

THE CHINESE UNIVERSITY OF HONG KONG
GRADUATE SCHOOL DISCIPLINARY COMMITTEE
PROCEDURES FOR HANDLING STUDENT DISCIPLINARY CASES

I. Preamble

As recommended by the Graduate Council and approved by the Senate in December 1997, the Graduate School Disciplinary Committee (hereinafter referred to as the Committee) was established as a sub-committee of the Graduate Council to handle all academic* and non-academic disciplinary matters pertaining to postgraduate students and where appropriate, recommend penalties to be imposed. The membership of the Committee is as follows:

Chairperson	To be appointed from among the members by the Dean of the Graduate School
Members	Two members nominated by each Faculty Dean
Secretary	To be appointed by the Dean of the Graduate School in consultation with the Registrar

All members shall be appointed/nominated at the beginning of each academic year, to hold office until new appointments are made at the beginning of the next academic year.

The Committee shall annually make a summary report to the Graduate Council and to the Senate Committee on Student Discipline.

** With effect from 2015-16, all academic disciplinary cases pertaining to postgraduate students shall be handled by the faculties that offer the courses concerned.*

II. Functional Structure

Upon the receipt of a case involving student discipline, the Committee shall constitute a Disciplinary Panel to examine the case and recommend a course of action. The Panel shall normally consist of three members of the Committee who, wherever possible, shall not be from the same Faculty(ies) to which the student(s) concerned belong(s). If necessary one co-opted member may also be invited to assist in the course of investigation.

The Secretary of the Committee or his/her representative serves as Secretary for a Disciplinary Panel.

III. Procedural Steps for Convening a Disciplinary Panel and Handling Disciplinary Cases

The procedural steps for convening a Disciplinary Panel and specific provisions involved in handling disciplinary cases are as follows:

- (1) After receiving a case, the Secretary of the Committee lines up a Disciplinary Panel according to the duty roster compiled by the order of Faculties in alphabetical sequence.
- (2) Any member of the Panel who wishes to request for exemption from serving the Panel due to personal interest in the case should inform the Secretary of the Panel immediately. If the request is approved by the Chairperson of the Committee, he/she will be replaced by the next member on the duty roster, but not having served a Panel, his/her name will not be moved to the bottom of the list.
- (3) The Secretary of the Committee then in writing informs each student of the offence for which he/she is being charged and names of members on the Panel. If the student wishes to raise objection on any member, he/she should do so in writing, giving reasons therefor, within three working days after receipt of the notification. Each student should also be reminded of his/her right to meet with the Panel before a decision/recommendation on the case is made and that if he/she wishes to do so, he/she should inform the Secretary of the Panel as early as possible, preferably at the outset.

- (4) Depending on the nature of the case, especially for cases that require investigation, the Disciplinary Panel may decide to invite the student concerned and/or any other student and/or staff member to attend its meeting(s) and provide additional information relevant to the case to facilitate the investigation process. Under such circumstances, the student concerned and/or any other student and/or staff member shall take all reasonable steps to attend the meeting(s) so arranged, and the student concerned is also entitled to be accompanied by a person as stipulated in paragraph (2) under Student Rights. Where applicable, the student concerned shall make use of the opportunity to seek clarifications on any unclear issues or plead for a lower penalty from the disciplinary committee concerned, irrespective of whether s/he will attend the meeting(s).
- (5) At the beginning of the Panel meeting, members of the Panel firstly elect a convener from among themselves. The Panel then proceeds with its enquiry and deliberations as it sees fit.
- (6) When opinions of the members of a Panel present are not unanimous and the Panel cannot reach a decision/recommendation, the Panel may refer the case to the Chairperson of the Committee for consideration, who may at his/her discretion make his/her own recommendation or call for a meeting of the whole Committee to consider the case.
- (7) After a course of action has been recommended by a Panel, the Secretary of the Panel has to circulate to Panel members a record of the meeting(s) normally no later than seven working days after the recommendation is made. Members may suggest amendments which will upon receipt be circulated to members. If no amendment is received within four working days after the date of issue of the record or the last amendment thereof by the Secretary, the recommendation of the Panel will be circulated to all members of the Committee for endorsement by majority vote. If the recommendation does not have majority support from the Committee within four working days after the date of issue of the circular, the Chairperson may convene a meeting of the Committee to review the case. If the recommendation is confirmed, each student will be notified in writing of the course of action recommended by the Panel and will also be reminded of his/her right to appeal against the recommendation.
- (8) In the case where the Disciplinary Panel comes up with a decision/recommendation that is substantially different from the initial findings of the faculty/division to which the student concerned belongs, the Committee shall first convey its decision/recommendation to the faculty/division concerned before the student concerned is formally notified of the decision/recommendation.
- (9) If the recommended penalty does not require Senate approval/review, and no appeal is lodged within seven working days after the date of receiving the notification, the case is closed. The recommendation shall be forwarded to the Dean of the Graduate School for implementation. A brief report on the case will be issued to the Secretary of the Senate for record, and to the Secretaries of Faculty Boards and College Assemblies of Fellows for information.
- (10) If the recommended penalty requires Senate approval/review or if the student appeals within the specific period, the matter will be referred to the Senate Committee on Student Discipline.
- (11) These Procedures are administrative guidelines approved by the Graduate Council and may be amended or supplemented by the Graduate Council from time to time.

IV. Student Rights

- (1) Each student concerned shall be clearly informed of the offence for which he/she is being charged. The Committee shall also explain to the student concerned the procedures of handling the case and the rights of the student. The student concerned is allowed to raise objection to any member on the Disciplinary Panel formed for his/her case, giving reasons therefor. The authority for ruling on such objections will be vested in the Chairperson of the Committee.

