

Anant National University Guidelines and Regulations on Disciplinary Proceedings, 2018

Committee for Disciplinary Violations (CDV)

1. Preamble

Anant National University (AnantU) is an academic community committed to providing an empowering, stimulating, safe and supportive learning environment for its students. By choosing to become members of this community, students affirm their commitment to its philosophy, ethos and values and understand the responsibility placed upon them. The University expects all admitted students to cooperate in its (this) endeavor. To this end, the University has rules and regulations that spell out and define some of the actions and behavior that will jeopardize its purpose and commitment. The University may initiate disciplinary action in the event of any breach or violation of these rules and regulations.

2. Formal Disciplinary Action through the University Disciplinary Committee – Committee for Disciplinary Violations (CDV)

The CDV is responsible for a fair and uniform enforcement of the University's regulations. All infractions characterized by emerging patterns of misconduct and severe breaches of university policies under the following three areas will invite disciplinary proceedings by CDV.

- Complaints or instances of violent behavior including physical or verbal violence and possession of sharp objects or weapons on campus or hostel premises.
- Complaints or instances of substance abuse, including possession, sale, distribution, manufacture, and use of alcohol and/or controlled substances, either on campus or hostel premises.
- Complaints or instances of theft or without permission access to the property of another student, faculty, or staff member. This includes theft relating to academic as well as non-academic items.

The Complaints Screening Committee of the CDV may recommend for cases to be routed to the Student Governance Board, whenever deemed necessary. It is thus authorized to oversee and conduct disciplinary proceedings and actions with respect to above mentioned infractions or violations of the University rules and regulations*. The committee's jurisdiction also includes other actions, which may in the judgment of the committee invite disciplinary action because they may damage or pose a threat to the integrity, repute, values and wellbeing of the University.

*Note:

i. Any violation of Policy against Sexual Harassment, Anti Ragging Policy and Policy against Plagiarism will not be undertaken by CDV. They will be referred to the relevant committee for determination of both the violation and sanction/penalty.

ii. All violations and breaches in categories other than the 3 mentioned above (in Note: i.), will be referred to CDV for determination of both the violation and sanction/penalty. (Process elaborated in section titled 4. Formal Disciplinary Proceeding And Course Of Action)

iii. Students may refer to the category list of above stated violations and breaches (outlined as policies) in their Student Handbook shared at the time of orientation. They are expected to read and understand each of these very carefully. Any ignorance or lack of knowledge of the University's policies, rules and regulations will not be accepted as valid excuse for violating any of them

iv. The determination of violations and sanctions/penalty will also be governed by State and National laws, wherever applicable.

3. Membership and composition of the CDV

Members of CDV will be drawn from amongst the students, faculty and staff of the university. There overall strength of CDV will be 9 members, including students, faculty and staff.

I. Faculty and staff membership: the appointment of faculty and staff members to CDV will be made by the Provost and Registrar jointly.

- Two permanent faculty,
- Two staff members and,
- One either faculty or staff member
- Their tenure will be for 2 full academic years
- The Registrar will be an ex-officio member of CDV (included in the 5 members)

II. Student membership: Student members will be appointed from the following programs:

- Undergraduate Program - 3 members from the senior most batch
- Postgraduate Program – 1 member

Student members will be appointed directly by the Provost and Registrar by way of inviting and screening applications from respective programs. The Office of Student Services will be responsible for facilitating the above process. Students will be appointed to CDV for a tenure of 1 full academic year.

III. Quorum for all proceedings (including hearings, meetings, etc):

For faculty and staff – minimum 3 out of 5 members
For students – minimum 2 out of 4 members

IV. Tenure: Faculty and staff members for a tenure of 2 full academic years and student members for a tenure of 1 full academic year

- V. Office bearers in CDV:
- a) Chair (also member of CDV) - the Chair will preside over all meetings of CDV and facilitate its proceedings. The Chair will be either a faculty or a staff member.
 - b) Secretary (also member of CDV) - the Secretary will conduct all business of CDV and coordinate its activities. The Secretary along with the Documentation and Communications Officer will be responsible for maintaining detailed records including statements and minutes of meetings. While the statements and minutes of meeting need not be transcribed verbatim, they must surely be transcribed to keep their truthfulness and essence intact.
 - c) Documentation and Communications Officer (DCO) (non-member of CDV) - will be responsible for all notifications and communications on behalf of CDV. Can be a rotating member invited by the Secretary, in consultation with the Chair.
- VI. Complaint Screening Committee (CSC): CSC will be chaired by the Secretary of CDV. Its members will include 2 members from either the faculty or staff within CDV, 1 member from amongst the student representatives on CDV and 1 member from the Student Governance Board (SGB). All complaints will be received by this committee in writing through email (to complaint.cdv@anu.edu.in).

The Secretary will function as its ex-officio member while the other members will be appointed for a tenure of 1 full academic year.

