



Mahidol University Regulation

on Student Code of Conduct, B.E. 2561 (2018)

.....

Since the establishment of standard behavior is necessary for handling inappropriate conduct and providing legal protection for students, it is deemed appropriate to revise the Mahidol University Regulation on Student Code of Conduct in order for students to act correctly in accordance with the discipline, create an educational atmosphere and live together happily.

By virtue of Section 24(2) of Mahidol University Act B.E. 2550 (2007), the Mahidol University Council, at its 538th meeting, on 21 November 2018, hereby issued the following regulations.

Clause 1 This regulation is referred to as “Mahidol University Regulation on Student Code of Conduct B.E. 2561 (2018)”.

Clause 2 This regulation shall come into force on the date after the announcement date onwards.

Clause 3 The Regulation on Student Code of Conduct B.E. 2553 (2010) shall be cancelled.

Clause 4 According to this regulation,

“University Council” means Mahidol University Council.

“University” means Mahidol University.

“President” means President of Mahidol University.

“Working Unit” means the Working Units under Mahidol University announcement and shall include other establishment programs of other working units where teaching and learning are provided according to the University Curriculum.

“Head of Working Unit” means the heads of Working Units under Mahidol University announcement and shall include other establishment programs of other working units where teaching and learning are provided according to the University Curriculum.

“Student” means Mahidol University students.

Clause 5 The President shall be in charge of this regulation. In case of any problem in compliance with this regulation, the President shall be empowered to exercise his/her discretion to determine the order that shall be regarded as final.

Chapter 1

Discipline and Maintenance of Discipline

Clause 6 Students must maintain and comply with the code of conduct prescribed in the regulations and announcements of the University regularly and strictly.

Any non-ethical conduct which is considered a disciplinary offense shall be carried out in accordance with this regulation.

Clause 7 Student are required to maintain the following codes of conduct

- (1) Students must maintain the unity, peace, reputation and honor of the University; they must not cause disorder, engage in the physical assault, or destroy the property of the University or that of others.
- (2) Students must behave in a polite manner and must not behave in any way causing disgrace and damage to themselves, other persons, or the University.
- (3) Students must obey instructors and duty officers of the University.
- (4) Students must wear the student uniform or appropriate clothes in modest attire in accordance with the regulations and announcements of the University or its working units.

In classrooms or examination rooms, or in contact with working units on the University campus, students must wear or present the student ID card in order for the University instructors or officers to check it at all times.

- (5) Students must not drink alcohol or intoxicants on the University campus or while they are wearing student uniform.
- (6) Students must not smoke in the non-smoking area of the University.

Clause 8 Any student who commits the following acts shall be regarded as a serious disciplinary offender.

- (1) Gambling or engaging in any act relating to or promoting all kinds of gambling
- (2) Any act concerning a narcotics drug offense with criminal penalties
- (3) Any act concerning a property offense with criminal penalties, which is an outrageous act
- (4) Any act purposely destroying the University property causing damage to the University
- (5) Possessing or carrying firearms or other dangerous materials on campus which may cause danger to the lives and property of other persons
- (6) Committing an obscene act, or a sexual offense, or immoral conduct causing serious disgrace to the University
- (7) Physical assault on others that results in serious injury or death, or causes serious disgrace to the University
- (8) Being ultimately sentenced to imprisonment except for a punishment for an offense committed by negligence or a petty offense
- (9) Cheating on an exam of the University or both public and private agencies
- (10) Producing, publicizing or possessing media, drawings, printed or written materials, electronic media or any other acts that may cause serious damage to the University
- (11) Forging the signatures of others; forging documents or amending any content in actual documents; or using such documents as evidence required by the University, all of which may cause serious damage to the University
- (12) Committing any act causing dishonor to the University's student status and resulting in serious disgrace to the University

Chapter 2

Penalties and Consideration of Disciplinary Penalties

Disciplinary penalties include 6 steps

- (1) Warning
- (2) On parole
- (3) Disqualification from examinations for all courses or some courses
- (4) Academic suspension for not more than one academic year
- (5) Suspending or delaying the approval of graduation for not more than one academic year
- (6) Dismissal

Clause 10 In the case that any student commits a minor disciplinary offense, and there are grounds to waive the penalty the Head of Working Unit shall consider waiving the penalty by giving verbal warning, and he/she may be allowed to adopt Clause 13.

