

UNIVERSITI TUN ABDUL RAZAK

STUDENT DISCIPLINE RULES AND REGULATIONS 2010

In exercise of the powers conferred by Section II Article 4 of the Constitution of University Tun Abdul Razak, the University makes the following Student Discipline - Rules and Regulations

PREAMBLE

This Student Discipline Regulations provides the framework for addressing alleged breaches of University regulations by Students and for applying penalties where breaches are substantiated.

It is the policy of the University that all discipline procedures conform to the principles of natural justice. The procedures in these regulations have been adopted to safeguard the rights of individuals in this respect.

RULE I INTRODUCTION

Sub-Rule 1.1 Title.

These are the Universiti Tun Abdul Razak Student Discipline - Rules and Regulations

Sub-Rule 1.2 Commencement.

These regulations are effective from 17 August 2010 and replaces the Universiti Tun Abdul Razak (Discipline of Students' Rules) 2003.

Sub-Rule 1.3 Purpose.

The purpose of these regulations is to

- (a) define student misconduct
- (b) explain procedures for making, investigating and resolving complaints of student misconduct, and
- (c) set out the penalties that may be applied where misconduct by a student is substantiated

Sub-Rule 1.4 Application

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1.4.1 These regulations apply to the conduct of Students while they are enrolled as Students

1.4.2 These regulations apply to the conduct of students:-

- (a) on any property or in any facility owned or managed by the University
- (b) in the context of a University activity
- (c) where the conduct is related directly to the student's status as a student, or
- (d) where the conduct has the potential to harm unfairly the reputation of the University.

1.4.3 These Rules also applies to Student organizations.

Sub-Rule 1.5 Definition.

In these Rules, unless the context otherwise requires: -

“Chairman”	means the chairman of the Disciplinary Board;
“Disciplinary Board”	means a disciplinary Board established pursuant to sub-Rule 5.4 of these Rules;
“Officer”	means a person holding any office in the University or in any body constituted by or under the University or functioning in the University, whether such office is voluntary, or for remuneration, or otherwise, and shall include Officer of a Study Centre;
“President”	means the President and Chief Executive of the University
“Registrar General”	means the Director General of private higher educational institution;
“Staff”	means employee of the University;
“Student”	means a registered student who is following a course of study, instruction, training or research of any description at the preparatory, under-graduate, post-graduate or post-doctoral level on a full time or part-time basis from, by or in the University and includes a distance-learning, off-campus, exchange and non-graduating student;

For avoidance of doubt, an individual is still considered a Student unless and until he receives a degree conferred by the senate of the University and has paid all fees and

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monies due to the University

“Study Centre”

refers to the University’s main campus or such other study centre where the Student is receiving education, instruction, training or teaching of or under the auspices of the University;

“University”

means Universiti Tun Abdul Razak, “the University” or “in the University” or “of the University” and similar expressions include the Study Centre and any place where a Student is under the auspices of the University;

“Vice President”

means the Vice President in charge of student affairs of the University, or by whatever designation he may be called.

Sub-Rule 1.6 Interpretation

- 1.6.1 Words denoting the singular number include the plural and vice versa.
- 1.6.2 Words denoting the masculine gender shall include the feminine and neuter genders and vice versa.
- 1.6.3 The headings to these Rules are inserted for convenience only and shall be ignored in construing the provisions of these Rules.
- 1.6.4 Reference to any regulation, rules, statute or legislation includes any statutory amendment, modification or revision thereof.
- 1.6.5 For the purpose of calculating any period of time stipulated herein, or when an act is required to be done within a specified period after or from a specified date, the period is inclusive of and time begins to run from the date so specified.
- 1.6.6 Any term not specifically defined in these Rules shall be construed in accordance with the usage or definition commonly accepted by the University.

RULE II
MISCONDUCT

Sub-Rule 2.1 Meaning.

