

THE CHINESE UNIVERSITY OF HONG KONG

Senate Committee on Student Discipline

Procedures for Handling Student Disciplinary Cases

Preamble

1. The Chinese University of Hong Kong is committed to the provision of all-rounded education of the highest standard to its students, with the ultimate aim of nurturing whole-person development for all students during their studies at the University. Apart from the provision of a full range of student support services, the University has also adopted a set of procedures for handling student disciplinary cases, as part of the process of helping and educating students who may have violated any rules/regulations of the University or who may have committed any misconduct, so as to make them realize and correct any mistakes.
2. For this purpose, the Senate Committee on Student Discipline (hereinafter referred to as the Senate Committee) was established by the University Senate at the 1st Meeting (1992-93) held on 28 October 1992. The Senate Committee is vested with full authority, which includes, *inter alia*, the power to conduct investigations, for handling all matters pertaining to the discipline of all full-time, part-time, associate, undergraduate or postgraduate students of the University in accordance with the relevant University Regulations which stipulate that:

(1) A student who violates any rule or regulation and/or commits any misconduct, including but not limited to the following:

- (a) defamation of or assault on or battery against the person of any member of the University;*
- (b) willful damage to or defacement of any property of the University;*
- (c) theft, fraudulent use, misapplication of University funds or property of any kind;*
- (d) plagiarism in written assignments or cheating in tests or examinations;*
- (e) an offence in connection with tests or examinations or violation of any of the regulations governing conduct at tests or examinations as approved by the Senate from time to time;*
- (f) falsification or serious misuse of University documents or records;*
- (g) refusal to comply with any regulations or orders by authorized persons and bodies prohibiting any conduct which disrupts teaching, study, research, administration or normal activities of the University;*
- (h) any conduct which is detrimental to the reputation and well-being of the University;*
- (i) an offence of an immoral, scandalous or disgraceful nature of which the student has been convicted in any court of law; or*
- (j) misrepresentations or false statements made in any application or document submitted to the University;*

shall be disciplined by the Senate Committee on Student Discipline, or other disciplinary committees as appropriate, including Board of Faculty and College Assembly of Fellows, as shall be vested with authority in handling matters pertaining to the discipline of students, in accordance with the nature and gravity of the offence.

(II) Disciplinary action may result in a penalty in any one or more of the following forms:

- (a) reprimand issued by the disciplinary body concerned;*
- (b) suspension from part or all of the rights, privileges and/or the use of part or all of the facilities of the University for a specified period of time;*
- (c) demerit(s), of which a total of three may result in termination of studies at the University;*
- (d) suspension from the University for a specified period of time;*
- (e) termination of studies at the University;*
- (f) any other form as the Senate Committee on Student Discipline, Board of Faculty, College Assembly of Fellows, or other disciplinary committees (as the case may be) may deem fit.*

Penalty (d) or (e) may be imposed only with the approval of the Senate Committee on Student Discipline, with authority delegated by the Senate. Any penalty imposed as a result of disciplinary action may be entered into the transcript of the student's academic record.

General Principles

Applicability

3. The Procedures for Handling Student Disciplinary Cases are applicable to all students of the University, including full-time, part-time, associate, undergraduate and postgraduate students, except for MBChB students, whose disciplinary cases will be handled by the Fitness To Practice (FTP) Committee formed under the Faculty of Medicine.
4. The Procedures are administrative guidelines approved by the Senate Committee and may be amended or supplemented by the Senate Committee from time to time.

Confidentiality

5. Information on all student disciplinary cases, including the identity of students involved, under the Procedures shall be kept strictly confidential.

Stages of the Disciplinary Procedures

6. A student disciplinary case is normally handled by a disciplinary committee concerned other than the Senate Committee on Student Discipline, depending on the nature and gravity of the case. The Senate Committee mainly handles cases of an exceptional/very serious nature, as well as appeals to/reviews of decisions/recommendations made by other disciplinary committees. There are two stages in the University's procedures for handling student disciplinary cases:
 - Stage 1 : Handling of cases by disciplinary committees in the first instance
 - Stage 2 : Handling of appeals to decisions/recommendations and reviews of recommendations by the Senate Committee

These stages are set out in detail below, and a summary of the Procedures is shown in the flowchart at Attachment 1.

Stage 1: Handling of cases by disciplinary committees in the first instance

7. Under the current Procedures, depending on the nature and gravity, cases will be handled by different disciplinary committees of the University as appropriate, which are formed under the Graduate School,

Colleges and Faculties or other course offering units¹. The following is the guiding principle:

Postgraduate students

- Disciplinary cases that involve any kind of offences committed by postgraduate students shall be handled by the Graduate School Disciplinary Committee.

Undergraduate students

- Disciplinary cases that involve misconduct of a non-academic nature shall be handled by the disciplinary committees formed under the College concerned. As for MBChB students, the College Disciplinary Committees will also refer cases to the FTP Committee according to the guidelines to be agreed between the Faculty of Medicine and the Colleges.
 - Other disciplinary cases of an academic nature shall be handled by the disciplinary committee formed under the Faculty or course offering unit concerned.
8. When the disciplinary case involves more than one student and if these students belong to different Faculties/Colleges or involve both undergraduate and graduate students, or when the case is deemed very serious in nature, it shall be handled by the Senate Committee directly, by means of a Panel of Judges formed under the Senate Committee.
 9. Each student concerned shall be clearly informed of the offence for which s/he is being charged. The disciplinary committee that handles a case in the first instance shall also explain to the student concerned the procedures of handling the case and the rights of the student.
 10. Each student concerned shall be reminded of his/her rights to meet with the Panel of Judges/disciplinary committee concerned before a decision on the case is taken. If the student concerned so requests, s/he shall inform the Secretary of the Panel of Judges/disciplinary committee as early as possible, preferably at the outset and the Secretary will make arrangements for him/her to attend a meeting of the Panel of Judges/disciplinary committee. At the meeting, members of the Panel of Judges/disciplinary committee will interview the student concerned who in turn can provide any additional information regarding the case. The student concerned shall also be allowed to attend the meeting of the Panel of Judges/disciplinary committee with an accompanying person. The identity of the accompanying person shall be limited to: University staff member, fellow University student, parent, sibling, spouse or registered guardian. The student concerned, and any accompanying person, will then be asked to leave and the Panel of Judges/disciplinary committee will deliberate on the case. The student concerned may also suggest to the disciplinary committee concerned to seek information from other persons who may have relevant first-hand knowledge of the facts of the case.
 11. Depending on the nature of the case, especially for cases that require investigation, the Panel of Judges/disciplinary committee concerned may decide to invite the student concerned and/or any other student and/or staff 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 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 10 above.
 12. After deliberation, the Panel of Judges/disciplinary committee shall make a recommendation in accordance with the relevant University regulations (paragraph 2(II)). Since the recommendations of suspension and termination of study may only be imposed with the approval of the Senate, these recommendations will have to be reviewed by a Panel of Judges formed under the Senate Committee.