Clause 11 Any student who commits a disciplinary offense shall be punished under Clause 9(1) or (2). However, when taking into account the offender's history, conduct, state of mind and environment, or the offense conditions, or other virtuous grounds, the University may issue an order of a reprieve to provide opportunities for the student self-improvement within a period of time specified by the University. This period must not last longer than one year from the date the University issues the order and the University shall set conditions for the student probation, such as entering a self-improvement project or performing public service or working for an agency, or the offender shall refrain from any conduct that may lead to a student disciplinary offense.

Clause 12 Any student who commits a serious disciplinary offense shall be punished under Clause 9(3), (4), (5) or (6) depending on the case.

In the case that any student commits a disciplinary offense and is punished under 9(3), (4), or (5), if that student feels guilty and makes a request to the University for remission, the University may issue a penalty order to reduce or cancel his/her penalty. The University may consider the offender's history, conduct, state of mind and environment, or the offense condition or other virtuous grounds before making a decision on remission of penalty. The University may reduce or cancel the punishment by having the student to enter a self-improvement project, or perform public service, or work for an agency, or refrain from any conduct that may lead to a student disciplinary offense again.

Clause 13 In case a disciplinary offense is caused by a mental disorder or other crucial problems, the University may order the student to be in custody of a social worker, a psychologist or a psychiatrist, and the University may apply the opinions of those persons for consideration of remission.

Chapter 3

Disciplinary Procedures

Clause 14 When any student is accused with reasonable evidence that he/she has committed a breach of discipline, or it appears to Head of a Working Unit that a student has committed a disciplinary offense, the Head of Working Unit shall promptly take a disciplinary action under this regulation. Except in the case that the offense involves the students of several working units, the President shall proceed with the case.

In case the accused student confesses in writing to the President or Head of the Working Unit, or that person has ultimately been sentenced to imprisonment, the president or Head of the working Unit may order a disciplinary action without appointing an investigation committee, or the investigation committee shall be allowed to terminate the investigation.

Clause 15 The President or Head of the working Unit shall designate an investigation committee consisting of the chairperson who is a regular lecturer of the related working unit and at least 2 committee members. One committee member is the secretary and an assistant secretary shall also be appointed.

Clause 16 The Investigation Committee shall conduct an investigation and summarize the inquiry file without delay. This shall be completed within 60 days from the date Chairperson of the Investigation Committee is informed of the appointment order.

Where necessary the Investigation Committee may propose an extension of the investigation period to the Appointing Authority for not exceeding 30 days per each extension and not more than twice.

Clause 17 The Investigation Committee shall inform the accused person of the facts regarding the allegation that the student has committed the disciplinary offense and

relevant evidence as available along with the right to explain and bring evidence to resolve the allegation.

Clause 18 The accused student has the right to clarify the allegation in writing to the Investigation Committee within 15 days from the date of receiving the notification under clause 17

Clause 19 In case of a non-serious disciplinary offense, the Investigation Committee shall consider giving opinions and report to Head of the Working Unit to consider and order a punishment in writing as appropriate for the case then report to the University without delay.

Clause 20 In case of the student who commits a serious disciplinary offense, the Investigation Committee shall consider giving opinions and report to the Appointing Authority in order to propose it to the President to consider and order a punishment under Clause 9(3), (4), (5) and (6) according the seriousness of the offense case.

For punishment orders Under Clause 9(3) and (4), the President may authorize Head of the Working Unit to order a punishment instead and report to the President for acknowledgement.

Clause 21 To punish the student who commits a disciplinary offense under Clause 9(3), (4), (5) and (6), the punishment order shall be made into a University Order with a letter of notification of the punishment order and notification of the right to appeal under Clause 27 and Clause 28 to the student.

In case of an undergraduate student or lower, or the case that any student has been ordered for a punishment, the student's parents or his/her guardian shall also be informed.

Clause 22 In case of the student punishments under Clause 9(3), (4), (5) or (6), the President shall also report the punishment to the University Council.

Chapter 4

Appeal Committee for Student Discipline

Clause 23 The University shall appoint an Appeal Committee for Student Discipline consisting of

- (1) A legal expert as the Chairperson
- (2) Two representatives of Mahidol University Faculty Senate as Committee Members
- (3) Director, Division of Student Affairs or a representative as Committee Member

The committee members under (2) must be from different working units.

The Director of Division of Legal Affairs or a representative shall act as Secretary and an officer of Division of Legal Affairs act as Assistant Secretary

Clause 24 The Chairperson of the Appeal Committee has a term of two years from the date of appointment and may be reappointed.

