

# SINGAPORE MANAGEMENT UNIVERSITY

## STUDENT DISCIPLINARY CODE AND PROCEDURE

### (A) PURPOSE

- 1 The Singapore Management University (SMU) is a community and, as members of this community, students are expected to adhere to the University's codes, policies, guidelines, rules and regulations and exercise the responsibilities of student citizenship as spelt out in the Code of Student Conduct. The University desires and expects its students to exercise initiative and responsibility. Students should conduct themselves responsibly in all their pursuits.
- 2 The Student Disciplinary Code and Procedure provides a fair and practical mechanism for dealing with misconduct involving students and violations of the University's codes, policies, guidelines, rules and regulations.

### (B) DEFINITIONS

- 3 For the purpose of this Student Disciplinary Code and Procedure:
  - a) '*Appeals Officer*' means a member of the Provost's Council, excluding Vice-Provost (Education) or the appointed Chairperson to the University Council of Student Conduct, appointed pursuant to Clauses 19(a) or 19(b) or such SMU Staff as may be appointed by the President;
  - b) '*Code*' means this Student Disciplinary Code and Procedure;
  - c) '*Council*' means the University Council of Student Conduct, appointed pursuant to Clause 19(a);
  - d) '*Head of an Office*' means the Senior Vice President, Vice-President, Director, or equivalent position, of an Office;
  - e) '*Investigating Officer*' means a staff member from the Office of Dean of Students, or such other SMU Staff as may be appointed from time to time by the Dean of Students with the concurrence of the Provost (or his/her designate);
  - f) '*Office*' means an SMU Office, Institute, Centre, or any other SMU academic, administrative or business unit that is not part of an SMU School;
  - g) '*Panel*' means the Disciplinary Hearing Panel convened pursuant to Clauses 21(b) and 30(b);
  - h) '*Provost's Council*' means the President as an ex-officio member, the Vice Provost(s), Deans and such other officers of the University as determined by the Provost.
  - i) '*Representative of a School*' means a Deputy Dean or an Associate Dean of an SMU School, and in the case of an office that is part of an SMU School, means the relevant head of an Office;

- j) '*School*' means an SMU School, including an Office that is part of an SMU School;
- k) '*SMU Staff*' means members of the management, faculty, administrative or contract staff of SMU (including employees of vendors, temporary staff hired as invigilators and adjunct instructors), as well as others acting in a similar capacity as such staff, such as volunteers in recognized student activities, but excludes anyone who is a Student as defined in sub-clause (l);
- l) '*Student*' means a student who is matriculated under any programme in any SMU school and includes visiting students, regardless of whether they are receiving transfer credits from SMU, and students who are attending certification, non-degree, or executive education programmes in SMU. For avoidance of doubt, this definition includes matriculated students who are engaged as teaching assistants, administrative assistants, research assistants, or in other remunerated positions;
- m) '*University premises*' shall mean any premises or facilities owned, under the control of, or occupied by the University, whether operated by the University or an appointed third party;
- n) '*Violation*' shall have the meaning given to it in Section (E).

**(C) GENERAL PRINCIPLES**

- 4 The University shall have the right to investigate any allegation or suspicion of a Violation involving a Student and may take disciplinary action where a Violation has been committed.
- 5 Disciplinary proceedings under this Code are not court proceedings. A Student dealt with under the Code may not be represented by counsel during disciplinary hearings.
- 6 The University reserves the right to determine how to process, classify and resolve a complaint or allegation, with general reference to the processes stated in this Code.
- 7 The Code sets out how cases of alleged or suspected Violations by Students will be dealt with, the rights of appeal and the penalties that may be imposed.
- 8 All members of the University community – SMU Staff and Students – are required to render their full assistance and cooperation with regard to proceedings under this Code.
- 9 The Code does not usually govern financial disputes, property disputes, or contractual disputes. The Code also does not usually govern violations of the University's parking or leasing regulations.
- 10 Pending the outcome of disciplinary proceedings, the Provost, or his/her delegated nominee, may impose interim measures in accordance with Section (N) below.
- 11 Any alleged or suspected Violation on the part of a member of the SMU Staff who is also a Student will be dealt with, at the University's discretion, in accordance with the appropriate disciplinary procedure for SMU Staff and/or under this Code. If the member of the SMU staff needs to be suspended from a programme of study, this Code will apply for the suspension and the relevant staff disciplinary procedure will then apply.

12 Where an allegation is made by one Student against another Student, the University will act with due regard to the rights of both Students.

**(D) SCOPE**

13 The Code applies to all Students. The University shall have the right to investigate alleged or suspected Violations that are said to have occurred outside the University premises if the University is of the view that such Violations would adversely impact the University or its community.

**(E) CLASSIFICATION OF VIOLATIONS**

14 A Student who is alleged or suspected to have:

- a) committed a Violation,
- b) attempted to commit a Violation, or
- c) abetted another Student to commit a Violation

may be subject to disciplinary proceedings under this Code.