4. Complaint Screening Process

- a. Receipt of complaints: Any student, faculty, or staff of the Anant National University may file and submit a complaint against any student(s) reporting an incident/s violating University rules and regulations before the Complaint Screening Committee of CDV. Such complaint(s) must be filed within 10 working days from the occurrence of the incident and must be submitted in writing by email (to complaint.cdv@anu.edu.in).

Please note: All members of the Complaint Screening Committee and CDV at large, should be aware of any potential conflict of interest between themselves and the complainant, the alleged defendant or victim. Committee members with past or present personal or professional relationship and proximity to any of these parties will notify the Chair that a conflict of interest exists, without disclosing the nature of relationship. They will then be excused from all further involvement in deliberation/preliminary investigation (led by Complaint Screening Committee), formal proceedings and decision making (by larger body of CDV).

- b. Deliberation and Preliminary Investigation: All written complaints received through email will be first undertaken by the Complaint Screening Committee (CSC) for deliberation and preliminary investigation. The role of CSC and purpose of screening the complaint is to establish validity by way

of assessing pattern and severity in breach/violation reported through the written complaint. This screening not only will avoid invalid complaints reaching the larger body of CDV for further action but also prevent students involved (as complainants, victims, witnesses or defendants) in such complaints, from going through cumbersome and stressful formal disciplinary proceedings of CDV. CSC will be guided by the list of infractions to accordingly refer the complaint to the relevant committee. Even before initiating and completing the process given below for complaint screening, Committee can refer the case to the Student Governance Board.

- c. Process and stages of complaint screening:
 - i. Upon identifying the nature/corresponding area of complaint and the policy violated, the Committee will invite the concerned Faculty/Staff/Student to initiate and help conduct its preliminary investigation to verify the facts of complaint.
 - ii. This process will involve meeting the various parties involved such as complainant, other key staff/faculty working in the area pertaining to the policy violated.
 - iii. It will also simultaneously involve collecting and verifying evidence, if any.
 - iv. At the complaint screening stage, the potential defendant/accused or the witnesses will not be notified or called for any hearing before the CSC.
 - v. Based on the preliminary investigations, fact finding and collected evidence the CSC will meet one final time to confirm and declare the validity of the complaint filed. The Chair of CDV will preside over this meeting. If the complaint is declared valid, the Chair of CDV will notify all its members of the same, sharing the written complaint to initiate Formal Disciplinary Proceedings within 24 hours of its formalisation.
 - vi. If the complaint is invalid, the Chair of CDV shall declare it null and void. The complainant will be notified of the same within 24 hours, by the Chair of CSC or the DCO appointed to CDV. The complainant will send the acknowledgement of receipt of the above communication through email within 24 hours of its receipt.
 - vii. The entire process of screening and establishing validity of the complaint (as outlined above) is confidential and should be completed within 10 working days from receipt of the written complaint.

5. Formal Disciplinary Proceeding and Course of Action

- a. Communication with the complainant and defendant: Within 24 hours of formalization of the complaint, an email communication is sent to both the complainant and defendant, notifying them of its validity and Formal Disciplinary Proceedings to be initiated thereafter. The written complaint filed before CSC will also be re-shared with the complainant and shared for the first time with the alleged defendant. From the time of receipt of the complaint, the complainant and defendant, will be bound by clause of confidentiality with immediate effect. A restraint order will also be attached to the defendant and will remain effective until the closure of the complaint. During the period of restraint, the defendant by no means will try to contact, influence, pressurize or intimidate the complainant/witnesses involved. Both the complainant and defendant will send an acknowledgement of receipt (through email) within 1 working day of the above stated

communication notifying them of the validity of the complaint filed and Formal Disciplinary Proceedings to be initiated thereafter.

Please note: both the complainant/s and defendant/s will have certain common fundamental rights, including fair representation and investigation, right to information, university support and right to appeal.

