

## **BY LAWS**

### **BY LAW ON STUDENT DISCIPLINE**

**(Adopted by the Senate on 28<sup>th</sup> March 2001 and Council on 09<sup>th</sup> May 2001 under Section 135 of the Universities Act No.16 of 1978 as amended by the Universities Act No.7 of 1985)**

These By-Laws may be cited as the Student Discipline By-Laws No.1 of 2001 and shall come into operation on 01<sup>st</sup> June 2001 replacing the By-Laws on Student Residence and Discipline of the University of Colombo No. 1 of 1986.

The Vice-Chancellor shall be responsible for the maintenance of discipline within a University under Section 34(6) of the Universities Act as amended. The Vice-Chancellor shall except in urgent circumstances take all decisions in consultation with Senate and Council. All decisions shall be reported to Senate and Council.

#### **PART I - REGISTRATION AND IDENTIFICATION**

1. The Registrar shall on receipt of an application from a prospective student on a form provided for the purpose by the University and supported by such information and documentation as may be required by the University issue such person who has been registered at the University in accordance with the provisions of By-Law No.1 of 1993, a record book bearing his/her photograph duly embossed with the seal of the University and a university student identity card.
2. A Hostel Admission Card with his/her registration number shall be issued to a student allocated to a hostel.
3. Every student shall carry in his/her possession his/her university student identity card and hostel admission card whilst in the University premises and shall produce such document when called upon to do so by any member of the academic or administrative staff or security staff or any other person of the University authorised by the Vice-Chancellor.

## PART II - UNIVERSITY RESIDENCE AND HOSTELS

1. There shall be a Warden and Sub - Warden in charge of a hostel who shall be responsible to the Vice-Chancellor for the functioning of such hostel in the University.
2. A student seeking admission to a hostel shall apply to the officer in charge of student welfare.  
  
Such application for hostel facilities shall be on a form provided for the purpose by the University and shall contain a statement to the effect that the student accepts the rules and regulations applicable to the grant of hostel facilities of the University which are in force at that time or which may come into force subsequently.
3. Upon admission to a hostel, the student shall be deemed to have accepted the rules and regulations applicable to students of the University which are in force at the time or which may come into force subsequently.
4. All rules generally applicable to students of the University shall apply to students in a hostel.
5. Every student shall conduct himself/herself in such manner as to maintain the good reputation of the hostel of which he/she is in occupation.
6. The Warden/Sub-Warden of the hostel shall report to the Vice-Chancellor any contravention of these By-Laws.
7.
  - (a) Each student shall individually be responsible for the furniture, fittings etc. provided for his/her own use and collectively for all other items in common use in the hostel. A student shall not tamper with or damage or alter any installation/equipment nor shall he/she make use of such installation/equipment in any part of the building for any purpose other than those authorised,
  - (b) the cost of any damage caused by any student shall be recovered from that student,
  - (c) where after due inquiry it is found that a group of identified students have been responsible for damage to property, such group shall be responsible collectively to repay the cost.

8. In case of interruption or termination of a student's facilities at a hostel in consequence of disciplinary action being taken against him/her, the student shall not be entitled to any refund or reduction of any fees already paid or payable.
9. Students receiving visitors who are not registered students or staff of the University outside regular visiting hours are required to report the same to the Sub Warden, and obtain permission for such entry.
10. Any person without a valid hostel admission card is prohibited from occupying hostels, and a student is prohibited from authorising any such person to occupy any space or his/her room in hostel premises without permission from the Sub/Warden.

### **PART III - MISCONDUCT/INDISCIPLINE**

1. Conduct that amounts to a criminal offence under the Ragging and other forms of violence in Educational Institutions Act No. 20 of 1998 shall amount to grave misconduct for which the university may take disciplinary action under this by-law.
2. Any student who
  - (i) wilfully refuses or neglects to produce his/her record book when called upon to do so by any member of the Academic or Administrative or Security Staff or any other person of the University authorised by the Vice-Chancellor;
  - (ii) violates the provisions of Part II of this by-law on university hostels;
  - (iii) destroys, damages, defaces, alienates or unlawfully appropriates to himself/ herself any property of the University, or hostel or any property held temporarily by the university;
  - (iv) contravenes any By-Law, Regulation or Rule of the University;
  - (v) refuses to carry out any lawful order issued by a member of the Academic or Administrative or Security Staff or any other person of the University authorised by the Vice-Chancellor;

and/or abusive of any officer, teacher, member of the academic staff, an employee, registered student of the University or any person authorised to be present within the premises of the University;

(vi) defaces or mutilates property belonging to the University or officer, teacher, member of the academic staff, an employee, registered student of the university or any person authorised to be present within the premises of the University;

(vii) as a student or on behalf of or at the request of students of the University, invites from outside the University any speaker to address students or any outside person for any purpose within the University without the prior approval in writing of the Vice-Chancellor or other teacher or officer designated for this purpose by the Vice-Chancellor,

(viii) arranges or organizes any collection of money or goods in the name of the University in the precincts or outside the University without the prior approval in writing of the Vice-Chancellor or other teacher or officer designated for this purpose by the Vice-Chancellor;

(ix) aids or abets any person to commit anyone or more offences referred to in (i) to (viii) above;

shall be guilty of misconduct/indiscipline.

