

NATIONAL UNIVERSITY OF SINGAPORE

STATUTE 6

DISCIPLINE WITH RESPECT TO STUDENTS

1. The President is hereby empowered to make Regulations for carrying out the purposes and provisions of this Statute. Without prejudice to the generality of the foregoing, the President may make Regulations with respect to the following matters:
 - (a) the classification of offences for which students may be subject to disciplinary proceedings and the procedures for initiating disciplinary proceedings;
 - (b) the procedures governing disciplinary proceedings before the Heads of Academic and Non-Academic Units;
 - (c) the procedures governing disciplinary proceedings before the Deans of Faculties or the Dean of Students and the deposit that must be paid for appeals to Deans of Faculties or the Dean of Students;
 - (d) the procedures governing disciplinary proceedings before the Board of Discipline; and
 - (e) the procedures governing disciplinary proceedings before the Disciplinary Appeals Board and the deposit that must be paid for appeals to the Disciplinary Appeals Board.
2. For the purposes of this Statute and any Regulations made pursuant to Clause 1 of this Statute,
 - (a) “Non-Academic Units” refers to all non-academic offices of the University and their constituent departments or divisions which include, without limitation, NUS Information Technology, NUS Libraries, Office of Student Affairs and the management offices of the halls of residence and other student residences;
 - (b) “Deans of Faculties” refers to persons who are appointed as the Dean of a Faculty pursuant to Clause 6(b) of Statute 3 in the case of Faculties and Schools, or persons who are appointed to an equivalent position in the case of Special Constituent Schools;
 - (c) “Heads of Academic Units” refers to:
 - (i) persons who are appointed as the Head of an Academic Unit pursuant to Clause 6(d) of Statute 3 in the case of Faculties and Schools, or persons who are appointed to an equivalent position in the case of Special Constituent Schools; and
 - (ii) persons who are appointed as a Master or Director or an equivalent position in the case of non Faculty-based Academic Units.
 - (d) “student” refers to a person who has been registered or admitted or accepted into any programmes, activities, courses and/or classes offered by the University (regardless of whether such programmes, activities, courses and/or classes are offered solely by the University or in collaboration with any third parties). Unless stated otherwise, a student shall include any person who:
 - (i) is an existing student of the University; or
 - (ii) has ceased to be a student of the University at the time disciplinary proceedings are instituted or at the time the disciplinary matters are adjudicated either in the first

instance or on appeal, provided that the circumstances giving rise to the disciplinary proceedings arose:

- (A) while the person was a student of the University or in connection with the person's admission into the University; or
- (B) while the person was a member of the Union, irrespective whether the person's eligibility for membership was under Clause 3 or Clause 4 of Regulation 9.

Circumstances Giving Rise to Disciplinary Proceedings

3. Any student who is alleged to have committed or attempted to commit, or caused or attempted to cause any other person to commit any of the following offences, may be subject to disciplinary proceedings:
- (a) contravention of the Constitution, Statutes, Regulations, rules, policies, guidelines, codes of conduct, or procedures as may from time to time be prescribed by the University;
 - (b) an offence involving or resulting in criminal activity;
 - (c) theft, fraud or misapplication in connection with University funds or property of any kind;
 - (d) damage to or defacement of any property of the University or any employee or student of the University;
 - (e) falsification or misuse of University documents or records, including (without prejudice to the generality of the foregoing) certificates in connection with degrees and other academic distinctions;
 - (f) fraud, dishonesty, any act of bad faith, or impersonation of others, within or without the University, in connection with the student's academic attainments or financial awards, the student's admission to the University, or otherwise in connection with the University;
 - (g) contravention of conditions stipulated or undertakings made by the student in connection with admission to the University;
 - (h) defamation of, assault or battery against any employee or student of the University;
 - (i) sexual misconduct, racial or religious discrimination, or any other kind of harassment towards any person;
 - (j) maliciously and without reasonable cause, laying a complaint against any employee or student of the University;
 - (k) ragging, which term shall, without prejudice to the generality of the term, include conduct intended: (i) to humiliate another student or hold such other student up to ridicule; or (ii) to interfere with another student's peaceable enjoyment of his/her privileges, benefits, rights or facilities;
 - (l) plagiarism, giving or receiving unauthorised assistance in academic work, or other forms of academic dishonesty;
 - (m) disruption or improper interference or failure to cooperate with: (i) the academic activities or administration of the University; or (ii) the performance of duties by any employee of the University;
 - (n) posing an actual or a potential hazard to public health, including without limitation failing to comply with or obstructing the execution of any measure formulated by the University

for the control of an infectious disease within the meaning of the Infectious Diseases Act (Cap. 137);