15 A Violation may relate to academic or non-academic conduct.

16 A Violation is said to occur in relation to academic conduct when it involves a breach of the provisions of the University's Code of Academic Integrity, or when it results, or is calculated to result, in an unfair academic advantage or disadvantage to any person or persons, and shall be referred to as an Academic Violation. Academic Violations include, but are not limited to, cheating in assignments, plagiarism, and interference with course instruction to the detriment of other Students' learning. For the avoidance of doubt, conduct such as general bullying in the context of academic assignments may be dealt with as Non-Academic or Academic Violations, depending on the context.

17 A Violation that does not relate to academic conduct shall be regarded as a Non-Academic Violation. Non-Academic Violations include, but are not limited to, the following categories of acts:

- a) breaches of the provisions of the University's Code of Student Conduct;
- b) misuse or unauthorised use of University premises, facilities, IT systems or items of property;
- c) disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;
- d) obstruction of, or improper interference with, the legitimate functions, duties or activities of any Student, SMU Staff or any authorised visitor to the University. Examples include acts that damage the physical or IT infrastructure of the University, acts that disrupt the proper operations of the University, and acts that cause nuisance to others;
- e) acts which cause damage to the property of the University or of others, or other property related offences. Examples include vandalism, physically damaging property, and theft;

- f) distribution of or publication of a poster, notice, sign or any publication which is offensive, intimidating, threatening, indecent or illegal, including the broadcasting and electronic distribution of such material;
- g) acts which cause harm or which reasonably cause distress to others. Examples include acts to cause physical injury, harassment (including harassment of any person, on grounds of sex, race, religion, disability or any other characteristic), bullying, verbal abuse, intimidation, defamation of character, and slander;
- h) violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed verbally or in writing, including electronically) whilst on University premises or engaged in any University activity;
- i) sexual misconduct, which includes sexual acts without consent, unwanted or inappropriate physical contact of a sexual nature, insulting the modesty of others, indecent exposure to others, making recordings of a sexual nature without consent or which insult the modesty of others, and sharing images or recordings of a sexual nature without consent or which insult the modesty of others;
- j) acts against the University and its community, including acts which damage the reputation and interests of the University, are destructive of the ethos or welfare of the community, or anti-social acts. Examples include the breach of privacy policy, breach of University IT resources, and malicious acts to damage the good name or academic standing of the University. For the avoidance of doubt, this section does not limit the reasonable pursuit of academic freedom, rational discourse and debate, and proper inquiries into improprieties and wrongdoings;
- k) criminal activity which:
  - i. takes place on University premises or elsewhere, or
  - ii. affects or concerns other members of the University, or
  - iii. damages the reputation of the University.
- l) acts of dishonesty in relation to the University, SMU Staff or Students;
- m) failure to disclose the Student's name and other relevant details to a member of the SMU Staff where it is reasonable to require that such information be given;
- n) failure to comply with a previously imposed penalty under the Code;
- o) failure to attend a disciplinary interview or provide a statement / response to alleged Violations when requested to do so by the relevant person of authority;
- p) breaches of the codes, policies, guidelines, rules and regulations of the University applicable to Students;
- q) behaviour which brings the University into disrepute;
- r) any other act or behaviour which may be reasonably perceived as misconduct.

18 A Violation will be classified as a “Minor Violation” or “Major Violation” depending on the circumstances of the case. The relevant factors that will be considered include the circumstances leading the Student to commit the Violation, the nature and extent of the harm caused by the Violation, and any previous Violations committed by the Student.

**(F) JURISDICTION**

19 The Provost oversees all aspects of the Code and is empowered to decide on a range of matters, including:

- a) Appointing members to the Council, comprising the Vice-Provost (Education; who acts as Chairperson unless decided otherwise by the Provost), Dean of Students, a nominated faculty member from each School of minimum Associate Professor seniority and who is not holding a current Deputy Dean or Associate Dean appointment, and any other staff or faculty member(s) at the Provost’s discretion. The term of appointment shall be 3 years, unless specified otherwise. A staff member will be appointed by the Provost to act as secretary;
- b) Taking interim measures to exclude or suspend a Student, pursuant to Section (N);
- c) Deciding on any questions of procedure and jurisdiction arising from the Code.

20 The Dean of Students and the Chairperson of the Council, with reference to Clause 30, are empowered to classify the complaint or allegation.

21 The Dean of Students, with reference to Clause 30, is empowered to:

- a) Refer Minor Violations to the respective Representatives of Schools, or Heads of Offices, for adjudication;
- b) Convene a Panel, comprising at least 3 members, to investigate Major Violations. The Dean of Students will appoint the members depending on the facts of the matter at hand. Only current Representatives of Schools, and Heads of Offices or their designates, may be appointed to a Panel. The Investigating Officer will present the results of their investigations and recommendations to the Panel. The Dean of Students shall endeavour to consider any potential conflicts of interest in each case, and in cases of doubt, the Provost will be consulted.