Misconduct means conduct or behaviour on the part of a Student -

- (a) which breaches any of these Rules or any of the University rules or regulations made in accordance with that rule or regulation, or any resolution of the Senate, or is deemed to be a misconduct under the said rules, regulations or resolutions; or
- (b) which impairs the reasonable freedom of other persons to pursue their studies,

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research, duties or approved activities in the University or to participate in the life of the University; or

- (c) which is detrimental to the proper conduct of the University or causes damage to University property or image; or
- (d) which is otherwise prohibited by the laws of the city, state or federal territory of the country.

Sub-Rule 2.2 Types of Misconduct.

Without limiting the generality of the definition in sub-Rule 2.1, misconduct includes-

General Misconducts:

Disobeying or failing to observe any provision of the University's constitution, any provision of any written rules or regulations of the University or any resolution of the Senate or contravening any rules made by the Senate.

Academic Misconducts:

- (a) acting dishonestly or unfairly with respect of -
 - (i) presentation of any essay, project, thesis or other work to be assessed by the University; or
 - (ii) any examination conducted by the University.
- (b) withholding relevant information or furnishing false or misleading information for purposes connected with academic progression or enrolment or proposed enrolment as a Student, whether such withholding or furnishing of information takes place before or after the person becomes a Student of the University.

Non Academic Misconducts:

- (a) disrupting any teaching, study, assessment, research or activities of the University or the administration of the University.
- (b) contravening any rules of the University or instruction of the University librarian or a member of the University library in relation to the use of library books or facilities.
- (c) obstructing any Officer or Staff of the University in the performance of his/her duties.
- (d) disobeying 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.
- (e) damaging or wrongfully dealing with or using any University property or any property under the control of the University or on University premise or on a location where a Student is present under the auspices of the University.

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- (f) entering prohibited places or areas within the University.
- (g) defaming or discrediting the University, employee of the University or other Student.
- (h) making unauthorized representation or communication to the press or the public on matters concerning the University.
- (i) unlawfully or without obtaining prior written consent of the University, organizing or participating in any assembly, talks or seminars.
- (j) making unauthorized disclosure or using of, or having unauthorized access to official University documents, computer resources or information, or confidential information.
- (k) being involved or abetting in activities which are deemed subversive or tantamount to conviction in the criminal court or the shariah court.
- (l) being involved in any form of gambling, consumption of alcohol or sexual misconduct, within or outside University premise.
- (m) using or having unauthorized possession of intoxicants, controlled or illegal substances or materials dangerous to public health and safety, within or outside University premise.
- (n) smoking within University premise.
- (o) having in possession or distributing obscene materials, within or outside University premise.
- (p) assaulting, threatening or intimidating a person, within or outside University premise.
- (q) violating any provision of any written laws of Malaysia.
- (r) being involved in any political party or participating in any politically linked activities.
- (s) being engaged in any undesirable occupation, employment, business, trade or activity
- (t) encourages, assists, or procures a person to commit misconduct
- (u) knowingly misleads the University in any significant matter
- (v) uses University property, resources or funds for other than authorised purposes
- (w) incurs liability on the part of the University without authorisation

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- (x) behaves in a manner that is likely to harm unfairly the reputation or professional prospects of another student or a member of staff
- (y) behaves in a manner that jeopardises the health or safety of another person
- (z) behaves in a manner that discredits the University.

RULE III
ADMINISTRATION OF DISCIPLINE

Sub-Rule 3.1 Power to Enforce Discipline.

- 3.1.1 The Vice President shall have the power in accordance with these Rules to take any disciplinary action against any Student for misconduct.
- 3.1.2 The Vice President may, for reasons of convenience or natural justice, appoint any Officer of the University to exercise any or all of the duties, powers or responsibilities conferred to him/her under these Rules, and shall report any such delegation to the President.
- 3.1.3 The Chairman/College Director of each Regional Centre/Branch shall have the power in accordance with these Rules to take any disciplinary action against any Student in their respective Regional Centre/ Branch for misconduct

RULE IV
EMERGENCY SUSPENSION

Sub-Rule 4.1 Urgency Provisions.