- b. Hearing of the complainant and defendant: A hearing of both the complainant and defendant will be scheduled within 7 working days from receipt of acknowledgement of the written complaint, depending on the availability of the parties and the Committee members. The DCO will notify the complainant and defendant of the time and location of hearing. Hearing of the complainant and defendant will be scheduled separately at different times in order to prevent any face to face contact, with the complainant going first. At the time of hearing each party will be given the chance to respond, present and explain their case with respect to the complaint. A written statement of both the hearings will be recorded and duly attested by the concerned parties.
- c. Hearing of the Witnesses, Supporting Witnesses and other relevant Staff or Faculty Within 7 working days of the hearing of both complainant and defendant, the DCO will schedule and notify all witnesses, supporting witnesses and other relevant Staff or Faculty of their hearing before the Committee. All parties will be given a chance to testify the complaint with facts and evidence. A written statement of these hearings will also be recorded and duly attested by the parties concerned.
- d. Procedure of the Hearing: The Committee will begin the proceedings by explaining the substance of the complaint and the specific University regulation allegedly violated. All hearings will be private and confidential. The hearing of parties will entail the following: i. Opening Statements: This will be a chance for the parties (Complainant will be heard first) to vent out all issues raised in the complaint at length, express thoughts and discuss facts of the complaint threadbare. ii. Presentation of Evidence: The parties may present statements, records and other material evidence to validate their case. They may also refer to other witnesses. iii. Rebuttal: The parties may contest and counter arguments by presenting facts and material evidence in their support. iv. Closing Arguments: The parties will make a final remark and statement based on their presentations and evidence.
- e. Final meeting and decision of CDV: After all the hearings, a final meeting of the committee will be convened as per the defined quorum. This meeting will be to deliberate upon all the facts, statements, discussions and evidences presented, in order to determine the preponderance of evidence. In case the alleged violation is determined through a clear preponderance of evidence, CDV will determine its consequent sanctions and penalties. These will be presented as recommendations of CDV, duly signed and attested by the Chair including all members present at the meeting. The recommendations will be communicated to both the complainant and defendant verbally by calling them separately to this meeting. They will be notified with a written communication of final decision/recommendations for appropriate action.

- f. Written communication of final decision/recommendations to all concerned: As mentioned above, within 24 hours of verbal notification, a copy of the written statement of final decision/recommendations will be sent to the defendant/s for appropriate action.
- g. Parental Notification: Parents of students found in violation of university policy will be notified only in cases where a suspension or an expulsion order is made as penalty. Under circumstances deemed fit and advised by the CDV, parental notifications can also be sent for other penalties levied on the defendant/s.

6. Appeal

Both the defendant/s and/or complainant/s may exercise their right to appeal the findings of violation or sanctions assigned or both by CDV, within 5 working days from the receipt of its written communication, clearly stating the ground for their appeal. The appellate authority is vested in the Appeals Committee chaired by the Provost of the University. The Appeals Committee will comprise of the following members- Provost (Chair), a faculty, and a staff member. There should be a quorum of at least 2 members. After due diligence of all records of hearing, the Appeals Committee's decision will be communicated in writing, within 15 working days from receipt of appeal. The Provost reserves the right to call for a fresh hearing.

Please note: While filing an appeal no student/s will be provided access to any evidence, records or documents of CDV's disciplinary proceedings. In order to facilitate the process and decision on appeal, the Committee however, will be obliged to present all facts, documents and evidence to the appellate authority. The decision of the Provost will be final and binding on the appellant.

7. Disciplinary Sanctions and Penalties

Sanctions and penalties imposed on student/s are intended to provide an opportunity for learning, evolving and becoming accountable. Once the violation of University rules and regulations is determined by CDV, it may impose sanctions and penalties on the student/s. Given below is a non-exhaustive list of sanctions and penalties in order of their increasing severity. The severity of breach and violation will determine the severity of the sanction or penalty. While determining violations, CDV reserves the right to modify or combine sanctions and penalties listed below. More than one sanction or penalty may be imposed at one time.

- i. Restriction and revocation of privileges: exclusion from University Residence Halls, representation at events and programs on and off campus etc.
- ii. Disciplinary Probation: a written reprimand containing the statement that any further violation of University's regulations may result in suspension or expulsion.
- iii. Interim Suspension: immediate separation from the University until further notice. This will be to safeguard the wellbeing and safety of community and property and prevent any disruption in the normal functioning of the University.
- iv. Suspension: termination of student's enrolment at the University for a specific period of time, including restrictions on access to the campus or University events.

- v. Expulsion: permanent termination of student's enrolment at the University, including no further access to the campus or University events.

Additional Sanctions and Penalties

- i. Compensation through reimbursement
- ii. Fines

The penalties and sanctions document will be uniformly followed by the Student Governance Board and the CDV.

8. Documentation

The Scribe/Communications Officer appointed to CDV will be responsible for recording, maintaining and preserving all minutes of the meetings and other documents of the disciplinary proceedings, at least for a period of 4 years from the submission of CDV's final recommendations.

9. Confidentiality of Records

All minutes of meetings, documents and records developed in the course of disciplinary proceedings will be kept confidential. These may be copied or removed for administrative or legal compliance only with an approval of Member Secretary or Chair

10. Review and Amendment

CDV will be reviewed once every semester. The Board of Management (BOM) of the University reserves the right to amend the guidelines and regulations on disciplinary proceedings whenever a need arises.

Annexure I : Members of CDV for Academic Year 2018-2020 (excluding students, who will serve for 1 Academic Year)

Name of Member	University Affiliation	Responsibility	
Amit Sheth	Professor	Chairman	
Munish Agarwal	Registrar	Member	
Ashima Banker	Professor	Secretary	
Nidhi Goyal	Associate Dean, External Affairs	Member	
Anshuman Bhuchar	Technology Director	Member	
Ravinder Kaur		Documentation and Communications Officer	
Student Reps			To be elected