22 Representatives of Schools and Heads of Offices are empowered to adjudicate on Minor Violations. The Council is empowered to adjudicate the findings and recommendations of the Panel which is convened for Major Violations.

23 The Appeals Officer shall adjudicate any appeal against a decision made by the Council.

24 For Minor Violations, the Deans of the corresponding School shall adjudicate any appeal against a decision made by the Representative of a School. The Dean of Students shall adjudicate any appeal against a decision (for Minor Violations) made by the Head of an Office.

25 Changes to this Code may only be made with the approval of the Provost’s Council.

**(G) PROCEDURE FOR FILING AND INVESTIGATING COMPLAINTS**

- 26 Any Student or SMU Staff wishing to make a complaint that a Student has committed a Violation may write to the University Council of Student Conduct at studentconduct@smu.edu.sg. For harassment or violence cases, you may write to Voices@SMU at voices@smu.edu.sg. Voices@SMU, a unit that resides within Student Services Hub (SSH), assists and supports students affected by harassment, bullying or discrimination- including cases of sexual harassment or sexual assault.
- 27 The making of a frivolous or vexatious complaint may be regarded as a Violation under this Code. In the case of an anonymous report, there may be occasions or circumstances in which, having taken all the information available into account, the University may not pursue the allegations due to insufficient information. The identity of the complainant may be kept confidential from the Student who is the subject of the complaint when the circumstances reasonably require. A complainant may specify in the complaint why confidentiality is required.
- 28 The Dean of Students will organise an Initial Review Meeting to deliberate and agree on follow-up action, evaluate the welfare and support needs of the complainant and accused Student with the help of the relevant office and determine whether any interim measures need to be put in place.
- 29 If the Dean of Students is of the view that the complaint does not disclose the existence of any Violation, provided the Chairperson of the Council concurs, the Dean of Students may dismiss the matter. The complainant shall be informed of the reasons in writing within a reasonable period of time.
- 30 Otherwise, the Dean of Students and the Chairperson of the Council will jointly classify the complaint:
- a) If the Dean of Students and the Chairperson of the Council are of the view that the complaint or allegation involves a possible Minor Violation, the Dean of Students shall refer the complaint or allegation to the respective Representative of School or Head of Office, who shall initiate disciplinary proceedings outlined in this Code. The complainant shall be informed in writing within a reasonable period of time.
  - b) If the Dean of Students and the Chairperson of the Council are of the view that the complaint or allegation involves a possible Major Violation, the Dean of Students shall within a reasonable time convene a Panel and initiate a disciplinary hearing outlined in this Code. The complainant shall be informed in writing within a reasonable period of time.
  - c) The joint decision of the Dean of Students and the Chairperson of the Council as to whether the complaint or allegation involves a possible Minor or Major Violation is final and binding. No further appeal is allowed but re-classification may occur, through a joint decision of the Dean of Students and the Chairperson of the Council (who may make the necessary consequential orders), on the basis of further investigation.
- 31 Where the Student is being investigated by the police for criminal activity that is based on the same facts as the complaint or allegation:

- a) Unless the Provost (or his/her designate) decides otherwise, subject to its use of interim measures, the University shall refrain from taking further disciplinary steps until the matter has been finally resolved by the police, prosecutor, or the courts, as the case may be.
- b) If the Student is convicted in a court of law (and if the conviction is upheld, or not challenged on appeal), this shall be taken as conclusive evidence that the alleged offence has occurred, and no investigation shall be required by the University. If the University is to take further disciplinary action, the penalty imposed by the court shall be taken into account when determining any further penalty. Where the conviction is ruled by a foreign court, the University shall take this into account before deciding on further action.
- c) Even if the Student is not charged in court, or is acquitted after a trial or appeal, the University may still take further disciplinary action. The University will consider whether a breach of University regulations has nonetheless occurred and may refer the matter for consideration under this Code, where appropriate.

**(H) DISCIPLINARY PROCEEDINGS FOR MINOR VIOLATIONS**

- 32 All investigations pertaining to Minor Violations, including the proper gathering of evidence and interviewing of witnesses, will be carried out by an Investigating Officer, who shall report to the Representative of a School, or the Head of an Office, as the case may be.
- 33 The Student shall be given reasonable notice of the disciplinary proceedings and the alleged Violation.
- 34 The Representative of a School, or the Head of an Office, shall preside over disciplinary proceedings for Minor Violations.
- 35 The following procedure will apply to the disciplinary proceedings:
  - a) The Student shall be told of the format and sequence of proceedings. Proceedings may be by way of a documents-only hearing or an oral hearing as appropriate.
  - b) The University may make written and/or audio recordings of the proceedings. No other person will be permitted to make any recording of the proceedings.
  - c) The Student may be accompanied by another Student, a member of the SMU Staff, or an appropriate person recommended by the Dean of Students (or his/her designate) .
  - d) The Student may be asked questions.
  - e) The Student shall be presented with such evidence and at such time as the University deems adequate or appropriate supporting the claim of the Violation.
  - f) The Investigating Officer, Representative or Head, as the case may be, may require the assistance of relevant SMU Staff and Students, who may be invited to give evidence.
  - g) The Representative or Head presiding over the proceedings shall not be bound by formal rules of evidence and may rely on such evidence as he or she deems fit to make any findings.

