A. General Introduction

1. Regulations on discipline are necessary because the University is a society in which good standards of communal life must be maintained, so that all its members may enjoy conditions enabling them to achieve their aims in joining it. Students should show proper concern for the reputation of the University and be aware of how their behaviour may impact their classmates and others in the University community, past and future.

2. This code is formulated in accordance with the Regulations on Student Management in Institutions of Higher Education in China (2017), and the Regulations of the People’s Republic of China on Sino-foreign Cooperative Education issued by the Chinese Ministry of Education (2004). All students who have registered at the University or are visiting the University as occasional or exchange students are required to comply with Chinese laws and regulations.

3. A student’s acceptance of an offer of admission is regarded as an undertaking to obey the UNNC Student Code of Conduct and all other UNNC Policies and Regulations as are in force at any time during their period of study. All UNNC students are required to enter into such an undertaking on registration.

4. Students are responsible for making themselves familiar with all policies and regulations which affect them, and with notices posted by Official Emails.

5. UNNC employs a security manager and team for the purpose of protecting people and property, and maintaining order on the campus.

B. Implementation of Discipline Regulations at UNNC

6. The Provost may suspend any student from attendance at any class or classes, and may exclude any student from any part of the University Campus or its precincts, and shall report every such suspension of registration or exclusion from the campus or a hall of residence to the UNNC Management Board at their next meeting. These powers may be exercised by the Deputy Party Secretary or a Vice-Provost designated by the Provost.
7. Members of the University staff and other persons authorised for the purpose, shall have authority, and it shall be their duty, to check disorderly or improper conduct or any breach of regulations occurring in the UNNC campus, or otherwise in the course of activities organised by the University.

8. Any member of the University staff or other person authorised for the purpose may, in the case of disorderly or improper conduct in a classroom, laboratory or other room in the University or in the course of an activity organised by the University, if they deem it necessary, require any student to withdraw from the room for the day or from the activity, in which case the matter shall be brought to the notice of the staff member’s Head of Department or School.

C. Regulations on Student Conduct and Discipline at UNNC

Introduction

9. The UNNC Management Board has the power to approve disciplinary regulations concerning the conduct of students both in general and as regards the conduct of particular activities.

General Regulations on Conduct

10.1 Misconduct under this Code is an offence. The essence of misconduct is improper interference, in the broadest sense, with the proper functioning or activities of the institution, or those who work or study in the institution, or any action which otherwise damages the institution.

10.2 The following paragraphs elaborate this general rubric, but not so as to derogate from its generality. This Code is not a part of the law of the land and it does not therefore seek to reflect or incorporate criminal law in defining criminal offences with great precision.

10.3 The purpose of the Code is to regulate students’ behaviour as students of the University in order to secure the proper working of the University in the broadest sense.

10.4 Where a student has invited a personal guest onto any part of UNNC premises (whether that guest is also a member of the University or not) that student shall be regarded as responsible for the conduct of their guest, while present as a guest, so as to be punishable for misconduct of their guest, and for damage caused by their guest, as if the misconduct or damage were their own.
10.5 The following are examples of misconduct; this list is not exhaustive. The University may choose to investigate and take action on disciplinary offences whether they take place on UNNC premises or elsewhere, including online and in social media.

(1) disruption of, or improper interference with, the academic, administrative, sporting, social, or other activities of the University, whether on UNNC premises or elsewhere;

(2) obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor to the University;

(3) violent, indecent, disorderly, threatening, or offensive behaviour or language (whether expressed orally or in writing, including electronically) whilst on UNNC premises or engaged in any University activity or otherwise affecting or concerning a University student or member of staff or any authorised visitor to the University;

(4) distributing or publishing on UNNC premises or while engaged in any University activity, a poster, notice, sign, electronic media or any other printed or graphic matter which is offensive, intimidating, threatening, indecent or illegal;

(5) fraud, deceit, deception or dishonesty in relation to the University or its staff or in connection with holding any office in the University or in relation to being a student of the University;