¹ Other course offering units include the Centre for China Studies, Office of University General Education and Office of Academic Links.

13. The Panel of Judges/disciplinary committee shall reach its decision/recommendation by majority vote. When the number of votes from members of the Panel of Judges/disciplinary committee present is equally divided in the meeting(s) between two opposing positions, the convener of the meeting shall adopt the decision which is more in favour of the student/s concerned.
14. After a decision/recommendation is made, the Panel of Judges/disciplinary committee shall notify the student concerned of the decision and the disciplinary actions (if any) taken/recommended against him/her, even if the case has to be reviewed by the Senate Committee in accordance with the University regulations set forth in paragraph 2(II). In the case when the Panel of Judges/disciplinary committee comes up with a decision that is substantially different from the initial findings of the faculty/department/college to which the student concerned belongs, the Panel of Judges/disciplinary committee shall convey its decision to the faculty/department/college first before the student concerned is formally notified of the decision.
15. Upon the notification of the decision/recommendation by the Panel of Judges/disciplinary committee, the student concerned may lodge an appeal, against the decision/recommendation made by the Panel of Judges/disciplinary committee, to the Senate Committee through the disciplinary committee that deals with the case in the first instance within seven working days of receiving the notification. Late appeal shall not be considered.
16. 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, 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.

Stage 2: Handling of appeals to decisions/recommendations and reviews of recommendations by the Senate Committee

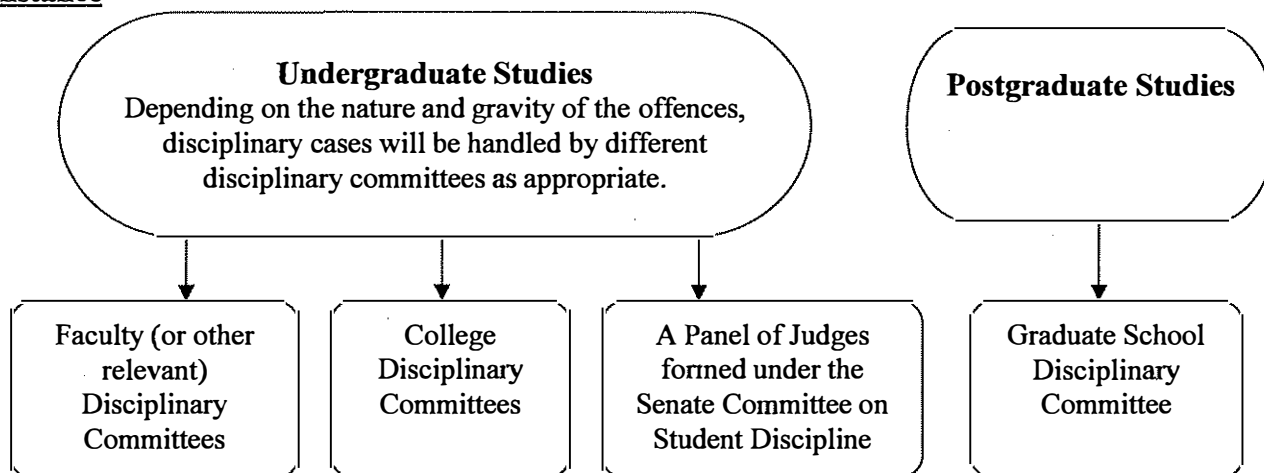
17. Upon receipt of an appeal lodged by a student regarding the decision/recommendation made by a Panel of Judges/disciplinary committee that has handled the case in the first instance, the Panel of Judges/disciplinary committee concerned shall submit the letter of appeal together with all materials of the case, including the detailed meeting record of the Panel of Judges/disciplinary committee and any other additional information available, to the Senate Committee.
18. The Senate Committee shall take the following procedural steps to decide on the admissibility of the appeal:
 - a) The Secretary of the Senate Committee shall arrange to have the admissibility of the appeal considered by the Senate Committee through a postal vote, enclosing the letter of appeal and materials submitted by the Panel of Judges/disciplinary committee that handled the disciplinary case in the first instance, including the record of meeting, normally within three working days after receipt of an appeal in writing, or as soon as possible thereafter.
 - b)
 - i) If a simple majority of the votes returned can be secured for acceptance, the appeal is admitted to be heard.
 - ii) If a simple majority cannot be secured, the Chairman of the Senate Committee will decide on the admissibility after consulting the results of the votes and comments (if any) from members.
19. If the appeal is not admitted to be heard, the Senate Committee shall inform the appellant, and the case will be closed.

