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UCSI UNIVERSITY STUDENT DISCIPLINARY BOARD (RULES AND REGULATIONS)

Document Control

Version:	Date:	Approved By:	Next Review Date:	Remark:
01	1st April 2006			First draft approved by the Management
02	19th May 2010			Change to reflect the University status
03	2nd Sept 2013			Change of VP SAO to DVC SAA
04	1st Jan 2014			Revised to align to current practice
05	1st May 2014			Revised in view of introduction of new DVC of Research of Post Graduate studies.
06	26th May 2014			Proof read by GCA
07	23rd June 2014			Revised based on TMM's recommendation & approval on 23rd June 2014
07b	1st July 2014			Revised on the appeal date to submit to VC from 7 working days to 10 working days
08	9 Feb 2015			Change of DVC SAA to VP SAA in view of VP SAA's appointment.
09	15 Dec 2015			Change of composition of SDB members.
10	12 Jan 2016			Change, update appeal process to Registrar General of Ministry of Higher Education, and UEB cases
11	1 Mar 2016			Change the appeal process: Appeal to VC Page: 5-6 (Revised by University Council)
	8 Apr 2016			Change of VP SAA to DVC SAA Page: 4 (Revised by SDB)
	8 Apr 2016			Hearing notification from at least five (5) working days to at least seven (7) days in advance of the hearing. Page 4 (Revised by SDB)

Responsibility

Policy Owner:	STUDENT AFFAIRS AND ALUMNI DIVISION
Managed by:	CENTRE FOR QUALITY ASSURANCE AND ENHANCEMENT

1.0 ABBREVIATION

a. SDB – Student Disciplinary Board
b. UEB – University Examination Board
c. SAA – Student Affairs & Alumni
d. AAS – Academic Affairs and Support
e. VC – Vice Chancellor & President
f. DVC – Deputy Vice Chancellor
g. GLO – Group Legal Office
h. GHR – Group Human Resource
i. RO – Registrar Office

2.0 INTRODUCTION

This document provides the disciplinary rules and regulations in cases of disciplinary offenses by a student or students of UCSI University (hereinafter referred to as the University).The rules are made in accordance with the University Constitution, which is intended to govern student disciplinary conduct in the University campus.

3.0 SCOPE

3.1 These rules shall apply to individual student as well as student organisations. Generally, these rules shall be enforced on students for conduct, which adversely affects the University's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers the University's property or any persons.

3.2 An individual who is not currently enrolled as a university student remains subject to the disciplinary proceeding for misconduct that occurred during any period of enrolment. Also subject to these rules and regulations are:

(a) individuals accepted for admission or re-admission to the university, and

(b) individuals who have been enrolled at the University in a prior semester, and

eligible to continue enrolment in the immediate following semester.

4.0 POLICY

4.1 Misconduct refers to conduct or behaviour on the part of a student:

4.1.1 which breaches any of the rules containing in this document, or any of the University rules and regulations, or any resolution of the University Management Board.

4.1.2 which impairs the reasonable freedom of other persons to pursue their studies, research, duties or approved activities in the University.

4.1.3 which is detrimental to the proper conduct of the University or causes damage to University property or image.

4.1.4 which is otherwise prohibited by the laws of the city, state or federal territory of the country.

4.2 Misconduct includes:

4.2.1 Disobeying or failing, without reasonable cause, to observe any provision of the University's constitution.

4.2.2 Disobeying or failing, without reasonable cause, to observe any provision of any written rules or regulations of the University or any resolution of the University of which student(s) have been duly notified.

4.2.3 Contravening any rules and regulations made by the University - in relation to the conduct of written assessment.

4.2.4 Acting dishonestly or unfairly with respect of

a. presentation of any essay, project, thesis or other work to be assessed by the University;
b. any examination conducted by the University.

4.2.5 Withholding relevant information or furnishing false or misleading information for purposes connected with academic progression or enrolment or proposed enrolment as student, whether such withholding or furnishing of information takes place before or after the person becomes a student of the University.

4.2.6 Disrupting any teaching, study, assessment, research or activities of the University or the administration of the University.

4.2.7 Contravening any rules of the University or instruction of the University in relation to the use of University facilities.

4.2.8 Obstructing any staff of the University in the performance of his/her duties.

4.2.9 Disobeying, without reasonable cause, any instruction of an officer or employee of the University, including failing to leave any building or part of a building when directed to do so.

4.2.10 Damaging or wrongfully dealing with or using any University property or any property under the control of the University or on University premises or on a location where a student is present under the auspices of the University.