(6) action likely to cause injury or impair safety on UNNC premises;

(7) action likely to impair security on UNNC premises (including the passing of security codes to those not authorised to use them, copying of University keys, and disabling of locks and fastenings);

(8) harassment (including sexual or racial harassment) of any student, member of staff, other employee of the University, any authorised visitor to the University, or of any other person in the course of a University activity;

(9) the possession, use, or discharge of any weapon, explosive, or detonator, or the discharge of any firework except with the prior consent of the Deputy Party Secretary;
(10) breach of the provisions of any other Code or University Policies or Regulations which provides for breaches to constitute misconduct under this Code;

(11) damage to, or defacement of, UNNC property or the property of other members of the University community caused intentionally or recklessly, and/or misappropriation of such property;

(12) dropping litter of any description on UNNC premises, whether inside or outside buildings;

(13) placing posters, signs, or notices on any surface other than authorised notice boards; where an offence has been committed under this paragraph, the person or body for whose benefit the poster, sign, or notice appears to have been displayed shall be presumed to be responsible for the display unless the contrary is shown;

(14) misuse or unauthorised use of UNNC premises or items of property, including computer misuse, the misuse or disabling of fire prevention or fire-fighting equipment, the misuse or alteration of electrical fittings, and the unauthorised use of electrical appliances;

(15) conduct which constitutes a criminal offence under Chinese law where that conduct:
   a) took place on UNNC premises, or
   b) affected or concerned other members of the Campus community, or
   c) damages the good name of the University, or
   d) itself constitutes misconduct within the terms of this Code, or
   e) is an offence of dishonesty, where the student holds an office of responsibility in the University;

(16) failure to disclose name and other relevant details to a member of the University staff in circumstances when it is reasonable to require that such information be given;

(17) encouraging or assisting any person to commit an offence against this Code or Chinese Laws.

(18) failure to comply with a previously-imposed penalty under this Code (other than non-payment of a fine, which will be dealt with as a debt to the University).
failure to conform with the directions as to behaviour or conduct given in writing by any member of senior management at UNNC, including the Head of Security and Safety Office.

any unauthorised use of UNNC’s name and/or logo for any activities.

unauthorised access to UNNC systems, e.g. hacking.

unauthorised disclosure of UNNC data or intellectual property to third parties, e.g. selling of course materials.

Other Regulations

Disciplinary offences are also created by the following regulations:

a. Student Code of Conduct related to IT:
   - UNNC Information Security Policy
   - UNNC IT Code of Practice
   - UNNC IT Student Code of Conduct

b. Student Code of Conduct in the Library:
   - Guidelines to Using the Library

c. Student Code of Conduct for Campus Space Use:
   - Space Use Guidelines
   - Code of Conduct in Laboratory
   - Code of Conduct in Halls of Residence
   - FOSE Safety Policy Document 2017
   - Guidelines to Using the Sports Center
   - Guidelines for Students Living in Residential College

d. Disciplinary Rules of Campus Security and Safety

e. Guidelines to UNNC Student Activity Promotion

f. Safety Guidance of UNNC Student Activity

g. Other relevant regulations:
   - UNNC Dignity Policy
   - UNNC Policy on Personal Relationships at Work

Separate procedures governing academic offences:

Academic Misconduct Regulations
D. Regulations on Disciplinary Procedures

Introduction

12. An alleged disciplinary offence may be dealt with either summarily or by a Campus Disciplinary Committee.

13. Disciplinary proceedings shall be conducted in accordance with the requirements of fairness, but there is no requirement to follow the rules of evidence applicable in a court of law in China. The standard of proof applied is that of the balance of probabilities.