20. If the appeal is admitted to be heard, and the disciplinary case was handled by a disciplinary committee other than the Senate Committee in the first instance, the appeal shall be handled by a Panel of Judges formed under the Senate Committee.
21. If the appeal is admitted to be heard, and the disciplinary case was handled by a Panel of Judges formed under the Senate Committee, the appeal shall be handled by the Senate Committee in full session.
22. The Senate Committee may also exercise its power, through a Panel of Judges, to review the recommendations made by other disciplinary committees (i.e. recommendations of suspension and termination of study) in accordance with the University regulations set forth in paragraph 2(II) and detailed in paragraph 12.
23. Decisions on cases of appeals and reviews made by the Senate Committee, either in full session or by means of a Panel of Judges in circumstances stated in paragraphs 19 to 22 above, shall be final. There shall be no further appeal.
24. Details about the formation and conduct of meetings of a panel of Judges formed under the Senate Committee, and the composition of the Senate Committee, are at Attachments 2 to 4.

[Approved by the Senate Committee on Student Discipline at its First Meeting (2010-11). Revisions to the *General Regulations Governing Full-time Undergraduate Studies* as approved by the Senate at its Fourth Meeting (2011-12) are incorporated.]

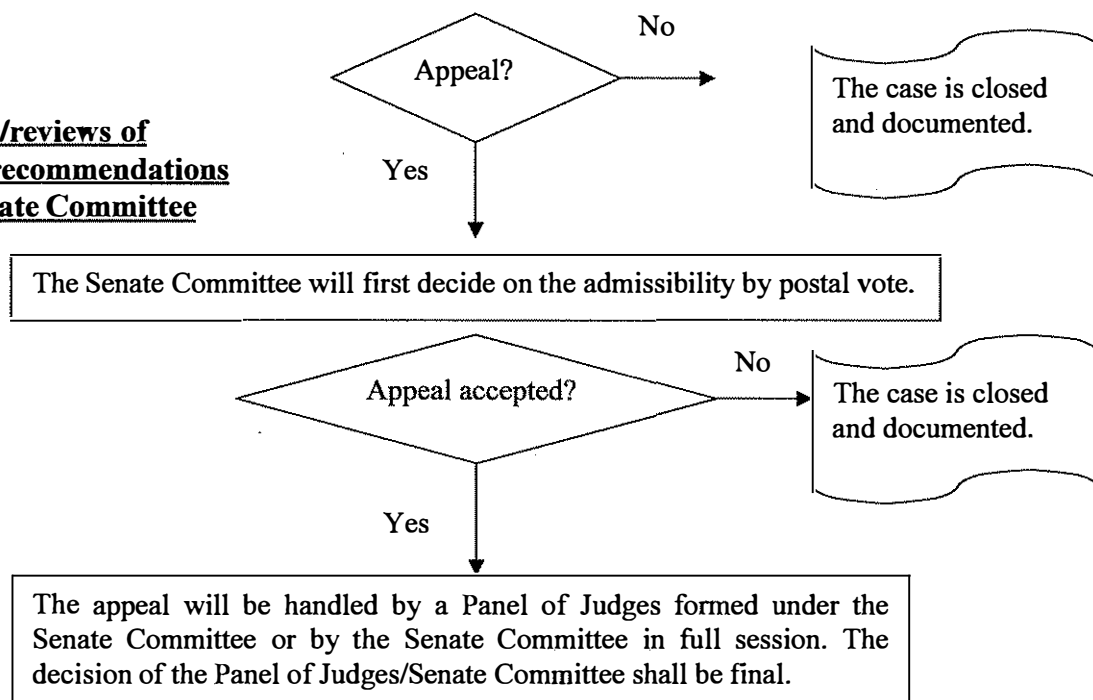
Procedures for Handling Student Disciplinary Cases

Stage 1:
Disciplinary committees
handle cases in the first
instance



Upon the notification of the decision by the disciplinary committee that handles the case in the first instance, the student concerned is allowed to lodge an appeal, within seven working days of receiving the notification, to the Senate Committee.

Stage 2:
Appeals to/reviews of
decisions/recommendations
by the Senate Committee



Notes:

1. 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.
2. The flow chart is only a summarized description of the procedures. Please refer to the full text of the procedures for details.

Senate Committee on Student Discipline

Formation of a Panel of Judges under the Senate Committee

1. A Panel of Judges formed under the Senate Committee is composed of five members, who are selected from members of the Senate Committee in accordance with the following guidelines adopted for compiling duty rosters for the various categories:

- a) *one from Category (b) Members of the Senate Committee; wherever possible, members from the College(s) to which the student(s) (suspect/defendant or appellant/applicant for review, as the case may be) (hereinafter referred to as "student concerned") belong(s) shall not be included.*

The roster shall be compiled initially by the order of Colleges in alphabetical sequence i.e. C.W. Chu, Chung Chi, S.H. Ho, Lee Woo Sing, Morningside, New Asia, Shaw, United and Wu Yee Sun, and after each member has served on a Panel of Judges, his/her name is rotated to the bottom of the roster. If all Colleges are involved in a certain case, the College affiliation of students shall be ignored. The member at the top of the duty roster shall sit on the Panel.

- b) *one from Category (c) or (d) Members of the Senate Committee; wherever possible, members from the Faculty(ies) to which the student(s) concerned belong shall not be included, and for cases involving postgraduate students, the member from the Graduate Council shall not be included.*

The roster shall be compiled initially by the order of Faculties in alphabetical sequence i.e. Arts, Business Administration, Education, Engineering, Law, Medicine, Science and Social Science, and after each member has served on a Panel of Judges, his/her name is rotated to the bottom of the roster. If all Faculties are involved in a case, the Faculty affiliation of students shall be ignored. The member at the top of the duty roster shall sit on the Panel.

- c) *one from Category (g) or (h) Members of the Senate Committee, wherever possible, members from the College(s) and Faculty(ies) to which the student(s) concerned belong(s) shall not be included.*

The roster shall be compiled initially by the order of Faculties/Colleges/Students Union in alphabetical sequence i.e. Arts, Business Administration, Education, Engineering, Law, Medicine, Science, Social Science, C.W. Chu, Chung Chi, S.H. Ho, Lee Woo Sing, Morningside, New Asia, Shaw, United, Wu Yee Sun and Students Union, and after each member has served on a Panel of Judges, his/her name is rotated to the bottom of the roster. The member at the top of the duty roster shall sit on the Panel.