#### **PART IV - DISCIPLINARY PROCEDURE**

1. Any charge of misconduct/indiscipline against a student shall in the first instance be reported to the Vice-Chancellor.
2. Where the Vice-Chancellor receives information relating to misconduct/indiscipline and considers that further particulars should be obtained, he/she may require a member of the staff to proceed to the place in question and to report back as soon as practicable.
3. Where the Vice-Chancellor receives a complaint/report relating to misconduct indiscipline, the Vice-Chancellor shall, if she/he deems it necessary, appoint one or more members of staff of the University of Colombo or any other qualified person to investigate the facts and submit their conclusions and recommendations in writing

4. The Vice-Chancellor may, in cases where he/she deems it necessary in the context of a serious infringement of discipline or where the student pleads not guilty but has been identified by a Dean or Senior Student Counsellor as having committed an act amounting to misconduct, in order to avoid delay, take interim disciplinary action that he/she considers appropriate, pending a formal inquiry, and report this to Senate and Council for their endorsement or review of the interim disciplinary order.
5. The Vice-Chancellor shall on receipt of a complaint/report of unlawful activities infringing student discipline by a staff member or a report of a fact finding committee cause charges to be framed in writing and sent under registered post and where relevant by hand to the student or in the case of more than one student to individual students alleged to have committed the offences within two weeks from the date of the complaint of report.
6. The charge sheet shall contain the specific charges. The charge sheet shall direct the student respondent to plead to the charge sheet. The student respondent/s shall be required to plead to the charge sheet individually in writing within one week or the time period granted.
7. If the student respondent/s plead/s guilty to the charge sheet, the Vice-Chancellor shall proceed to impose on the student any of the punishments set out in the schedule and report this to Senate and Council.
8. If the student respondent/s plead/s not guilty to the charges, the Vice-Chancellor shall appoint a disciplinary committee of upto 3 members of the academic staff and or outside persons to hold a formal inquiry.
- 8 (A) If the student respondent does not reply within the time specified, the Vice-Chancellor shall proceed to impose on the student any of the punishments set in the schedule and report to the Senate and Council.
9. If a Dean of a faculty is not a member of the formal inquiry committee, the Vice-Chancellor shall appoint a person as Chairman from among the members of the Committee. The SAR or AR/Welfare or other officer appointed by the Vice-Chancellor shall function as the Secretary of the Committee.

10. The student respondent/s shall be notified of the date of the inquiry by the Secretary to the Committee of Inquiry.
11. At the inquiry the student respondent/s shall be informed of the evidence and have the right to defend himself/herself. He/she may make his/her own defence and call any witnesses for the defence.
12. The Disciplinary Committee may, taking into consideration the special circumstances of the situation deny a student charged with an offence the opportunity to question the complainant regarding the complaint made or any witness relating to the evidence given by the witness.  
  
Provided that in such a situation, the student charged with the offence shall have the right to seek in writing, through the Disciplinary Committee, clarification on specific issues relating to the complaint or evidence from the complainant or witness as the case may be. Upon the Disciplinary Committee directing such request to the complainant or the witness, he or she shall give his or her clarifications in writing to the student charged with the offence within the time stipulated by the Disciplinary Committee.
13. The Committee of Inquiry shall have the power to summon any witness required by the prosecution and by the defence.
14. The Committee of Inquiry after reaching its verdict shall submit its report to the Vice-Chancellor giving reasons for such findings and the verdict.
15. The Committee shall, if the student respondent was found guilty of the charges, recommend to the Vice-Chancellor the imposition on the student respondent of any punishment within the scope of the schedule.
16. The Vice-Chancellor shall in consultation with the Senate or Deans' Committee if a Senate meeting is not scheduled for an early date, determine the punishment and report such decision to the Senate and Council for its confirmation. In the event of a difference of opinion, the decision of the Council shall prevail. The decision shall be conveyed to the student under registered post and where relevant by hand.
17. A student against whom such disciplinary action has been taken may appeal to the Council of the University against such decision.

## **PART V - APPEALS PROCEDURE**

1. The Council shall appoint three of its members as an Appeals Committee as and when necessary. The Appeals Committee shall elect its Chairman.