In case the Chairperson of the Appeal Committee vacates office upon the term expiration, the appointment of a new chairperson shall be made within 60 days from the date he/she vacates office. If a new chairperson has not been appointed. The former chairperson shall perform duties until the new chairperson of the Appeal Committee is appointed.

In the case that the position of chairperson is vacant before the term ends, the appointment of a new chairperson shall be done within 60 days from the date the position is vacant. The appointed person replacing the former chairperson shall only hold office until the former chairperson's term ends.

Clause 25 The Appeal Committee for Student Discipline is authorized to perform the following duties.

- (1) Consider and decide on the appeal.
- (2) Call a person to give evidence or request him/her to submit any document or object for consideration as necessary.
- (3) Appoint a person or a group of persons to consider or perform any act within the authority of the Appeal committee.
- (4) Other duties assigned by the University.

Clause 26 The appeal members must attend a meeting of not less than half of the total members to form a quorum.

If the Chairperson of Appeal Committee is not present at the meeting or unable to perform his/her duty, or there is no Chairperson, the meeting shall elect one committee member to act as Chairperson.

The decision shall be made by a majority of the meeting attendee. If there are equal votes, the Chairperson of the meeting shall have an additional vote as a casting vote.

Chapter 5

Appeal and Consideration of Appeal

Clause 27 An appeal shall be made for oneself only and must be made within 30 days from the date of being acknowledged or regarded to be aware of the order.

The appeal must be in writing showing the facts and reasons for the appeal and explain how the order is invalid, inappropriate or unfair. In addition, the appellant is required to put his/her signature, affiliated working unit and address.

If the appellant wishes to make an oral statement in the consideration of the Appeal Committee, he/she shall specify the intention in the appeal letter, or it can be made in a separate letter. However, the letter requesting an oral statement must be submitted directly to Chairperson of the Appeal Committee, and this must be done before the Appeal Committee makes a decision.

Clause 28 The appellant has the right to request examining and making a copy of personal statement records, other evidence, or relevant documents. To allow this request, however, is under the discretion of the person who orders the punishment, or it can be allowed under any condition.

In case of the request for personal statements under the first Paragraph, if the person ordering the punishment has considered that such evidence is necessary for the purpose of the appeal, a copy of an individual's statement may be allowed to be made anonymously.

Clause 29 An appellant has the right to object to one or more of the Appeal Committee Members due to the following reasons.

- (1) The Committee Members witnessed the event of the appeal case.
- (2) The Committee Members has a stake in the act of the appeal case.
- (3) The Committee Members has a reason for anger with the appellant.
- (4) The Committee Members is a spouse, a parent, a descendant, a sibling with the same parents, or a sibling with the same father or mother of the accused person or the person who issues the order
- (5) The Committee Members has other reasons that may cause unfair consideration of the appeal.

To object an Appeal Committee Member, the facts causing objection must be presented in the appeal letter, or additional facts shall be notified in writing before the consideration of the appeal.

When there is an objection under Paragraph one, that Appeal Committee Member may withdraw from the appeal consideration. If that committee member does not withdraw, the Chairperson of the Appeal Committee shall consider the facts of objection. If the Chairperson considers that the facts are reliable, the Appeal Committee Member shall be informed, and shall not be allowed to consider the case. Except the case that the Chairperson has considered that it would be more beneficial to have that committee member take part in considering that case for the reason that it can bring about the truth and result in fairness, that Appeal Committee Member will be allowed to take part in that appeal consideration.

Clause 30 For the purpose of deterring the appeal period, the date on which the student signs the penalty order shall be regarded as the date of acknowledgement of the order.

If the punished student does not sign to acknowledge the punishment order when he/she has been informed of the order and given a copy of the order, the authorized informant shall make a record of the date, time, and place of notification as well as the signature of the informant together with the witnesses as evidence. The date of

notification, in this case, shall be regarded as the date on which the punished student acknowledges the order.

If the punished student may not be asked to sign for acknowledgement of the order directly, the notification shall be made in a letter and sent it to the punished student via acceptance-recorded mail. Two copies of the punishment orders shall be sent to the punished student's address found in official evidence; one copy of the order shall be kept by the punished student, and the other copy with the signature of the punished student and the acknowledgement date of the order shall be sent back to be kept as evidence. In this case, after 30 days from the date issued on the registered mail receipt, it means that the documents have been received by the punished student or a recipient on his/her behalf. Even if the punishment order with the punished student's signature and the date of receipt of the documents has not been returned, it shall be deemed that the punished student has received the order.