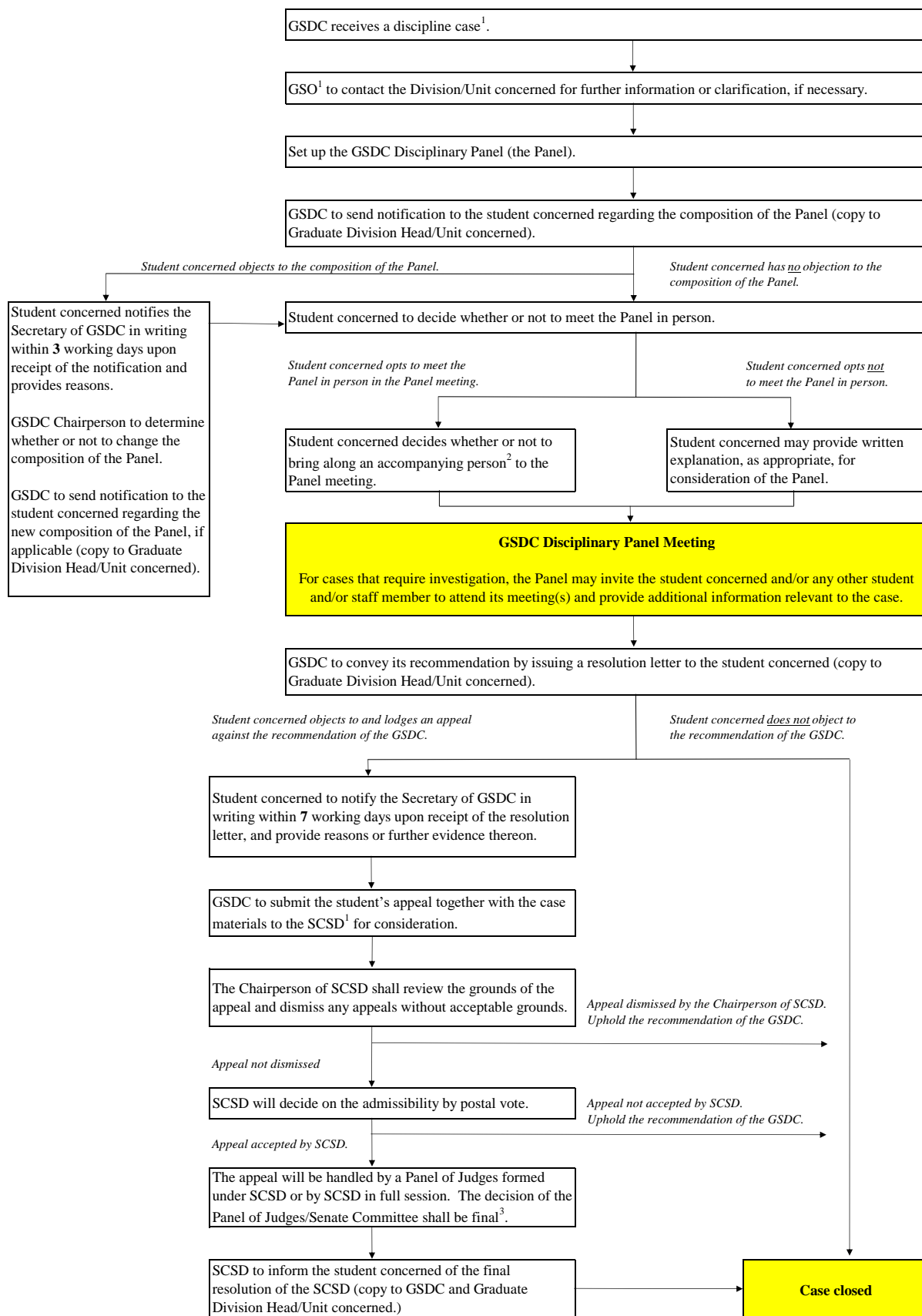
- (2) Each student concerned shall be reminded of his/her rights to meet with the Disciplinary Panel before a decision/recommendation on his/her case is made. He/She is also allowed to meet the Panel, as the case may be, with an accompanying person whose identity should be limited to: University staff member, fellow University student, parent, sibling, spouse or registered guardian.
- (3) Upon the notification of the decision/recommendation by the Disciplinary Panel, the student concerned has the right to lodge an appeal against the decision/recommendation made by the Panel, in writing, within seven working days of receiving the notification. Late appeal shall not be considered. The matter will then be referred to the Senate Committee on Student Discipline.
- (4) To lodge an appeal, the student concerned shall state clearly the grounds of the appeal, including but not limiting to the provision of new evidence or information that has not been made available for consideration by the disciplinary committee, and the reasons for not making the evidence or information available earlier. However, pleading for a lower penalty is not considered as acceptable ground. Late appeal shall not be considered.
- (5) If no appeal is lodged by the student concerned within seven working days of receiving the notification, the case is closed and any disciplinary action shall be implemented forthwith. A brief report on the case (by means of Form A), irrespective of whether the student concerned is found guilty or not, shall be issued by the disciplinary committee concerned to the Senate Committee for record and to other relevant disciplinary committees for information.

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THE CHINESE UNIVERSITY OF HONG KONG
Graduate School Disciplinary Committee

Workflow on Handling of Non-academic Disciplinary Cases of Postgraduate Students



Notes:

¹ GSDC denotes Graduate School Disciplinary Committee; GSO denotes Graduate School Office; SCSD denotes Senate Committee on Student Discipline.

² Identity of the accompanying person should be limited to University staff member, fellow University student, parent, sibling, spouse or registered guardian.

³ As far as these procedures for handling student disciplinary cases are concerned, there shall be no further appeals beyond the final decision of the Senate Committee.