4.2.11 Entering prohibited places or areas within the University.

4.2.12 Wilfully defaming or discrediting the University, employee of the University or other student.

4.2.13 Making unauthorised representation or communication to the press or the public on matters concerning the University.

4.2.14 Unlawfully or without obtaining prior written consent of the University, organising any assemblies, talks or seminars as a student / student organisation of the University.

4.2.15 Making unauthorised disclosure or using of, or having unauthorised access to official University documents, computer resources or information, or confidential information.

4.2.16 Being involved or abetting in activities which are deemed subversive or tantamount to conviction in the criminal court or the *syariah* court.

4.2.17 Being involved in any form of gambling, consumption of alcohol or sexual misconduct, within or outside University premises.

4.2.18 Using or having unauthorised possession of intoxicants, controlled or illegal substances or materials dangerous to public health and safety, within or outside University premises.

4.2.19 Smoking or vaping within University premises.

4.2.20 Having in possession or distributing obscene materials, within University premises.

4.2.21 Assaulting, threatening or intimidating a person, within the University

premises.

4.2.22 Violating any provision of any written laws of the country.

4.2.23 Being engaged in any undesirable occupation, employment, business, trade or activity.

4.2.24 Any other misconduct which the University will establish from time to time whether written or otherwise.

5.0 PROCEDURES

5.1 Composition of the SDB

5.1.1 Membership of the SDB:

a) The Deputy Vice Chancellor of Student Affairs & Alumni shall be the Chairperson of the SDB.

b) Voting member from Division/Office respectively: A member each from the Group Legal Office, the Student Development & Counselling Department of SAA respectively, and two members from the Academic Affairs & Supports Division (Academic staff).

c) Membership in the SDB is for a year and is by appointment of the Vice Chancellor.

d) A member from the Student Affairs & Alumni Division is the Secretariat of the Board and he/she is not a voting member of the Board.

5.2 Disciplinary Hearing

5.2.1 Hearing by SDB

a) The Secretariat of the SDB on receiving any disciplinary cases from the complainant, whom can be faculty members, individual student, or student organisations, conducts the initial investigation and prepares a report for SDB.

b) Misconduct related to academic such as cheating in examination will be investigated by the respective faculty and deliberated in UEB for academic punishment such as awarding of failing grade. UEB will then forward the case to SDB for further deliberation, and if find appropriate, to impose penalty on misconduct as according to Clause 7.

c) The Secretariat will convene meeting as and when required after consulting the Chairperson of the SDB.

d) The Secretariat will notify the student(s) at least seven (7) days in advance of the hearing.

e) The notification to the student(s) shall be done via email and/or hardcopy letter to the student(s).

f) The notification shall specify the time, date and venue of the hearing and the allegation(s)/charge(s) made against the student(s).

g) A member of the SDB may disqualify himself/herself if he/she feels that his/her objectivity may be compromised. Explanation of such must be forwarded to the Chairperson of the SDB no less than three (3) days prior to the hearing.

h) The absence of one member of the SDB shall not invalidate the hearing (subject to the rules on quorum – Clause 6.2.3).

i) The hearing will not be open to the public, and all matters discussed within the hearing are to be treated as Private and Confidential to be disclosed only to the relevant authorities subject to the approval of the Chairperson of the SDB.
j) The accused student(s) will have the opportunity to hear and challenge accusations and to present rebuttals.
k) The accused student(s) may bring with him/her/them witness(es) who has(have) direct knowledge of the situations under discussion with prior permission from the Chairperson of the SDB.
l) After all information has been presented, the SDB will deliberate privately and may take one or several actions. They may take no corrective action if there is insufficient evidence to warrant action or they may take corrective action that could include suspending/expelling the student(s) from the University.
m) The Secretariat of the SDB, with the permission of the Chairperson, will inform the student(s), in writing, the decision of the SDB.
n) Notification of this must be provided to the student(s) no later than seven (7) days from the date of the final hearing of that case.
o) The decision of the SDB will be placed in the student's file in RO.

5.2.2 Student Defence

a) A student who is the subject of a disciplinary hearing is informed, in writing, of the nature of the offence imputed to him/her at least seven (7) days prior to the date on which he/she is required to present his/her defence.
b) The notification shall take the form of an email and/or a hardcopy letter. In the notification sent to him/her, the student will be instructed to appear to conduct his/her defence at the date, time, and place specified
c) In the notification sent to the student, it is made clear that if he/she ignores the notification without a valid excuse, or fails to inform the authorities of his/her excuse in time, he/she will be deemed to have waived his/her right to defence and that a decision will be made about him/her on the basis of other evidence.
d) If the student provides a valid excuse for his/her failure to appear, or proves that he/she was prevented from appearing by conditions beyond his/her control, he/she is allowed a reasonable period of grace in which he/she is required to send in his/her defence in writing.