- d) *any Two Other Members of the Senate Committee, wherever possible, members from the College(s) and Faculty(ies) to which the student(s) concerned belong(s) shall not be included, and for cases involving postgraduate students, the member from the Graduate Council shall not be included.*

The roster shall be compiled initially by alphabetical order of members of the Senate Committee, and after each member has served on a Panel of Judges, his/her name is rotated to the bottom of the roster. The member at the top of the duty roster shall sit on the Panel.

2. The name of a member not having served a Panel shall stay at the top of the duty roster.

3. A member is allowed to request exemption from serving on a particular Panel for reason of personal interest or conflict, subject to the consent of the Chairman of the Senate Committee. S/he shall inform the Secretary of the Senate Committee immediately. If the request is approved by the Chairman of the Senate Committee, the member shall be replaced by the next member on the relevant duty roster, but having been excused, the member shall stay at the top of the duty roster.
4. Before the first meeting of the Panel of Judges is convened, if it happens that a member will be on leave, or due to other official business will not be available to attend the meeting as scheduled, the member shall be replaced by the next member on the relevant duty roster if time allows, but having been excused, the member shall stay at the top of the duty roster.
5. After a Panel of Judges is formed, the Secretary of the Senate Committee shall in writing notify each student concerned of the names of members on the Panel, also informing each student concerned that if s/he wishes to raise objection to any member, s/he shall do so in writing, giving reasons therefor, within three working days after receipt of the notification, for consideration by the Chairman of the Senate Committee. The authority for ruling on such objections shall be vested in the Chairman of the Senate Committee, and such ruling shall be final.
6.
 - a) If no objection to the membership of the Panel is received by the day as stipulated in paragraph 5 above, the Panel shall proceed with its work.
 - b) If any objection to the membership of the Panel is received before the day stipulated in paragraph 5 above, and the Chairman of the Senate Committee does not give consent to the objection, the Panel shall proceed with its work.
 - c) If objection to the membership of the Panel is received before the day stipulated in paragraph 5 above, and the Chairman of the Senate Committee gives his/her consent, member(s) of the Panel against whom an objection is raised shall be replaced by the next member(s) on the relevant duty roster. The new Panel shall then proceed with its work.
7. If the disciplinary cases are to be handled by the Senate Committee in full session, the student(s) concerned shall not be given the right to raise objection to any member.

Senate Committee on Student Discipline

Conduct of Meeting of a Panel of Judges/the Senate Committee

1. The Secretary of the Senate Committee or his/her representative shall serve as Secretary for a Panel of Judges. A meeting shall be arranged normally no later than two weeks after a case is received or after the admissibility of an appeal.
2. The Secretary of the Panel of Judges/Senate Committee shall arrange for a meeting of the Panel of Judges/Senate Committee in the following manner:
 - a) Relevant case materials shall be forwarded to members of the Panel of Judges/Senate Committee including, where available, information on previous similar cases for reference of the Panel of Judges/Senate Committee.
 - b) Each student concerned shall be reminded of his/her right to meet with the Panel of Judges/Senate Committee before a decision on the case is taken. If the student concerned so requests, s/he shall inform the Secretary of the Panel of Judges/Senate Committee as early as possible, preferably at the outset and the Secretary shall make arrangements for him/her to meet with the Panel of Judges/Senate Committee normally during its first meeting. At the meeting, members of the Panel of Judges/Senate Committee shall interview the student concerned who in turn can provide any additional information regarding the case. The student concerned shall also be allowed to attend the meeting of the Panel of Judges/Senate Committee with an accompanying person. The identity of the accompanying person shall be limited to: University staff member, fellow University student, parent, sibling, spouse or registered guardian. The student concerned, and any accompanying person, shall then be asked to leave and the Panel of Judges/Senate Committee shall deliberate on the case. The student concerned may also suggest to the Panel of Judges/Senate Committee to seek information from other persons who may have relevant first-hand knowledge of the facts of the case.
 - c) Depending on the nature of the case, especially for cases that require investigation, the Panel of Judges/Senate Committee may decide to invite the student concerned and/or any other student and/or staff to attend its meetings 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 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(b) above.
3.
 - a) The quorum at any meeting of a Panel of Judges is 4.
 - b) The quorum at any meeting of the Senate Committee sitting as an appeal committee is two-thirds of all its members other than the five members who have sat on the Panel of Judges that dealt with the case in the first instance.
4. In the case of a Panel of Judges, at the first meeting in handling an appeal, a convener, who shall lead the discussion during the meeting, shall be elected from among members of the Panel of Judges. The Chairman of the Senate Committee shall normally be the convener when the Senate Committee is sitting as an appeal committee, except when the Chairman has sat on the Panel of Judges that dealt with the case in the first instance, then other members shall be elected to take his place.

5. The Panel of Judges/Senate Committee shall then proceed with its enquiry, investigation and deliberations as it sees fit. It is expected that views of the disciplinary committee that handled the case in the first instance shall be made available to the Panel of Judges for reference. For cases where the Senate Committee sits as an appeal committee, members of the Panel of Judges that dealt with the case in the first instance shall become observers of the meeting. They may supplement with further explanations on the processes of their investigation and the reasons for their decisions, but shall not participate in the voting on the final decision of the appeal case. Further meetings and/or interviews may be conducted as necessary.
6. The Panel of Judges/Senate Committee shall reach its decision and recommendation by majority vote. When the number of votes from members of the Panel of Judges/ Senate Committee present is equally divided in the meeting(s) between two opposing positions, the convener of the meeting shall adopt the decision which is more in favour of the student/s concerned.
7. After a decision on the case is taken:
 - a) The Secretary of the Panel of Judges/Senate Committee shall submit to the convener a record of the meeting(s) normally within four working days, after the decision is taken and then circulate the record to other members, or as soon as possible thereafter. The record shall include a summary report on the facts of the case as found during the meeting, and where applicable, the interview of student(s) concerned, the discussions, the penalties and reasons given thereof.
 - b) Suggestions for amendments received from member(s) shall be circulated to all other members.
 - c) If no amendment is received within three working days after the date of issue of the record or the last amendment thereof by the Secretary, each student concerned shall be notified in writing of the rulings and disciplinary action taken against him/her.
8. Since the ruling of a Panel of Judges/Senate Committee in cases of appeal or review is final, the case is closed and any disciplinary action shall be implemented forthwith. A brief report on the case shall then be issued by the Panel of Judges/Senate Committee for record and to other disciplinary committees for information.