Officers with Summary Jurisdiction

14. The following University Officers are empowered to deal summarily with alleged offences as shown. An Officer designated under this paragraph may authorise a member of staff to act on his or her behalf, for example, in the case of absence or prior involvement in the matter in question. In the case of the Provost, the deputy shall be the designated Vice-Provost. An Officer designated under this paragraph may at his or her discretion sit with another member of the University staff acting as an advisor.

a) Head of Schools:
   non-academic disciplinary offences under Student Code of Conduct related to teaching and learning, research areas

b) Head of Residential College:
   disciplinary offences under Student Code of Conduct in Halls of Residence

c) Head of Security and Safety Office:
   disciplinary offences under the General Regulations on Conduct and Misconduct to University Security and Safety Policies

d) Head of Student Engagement Office:
   disciplinary offences under Student Code of Conduct Related to Activity Promotion

e) Head of IT Services:
   disciplinary offences under Student Code of Conduct Related to IT

f) Head of Library, Research, and Learning Resources:
disciplinary offences under Student Code of Conduct in the Library

g) Head of Estates Office:

disciplinary offences under Estates Facilities and Space Use Guidelines

h) Head of Sports Center:

Disciplinary offences under Space Use in Sports Center

i) Head of Accommodation Office:

disciplinary offences under Student Code of Conduct in Halls of Residence

15. Disciplinary Sanctions:

15.1 The University has the right to discipline students who do not obey the laws, policies, and regulations.

15.2 A disciplinary Sanction imposed on a student shall be in accordance with the nature and seriousness of the student’s breach of the laws, policies, or regulations.

15.3 Disciplinary Sanctions available for Officers with Summary Jurisdiction are:
   • Oral Warning;
   • Written Warning;
   • Final Written warning;

15.4 In addition or in conjunction with any Disciplinary Sanctions, student may imposed of supplementary sanctions such as to bear the financial losses or legal liabilities as a result of the misconduct.

15.5 Students shall be expelled from university if they are found guilty of any of the following behaviour:
   (1) Violating the Constitution of the People's Republic of China, opposing the Four Cardinal Principles, destroying stability and unity, or disturbing social order;
   (2) Any violation of Chinese National laws, constituting criminal offence;
   (3) Any act of gross public indecency as specified by the Public Security Administration.
   (4) Violating the Student Management in Institutions of Higher Education in China (2017) and University Policies and Regulations in a way which adversely affects university education and/or teaching, life order, or public administration;
   (5) Serious infringement of the lawful rights and interests of other individuals or organisations;
   (6) Serious violations of the Code of Discipline;
(7) Violating school regulations and receiving repeated disciplinary sanctions, then refusing to alter actions or behaviour after being notified.

15.6 A department empowered with summary jurisdiction shall impose a corresponding penalty based on the Code of Discipline, and the category of disciplinary sanction shall be strictly limited to the level of warning. If a final written warning or penalty is to be determined, details of the disciplinary offence shall be reported by the Head of the department to an Assessor who, based on further investigation, shall decide whether or not to report the case to the Campus Disciplinary Committee, and whether or not to make appropriate authorization.

16. Where a student has been convicted of an offence by an Officer with summary jurisdiction, the officer may, in addition to any penalty imposed, recommend that the Provost prohibit the student, indefinitely or for a specified period, from entering an agreement to take residence in any accommodation owned or managed by the University.

17. In all cases dealt with summarily, the accused student will be informed of the case against him or her, and the opportunity to defend him or herself. Where the student is convicted, he or she will be given reasons for the decision and will be informed of the right to appeal against the decision.

18. When an alleged disciplinary offence reported to an officer authorised under paragraph 14 above appears to him or her to call for a penalty greater than or different from one he or she is allowed to impose, he or she will refer the case to the University Assessor (UNNC).

The University Assessor

19. UNNC Management Board will appoint a University Assessor from the full-time staff of the Campus.

20. It will be the duty of the University Assessor:

   a. to conduct a preliminary investigation of alleged disciplinary offences;

   b. with advice from the Deputy Party Secretary, to decide whether to recommend that the Provost or the Vice- Provost (acting on the Provost’s behalf) should take any steps in accordance with the provisions of paragraph 21;

   c. to report the facts and findings of the case to the Deputy Party Secretary after the preliminary investigation, whether a case should be dismissed, referred to an appropriate officer with summary powers, referred to the Police, or referred to a Campus Disciplinary Committee;
d. when it is necessary to prepare and present the case against the accused to a Campus Disciplinary Committee.