- h) The Student shall be given reasonable opportunity to respond to the evidence, or raise any matters, in defence and/or mitigation. This includes the making of submissions, the provision of evidence, and concluding remarks.
  - i) The Student can call witnesses but has no right to cross-examine witnesses or to confront the complainant.
  - j) The matter can be decided in the Student's absence at an oral hearing if no good reason is provided for the absence, or if the proceeding is by way of a documents-only hearing, if no good reason is provided for the Student's failure to respond.
  - k) Proceedings may be adjourned if necessary.
  - l) The Representative or Head presiding over the proceedings may allow such other individual(s), including an observer representing the Provost, as he/she deems appropriate to attend the proceedings.
- 36 The Representative or Head shall review the submissions, relevant evidence and the Student's defence and mitigation, if any was provided, before deciding within a reasonable period of time if a Minor Violation was committed.
- 37 Where the Representative or Head is satisfied that a Minor Violation had been committed, the Student and the complainant (if the complainant is the victim) shall be notified within a reasonable period of time:
- a) Of the decision if a Minor Violation was committed by the Student.
  - b) Of the sanction(s) imposed against the Student, if any.
  - c) Where relevant, that the Student or the complainant may, within a stipulated time period, submit an appeal.
- 38 If the Student fails to comply with the sanction(s) imposed by the Representative or Head within the time specified, the Student may be considered to be in breach of the ruling and the matter may be referred to the Council as a possible Major Violation.
- (I) DISCIPLINARY PROCEEDINGS FOR MAJOR VIOLATIONS**
- 39 All investigations pertaining to Major Violations, including the proper gathering of evidence and interviewing of witnesses, will be carried out by an Investigating Officer, who shall report to the Panel.
- 40 The Student shall be given reasonable notice of the disciplinary proceedings and the alleged Violation.
- 41 The members of the Panel, as defined in Clause 21(b), will select a Chairperson for the Panel. The Chairperson of the Panel shall preside over disciplinary proceedings for Major Violations.
- 42 The following procedure will apply to the disciplinary proceedings:
- a) The Student shall be told of the format and sequence of proceedings. Proceedings may be by way of a documents-only hearing or an oral hearing as appropriate.



- b) The University may make written and/or audio recordings of the proceedings. No other person will be permitted to make any recording of the proceedings.
  - c) The Student may be accompanied by another Student, a member of the SMU Staff or an appropriate person recommended by the Dean of Students (or his/her designate) .
  - d) The Student may be asked questions.
  - e) The Student shall be presented with such evidence and at such time as the University deems adequate or appropriate supporting the claim of the Violation.
  - f) The Investigating Officer or Panel may require the assistance of relevant SMU Staff and Students, who may be invited to give evidence.
  - g) The Panel shall not be bound by formal rules of evidence and may rely on such evidence as it deems fit to make any findings.
  - h) The Student shall be given reasonable opportunity to respond, or raise any matters, in defence and/or mitigation. This includes the making of submissions, the provision of evidence, and concluding remarks.
  - i) The Student can call witnesses but has no right to cross-examine witnesses or to confront the complainant.
  - j) The matter can be decided in the Student's absence at an oral hearing if no good reason is provided for the absence, or if the proceeding is by way of a documents-only hearing, if no good reason is provided for the Student's failure to respond.
  - k) Proceedings may be adjourned if necessary.
  - l) The Chairperson of the Panel may allow such other individual(s), including an observer representing the Provost, as he/she deems appropriate to attend the proceedings.
- 43 When the Panel is satisfied that the evidence collected is sufficient and the Student had reasonable opportunity to make submissions, provide documentary evidence, and to respond in defence and mitigation, the Chairperson of the Panel shall present the investigation report and recommendations to the Council.
- 44 The Student shall be offered the opportunity to present his/her case to the Council. The quorum for Council meetings will be 50% of the members and either the Vice Provost (Undergraduate Matters) or the Dean of Students must be present to form a quorum. Council decisions will require a simple majority of votes cast by members present, and in the event of a split vote, the Chairperson of the Council shall have a casting vote. The decision reached by the Council and the proposed sanction(s) shall be submitted to the Provost for concurrence.
- 45 The Council shall review the evidence and the Student's defence and mitigation, if any was provided, before deciding within a reasonable period of time if a Major Violation was committed.
- 46 The Council shall notify the Student, and the complainant (if the complainant is the victim) within a reasonable period of time:

- a) Of the decision if a Major Violation was committed by the Student.
- b) Of the sanction(s) imposed against the Student, if any.
- c) Where relevant, that the Student or complainant may, within a stipulated time period, submit an appeal.

