Department, the Dean of the School and the Academic Advisor of the student. The penalty is also made known to the University Registrar so that the student's file is brought up to date.
- The accused student has the right to appeal the decision of the SDC to the Appeals Committee of the Senate. The appeal must be submitted in writing to the Chair of the Appeals Committee (Vice Rector) within ten working days from the day of the announcement of the decision to the student.
- The SDC communicates the minutes to the Senate

7.12.9. Appeals against the Decisions of Disciplinary Bodies

(a) Appeals against decisions of the Department Councils

Such appeals are examined by the SDC which takes the final decision which is communicated to all parties involved

(b) Appeals against the decisions of the SDC (except Cheating & Plagiarism)

The Vice Rector determines the date for the hearing of the appeal referred to the Senate Appeals Committee. The date is then made known in writing to the student at least five working days in advance.

The minutes of the SDC meeting are communicated to the student as well as any other additional comments or remarks the SDC wishes to submit to the Senate Appeals Committee.

The Senate Appeals Committee may allow the accused student or the SDC to present new additional testimonies. The names of the new witnesses must be made known to the Senate Appeals Committee prior to the commencement of the meeting.

The whole hearing procedure before the Senate Appeals Committee is equivalent to the one before the SDC

The Senate Appeals Committee takes the final decision on the appeal and communicates its decision to all members involved.

7.12.10. Miscellaneous

It is the obligation of the students to be familiar with the Internal Regulations and other official announcements that concern them. The University reserves the right to take punitive action against students regardless of whether judicial action is taken or not taken against the student. Students are referred to the Students Affairs Department to be informed about the Internal Regulations whenever a disciplinary procedure is initiated.