- (o) refusal or failure to appear in person, answer questions fully, or produce any documents as may be required at or during the course of any disciplinary investigation or proceedings, or making a false testimony;
- (p) traffic or parking offences;
- (q) failure to comply with any disciplinary sanction or other requirement imposed on such student;
- (r) engaging in acts of retaliation, harassment, threats, intimidation and coercion against persons who are subject to no-contact orders and/or persons involved in disciplinary investigations or proceedings (such as complainants, witnesses, victims and students subject to the disciplinary investigations or proceedings); or
- (s) acting in a manner which is or may be detrimental to the reputation, dignity, interest, or welfare of the University.

Jurisdiction

- 4. The Heads of Academic and Non-Academic Units are empowered to adjudicate any offences but only in relation to persons who are existing students of the University at the time the allegations of offences are adjudicated.
- 5. Any appeal against a decision made by the Head of a Faculty-based Academic Unit shall be adjudicated by the Dean of the corresponding Faculty. Any appeal against a decision made by the Head of a non Faculty-based Academic Unit or the Head of a Non-Academic Unit shall be adjudicated by the Dean of Students.
- 6. In the event that either the Head of an Academic Unit and the Dean of the corresponding Faculty are one and the same person, or a Faculty consists of only one Academic Unit or no Academic Units, the Dean of the corresponding Faculty shall designate one of the Vice Deans (or a person holding an equivalent position) as the Head of Student Discipline for the Faculty. Without prejudice to the foregoing, the Dean of a Faculty may, with the Provost's approval, choose to designate one of the Vice Deans (or a person holding an equivalent position) as the Head of Student Discipline for the Faculty if the Dean is of the view that it would be desirable to do so. A Head of Student Discipline shall be conferred all the powers exercisable by the Head of an Academic Unit, for such period and subject to such conditions or limitations as the Dean may deem fit.
- 7. In the event that either the Head of a Non-Academic Unit and the Dean of Students are one and the same person, the Dean of Students shall designate the Vice Dean of Students as the Head of Student Discipline for the Non-Academic Unit and such Head of Student Discipline shall be conferred all the powers exercisable by the Head of a Non-Academic Unit under this Regulation, for such period and subject to such conditions or limitations as the Dean may deem fit.
- 8. The Board of Discipline is empowered to adjudicate any offences in relation to any student of the University.
- 9. Any appeal against a decision made by the Board of Discipline shall be adjudicated by the Disciplinary Appeals Board. The Disciplinary Appeals Board shall also adjudicate any case that is referred by the President for review pursuant to Clause 23 of this Statute.
- 9A. For the avoidance of doubt, the adjudication of disciplinary matters by the Heads of Academic and Non-Academic Units, the Deans, the Board of Discipline and the Disciplinary Appeals Board (as the case may be) shall be on the balance of probability standard.

Disciplinary Powers

10. The Heads of Academic and Non-Academic Units and the Deans shall be entitled to exercise one or more of the disciplinary powers set out below against any person who is an existing student of the University at the time the allegations of offences are adjudicated:
- (a) issuance of an order including, as appropriate, a requirement to comply with specified conditions and a statement of the sanctions to be applied if such conditions are not met;
 - (b) issuance of a reprimand;
 - (c) imposition of any fine not exceeding Singapore Dollars One Thousand (S\$1,000);
 - (d) issuance of a public censure;
 - (e) withdrawal and/or suspension of any academic privileges, benefits, rights or facilities (other than the right to follow courses of instruction or attend examinations) for a period not exceeding one month;
 - (f) withdrawal and/or suspension of any non-academic University privileges, benefits, rights or facilities for a period not exceeding two semesters; and
 - (g) deprivation and/or withdrawal of any academic distinction or grade to be conferred or previously conferred in relation to assignments, projects, any form of continuous or final assessment and a module.