**(J) APPEAL PROCESS FOR MINOR VIOLATIONS**

- 47 The Student, or complainant (if the complainant is the victim), may appeal the decision of the Representative of a School, or the Head of an Office, within fourteen days of the date of the notice from the Representative, or Head.
- 48 Any appeal shall be made in writing to the Dean of the corresponding School, or the Dean of Students, as the case may be, within the time stipulated in the notice referred to in Clause 37, stating clearly the grounds for appeal. The only grounds of appeal are:
- a) That there was procedural irregularity in the conduct of the proceedings;
  - b) That there is material new evidence, which could not have been reasonably obtained at the time of the disciplinary proceedings, showing that the Student did or did not commit the Minor Violation; and
  - c) That the sanction imposed was manifestly excessive or unreasonable.
- 49 If there are valid grounds of appeal, the Dean or the Dean of Students, as the case may be, may review the case. However, he or she will not re-hear the whole case, and he or she may decide the appeal based on the documents and records from the proceedings, or other means as deemed appropriate. Subject to the abovementioned restrictions, the Dean or the Dean of Students, as the case may be, may at any time request for the production of new evidence as he/she may deem appropriate for the fair adjudication of the appeal.
- 50 The Dean or the Dean of Students, as the case may be, has the sole discretion whether to uphold, rescind or vary the decision made by the Representative of a School, or the Head of an Office. The Student, complainant and the Representative, or Head, as the case may be, shall be informed of the appeal decision in writing.
- 51 The decision of the Dean on appeals for Minor Violations shall be final and binding and there shall be no further right of appeal.

**(K) APPEAL PROCESS FOR MAJOR VIOLATIONS**

- 52 The Student, or complainant, may appeal the decision of the Council within fourteen days of the date of the notice from the Council.
- 53 Any appeal shall be made in writing to the President, within the time stipulated in the notice referred to in Clause 46, stating clearly the grounds for appeal. Pursuant to Clause 19(b), the President (or his/her designate) will appoint an Appeals Officer to consider the appeal. The only grounds of appeal are:
- a) That there was procedural irregularity in the conduct of the proceedings;

b) That there is material new evidence, which could not have been reasonably obtained at the time of the disciplinary proceedings, showing that the Student did or did not commit the Major Violation; and

c) That the sanction imposed was manifestly excessive or unreasonable.

54 If there are valid grounds of appeal, the Appeals Officer may review the case. However, he or she will not re-hear the whole case, and he or she may decide the appeal based on the documents and records from the proceedings, or other means as deemed appropriate. Subject to the abovementioned restrictions, the Appeals Officer may at any time request for the production of new evidence as he/she may deem appropriate for the fair adjudication of the appeal.

55 The Appeals Officer has the discretion whether to uphold, rescind or vary the decision made by the Council. However, the decision of the Appeals Officer shall be subject to the concurrence of the President.

56 The Student, complainant and the Council shall be informed of the appeal decision in writing. The decision of the Appeals Officer shall be final and binding and there shall be no further right of appeal.

**(L) SANCTIONS**

57 In cases of Minor Violations, the Representative of a School, the Head of an Office, or the Dean or the Dean of Students (as the case may be), shall be empowered, as part of the disciplinary proceedings as set out in Section (H) or (J) for Minor Violations, to impose a range of sanctions including:

a) Issuance of a written warning that may not be entered into the Student's internal University record;

b) Sanctions aimed at achieving restorative justice (e.g., a letter of apology);

c) Restitution of damage (where physical damage has been caused);

d) A requirement that the Student provide a written undertaking not to repeat the Violation;

e) Issuance of a written reprimand that shall be entered into the Student's internal University record;

f) Imposition of any fine not exceeding Singapore Dollars One Thousand (S\$1,000);

g) Imposition of corrective work hours towards the University, or community service, not exceeding fifty hours;

h) Issuance of an order that the Student seek rehabilitative treatment, or other specified conditions, and a statement of sanctions to be applied if such conditions are not met;

i) Withdrawal of specified University privileges, benefits, rights, or facilities for a period not exceeding two academic terms;

j) Imposition of academic penalties in respect of Academic violations, such as:

- i. Resubmission of assignment;
  - ii. Reflection/ research papers;
  - iii. Grade reduction for course component;
  - iv. Zero marks for course component;
  - v. Grade reduction for course grade.
- k) Removal from leadership positions or involvement in student activities;
- l) Any other reasonable sanction as the case may require.