- 4.1.1 In cases where misconduct is so serious, the following may be carried out -
 - (a) the head for library, or designee, may exclude any Student from, or restrict the use by the Student of, any library facilities for such period as he/she thinks fit, if in the opinion of the head for library or designee, the Student is guilty of misconduct in or about the library precincts or facilities or is in breach of any rules for the use of library facilities as may be in force from time to time.
 - (b) the head for academic affairs, or designee, may exclude any Student from attendance at a particular examination conducted by the University if in the opinion of the head for academic affairs or designee the Student is guilty of misconduct or is in breach of any rules applicable to examination.
 - (c) the head of ICT, or designee, may exclude any Student from using or restrict the use by the Student of any computing facilities owned or under the control of the

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University for such period as he/she thinks fit if in the opinion of the head of ICT or designee that the Student is guilty of misconduct or is in breach of any rules applicable to the use of computing facilities.

- 4.1.2 Any action taken under sub-Rule 4.1.1 above shall be reported in writing forthwith to the Vice President who may confirm, vary, quash or postpone the exclusion or restriction, as appropriate, as he/she thinks fit; a copy of the report shall be forwarded to the Student by the person taking the appropriate action.
- 4.1.3 Where conduct on the Study Centre or University managed premises occasions the intervention of outside legal agencies, resulting in charges being laid or other action taken, that intervention itself is sufficient for the Vice President to take appropriate action including suspension of any Student from the University.
- 4.1.4 Any Student excluded or restricted from using the Library or from attendance at examination or from using the computing facilities pursuant to sub-Rule 4.1.1 above may -
- (a) make an immediate oral appeal to the Vice President; or
 - (b) within seven (7) days of that action being taken, make a written appeal to the Vice President;
- who, without prejudice to any action subsequently taken under sub-Rule 4.1.2, may confirm, vary, quash, or postpone the exclusion or restriction, as appropriate, as he/she thinks fit or refer the matter for investigation to the Disciplinary Board.
- 4.1.5 The Student shall immediately be removed from the University premise for the Student's protection, or for the protection of other Student, or University property, or to maintain the normal operation of the University.
- 4.1.6 The Student shall remain absent from University premise until hearing, and failure to do so will result in automatic expulsion from the University.

RULE V
DISCIPLINARY PROCEDURE

Sub-Rule 5.1 Complaint

- 5.1.1 Complaint may be brought by anyone against any Student for alleged misconduct.
- 5.1.2 The complaint shall be in writing addressed to the Vice President, through the office of the student affairs, and shall give full details of the alleged misconduct.
- 5.1.3 The Vice President shall
- (a) deal with the complaint summarily under the procedure set out in sub-Rule 5.2 of these Rules, or

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- (b) refer the complaint to a Disciplinary Board, under the procedure set out in sub-Rule 5.5 of these Rules.

Sub-Rule 5.2 Summary Procedure

- 5.2.1 The Vice President may dismiss the complaint immediately if he/she believes that there is no case for the Student to answer, or that it is for some other reason appropriate to do so.
- 5.2.2 The Vice President will consider written or oral evidence, as he/she deems fit. The Vice President will find the Student guilty of misconduct only if, on the evidence before him/her, he/she is satisfied beyond reasonable doubt of the Student's guilt. If a finding of guilt is made, the Vice President may impose any of the penalties set out in sub-Rule 7.1, other than expulsion from the University.
- 5.2.3 The Vice President will write a short report on its findings. The report will set out the misconduct alleged, a brief summary of evidence received, the grounds of its finding, the penalty imposed, if any, and the factors taken into account in deciding the penalty. A copy of the report will be sent to the Student. Where the misconduct relates to examinations or other assessed work the report may contain penalties under sub-Rule 7.1.6 of these Rules, and a copy of the report will be sent to the Board of Examiners.