Senate Committee on Student Discipline

Composition of the Senate Committee

- (a) Chairman appointed by Vice-Chancellor/President
- (b) A teaching staff from each College appointed by its Assembly of Fellows
- (c) A teaching staff from each Faculty appointed by the Faculty Board
- (d) A teaching staff appointed by the Graduate Council
- (e) University Dean of Students
- (f) Registrar and Secretary
- (g) President of the Chinese University Students Union
- (h) Elected Student members of the Senate

The Secretary of the Committee is appointed by the Registrar and Secretary in consultation with the Chairman of the Committee.

香港中文大學

教務會學生紀律委員會

處理學生紀律個案程序

前言

- 一、 香港中文大學(下稱「大學」)致力為學生提供優質及全面的教育，鼓勵學生全人發展。除了提供一系列學生支援服務外，大學亦確立程序，處理學生的紀律個案，作為協助和教育過程的一部分，使違犯大學任何規則/條例或犯事的學生瞭解及糾正錯誤。
- 二、 為此，大學教務會在一九九二年十月二十八日第一次會議(一九九二至九三年度)，成立教務會學生紀律委員會(下稱「教務會委員會」)，授予權力，包括進行調查，根據相關大學學則處理有關大學全日制學生、兼讀制學生、特別生、本科生或研究生的紀律事宜。大學學則規定：

(1) 學生違犯任何規則或條例，或犯有包括但不限於下列任何情事者，均應由教務會學生紀律委員會或其他獲授權負責學生紀律事宜的有關紀律委員會(如適用)，包括學院院務會及書院院務會委員會，視所犯情事的性質及輕重予以懲處：

- (甲) 對本校人員有誹謗、威脅或毆打等行為；
- (乙) 故意損毀本校公物；
- (丙) 盜竊、騙取或誤用本校任何財物；
- (丁) 抄襲作業或於測驗或考試時作弊；
- (戊) 測驗或考試時行為不當，或違犯教務會不時決定的任何測驗或考試規則；
- (己) 偽造、竄改或冒用本校的任何文件或紀錄；
- (庚) 違犯條例或違背學校當局命令，足以妨害本校教學、學習、研究、行政或日常事務；
- (辛) 行為有損校譽或本校利益；
- (壬) 經法庭判定犯有不道德、惡意中傷或可鄙的行為；或
- (癸) 在提交本校的申請書或文件中作不盡不實或虛假聲明。

(2) 處分可屬下列任何一種或多種形式：

- (甲) 由有關學生紀律委員會發出的申誡；
- (乙) 在指定期限內，停止享有部分或全部在校權益，及/或停止使用部分或全部學校設備；
- (丙) 記過，記過三次者得開除學籍；
- (丁) 著令於指定期限內暫行休學；
- (戊) 開除學籍；

(己) 教務會學生紀律委員會、學院院務會、書院院務會或其他學生紀律委員會（按情況而定）認為合適的任何其他形式。

施行（丁）項或（戊）項處分，須經獲教務會授權的教務會學生紀律委員會通過。任何處分得紀錄在學生學業成績表內。

基本原則

適用範圍

- 三、 處理學生紀律個案程序適用於大學全體學生，包括全日制學生、兼讀制學生、特別生、本科生及研究生，惟不適用於內外全科醫學士課程學生。內外全科醫學士課程學生的紀律個案會由醫學院轄下的「適合執業評估委員會」處理。
- 四、 本程序為行政指引，經教務會委員會核准，及不時修訂或補充。

保密

- 五、 所有根據本程序處理的學生紀律個案的資料，包括有關學生的身分，均須保密。

紀律程序的階段

- 六、 學生紀律個案一般由相關的紀律委員會視乎個案的性質及嚴重性處理，教務會委員會主要處理性質特殊/非常嚴重的個案，並會處理對其他紀律委員會的決定/建議的申訴及覆判。大學處理學生紀律個案的程序分兩個階段：
 - 第一階段：先由相關紀律委員會處理個案
 - 第二階段：由教務會委員會處理對其他紀律委員會的決議/建議的申訴及覆判

兩個階段的詳情列於下文，附件一的流程图為本程序的概要。

第一階段：先由相關紀律委員會處理個案

- 七、 根據現行程序，視乎性質及嚴重性，個案會由大學各隸屬研究院、書院、學院或其他授課單位¹的合適的紀律委員會處理。主要原則如下：

¹ 其他授課單位包括中國研究中心、大學通識教育部及學術交流處。

研究生

- 研究院紀律委員會處理研究生涉及的各种性質的紀律個案。

本科生

- 隸屬相關書院的紀律委員會處理本科生涉及的非學術性質的紀律個案。涉及內外全科醫學士課程學生的紀律個案，則會由書院紀律委員會根據由醫學院與書院同意的指引轉介個案予「適合執業評估委員會」。
- 其他學術性質的紀律個案由隸屬相關學院或授課單位的紀律委員會處理。