58 In cases of Major Violations, the Council or the Appeals Officer (as the case may be) shall be empowered, as part of the disciplinary proceedings as set out in Section (I) or (K) for Major Violations, to impose a range of sanctions including but not limited to the ones as follows. Any sanctions by the Council for Major Violations may only be imposed with the concurrence of the Provost:

- a) Issuance of a written reprimand that shall be entered into the Student's internal University record;
- b) Imposition of any fine not exceeding Singapore Dollars Ten Thousand (S\$10,000);
- c) Imposition of corrective work hours towards University, or community service not exceeding one hundred hours;
- d) Issuance of an order including, but not limited to, a requirement to make restitution, seek rehabilitative treatment or other specified conditions, and a statement of sanctions to be applied if such conditions are not met;
- e) A restriction on contact with a named person or person(s);
- f) Withdrawal of specified University privileges, benefits, rights, or facilities for any period;
- g) Imposition of Academic penalties in respect of academic violations, including but not limited to:
  - i. Zero marks for course grade;
  - ii. Expulsion from a course (module).
- h) Disciplinary probation for a specified period of time (with the condition that more severe sanctions may be imposed if the Student commits a further Violation during this period of time);
- i) Expulsion from a course (module);
- j) Exclusion from the University premises for a specified period of time;

- k) Deferral of an academic degree by the University for a specified period of time;
- l) Suspension from the University for a specified number of terms;
- m) Indefinite suspension from the University, with specified conditions for return;
- n) Rescission of an academic award;
- o) Expulsion<sup>1</sup> from the University;
- p) Removal from leadership positions or involvement in student activities;
- q) Any other reasonable sanction as the case may require.

59 In cases of sexual misconduct which are classified as Major Violations, the Council, or the Appeals Officer (as the case may be) may require the Student to undergo mandatory counselling and education. They shall also be empowered, as part of the disciplinary proceedings as set out in Section (I) or (K) for Major Violations, to impose a range of disciplinary sanctions including:

- a) A restriction on contact with a named person or person(s);
- b) Imposition of conditions or restrictions on the Student's residence at University accommodation for a specified period of time;
- c) Residential suspension from University accommodation for a specified period of time;
- d) Disciplinary eviction from University accommodation;
- e) A record of the offence on the Student's unofficial transcript, academic summary and academic transcript for a maximum period of three years following graduation or after leaving the University;
- f) Suspension from the University for a specified period of time;
- g) Deferral of an academic degree by the University for a specified period of time;
- h) Expulsion<sup>1</sup> from the University;
- i) Removal from leadership positions or involvement in student activities;
- j) Any other reasonable sanction as the case may require.

60 The Council shall be empowered to place a "disciplinary hold" on the academic and/or financial records of any Student for the purpose of enforcing a disciplinary sanction, or ensuring cooperation with this Code.

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<sup>1</sup> In the event of expulsion, any possible readmission will be subject to the Readmission Policy found in Annex A.

61 For avoidance of doubt, where a Student is suspended from the University pursuant to Clauses 58(l), 58(m) and 59(f), such period of suspension shall not count toward the Student's maximum period of candidature.

(M) **FACTORS TO BE TAKEN INTO ACCOUNT WHEN IMPOSING A SANCTION**

62 The Representative of a School, the Head of an Office, the Dean, the Dean of Students, the Council, or the Appeals Officer (as the case may be) must take into account all relevant factors (as they consider appropriate) when imposing a sanction for Violations, including the following:

- a) The mental health status or medical history of the accused Student;
- b) the nature, frequency and seriousness of the Violation;
- c) the harm caused by the Student as a result of the Violation;
- d) any previous record of Violations by the Student;
- e) previous sanctions imposed on a Student for Violations;
- f) the timing of any admission by the Student of the Violation;
- g) any demonstration of remorse; and
- h) any relevant mitigating circumstances.

(N) **INTERIM MEASURES**

63 The Provost may, by giving written notice of interim measures to a Student, temporarily exclude the Student from University premises and/or place the Student on temporary suspension, and/or impose a no contact order if the Provost has reason to believe that such interim measures are required and/or appropriate to:

- a) protect the health, safety, or well-being, of a Student, or any other person;
- b) protect the University's order, operations, services, property or reputation; or
- c) where the Student's continued presence on University premises might be a source of disruption to the University or any part thereof.

64 An interim order of suspension or exclusion may include a requirement that the Student have no contact of any kind with a named person or persons.

65 The period of exclusion or suspension shall be an interim measure and the Provost shall, provided there are no ongoing investigations or proceedings by the police or authorities, instruct the Council to convene a Disciplinary Hearing within three months, if reasonably practicable, after the notice of interim measure. The Provost may at any time vary the terms of the interim measure.

