

BY LAW ON STUDENT DISCIPLINE

(Adopted by the Senate on 20.11.2007 and council on 15.05.2009 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 2009 of the Uva Wellassa University and shall come into operation on 01.06.2009

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 the Senate and the 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 prescribed 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 2009, a record book bearing his/her photograph duly embossed with the seal of the University and a university student identity card.
2. Every student shall carry in his/her possession his/her university student identity 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 authorized 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 prescribed 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 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 of 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 provided for common facilities 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 authorize.
(b) The replacement cost of any damage caused by any student shall be recovered from the 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 replacement 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 deduction of any fees already paid or payable.
9. Students receiving visitors who are not registered students or staff of this University outside regular visiting hours are required to report the same to the Sub Warden, and obtain prior permission for such entry.
10. Any unauthorized student/visitor is prohibited from occupying hostels, and a student is prohibited from authorizing any such person to occupy any space in his/her room in hostel premises without prior permission from the Warden/ Sub Warden.
11. All students except the hostel residents are required to vacate the premises of the University by the 2200 hours (or at any other time notified by the Vice-Chancellor) on each day, unless otherwise engaged in legitimate business. Students who are residents of the University Hostels and who wish to gain entry to the Campus premises after 2200 hours should either produce their University Identity Cards/Record Books or identify themselves by the Security Staff signature/Index Number, when requested by the Security Staff.

12. All students are required to be suitably attired during their period of residence in the Campus.

PART III - MISCONDUCT/INDISCIPLINE

1. Any 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 inform the Police to take action under the said Act No 20th 1998. Considering the gravity of the misconduct and the judgment of the court university may take action as per (ix) of schedule I of part VI
2. Any student who
 - (i) willfully 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 authorized 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, Administrative or Security Staff or any other person of the University authorized by the Vice-Chancellor;
 - (vi) furnishes the University with false information in relation to any matter in respect of which the university is entitled to true particulars and which in the opinion of the Vice-Chancellor is calculated to mislead the authorities of the university;
 - (vii) is under the influence of an intoxicant, liquor or narcotic or is in possession of an intoxicant, or addictive drug;
 - (viii) is in possession or storing or carrying or uses arms and weapons within the precincts of the university or hostels;
 - (ix) engages in such activities which are likely to disrupt the conduct of teaching or study or research in the University or the administration of the University or an event organized by the University;
 - (x) obstructs or harasses any officer, teacher, member of the academic staff or any employee of the University in the performance of their duties;
 - (xi) obstructs or prevents any student from carrying out his/her studies or research or disrupts the activities of any registered student society;
 - (xii) unauthorized occupation of any property of the university otherwise than in accordance with the rules or other provisions made by the university from time to time, or without the authority of the relevant member of staff;

- (xiii) abuses/harasses and/or intimidates either physically or mentally any registered student of the university, Officer, Teacher, member of the academic staff, employee of the university or any person authorized to be in the premises of the University or hostel or at an event organized by the University;
 - (xiv) causes physical injury or physical harm or threatens to cause such harm to any registered student of the University, Officer, Teacher, member of the academic staff, employee of the University or any person authorized to be in the premises of the University;
 - (xv) holds hostage or attempts to hold hostage, kidnaps, attempts to kidnap or threatens to kidnap any officer, teacher, member of the academic staff, an employee, a registered student of the University or any person authorized to be in the premises of the University;
 - (xvi) commits or attempts to commit theft of property within the University premises or retains stolen property belonging to the University or causes willful damage to the University property or that of an officer, teacher, member of the academic staff, an employee, registered student of the University or any person lawfully in the premises of the University;
 - (xvii) aids and abets any person to commit any one or more of the offences referred to in (i) to (xvi) above;
 - (xviii) conducts himself/herself in a manner which in the opinion of the Vice-Chancellor is detrimental to the reputation of the University or to the maintenance of order and discipline at the University; shall be guilty of misconduct/indiscipline.
3. Without prejudice to the generality of the preceding provisions, any student who
- (i) purports to convene a meeting of any society or association or Union which has not been authorized by the University or displays or distributes unauthorized publications at the University;
 - (ii) purports to establish, or assist in establishing any society or association or Union without following the authorized procedures in that regard;
 - (iii) does not comply with the rules and regulations made by the University on the conduct of the affairs of any Society/Association/Union;
 - (iv) convenes any meeting or participates in any meeting of students held in the precincts of the University contrary to the constitution of the relevant Society/Association/Union;
 - (v) distributes and/or displays and/or publishes any kind of materials printed and or audio visual materials which are defamatory and/or abusive of any officer, teacher, member of the academic staff, an employee, registered student of the University or any person authorized 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 authorized 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.