- 八、當紀律個案涉及多於一名屬於不同學院/書院的學生，或個案同時涉及本科生和研究生，或個案性質非常嚴重，則由教務會委員會成立裁決小組直接處理。
- 九、有關學生應獲清楚告知所犯的情事，而首先處理個案的紀律委員會應向有關學生解釋處理個案的程序及其權益。
- 十、在裁決前，須提醒有關學生可與裁決小組/相關紀律委員會會晤的權利。如有關學生欲行使權利，應儘早通知裁決小組/紀律委員會的秘書，如能在獲通知時立即提出更佳，以便秘書作出安排，讓其出席裁決小組/紀律委員會的會議。裁決小組/紀律委員會委員會將於會議舉行時與有關學生面談，有關學生可提供任何與個案相關的額外資料。有關學生可由一人陪同出席裁決小組/紀律委員會的會議，此人身分限於大學職員、大學學生、家長、兄弟姊妹、配偶或註冊監護人。會晤後，有關學生及任何陪同其出席會議的人士須離開會議，而裁決小組/紀律委員會則繼續審議個案。有關學生亦可建議相關紀律委員會向有個案第一手消息的其他人士索取資料。
- 十一、視乎個案的性質，尤其是需要進行調查的個案，裁決小組/紀律委員會可邀請有關學生及/或任何其他學生及/或職員出席會議及提供與個案相關的額外資料，以協助調查。在此情況下，有關學生及/或任何其他學生及/或職員須充分合作，並出席會議，而有關學生亦可由上文第十段所規定的人士陪同出席會議。
- 十二、經審議後，裁決小組/紀律委員會將根據大學學則(見上文第二(2)段)作出建議。由於暫行休學或開除學籍的建議須經教務會核准，該等建議須由教務會委員會成立的裁決小組覆判。
- 十三、裁決小組/紀律委員會以多數票通過決議/建議。當裁決小組/紀律委員會與會委員的贊成和反對票數均等時，會議召集人將作出決定，採納有利於有關學生的裁決。

- 十四、 當達成某決議/建議後，裁決小組/紀律委員會應先通知有關學生該決議及所給予/建議的紀律處分(如有)，即使根據上文第二(2)段大學學則所示，個案須經由教務會委員會覆判。倘裁決小組/紀律委員會作出的決議與有關學生所屬學院/學系/書院原來的調查結果有實質差異，裁決小組/紀律委員會須先知會有關學生所屬學院/學系/書院其決議，然後才正式通知有關學生。
- 十五、 有關學生可於接獲裁決小組/紀律委員會通知決議/建議的七個工作日內，經由首先處理個案的紀律委員會向教務會委員會提出申訴。逾期提出者將不獲受理。
- 十六、 如有關學生接獲通知的七個工作日內不提申訴，個案便告完結，可立即施行任何紀律處分。無論有關學生是否獲定罪，負責處理個案的紀律委員會須向教務會委員會提交個案簡報，及讓其他相關紀律委員會參閱該簡報。

第二階段：由教務會委員會處理對其他
紀律委員會的決議/建議的申訴及覆判

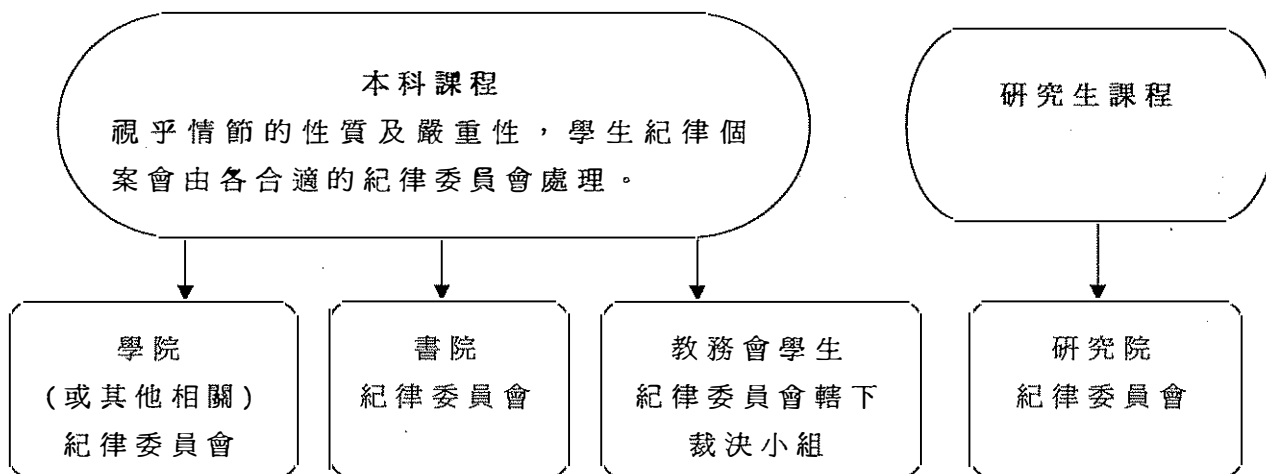
- 十七、 收到有關學生提出，對首先處理個案的裁決小組/紀律委員會所作出的決議/建議申訴後，須把申訴書和所有與個案相關資料，包括裁決小組/紀律委員會的詳盡會議紀錄及其他的額外的資料，一併呈交教務會委員會。
- 十八、 教務會委員會將採取以下程序決定是否容許申訴：
 - 甲) 教務會委員會秘書於收到書面申訴三個工作日內，或儘快將申訴書和首先處理個案的裁決小組/紀律委員會提交的資料，包括會議紀錄，一併送交教務會委員會委員，以通函方式表決是否容許申訴。
 - 乙) 1) 如獲簡單多數贊成，即可容許申訴。
2) 如不獲簡單多數贊成，得於教務會委員會主席查閱所得票數及委員之意見(如有)後決定是否容許申訴。
- 十九、 如不容許申訴，教務會委員會須把結果通知申訴人，個案便告完結。
- 二十、 如容許申訴，而個案乃經教務會委員會以外紀律委員會首先處理，則由教務會委員會轄下裁決小組處理該申訴。
- 二十一、 如容許申訴，而個案乃經教務會委員會轄下裁決小組處理，則由教務會委員會全體委員處理該申訴。
- 二十二、 教務會委員會亦可行使權力，根據上文第二(2)段及十二段所載之大學學則成立裁決小組覆判其他紀律委員會的建議(即暫行休學及開除學籍的建議)。