Sub-Rule 5.3 Immediate Action by Vice President

- 5.3.1 Notwithstanding any other provision under these Rules, if, in the opinion of the Vice President, the circumstances referred to in sub-Rule 2.2.1 or the subject complaint brought under sub-Rules 4.1.1 and 4.1.3 are such that immediate action is required, the Vice President may:
- (a) suspend the Student from the University; or
 - (b) exclude the Student from, or restrict the use by the Student of, any Library facilities, or
 - (c) exclude the Student from attendance at any examinations and/or withhold the examination result(s) for relevant subject(s); or
 - (d) exclude the Student from using, or restrict the use by the Student of, any computing facilities;

and shall, as soon as possible, refer the matter to the Disciplinary Board for investigation. The action of the Vice President shall remain in force until the Disciplinary Board has dealt with the matter.

- 5.3.2 Any action taken by the Vice President in accordance with sub-Rule 5.3.1 above

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shall be conveyed by notice in writing to the Student by an officer of the office of the student affairs.

- 5.3.3 Upon being informed by an officer of the office of the student affairs of any action taken under sub-Rule 5.3.1, the Student shall cease to attend the University or to enter the Library or to attend examinations or to use the computing facilities, as the case may be, and, if so directed by the Vice President, shall refrain from entering on any premise of the University or Study Centre.

Sub-Rule 5.4 Disciplinary Board

- 5.4.1 The Disciplinary Board shall on receipt of a complaint and as promptly as possible investigate and convene the disciplinary proceeding.
- 5.4.2 The Disciplinary Board shall consist of -
- (a) the Vice President as Chairman; and
 - (b) at least 2 members of the Staff appointed by the Vice President.
- 5.4.3 The Board shall conduct its proceedings in accordance with the Board Guidelines set out in the Appendix.
- 5.4.4 The Chairman of the Disciplinary Board shall have a deliberative vote but not a casting vote, except in cases where the Disciplinary Board comprises an equal number of members.
- 5.4.5 If a member of the Disciplinary Board is unable or unwilling to act, the Vice President may appoint another Officer to serve on the Board.
- 5.4.6 A hearing may be held by a quorum of the Disciplinary Board. A quorum consists of a minimum of three (3) members of the Disciplinary Board.
- 5.4.7 No member of the Disciplinary Board who is involved in a particular case will sit in judgment.
- 5.4.8 No person having acted on behalf of the University in any one of the matters referred to in a particular complaint shall be qualified to sit on the Disciplinary Board investigating the complaint.
- 5.4.9 The head for student affairs or his/her nominee shall be Secretary to the Disciplinary Board and shall assist the Board in whatever way the Board, through the Chairman, may direct from time to time.
- 5.4.10 The Disciplinary Board shall have the power to require any member of the Staff of the University or any Student to appear before it with a view to assisting the investigation.

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- 5.4.11 A member of the Disciplinary Board who, during the currency of an investigation by the Board, ceases to hold office, shall remain a member of the Board until its investigation has been completed.
- 5.4.12 If during the currency of an investigation by the Disciplinary Board a member of the Board becomes unable to act, for a period as would unduly delay the completion of the investigation, through illness or any other cause, the Board may complete its investigation in his/her absence if at least 3 members are able to act.

Sub-Rule 5.5 Disciplinary Hearing

- 5.5.1 If a disciplinary hearing is warranted, an officer of the office of the student affairs shall provide the accused Student with a written statement of the charges, and a summary statement of the evidence supporting such charges, including a copy of the documentations to be considered by the Disciplinary Board and a copy of these Rules at least five (5) days in advance.
- 5.5.2 The Charge
- The charge shall contain such particulars as to the time and place of the alleged offence and the person, if any, against whom or the thing, if any, in respect of which it was committed as are reasonably sufficient to give the accused Student notice of the matter with which he is charged.
- 5.5.3 Once the hearing date has been established and the notice of hearing has been given to the accused Student, any modification or addition to the charge must be submitted to the officer of the office of the student affairs and the accused Student at least three (3) days prior to the scheduled hearing.
- 5.5.4 In a potential or pending criminal misconduct, the Chairman can defer the hearing until after the matter has been heard in court. When the hearing has been deferred until court proceedings have been completed, interim measures, including temporary suspension, may be taken.
- 5.5.5 The accused Student has the right to be present at the hearing and to be heard by the Disciplinary Board. However, refusal or failure by the Student to participate in the hearing shall not prevent the Disciplinary Board from proceeding with the hearing and adjudicating the complaint.
- 5.5.6 The accused Student has the right to assistance in the preparation of his/her defence by a member of the Faculty, a member of the Student Council, an administrator, another Student, or a person of his/her choice, who is a member of the University community. Members of the University community are Faculty members, Students and other Staff.
- 5.5.7 No members outside the University community will be allowed to represent the accused Student or the complainant at the hearing.