5.2.3 Appeal Process

a) The student(s), complainant and/or accused may appeal the decision of the SDB, in writing, to the University's Vice Chancellor.
b) All appeals must be submitted in writing to the VC within fourteen (14) days from the date the decision of the SDB is made.
c) Failure to appeal within the above time frame renders the SDB's decision final.

d) The appeal must be made in writing and must state the reasons why the SDB's decision is believed to be inappropriate.
e) Appeals can be based on, but are not restricted to, the following:
   i) Procedural irregularity on the part of the SDB;
   ii) Insufficient evidence to warrant the actions taken;
   iii) Lack of due process or discrimination including racism, sexism, etc.;
   iv) The sanction will have unforeseen consequences for the student(s) that are harsher than intended; and
   v) That new and substantial evidence, previously unavailable to the SDB, bears importantly in the student's favour.
f) The VC will review all information regarding the student's appeal and will inform the student in writing of the final decision within 30 days.
g) The VC may require a separate hearing in order to make a decision on the appeal.
h) The decision of the VC is final.

6.0 ADMINISTRATION OF DISCIPLINE

6.1 Power to enforce discipline

6.1.1 The SDB has jurisdiction over students' misbehaviours or infractions of the rules and regulations of the University.
6.1.2 Students directed to attend any hearing held by the SDB whether as defendants to allegations against them or as witnesses or in any other capacity deemed necessary in assisting the fair and just treatment of all students will be required to comply.
6.1.3 Failure to respond to the directive of the SDB to attend a hearing will in itself be a violation of the rules and regulations of the University and disciplinary action will be taken against said student(s).
6.1.4 Members of the University (i.e., faculty and staff) found interfering in the process of any investigation of the SDB will be reported to the GHR.

6.2 Meetings of the SDB

6.2.1 The SDB convenes upon the request of the Chairperson at the specified time, date, and place on a monthly basic and also under the ad-hoc circumstances.
6.2.2 The Chairperson will instruct the Secretariat of the SDB to arrange for the preparation of the agenda, the notification of those concerned, and ensure the smooth running of the SDB's activities.
6.2.3 The quorum required for a meeting to be valid is **three (3) members**, including the Chairperson and the member from the Group Legal Officer.
6.2.4 The Secretariat of the SDB will record the proceedings of the hearing and will complete the report/minutes within a maximum of five (5) days.
6.2.5 Each member of the SDB must vote in favour or against a motion. The vote will be decided by a simple majority.
6.2.6 When there are an equal number of votes in favour and against, the

chairperson will cast the deciding vote.

7.0 PENALTIES

7.1 Degrees of Student Discipline

Penalties vary according to the seriousness of the offence. A student found guilty of misconduct may be liable to any one or a combination of the following punishments:

7.1.1 **Reprimand**

A written reprimand from the Chairperson of SDB to the student.

7.1.2 **Probation**

Further violations will result in severe disciplinary action and can include conditions related to the misconduct, such as counselling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered as an additional violation.

7.1.3 **Disciplinary Probation**

Student is required to comply with specified terms and conditions that include not engaging in further conduct in violation of these clauses, and can include conditions related to the misconduct, such as to attend counselling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered as an additional violation.

7.1.4 **Withholding of grades or official transcript or degree, or denial of Degree.**

May be imposed for scholastic dishonesty.

7.1.5 **Revocation or withdrawal of Degree**

May be imposed when the violation involves scholastic dishonesty or otherwise calls into question the integrity of the work required for the Degree.

7.1.6 F**ailing grade for an examination or assignment or course and/or cancellation of all or any portion of prior course credit.**

May be imposed for breach of Examination Rules.

7.1.7 **Bar against readmission and/or cancellation of enrolment.**

May be imposed for furnishing false or misleading information for purposes or enrolment or proposed enrolment as student.

7.1.8 **Fine**

In the event of multiple instances of misconduct, multiple fines may be applied; the fine for each instance shall not exceed RM500.00; in addition, in the event of a misconduct relating to a breach of the constitution, the student may be fined not exceeding RM1, 000.000.

7.1.9 **Restitution or reimbursement of damage to or misappropriation of University property.**

The student may be charged for the costs incurred in replacing or repairing the property or in redressing any other results of the misconduct.

7.1.10 **Suspension**

Suspension of rights and privileges, including participation in athletic or extracurricular activities for a limited period, or suspension from the University for a Specified Period of time.

7.1.11 **Expulsion / termination**

The student may be expelled from the University.

7.1.12 **Other penalty as deemed appropriate under the circumstances.**