- 二十三、在上文第十九至二十二段所列情況下，教務會委員會全體委員或轄下裁決小組就申訴及覆判所作出之決議為最終的決議，不得再次申訴。
- 二十四、有關教務會委員會成立裁決小組及裁決小組舉行會議的詳情，以及教務會委員會的成員組織，請參閱附件二至四。

<教務會學生紀律委員會於二〇一〇至一一年度第一次會議核准。併入獲教務會於二〇一一至一二年度第四次會議核准的「全日制本科生總學則」的修訂。>

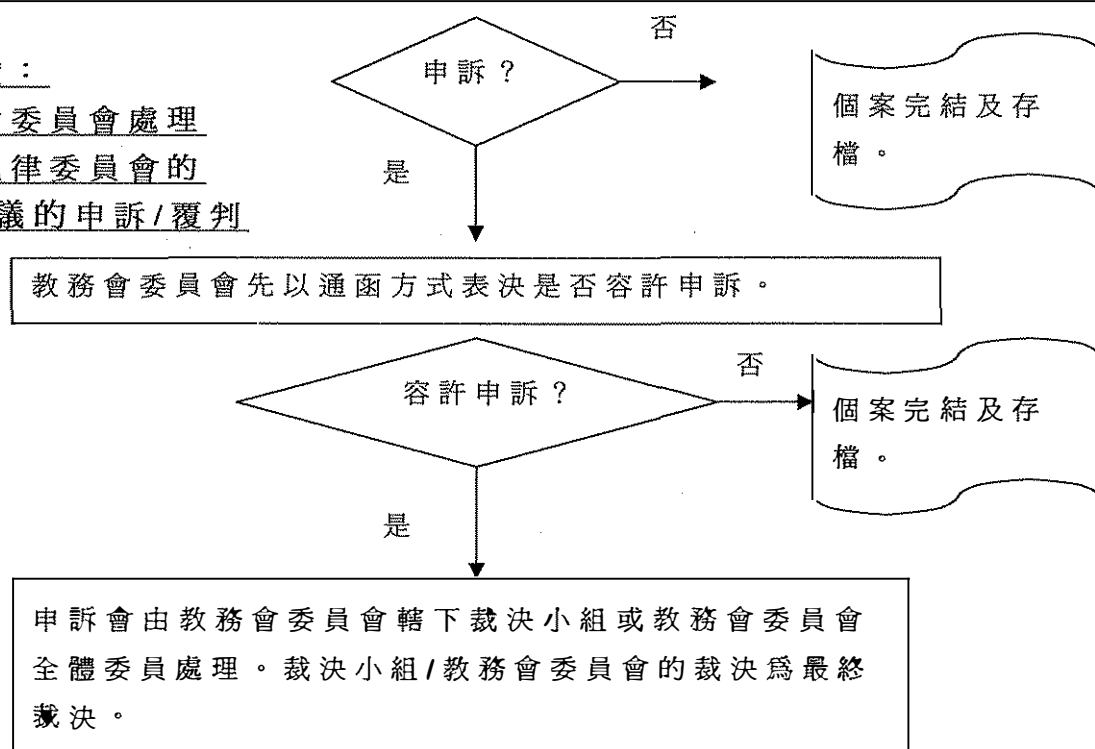
處理學生紀律個案程序

第一階段：
先由相關紀律
委員會處理個案



有關學生可於接獲首先處理個案的紀律委員會通知有關決議後七個工作日內向教務會委員會提出申訴。

第二階段：
由教務會委員會處理
對其他紀律委員會的
決議/建議的申訴/覆判



註：

1. 就處理學生紀律個案的程序而言，教務會委員會的裁決為最終裁決，不得再次申訴。
2. 以上流程图僅為程序概要，詳情請參閱程序全文。

教務會學生紀律委員會

由教務會委員會成立的裁決小組

一、 教務會委員會轄下的裁決小組由五位成員組成，乃按以下原則編定各類委員之服勤名冊而選任：

甲) 教務會委員會第(2)類委員一名——盡可能不包括與有關學生(疑人/被告人或申訴人/要求覆判之申請人，視乎情況而定)(統稱為「有關學生」)同屬一書院的委員

名冊按書院之英文名字順序編定，即：敬文、崇基、善衡、和聲、晨興、新亞、逸夫、聯合及伍宜孫。已任裁決小組成員的委員，其姓名隨即移至名冊底部。如某一個案牽涉所有書院，則不論有關學生所屬院籍，由名冊內首名委員出任成員。

乙) 教務會委員會第(3)或(4)類委員一名——盡可能不包括與有關學生同屬一學院的委員，如個案涉及研究生，則不包括研究院院務會的委員

名冊按學院之英文名字順序編定，即：文學院、工商管理學院、教育學院、工程學院、法律學院、醫學院、理學院及社會科學院。已任裁決小組成員的委員，其姓名隨即移至名冊底部。如某一個案牽涉所有學院，則不論有關學生所屬院籍，由名冊內首名委員出任成員。

丙) 教務會委員會第(7)或(8)類委員一名——盡可能不包括與有關學生同屬一書院及學院的委員

名冊按學院/書院/學生會英文名字順序編定，即：文學院、工商管理學院、教育學院、工程學院、法律學院、醫學院、理學院、社會科學院、敬文、崇基、善衡、和聲、晨興、新亞、逸夫、聯合、伍宜孫及學生會。已任裁決小組成員的委員，其姓名隨即移至名冊底部。