- 4. (I) No notice, poster or other publication may be put-up or exhibited in any lecture room, laboratory or lecture theatre of the University by any student.
- (II) No notice, poster or other publication shall be displayed or exhibited elsewhere in the university except as follows:
 - a) by a student with the permission of the relevant Students Counsellor ; or
 - b) by a University Society for the purpose of its announcement ; or
 - c) by a University Society in connection with an election held by it at such places as may be authorized by the Vice Chancellor ; or
 - d) in place which have been specifically provided in the Campus premises.
- 5. No newspaper periodicals or electronic may be sold or handbills distributed in the University premises except with the permission of the Vice-Chancellor.
- 6. No communication may be made or addressed by a student or students or a University Society except these issues has been brought to the notice of Vice-Chancellor previously and matter has been unresolved to:
 - a) the Chancellor or to the member of the University Grants Commission
 - b) to any University Authority or any member of such an Authority, in respect of the functions of that Authority; or
 - c) to any officer or authority or member of an authority of the Government of Sri Lanka, in respect of any matter that affects the University.

7. No communication may be made to the Press or any matter affecting the University, except with the consent of the Vice-Chancellor.

SPECIAL PROVISIONS

1. The Chief Security Officer shall report to the Vice-Chancellor of any act of in discipline specified in this By-Law and detected by him or his staff.
2. The Chief Security Officer or the Officer-in-Charge of the Security Staff on any shift, may act in the removal of offensive or intimidatory posters, and also in the verification of the University Identity Cards/Record Books of students, and shall report such action to the Vice-Chancellor.
3. The Chief Security Officer or the Officer-in-Charge of the Security Staff on any shift, may act in cautioning any student or students contravening or attempting to contravene any provisions of this By-Law.

PART IV –DISCIPLINARY PROCEDURE

1. Any charge of misconduct/discipline 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 possible.
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 Uva Wellassa University or any other qualified person to investigate the facts and submit their conclusions and recommendations in writing to the Vice-Chancellor.
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 Counselor 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 the Senate and the Council for their endorsement or review of the interim disciplinary orders.

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 possible 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 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 the Senate and the 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.
9. (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 the Council.
10. 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.
11. The student respondent/s shall be notified of the date of the inquiry by the Secretary to the Committee of Inquiry.
12. 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.

13. 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.

14. The Committee of inquiry shall have the power to summon any witness required by the prosecution and by the defence.
15. The Committee of Inquiry after finalizing its verdict shall submit its report to the Vice-Chancellor giving reasons for such findings and the verdict.
16. 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.
17. 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 the Council for its confirmation. In the event of a differences in opinion, the decision of the Council shall prevail. The decision shall be conveyed to the student under registered post and where possible by hand.
18. A student against whom such disciplinary action has been taken may appeal to the Council of the University against such decision within fourteen (14) days.
19. The Board or any Committee of Inquiry appointed by the Vice-Chancellor shall have the power to summon any student of the University to render whatever assistance needed to conduct Inquiries on matters pertaining to provision of the By-Law. A student who does not so comply shall be guilty of a punishable Offences.

At a Committee of Inquiry a student shall be provided with relevant documents or extracts from the same, which have been used to frame charges against the students.

20. (a) The Vice-Chancellor may subject to the provisions in this section declare the University out of bounds to a student who is reported to have violated any of the provisions of this By-Law or against whom a disciplinary inquiry or a criminal case is pending or who is the subject of Police investigation, for a prescribed period of time.

(b) Declaration of the University out of bounds to a student (hereinafter called 'OUT OF BOUNDS DECLARATION') under this section shall mean a total prohibition on attendance at or access to the university and participation in any University activities provided however that the Vice-Chancellor may at his discretion permit such a student to enter the University for a specific purpose.