**Temporary suspension of registration or exclusion from the campus or hall of residence by the Provost**

21. The Provost or designated Vice Provost may suspend a student’s registration or exclude a student from the campus or a hall of residence pending a decision of the University Assessor or the hearing of a case by an Officer with summary jurisdiction, a Campus Disciplinary Committee, or the trial of a case by a court, as the case may be.

**Allegations of criminal offences**

22. Where an alleged disciplinary offence would also constitute an offence under the criminal laws of China, proven in a court of law, the University Assessor will decide which of the following procedures should apply:

   a. where the offence under the criminal law is not considered to be of a serious nature, action under the Code of Discipline for Students may continue, but such action may be deferred pending any police investigation or prosecution;

   b. in the case of all other offences under criminal law, no action other than temporary suspension of registration or exclusion from the campus or a hall of residence in accordance with paragraph 21 may be taken unless the matter has been reported to the police and the student is either prosecuted or a decision not to prosecute has been taken. At this time, the University Assessor shall decide whether any disciplinary action under the Code should continue or be taken in the interests of the well-being and discipline of the University community.

23. Where a student is convicted of a disciplinary offence, and the student has also been sentenced by a criminal court in regard to the same offence, the court’s penalty shall be taken into consideration in determining the penalty under this Code.

**The Campus Disciplinary Committee**

24. UNNC Management Board will appoint a Campus Disciplinary Committee to deal with alleged disciplinary offences referred to it by the University Assessor.

25. The Campus Disciplinary Committee will consist of:

   A senior member of the University appointed by the UNNC Management Board as Chair of the Campus Disciplinary Committee.
One member of the academic staff chosen from a panel appointed by the UNNC Management Board. In the case of a matter which arises in a Hall of Residence or other University residence, one staff member from the Residential College will be present instead.

One full-time registered student chosen from a panel of twelve will be nominated by the Residential College. However, if the accused student so requests, an additional member of the academic staff may attend instead.

The quorum in all cases will be three, and a decision to convict may be made by a majority of the committee.

The Chair of Campus Disciplinary Committee will appoint a member of the administrative staff to act as Secretary to the Committee.

26. The accused may object to any member of the Committee chosen to hear his or her case if he or she can give reasons for supposing that member not to be impartial.

The validity or otherwise of the objection will be determined by the Chair of the Committee, or by the Provost where the objection is made to the Chair of the Committee.

The members of the Committee will be chosen from the respective panels by the Secretary to the Committee, excluding any persons who have had any direct connection with the case or with the student concerned, and any persons eliminated for reasons shown. Where, under the provisions of the UNNC Student Code of Conduct, the Chair is not eligible to be a member of the Committee to hear a case, a third member shall be chosen from the staff panel, in which case the selected Committee shall appoint a Chair from among its members.

27. The Provost will not be a member of the Committee, but may attend the hearing. The President of the Student Union will not be a member of the Committee, but may attend the hearing either personally or through an agreed deputy; alternatively he or she may act if the accused so wishes, as the accused’s adviser.

a. The Campus Disciplinary Committee has the power to fine any amount, to order the withdrawal of computing facilities for an appropriate period, to order the withdrawal or withholding, for an appropriate period, of permission to have a motor vehicle on the site, or to require the payment of compensation in respect to personal injury or property damage. All or part of any fine may be suspended on condition that the student does not commit a further disciplinary offence and/or on condition that the student engages with identified services to support and demonstrate rehabilitation.
b. The Campus Disciplinary Committee also has the power to execute the following Disciplinary Sanctions:

- Oral Warning;
- Written Warning;
- Final Written warning;
- Recording a Demerit;
- Disciplinary Probation;
- Suspend or exclude the student from the whole or a part of UNNC premises;
- Refer the student to Police;

c. The Campus Disciplinary Committee may recommend to the UNNC Management Board that the student be expelled. Before acceding to such a request, the UNNC Management Board shall afford the student an opportunity to be heard. All or part of any fine may be suspended on condition that the student does not commit a further disciplinary offence.