Clause 31 With regard to an appeal, the appellant shall write a letter to Chairperson of the Appeal Committee by submitting or sending it directly to the Chairperson or through the Head of the Working Unit that the appellant belongs to, and the Head of Working Unit shall proceed under Clause 32.

When the appeal letter is submitted, the recipient of the appeal letter shall issue a document receipt to the appellant and register the receipt of letter as evidence as of the date on which the appeal letter is received according to the University correspondence system, and the date of receipt of the mentioned evidence shall be regarded as the submission date of appeal letter.

In the case that the appeal letter is submitted via acceptance-recorded mail, the date on which the post office issues the deposit receipt is the submission date of the appeal letter. When the letter has been received, the recipient shall issue a receipt and register it as evidence on the date on which the appeal letter is received according to the University correspondence system.

When the appeal letter has been submitted or sent, the appellant may submit statements or additional documents or evidence by submitting or sending them directly to Chairperson of the Appeal Committee before the Committee has a decision on the appeal.

Clause 32 When the Head of working unit has received the appeal letter submitted under Clause 31, he/she shall send the appeal letter together with a copy of evidence acknowledging order of the appellant, inquiry files, disciplinary action files, explication of the person who gives the order and relevant documents, to the Chairperson of the Appeal Committee within 7 days from the date on which the letter is received.

Clause 33 The appeal to be accepted for consideration must be valid in the essence under Clause 27. The Appeal Committee shall consider promptly, not more than 60 days from the date the appeal letter is received.

In case that whether or not any appeal is accepted for consideration, the Appeal Committee shall consider and promptly notify the appellant of the resolution.

Clause 34 The student appellant may withdraw the appeal before the Appeal Committee completes a decision. With regard to this, the appellant shall write a letter and submit to Chairperson of the Appeal Committee. When the case has been withdrawn, the consideration of appeal shall be terminated.

Clause 35 In considering an appeal, the Appeal Committee shall take into consideration the inquiry files, or the preliminary disciplinary action. If necessary and appropriate, additional documents and evidence may be obtained from relevant persons and agencies for consideration.

In the event that the student appellant requests an oral statement, if the Appeal Committee considers that the oral statement is not necessary for the consideration, the Committee shall cancel it.

In case of an appointment with the appellant to make an oral statement to the Appeal Committee, the Committee shall notify the person who issues the punishment order of the fact that if he/she wishes to make a statement of defense, he/she can do that at the same meeting. This, however, shall be notified in advance as appropriate to the case. In addition, for the benefit of such defense, the person who issues the penalty order or the representative shall attend the meeting to listen to the oral statement of the appellant.

Clause 36 When the Appeal Committee has considered an appeal, the resolution shall be as follows:

- (1) If considering that the order is correct and appropriate for the offense, the Committee shall pass a resolution to dismiss the appeal.
- (2) If the order is found to be incorrect or inappropriate for the offense in any respect, a resolution shall be passed to amend it to be correct and appropriate, but the penalty shall not be increased.
- (3) If it is deemed appropriate to take other actions to achieve fairness and legality, a resolution shall be made to proceed as appropriate to the case.

In the event that students are punished for a joint offense, the same offense and in the same circumstance, the following considerations shall be taken into account. When any student exercises his/her right to appeal the penalty order, and the decision is beneficial for the student appellant. With regard to this case, although the other students do not use their rights to appeal, they are under the same circumstance with the appellant. In this case, the Appeal Committee shall resolve that the students who do not appeal their penalty orders shall also have the same favorable consequences as the student appellant.

Clause 37 When the Appeal Committee has passed a resolution under Clause 36, the Chairperson of the Appeal Committee shall notify the University Council and the student appellant for acknowledgement, and notify the person who issues the penalty order to promptly proceed with the decision of the Appeal Committee.

Chapter 6

Transitional Provision

Clause 38 In case that there is a disciplinary action or submission of an appeal prior to the entry into force of this regulation, the Mahidol University Regulation on Student Code of Conduct, B.E. 2553 (2010) shall be carried out until it is completed. Except for the fact that any provision of this regulation is of benefit to students, that provision shall be applied instead.

Announced on 17 December 2018

(Prof. Emeritus Kraisid Tontisirin, M.D.)

Chairman of Mahidol University Council