Any sanction imposed on a student shall form part of such student's official record.

11. The Board of Discipline and the Disciplinary Appeals Board shall be entitled to exercise one or more of the disciplinary powers set out below against any student of the University:
- (a) issuance of an order including, as appropriate, a requirement to comply with specified conditions and a statement of the sanctions to be applied if such conditions are not met;
 - (b) issuance of a reprimand;
 - (c) imposition of a fine not exceeding Singapore Dollars Ten Thousand (S\$10,000);
 - (d) issuance of a public censure;
 - (e) withdrawal and/or suspension of any academic or non-academic University privileges, benefits, rights or facilities, including the right to follow courses of instruction or attend examinations;
 - (f) termination and/or full or partial repayment of any academic or non-academic funding (such as scholarships, grants, bursaries or other similar forms of financial assistance) previously provided or awarded by the University and/or full or partial payment of any academic or non-academic fees previously waived by the University;
 - (g) expulsion from the University; and
 - (h) deprivation and/or withdrawal of any degree, diploma, certificate or other academic distinction or grade to be conferred or previously conferred.

Any sanction imposed on a student shall form part of such student's official record.

12. (a) No degree whatsoever will be awarded to a student even if the requirements for a degree have been fulfilled at the time of the decision by the Board of Discipline or the Disciplinary Appeals Board to expel the student.
- (b) Where a student is suspended from candidature or expelled from the University pursuant to Clause 11(e) or (g) of this Statute, the suspension or expulsion shall be annotated on the student's transcript. The student may make a request in writing to the University to remove the annotation from the student's transcript following the expiry of at least 3 years from the date the student graduates from or leaves the University, and the University may in its absolute discretion decide to allow or reject such a request.
13. For the avoidance of doubt, where a student's right to follow courses of instruction or attend examinations is suspended pursuant to Clause 11(e) of this Statute, such period of suspension shall not count towards any minimum residency requirement.
14. The disciplinary powers provided for in Clause 10 and Clause 11 of this Statute may be exercised by the Heads of Academic and Non-Academic Units, the Deans, the Board of Discipline and the Disciplinary Appeals Board (as the case may be) without prejudice to the right to exercise any other disciplinary powers or any other powers contained in the Constitution, Statutes, Regulations, rules, policies, guidelines, codes of conduct, or procedures as may from time to time be prescribed by the University.

Summary Action

15. Notwithstanding any other provision of this Statute, the Provost may, by giving notice in writing to a person who is an existing student of the University at the time of the notice, summarily withdraw and/or suspend any academic or non-academic University privilege, benefit, right, or facility or take any other summary action as the Provost may think fit against such student, if the Provost has reason to believe that such urgent action is necessary to:
 - (a) protect the interests of the University or any student or staff of the University; and/or
 - (b) facilitate the smooth and/or proper functioning of the University.
16. Any summary action taken against a student pursuant to Clause 15 of this Statute shall be an interim measure pending the decision of the Board of Discipline in subsequent disciplinary proceedings against the student. Where summary action has been taken against a student, the Provost shall convene the Board of Discipline and refer the case to it within three months after the notice of summary action is given to the student. The Board of Discipline shall thereafter adjudicate the disciplinary matter in accordance with the procedures set out in the Regulations made pursuant to Clause 1 of this Statute, and the summary action that was taken against the student shall automatically lapse once the Board of Discipline issues its decision.
17. A decision made by the Board of Discipline shall be final and binding on the student, subject to any decision on appeal made by the Disciplinary Appeals Board.

No-Contact Orders

18. The Provost may, by giving notice in writing to a person who is an existing student of the University at the time of the notice, direct the person to have no contact with another existing student or staff of the University ("No-Contact Order"), if the Provost has reason to believe that the No-Contact Order may:
 - (a) protect the interests of the University or any student or staff of the University; and/or
 - (b) facilitate the smooth and/or proper functioning of the University.