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- 5.5.8 No person shall be present at a disciplinary proceeding except members of the Disciplinary Board, the accused Student and/or his/her representative, the complainant and/or his/her representative, the witnesses, parent/guardian of the accused Student, and such other person(s) as allowed by the Disciplinary Board.
- 5.5.9 When more than one Student in an organization is charged with a conduct arising out of a single occurrence or out of connected multiple occurrences, a single hearing may be held for the group organization itself.

Sub-Rule 5.6 Disciplinary Hearing Procedures

- 5.6.1 The Chairman shall explain to the accused Student the charges made against him/her and thereafter call upon the accused Student to make his/her plea of guilty or not guilty.
- 5.6.2 If the accused Student pleads guilty, the Chairman shall explain to him/her the facts of the case and the consequences of his/her plea. If he/she admits these facts and understands the consequences, the Disciplinary Board shall pronounce him/her guilty of the disciplinary offence and shall invite him/her to make any plea for leniency.
- 5.6.3 If the accused Student pleads not guilty, or fails or refuses to plead, or does not admit the facts of the case, the Disciplinary Board shall proceed the hearing in the following manner -
- (a) opening statement by complainant.
 - (b) opening statement by accused Student.
 - (c) testimony by complainant and his/her witnesses.
 - (d) examination of complainant and his/her witnesses by accused Student.
 - (e) cross-examination by complainant.
 - (f) testimony by the accused Student and his/her witnesses.
 - (g) examination of accused Student and his/her witnesses by complainant.
 - (h) cross-examination by accused Student.
 - (i) closing statement by the complainant.
 - (j) closing statement by the accused Student.
- 5.6.4 After all the testimony and statements have been presented and questions asked, the hearing is concluded and the Disciplinary Board adjourns the hearing and meets in a session without the complainant or the Student to deliberate and reach a decision.

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- 5.6.5 The Chairman may postpone a hearing or grant a continuance in any case for any reason deemed appropriate.
- 5.6.6 The Chairman may call witnesses, including expert witnesses, to assist the Disciplinary Board in its deliberations. Expert witnesses for the accused and the complainant will be allowed by the Chairman only in unusual cases, and in such cases, the Chairman should act to insure impartial expert testimony
- 5.6.7 After the hearing the Disciplinary Board shall determine, by the prevalence of evidence and majority vote, whether the student has violated each section of the rules that the student is charged with violating.
- 5.6.8 The Disciplinary Board shall, in accordance with its findings, either -
- (a) dismiss the allegation, or
 - (b) find that that no further action be taken against the Student concerned, or
 - (c) impose any of the penalties set out in sub-Rule 7.1.
- 5.6.9 Where a Student has been found guilty of misconduct by the Disciplinary Board, the office of the student affairs shall send the decision of the Disciplinary Board to the Student, the Student's parent or guardian and in the case of a scholarship student, to the scholarship-sponsoring or scholarship-granting authority or body.

Sub-Rule 5.7 Records of Proceeding

- 5.7.1 A record of the proceedings shall be kept at the office of the student affairs and shall consist of a summary of the issues and specific charges, the outcome of deliberations and all documents submitted in the course of preparing and conducting the disciplinary hearing.
- 5.7.2 The parent or guardian, or the scholarship-sponsoring or scholarship-granting authority or body, of such Student, as the case may be, shall be entitled to a certified copy of the notes of the proceeding made under sub-Rule 5.7.1 upon payment of a fee determined by the office of the student affairs, which fee, in any case, shall not exceed Ringgit Malaysia Fifty (RM50.00).