The Registrar shall be the Secretary to the Appeals Committee.

2. Any appeal against the decision of the vice-chancellor, shall be made to the Appeals Committee of the Council through the vice-chancellor at the next meeting of the Council after the submission of the appeal.
3. The Appeals Committee of the Council shall consider an appeal and submit the report to the Council preferably within two weeks of receipt of the appeal by the Committee.
4. The members of the Appeals Committee and the Disciplinary Committee relating to the appeal in question, shall not participate in the proceedings of the Council when it considers the report of the Appeals Committee.
5. The Council shall have the power to vary the decision taken on the disciplinary action against the student on the basis of the recommendation of the Appeals Committee.

The decision of the Council on the appeal by the student shall be final.

6. The vice-chancellor shall communicate to the appellant student/s the decision of the Council under registered post. The decision so communicated shall be final and conclusive.

## **PART VI - RECORD OF PUNISHMENTS**

1. All punishments and any disciplinary action taken shall be recorded in the personal file and may be reflected in a testimonial.
2. The Vice-Chancellor may also order the withholding of the examination results of a student pending the holding of completion of an inquiry or investigation.

## Schedule 1

### GENERAL DISCIPLINARY MATTERS SCHEDULE OF PUNISHMENTS \*

	Offences	Recommended Maximum Punishment
(i)	Destroys, damages, defaces, alienates or appropriates to himself any property of the University	A fine equivalent to the replacement value plus 25% of such value
(ii)	Contravenes any By-Law, Regulation or Rule	Severe warning by the Vice-Chancellor with a record of same in the Personal File of the student or suspension from the University for a period not exceeding one year depending on the gravity of the offence and withholding of examination results or certificate as appropriate
(iii)	Refuses to show his/her identity card, refuses to carry out any lawful order issued by the Vice-Chancellor, a member of the Academic or Administrative or Security staff	Severe warning by the Vice-Chancellor with a record of same in the Personal File of the student or suspension from the University for a period not exceeding one year depending on the gravity of the offence
(iv)	Furnishes the University with false information in relation to any matter in respect of which the University is entitled to true particulars which in the opinion of the Vice-Chancellor, is calculated to mislead the authorities of the University	Expulsion from the University for falsification of documents on admission, and 1 year suspension in other cases
(v)	Under influence of an intoxicant, liquor or narcotic or in possession of an intoxicant, liquor or narcotic, illegal weapons and	Severe warning by the Vice-Chancellor with a record of same in the Personal File of the student or suspension from the University for a

\* The Committee may recommend a punishment within this range.



	arms, consuming or supplying liquor, narcotic addictive drug or gambling within the precincts of the University/hostel	period not exceeding one year depending on the gravity of the offence
(vi)	Engages in such activities as are likely to disrupt the conduct of teaching or study or research in the University or in the administration of the University	Suspension for 6 months
(vii)	Obstructs or harasses any officer, teacher, member of the academic staff or an employee of the University in the performance of his duties	Suspension for one academic year
(viii)	Obstructs any student in carrying out his studies or research or disrupts any, registered student society	Suspension for one academic year
(ix)	Occupies or uses any property of the University otherwise than in accordance with the rules or other provisions made therefore by the University from time to time, or without the authority of the vice-chancellor	Suspension for one academic year
(x)	Conducts himself in a manner which, in the opinion of the Vice-Chancellor, is detrimental to the good name of the University or to the maintenance of order and discipline at the University/hostel	Severe warning by the Vice-Chancellor with a record of same in the Personal File of the student or suspension from the University for a period not exceeding one year depending on the gravity of the offence
(xi)	Abuse/harassment (including any form of ragging/molestation) and intimidation of any person whether physical or mental.	Considering the gravity of the misconduct, (a) Expulsion from the University (b) Suspension for two academic years (c) Suspension for one academic year (d) Severe warning with a record in the student's personal file
(xii)	The display of posters in the Campus premises by any students	Suspension of upto 1 month and severe warning



	<p>(c) Attempted theft</p> <p>(d) Retaining stolen property</p>	<p>years</p> <p>(iii) Suspension for one academic year</p> <p>(iv) A fine equivalent to the replacement value plus 25% of such value</p> <p>Fine to be determined by the Committee of Inquiry</p> <p>Return of the property and a fine to be determined by the Committee of Inquiry.</p>
(xvi)	A student who has received three warnings within a period of 12 calendar months	Suspended for a period of 12 months from the date of the last warning
(xvii)	Failure to present himself for a warning	Suspension for one academic year
(xviii)	A student under suspension committing a further offence	A further period of suspension or expulsion depending on the gravity of the offence