19. The Provost may delegate the power to issue No-Contact Orders to any office(s) of the University, and such office(s) may issue No-Contact Orders on behalf of and under the authority of the Provost.
20. A No-Contact Order shall continue until any of the following events occurs:
- (a) the person subject to the No-Contact Order is informed by the University in writing that it shall cease to have effect;
 - (b) the person subject to the No-Contact Order ceases to be an existing student of the University; or
 - (c) the person whom the No-Contact Order relates to ceases to be an existing student or staff of the University.
21. A person subject to the No-Contact Order, or a person whom the No-Contact Order relates to, may at any time make a request in writing to the Provost for the No-Contact Order to cease, and the Provost may in his absolute discretion decide to allow or reject such a request.
22. For the avoidance of doubt, the Provost's power to issue No-Contact Orders is without prejudice to:
- (a) the entitlement of the Heads of Academic and Non-Academic Units and the Deans to make no-contact orders in the exercise of their disciplinary powers under Clause 10(a) above; and
 - (b) the entitlement of the Board of Discipline and the Disciplinary Appeals Board to make no-contact orders in the exercise of their disciplinary powers under Clause 11(a) above.

For the avoidance of doubt, the provisions in Clause 21 above do not apply to no-contact orders made by the Heads of Academic and Non-Academic Units, the Dean, the Board of Discipline and the Disciplinary Appeals Board. Such no-contact orders made are subject to appeal in accordance with this Statute and Regulation 10.

Review of BOD and DAB Outcomes

23. Where the President, after considering the advice of the President Disciplinary Advisory Committee, is of the view that:
- (a) there has been a serious procedural irregularity or breach in any disciplinary proceedings before the Board of Discipline and/or the Disciplinary Appeals Board, and the procedural irregularity or breach was likely to have materially prejudiced the fair determination of the matter; or
 - (b) evidence which was not previously available has subsequently emerged or become available after the determination of a disciplinary matter by the Board of Discipline and/or the Disciplinary Appeals Board, and the new evidence would likely have had a material impact on the decision that was reached; or
 - (c) other compelling and exceptional circumstances exist;

the President may in his absolute discretion direct that the disciplinary matter in question be referred to a newly-constituted Disciplinary Appeals Board for review. For the avoidance of doubt, the Disciplinary Appeals Board constituted under this Clause shall be entitled to exercise one or more of the disciplinary powers under Clause 11 of this Statute, and to quash or revise any prior decision or determination and substitute its own decision or determination.

Co-operation

24. During the course of any disciplinary proceedings or appeals, the student shall cooperate fully with the Heads of Academic or Non-Academic Units, the Deans, the Board of Discipline, the Disciplinary Appeals Board, the Provost or any other body or person to whom the task of administering and/or adjudicating any disciplinary matter or appeal may be entrusted, and shall supply to them such information and documents as any of them may require.

Confidentiality

25. All disciplinary proceedings instituted or summary action or disciplinary action(s) taken pursuant to this Statute shall be strictly confidential. The student and/or any other person(s) requested to appear before the body or person to whom the task of adjudicating any disciplinary matter or appeal may be entrusted shall not disclose to third parties any information and/or documents relating to the disciplinary proceedings instituted or summary action or disciplinary action(s) taken pursuant to this Statute, except with the written consent of the University and/or unless disclosure is required by the laws of Singapore.
26. Notwithstanding Clause 25 of this Statute, the University may at any time disclose to third parties any information and/or documents relating to disciplinary proceedings instituted or summary action or disciplinary action(s) taken pursuant to this Statute, by publication in any manner or medium or otherwise.

Liability of the University

27. The University, its officers, or any other person or entity associated with them shall have no liability whatsoever for any losses, damages, claims, legal costs or other expenses that a person may suffer or incur, whether directly or indirectly (including any loss of profit or any damage to reputation) by reason of any disciplinary proceedings instituted or summary action or disciplinary action(s) taken pursuant to this Statute and/or the publication or notification of any information relating thereto.