Sub Rule 5.8 Evidence

- 5.8.1 Formal rules of evidence shall not apply to disciplinary proceedings pursuant to these rules. The Disciplinary Board may accept and admit pertinent records, exhibits, written statements, witnesses and all other matters into evidence for consideration to assist the Disciplinary Board in its deliberations
- 5.8.2 Custody of such evidence which enclosed with a complaint or to be admitted or

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introduced at the hearing shall be held by the office of the student affairs until conclusion of the hearing.

- 5.8.3 In regards to examination transcripts which are introduced as evidence, a copy of the examination transcript shall be made by the office of the student affairs and the original transcript shall be forwarded to the respective faculty for grading. The grades of such transcripts however, shall be withheld until conclusion of the disciplinary hearing.

Sub Rule 5.9 Presumption.

In any disciplinary proceeding against a Student -

- 5.9.1 where any books, accounts, writing, lists of members, seals, banners or insignia of, or relating to, or purporting to relate to, any organization, body or group of persons are found in the possession, custody or under the control of any Student, it shall be presumed, until the contrary is proved, that such Student is a member of such organization, body or group and such organization, body or group shall be presumed, until the contrary is proved, to be in existence at the time such books, accounts, writing, lists of members, seals, banners or insignia are so found; and
- 5.9.2 where any books, accounts, writings, lists of members, seals banners or insignia of, or relating to, any organization, body or group of persons are found in the possessions, custody or under the control of any Student, it shall be presumed, until the contrary is proved, that such Student assists in the management of such organization body or group.

Sub Rule 5.10 Decision of Disciplinary Board

- 5.10.1 The decision of the Disciplinary Board shall be conveyed in writing to the Student by the office of the student affairs, except in the case where a Student is to receive a reprimand in which case the reprimand shall be conveyed in writing by the Vice President.
- 5.10.2 A copy of the letter forwarded to the Student in accordance with sub-Rule 5.10.1 shall also be forwarded confidentially to the complainant.
- 5.10.3 The Student shall be notified in writing that he/she has a right to appeal to the decision of the Disciplinary Board in accordance with these Rules

Rule 5.11 Suspension/Termination of Proceedings.

- 5.11.1 The Vice President may at any time suspend any disciplinary proceedings, including the appeal proceedings, against a Student if, in the opinion of the Vice President, the continuation of such proceedings may be in conflict with other proceedings or action being taken by the Student, whether within the University or outside.
- 5.11.2 The Vice President may terminate any disciplinary proceedings, including the appeal proceedings, if, at any stage, the Student withdraws his/her enrolment from the

University with immediate effect.

RULE VI
APPEALS

Sub-Rule 6.1 Appeal Procedure

- 6.1.1 Within fourteen (14) days the date of pronouncement of decision, any Student who is dissatisfied with the decision of the Disciplinary Board or the hearing process, may give, in duplicate, a notice in writing appealing to the decision to the office of the student affairs for its onward transmission to the Vice President.
- 6.1.2 The notice of appeal shall set out clearly the Student's ground of appeal.
- 6.1.3 The Vice President shall, upon receiving the notice of appeal, submit the same to the President together with a copy of the notes of the disciplinary hearing in respect of which the notice of appeal is given.
- 6.1.4 An appeal by a Student shall not operate as a stay execution of the punishment imposed or as a stay of the payment of any compensation ordered to be paid, unless the Vice President or the President otherwise directs.