66 Any interim measures shall lapse once the outcome of the disciplinary proceedings is made final and binding pursuant to Clauses 37 or 46, or Clauses 51 or 56 in the event of an appeal.

67 A Student who is subject to an interim measure may make representations to the Provost or his/her delegated nominee. The representations will be considered by the Provost (or his/her delegated nominee), who may confirm or amend the original order of suspension or exclusion. A Student may, as a final step, appeal to the President against an interim order of suspension or exclusion pending a hearing.

**(O) CONFIDENTIALITY**

68 All proceedings, hearings, appeals, interim measure(s) or disciplinary sanction(s) in respect of this Code are confidential.

69 Any Student involved in disciplinary proceedings shall not disclose any information or documentation relating to the proceedings to third parties without the consent of the Council, or unless disclosure is required by law.

70 Any Student who, without reasonable excuse, breaches the confidentiality requirements of the Code shall be subject to disciplinary action under this Code.

71 The Chairperson of the Council may at his/her discretion, in consultation with the relevant stakeholders and in accordance with SMU's Personal Data Protection Procedures, disclose any information or documentation pertaining to disciplinary proceedings to any person as it sees fit.

72 Any SMU Staff dealing with an allegation of Violations which may also constitute a criminal offence should be aware that any notes that are made or documents that are created could be requested by the police as part of a criminal investigation and that they could be called to give evidence.

**(P) LIABILITY OF UNIVERSITY**

73 The University and its staff shall not be liable for any loss, damage or expense incurred by any person (including and not limited to loss of reputation or income), as a direct or indirect result of any disciplinary proceedings, interim measures or disciplinary sanctions pursuant to this Code.

**(Q) CONFLICT OF INTEREST**

74 Notwithstanding any other provisions in this Code, in case of conflicts of interest, as determined by the Chairperson of the Council or the Provost, the relevant individuals shall recuse themselves from the proceedings, and the Chairperson of the Council shall consult with the Provost on the appointment of a designate in their place.

75 In the event that there would be a conflict of interest arising from the Provost's exercise of the powers hereunder, the complaints shall be referred to the President who shall exercise the powers of the Provost as provided under this Code. In the event that there would also be a conflict of interest arising from the President's exercise of the powers contemplated hereunder, the complaints or allegations shall be referred to the Chairman (or his/her delegated nominee) of the Board of Trustees who shall exercise all the powers of the Provost as contemplated hereunder.

**(R) GUIDANCE OR INTERPRETATIVE NOTES**

- 76 The Provost may from time to time, in consultation with the Provost's Council, issue Guidance or Interpretative Notes to supplement the Code. The Provost may also, on a very exceptional basis, authorise adjustments from the strict requirements of the Code to apply to the conduct of a specific case where in his/her view the circumstances require it on a case-by-case basis.

**Annex A – SMU Readmission Policy for Students Expelled Due to Misconduct**



## ANNEX A

**SINGAPORE MANAGEMENT UNIVERSITY**  
**READMISSION POLICY FOR STUDENTS EXPELLED**  
**DUE TO MISCONDUCT**

**(A) PURPOSE**

1. This policy outlines the guidelines and procedures for readmission of students (“Applicant”) who had been previously expelled from SMU. Its purpose is to establish a fair and structured process for assessing their eligibility for readmission, with a focus on ensuring the safety of the SMU community.

**(B) APPLICATION PROCESS**

2. An Applicant seeking readmission into any undergraduate or postgraduate programmes must submit a formal application to the Office of Registrar (“RO”) before their respective application closing date. The application should include the following:
  - i. A personal statement outlining their reasons for seeking readmission, reflecting on their previous actions, and demonstrating their personal growth after expulsion from SMU;
  - ii. Supporting documentation, such as character references, work references, academic references, evidence of community services, counselling report, psychological treatment report, probationary report, remission order and any relevant reports or achievements after expulsion from SMU; and
  - iii. Any other documentation or evidence deemed necessary by the University for assessing the application.
3. The RO shall ensure that the application fulfils the readmission eligibility criteria outlined in Section C.
4. Only eligible applications shall be forwarded to the Readmission Panel (“RP”).

**(C) ELIGIBILITY CRITERIA FOR READMISSION**

5. The Applicant may be considered for readmission if a minimum period of two years has elapsed since his/her expulsion.
6. The Applicant must fulfil the prevailing admissions requirements set by the University. These requirements include, but are not limited to:
  - i. Meeting the required academic grades; and
  - ii. Provide strong evidence from referees or sources that the applicant has demonstrated significant personal growth in the years since expulsion.
7. The application shall be rejected by RO if it fails to meet the eligibility criteria above.