28. Normally the Campus Disciplinary Committee will proceed by way of a hearing (voice recorded) for which the accused student will be given notice in writing of the charge brought against him or her and time to prepare his or her defense. In appropriate cases, the Campus Disciplinary Committee may decide to adopt another procedure that will still provide the accused student with a fair opportunity to meet the case against him or her. Where there is a hearing, the accused student will be given a copy of the Rules of Procedure governing the hearing which will include his or her right to be represented or accompanied, to see or hear all evidence brought against him or her, to comment on that evidence, and to call witnesses and bring other evidence. He or she will be given reasons for the decision and informed of the right to appeal.

**Appeals**

29. A student may appeal against any conviction or penalty, or both, within 10 days of receipt of written confirmation of the decision.

30. When a student is convicted of a disciplinary offence by an officer exercising summary jurisdiction, an appeal may be made to the Chair of the Campus Disciplinary Committee or his/her nominee. The Chair of the Campus Disciplinary Committee may at his or her discretion take advice from any member of the Campus Disciplinary Committee staff panel or the University Assessor.

31. Appeals against the decisions of the Campus Disciplinary Committee will be to Provost, who will appoint an Appeal Body consisting of three members provided that no one who has had any part in the previous proceedings is a member. The accused may object to any member of the Appeal Body chosen to hear his or her case by giving reasons for believing that that member may not be impartial. The chair of the Appeal Body will rule on the objection. Decisions of the Appeal Body will be by a majority of the members who vote.
32. An appeal against conviction is not an appeal by way of rehearing. Such an appeal may be brought only on one or more of the following grounds:

   a. that there is fresh evidence or evidence which was for good cause not presented to the officer exercising summary jurisdiction or the Campus Disciplinary Committee, and which in either case might reasonably have resulted in a different decision;

   b. that the decision was made in excess of the jurisdiction conferred on the officer or committee;

   c. that there was a procedural irregularity that resulted in unfairness to the student;

   d. that the decision of the officer or committee was manifestly unreasonable.

33. On an appeal against conviction, the person or body to whom the appeal applies (the "appellate authority") may

   a. allow the appeal and quash the conviction; or

   b. dismiss the appeal.

   If the appellate authority quashes the conviction, it may in its discretion remit the case for re-hearing by a different officer or committee.

34. An appeal against penalty may be brought on the grounds that a different penalty should be imposed.

35. Appeals will normally be dealt with in writing on the basis of the statements received from the appellant, the officer with summary jurisdiction, or the Committee, together with statements of any witnesses and any other evidence. Where the appeal authority considers that it is necessary to take evidence in person, they may convene a hearing with the parties to the appeal in order to do so.

36. On any appeal against penalty, the appellate authority shall have power to quash or vary the penalty, including the power to increase the severity of the penalty.

37. An appeal will suspend, for the duration of the appeal proceedings, the penalties imposed, except that temporary suspension of registration or exclusion from the campus or a hall of residence may be put into effect at the discretion of the Provost under paragraph 6 and any prohibition imposed under Student Code of Conduct in Halls of Residence.

38. Where the penalty determined by a Campus Disciplinary Committee is a recommendation to UNNC Management Board for expulsion, that recommendation will be considered by the Disciplinary Appeal Committee as if it were an appeal against
penalty in accordance with paragraph 31 above. An expulsion from UNNC will also be reported to the Administrative Education Department of Zhejiang Province.

39. Students who are expelled from UNNC will be asked to complete all financial transactions within one week, and their registration at UNNC will be terminated with immediate effect.

The Independent Adjudicator and Completion of Procedures

40. If a student objects to a final decision of the University, he/she is entitled to the right of appeal to the Provincial Education Department within 15 days upon receiving the final outcome document. The Provincial Education Department will respond to and process a student’s appeal within 30 working days.