Sub-Rule 6.2 Result of Appeal to President

- 6.2.1 The President may, on receiving the notice of appeal and the notes of the disciplinary proceeding from the Vice President, reject the appeal and confirm the action taken by the Disciplinary Board, or impose such lesser or higher penalty, as the President deems fit.
- 6.2.2 In those cases where the President determines that due process was followed by the Disciplinary Board, the President will confirm the action taken by the Disciplinary Board and the Disciplinary Board secretary shall inform the Student accordingly in writing.
- 6.2.3 In those cases where the President determines that there has been a lack of due process in the consideration of the case by the Disciplinary Board, it will refer the matter back to the Disciplinary Board with full details of the lack of due process found by the Disciplinary Board and direct the Disciplinary Board to reconsider the matter.
- 6.2.4 The office of the student affairs shall inform the Student accordingly in writing of the President's decision on the appeal.

Sub-Rule 6.3 Appeal to the Registrar General

- 6.3.1 Any student who is dissatisfied with the decision of the President may, within fourteen (14) days from the date of the receipt of the decision, submit an appeal in writing to the Registrar General.
- 6.3.2 Registrar General may, within fourteen (14) days from the date of receipt of an appeal, appoint a committee of two (2) or more persons to consider the appeal and make its recommendations to the Registrar General within fourteen days (14) from the date of its appointment.
- 6.3.3 The decision of the Registrar General on the appeal shall be communicated in writing to the student within fourteen (14) days from the date of his decision.

RULE VII
PENALTIES

Sub-Rule 7.1 Sanctions.

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 two or more of the following punishments:

7.1.1 *Penalty for matters relating to Academic Misconducts*

- (a) Admonition. A written reprimand from the Vice President to the Student.
- (b) Fine. In the event of multiple instances of misconduct, multiple fines may be applied; the fine for each instance shall not exceed RM 500.00; in addition, in the event of a misconduct relating to a breach of the constitution, that the Student be fined not exceeding RM 1,000.00
- (c) Failing grade for an examination or assignment or course and/or cancellation of all or any portion of prior course credit.
- (d) Withholding of grades or official transcript or degree, or denial of degree may be imposed for scholastic dishonesty.
- (e) 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.
- (f) Suspension of rights and privileges, including participation in athletic or extracurricular activities for a limited period, or suspension from the University

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for a specified period of time.

- (g) Expulsion. Student may be expelled from the University.
- (h) Bar against readmission and/or cancellation of enrolment.
- (i) Other penalty as deemed appropriate under the circumstances.

7.1.2 Penalty for matters relating to Non Academic Misconducts:

- a. Admonition. A written reprimand from the Vice President to the Student.
- b. Disciplinary probation. Student is required to comply with specified terms and conditions that include not engaging in further conduct in violation of these Rules, and can include conditions related to the misconduct, such as counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional violation.
- c. Fine. In the event of multiple instances of misconduct, multiple fines may be applied; the fine for each instance shall not exceed RM 500.00; in addition, in the event of a misconduct relating to a breach of the constitution, that the Student be fined not exceeding RM 1,000.00;
- d. 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.
- e. 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.
- f. Expulsion. Student may be expelled from the University.
- g. Bar against readmission and/or cancellation of enrolment.
- h. Other penalty as deemed appropriate under the circumstances

7.1.3 Sanctions for student organisation may include but are not limited to: censure, suspension of pledging privileges (or other applicable procedures), suspension or revocation of charter, or denial of recognition or registration as well as other appropriate sanctions permitted under this rule

Sub-Rule 7.2 Effect of Sanction

7.2.1 A student may not graduate if subject to a pending discipline case, defined as one where formal charges have been brought and the case is pending. The restriction of graduation

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is limited to cases that are sufficiently serious that disciplinary action, if taken, would likely bring a sanction of suspension or expulsion. This judgment of seriousness will be made by the Vice President after consultation with the President.