丁) 教務會委員會任何其他委員兩名——盡可能不包括與有關學生同屬一書院及學院的委員，如個案涉及研究生，則不包括研究院院務會的委員

名冊按委員姓氏之英文名字順序編定。已任裁決小組成員的委員，其姓名隨即移至名冊底部。

- 二、 已出任裁決小組成員的委員，其姓名隨即移至名冊底部。未有出任裁決小組成員的委員，其姓名將保留在名冊頂部。
- 三、 委員得以個人利益或衝突為由要求豁免出任某一小組成員，但須獲教務會委員會主席同意。委員應立即通知教務會委員會秘書。倘其要求獲教務會委員會主席同意，將改由有關服勤名冊內次位委員代替，該委員雖獲豁免，其姓名將保留在名冊頂部。
- 四、 裁決小組召開首次會議前，倘有委員適因在假或其他公務而未能如期出席會議，在時間許可的情況下，將改由有關服勤名冊內次位委員代替，該委員雖獲豁免，其姓名將保留在名冊頂部。
- 五、 裁決小組成立後，教務會委員會秘書隨即以書面通知有關學生小組成員之姓名，並告知各學生倘對任何成員有異議，應於收件後三個工作日內以書面提出，附陳反對理由，供教務會委員會主席考慮。教務會委員會主席對該異議有裁決權，其裁決為最終裁決。
- 六、 甲) 如在上文第五段規定的限期內，有關學生對成員人選無異議，小組即展開工作。
乙) 如在上文第五段規定的限期前，有關學生對人選雖有異議，但不獲教務會委員會主席同意，小組即展開工作。
丙) 如在上文第五段規定的限期前，有關學生對人選有異議，且獲教務會委員會主席同意，被反對之小組成員將改由有關服勤名冊內次位委員代替。新小組隨即展開工作。
- 七、 如紀律個案將會由教務會委員會全體委員處理，則有關學生不得對任何委員提出異議。

教務會學生紀律委員會

裁決小組/教務會委員會召集會議

- 一、 教務會委員會秘書或其代表會出任裁決小組的秘書。會議通常於接獲個案或接納申訴後兩個星期內舉行。
- 二、 裁決小組/教務會委員會秘書須按以下方式安排裁決小組/教務會委員會會議：
 - 甲) 將有關個案資料送交裁決小組/教務會委員會委員，如可以，資料應包括前類似個案之資訊供裁決小組/教務會委員會參考。
 - 乙) 在個案裁決前，須提醒有關學生其與裁決小組/教務會委員會會晤的權利。如有關學生欲行使權利，應儘早通知裁決小組/教務會委員會的秘書，如能在獲通知時立即提出更佳，以便秘書作出安排，讓其出席裁決小組/教務會委員會的首次會議。裁決小組/教務會委員會將於會議舉行時與有關學生面談，有關學生可提供任何與個案相關的額外資料。有關學生可由一人陪同出席裁決小組/教務會委員會的會議，此人身分限於大學職員、大學學生、家長、兄弟姐妹、配偶或註冊監護人。會晤後，有關學生及任何陪同其出席會議的人士須離開會議，而裁決小組/教務會委員會則繼續審議個案。有關學生亦可建議裁決小組/教務會委員會向有個案第一手消息的其他人士索取資料。
 - 丙) 視乎個案的性質，尤其是需要調查的個案，裁決小組/教務會委員會可邀請有關學生及/或任何其他學生及/或職員出席會議及提供與個案相關的額外資料，以協助調查。在此情況下，有關學生及/或任何其他學生及/或職員須充分合作，並出席會議，而有關學生亦可由上文第二(乙)段所規定的人士陪同出席會議。
- 三、
 - 甲) 裁決小組各次會議之法定人數為四人。
 - 乙) 教務會委員會作為申訴委員會時，各次會議法定人數為曾任首先處理個案的裁決小組的五名成員以外的全體委員人數的三分之二。
- 四、 裁決小組處理申訴而舉行首次會議時，應先互選一名會議召集人，於會上帶領討論。教務會委員會作為申訴委員會時，通常會由教務會委員會主席擔任會議召集人，但如主席曾任首先處理個案的裁決小組的成員，則應選出其他委員擔任會議召集人。
- 五、 裁決小組/教務會委員會按其認為適當展開質詢、調查及審議，並應從首先處理個案的紀律委員會取得意見供參考。教務會委員會作為申訴委員會時，首先處理個案的裁決小組成員將以觀察員身分出席會議，並可就其調查經過及裁決理據輔以解釋，惟其不可參與對申訴個案作最終裁決的投票。如有需要，裁決小組/教務會委員會得再度召開會議及/或會晤有關學生。
- 六、 裁決小組/教務會委員會以多數票通過決議及建議。當裁決小組/教務會

委員會與會委員的贊成和反對票數均等時，會議召集人將作出決定，採納有利於有關學生的裁決。

七、就個案達成裁決後：

甲) 裁決小組/教務會委員會秘書一般於達成裁決後四個工作日內向召集人提交會議紀錄，然後把會議紀錄通傳其他委員。該紀錄應包括於會上查明的事實的簡要報告、與學生會晤詳情、討論、給予之處分及其理據。

乙) 裁決小組/教務會委員會委員提出的修訂建議將通傳各委員。

丙) 秘書發出會議紀錄或該紀錄之最後修訂後三個工作日內，倘並無收到修訂建議，有關學生將獲書面通知裁決小組/教務會委員會之裁決及紀律處分。

八、裁決小組/教務會委員會就申訴個案或覆判個案而達成的裁決為最終裁決，個案完結，可立即對有關學生施行紀律處分(如有)。裁決小組/教務會委員會須發出個案簡報，及讓其他相關紀律委員會參閱該簡報。

教務會學生紀律委員會

成員組織

- (1) 校長委任之主席
- (2) 各書院院務委員會委任之教師一名
- (3) 各學院院務會委任之教師一名
- (4) 研究院院務會委任之教師一名
- (5) 大學輔導長
- (6) 教務長及秘書長
- (7) 中大學生會會長
- (8) 教務會學生委員

教務會委員會秘書得由教務長及秘書長經諮詢教務會委員會主席後委任。