**(D) REVIEW AND EVALUATION PROCESS**

8. The RP shall be convened to review and evaluate the application. The members of the RP, appointed by the Provost, shall comprise the following members:
  - i. Vice Provost (Education), as Chairperson;
  - ii. Dean of Students;
  - iii. Director, Office of Admission and Financial Assistance;
  - iv. Director, Office of Registrar;
  - v. Dean of the SMU School the Applicant is applying to, or his/her nominee (minimally a Deputy Dean or an Associate Dean); and
  - vi. Representatives from any other offices as deemed appropriate by the Provost or his/her designate.
9. A staff member will be appointed by the Provost or his/her designate to act as secretary.
10. For cases of reapplication, the RP shall first assess whether the Applicant has provided any material new evidence to support it. If there is none, the RP shall reject the application. Otherwise, the RP shall assess each application based on the factors outlined in Section E and any additional factors that are relevant to the individual case.
11. The RP may request an interview with the Applicant as part of the evaluation process. The purpose of the interview is to assess the Applicant's personal growth, understand his/her previous actions, and plans for success if readmitted.
12. The quorum for meetings will be all the members of the RP. The decision on readmission (and any other decision of the RP) will be determined by a simple majority vote among all the members of the RP. In case of a tie, the Chairperson of the RP shall have the deciding vote. Meetings can be held physically, virtually or hybrid physical-virtual. The RP may also make a decision via circulation (i.e. by email circulation or other written forms) where the appointed members of the RP approve the matter(s) circulated for approval.
13. The RP shall submit the readmission decision to the Provost for concurrence once it reaches the decision. If the Provost does not agree with the decision, the RP will review it again. If the Provost and the RP cannot reach an agreement, the final decision will be made by the President.
14. The RO shall communicate the final decision to the Applicant in writing within a reasonable timeframe. The RO shall follow up with the Applicant in accordance with the existing admission processes if the Applicant is approved for readmission. An Applicant who is approved for readmission will resume from the point at which he/she left off.
15. The decision is final and binding. Rejected Applicant may reapply for readmission again in the next academic year application window period if he/she has material new evidence to support the reapplication.
16. The Provost may, on an exceptional basis, authorise adjustments from the strict requirements of this Policy to apply to the conduct of a specific case where in his/her view the circumstances require it on a case-by-case basis.

**(E) RELEVANT FACTORS IN DECISION FOR READMISSION**

17. Safety of the Community - The RP shall consider whether readmitting the Applicant could pose a safety risk to the SMU community. If there is evidence to suggest that the Applicant could present a risk to his/her own safety or the safety of others, and if no practical mitigating measures could be put in place, the application should be rejected.
18. Disruption to SMU's Operations - If the behaviour prior to the Applicant's expulsion and any subsequent actions suggest that readmitting the Applicant could potentially disrupt the normal operations of the University, the RP must consider whether any practical mitigating measures could be put in place. Otherwise, the application should be rejected.
19. Penalties, Restrictions and Impediments - The case connected to the Applicant must be fully concluded, including the completion of any penalties mandated by the authorities. Any ongoing restrictions or impediments imposed by the authorities on the Applicant shall be considered as a factor in the readmission decision.
20. Applicant's Behaviour - The Applicant must demonstrate significant personal growth and improvement in behaviour, readiness and commitment to reintegrate his/herself into the SMU community. He/she may provide evidence of counselling, psychological treatment, therapy, or other rehabilitative or restorative programme to support the demonstration.
21. SMU's Reputation – The RP shall assess the potential impact on the University's reputation if the Applicant is readmitted. If the Applicant's previous misconduct had negatively impacted SMU's reputation, the RP needs to consider the potential reputational impact if the Applicant is readmitted. The RP should also consider whether the time elapsed since the Applicant's offence and/or expulsion can mitigate this impact.

**(F) CONDITIONS AND REQUIREMENT FOR READMISSION**

22. In certain cases, the RP may impose specific conditions or requirements for readmission, based on the circumstances of the expulsion and the individual's readiness to reintegrate into the University community. Such conditions may include, but are not limited to, counselling sessions, probationary periods, restriction of contact with a named person(s), restriction on specified student activities, or additional academic requirements.
23. Applicants who are granted readmission must comply with the conditions and requirements. Failure to comply with these conditions may result in further disciplinary action, including immediate expulsion from the University.

**(G) CONFIDENTIALITY**

24. All information provided by the Applicant during the readmission process, including personal statements, supporting documents, and interview discussions are confidential. No information or documentation relating to the Applicant and the proceedings can be disclosed to third parties without the consent of the RP, unless disclosure is required by law.

**(H) CONFLICT OF INTEREST**

25. In the event of conflict of interest, as determined by the Chairperson of the RP or the Provost, the individuals involved shall recuse themselves from the RP review process. The Chairperson of the RP shall consult with the Provost to appoint a designated individual in their place.

**(I) POLICY REVIEW**

26. This policy shall be reviewed periodically to ensure its effectiveness and alignment with the University's goals and values. Changes to this policy can only be made with the approval of the Provost's Council.