- 7.2.2 In the event that a case is brought after graduation, for actions that occurred before graduation, academic degrees may be revoked. The revocation may be for a specified period of time, after which the degree will be reinstated (the equivalent of suspension from the University), or it may be without limit of time (the equivalent of expulsion from the University).
- 7.2.3 A Student who is expelled from the University shall not be re-enrolled except by permission of the Senate.
- 7.2.4 A fine imposed on a Student shall be paid to the general funds of the University, and shall be payable within 14 days of the date of notification of the fine, but an extension of time for payment may be granted by the Vice President.
- 7.2.5 The payment of a fine shall be suspended while an appeal from the decision imposing it is pending.
- 7.2.6 If the fine is not paid within the time stipulated, the Student shall be suspended and shall remain suspended so long as the fine remains unpaid

RULE VIII
GENERAL

Rule 8.1 Serving of Notices.

- 8.1.1 A document or notice required to be served on or given to a Student under these Rules may be served on the Student personally within the University premises or be sent by registered post addressed to the Student at the address appearing in the registrar's record.
- 8.1.2 If posted, service shall be deemed to have been effected on the Student on the date on which it would have been delivered in the ordinary course of the post.
- 8.1.3 A notice or summons sent to the address listed in the registrar's record shall constitute full and adequate notice. The failure of the Student to provide the registrar with a correct or current address, or forwarding address, or the refusal to accept delivery of the letter shall not be a good cause for failure to respond to the summons or notice.

Rule 8.2 Miscellaneous.

- 8.2.1 Nothing in these Rules affects the power of any person or body in the University duly authorized to administer any University rule not inconsistent with these Rules and, in particular, nothing in these Rules affects any power of a Board or a person or

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other authority within the University to withdraw a Student from a course, or to cancel the enrolment of a Student, or to refuse a person further enrolment for any course or subject, or to deal otherwise with his/her case, by reason of his/her failure to satisfy academic requirements or to pay any fee, fine, charge or other money payable to the University.

- 8.2.2 Nothing in these Rules affects the power of the Senate to make additional rules.
- 8.2.3 Nothing in these Rules shall be interpreted as limiting in any way any power vested in the Senate by the Private Higher Educational Institutions Act 1996 or any other rule of the University or as limiting the right of the University to enforce by any other means any right vested in it or to take any other action which it may be entitled or empowered to take in the circumstances.
- 8.2.4 In the event that any term, condition or provision of this Rules is a violation of any applicable law, statute or regulation the same shall be deemed to be deleted from this Rules and shall be of no force and effect as if such term, condition or provision had not originally been contained in this Rules.

Rule 8.3 Amendments.

- 8.3.1 The Vice President may make amendments or additions to these Rules.
- 8.3.2 Such amendments and additions shall be subject to the Senate's endorsement.
- 8.3.3 The application of such amendment shall come into force on the date it is endorsed by the Senate, unless otherwise specified

APPENDIX
DISCIPLINARY BOARD GUIDELINES

A Disciplinary Board shall in particular, but without prejudice to the generality of the foregoing: -

- (a) conduct its investigation in accordance with the principles of natural justice;
- (b) shall not be bound to conduct its proceedings in accordance with any rules of evidence or procedure;
- (c) may disallow, inter alia, questions which it considers to be unseemly or irrelevant for the nature of its investigation
- (d) give the Student concerned due notice of the nature of the investigation against him/her.
- (e) give the Student concerned an opportunity to be heard.
- (f) give the Officer bringing the complaint an opportunity to be heard and advise them of Board procedures and time requirements.
- (g) within three (3) days prior notice to the Student, permit the Student to be assisted or represented by such agent as he/she desires in accordance with sub-Rule 5.5.6;
- (h) warn all persons appearing before the Board that they are expected to conduct themselves in a reasonable and responsible manner during the proceedings and that any form of behaviour which is an impediment to the proceedings shall of itself be regarded as a breach of these Rules.
- (i) where the conduct of any person interferes with any other person's rights to be heard, be entitled to remove that person from the meeting and to hear their evidence separately.
- (j) permit the accused Student to nominate witnesses to appear in support of his/her defence against the complaint.
- (k) in cases where the Board finds that the complaint is proven, give the Student the opportunity to be heard on the issue of penalty and to nominate character references to appear before the Board;
- (l) hold all its proceedings in camera and keep an adequate record of the evidence and its decision.