(c) The out of bounds declaration may include such other reasonable conditions as the Vice-Chancellor may think fit.

(d) The out of bounds declaration under this section shall not be considered as a punishment. The purpose of this declaration under the provisions of this section is to protect the members of the University Community in general or a particular member or members and the power shall be used only where the Vice-Chancellor is of the opinion that it is necessary to take such action. Written reasons for the decision shall be recorded and made available to the student.

(e) No student shall be subjected to the out of bounds declaration unless he or she has been given an opportunity to make representations in person to the Deputy Proctor or Marshal or Chief Security Officer in the presence of a Deputy Registrar. Where for any reason it appears to the Vice-Chancellor that it is not possible for the student to attend in person, he or she shall be entitled to make the above representations in writing. The Deputy Proctor or Marshal or Chief Security Officer shall forward a written report to the Vice-Chancellor within twenty four hours of such representations for making the decision on the out of bounds declaration.

(f) In cases of great urgency, the Vice-Chancellor shall be empowered to impose the out of bounds declaration on a student with immediate effect, provided that the opportunities mentioned in Section 20 (e) are given and the out of bounds declaration reviewed within five working days of such declaration.

(g) The Vice-Chancellor shall review the out of bounds declaration every thirty calendar days and shall record the reasons if the validity period of the declaration is extended.

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 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 the testimonial and the student record book.
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 or appropriates to himself any property of the University Any offence committed in the University will come within the common Laws of Sri Lanka	A fine equivalent to the replacement value plus 25% of such value Punishment for such offence would be referred to a court of Law if necessary
ii.	Contravenes any By-Law Regulation or Rule	Severe warning by the Vice Chancellor with a record of the same in the Personal File and the record book 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 and the record book 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 calculated to mislead the authorities of the University.	Expulsion from the University for falsification of documents of admission, and 1 year suspension in other cases.
v.	Being under influence of an intoxicant, liquor or narcotic or in possession of an intoxicant, liquor or narcotic, illegal weapons and arms, consuming of or supplying liquor, narcotic addictive drug or gambling within the precincts of the University/Hostel.	Severe warning by the Vice Chancellor with a record of same in the Personal File and the record book of the student or suspension from the University for a period not exceeding one year depending on the gravity of the offence.
vi.	Engages in such activities that 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/her studies or research or disrupts any registered student society	Suspension for one academic year.
ix.	Occupies or uses any property of the University other than in accordance with the rules or other provisions made 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 reputation 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 the same in the Personal File and the record book 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.	Prohibition of Ragging and other forms of violence in Educational Institutions Act, No 20 of 1998 will immediately take effect and punishment meted out under the Law. Considering the gravity of the misconduct, the university may give any of the following punishment: <ul style="list-style-type: none"> 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 and the record book
xii.	The display of posters in the Campus premises or any other public place by any students or student, which are intimidating or defamatory to the University, Officer, teacher, member of the academic staff or employee of the University.	Suspension of up to six months and severe warning

	<p>c. Attempted theft</p> <p>d. Retaining stolen property</p>	<p>Suspension for two academic years Suspension of one academic year Fine to be determined by the Committee of Inquiry Return of the property and a fine to be determined by the Committee of Inquiry.</p> <p>a. Suspension for two academic years b. Suspension of one academic year</p>
xiv.	A student who has received three warnings within a period of 12 calendar months.	Suspension for a period of 12 months from the date of the last warning
xv.	Failure to adhere to the warning	Suspension for one academic year
xvi.	A student under suspension committing a further offence	Expulsion or a further period of suspension depending on the gravity of the offence.
xvii.	Publication of notice, posters within the university premises without the permission of authorities	Suspension for three calendar months
xviii.	Selling of Newspapers/periodicals or distributing of handbills within the university premises without approval of the Vice-Chancellor	Suspension for three calendar months
xix.	Communicating with higher authorities without going through the Vice-Chancellor	Suspension for six calendar months
xx.	Communicating with press without the consent of the Vice-Chancellor	Suspension for one academic year

