

Chiang Mai University Regulations on Student Disciplinary Offenses 2021

In order to appropriately modify Chiang Mai University's regulations on student disciplinary offenses dated 2010 to fit with Chiang Mai University's determination in creating good people, maintaining university's prestige, promoting discipline, love, harmony and good manners of Chiang Mai University's students, the following regulations have been formed.

By virtue of Section 25(3) of Chiang Mai University's Act 2008 and Chiang Mai University Council Meeting's agreement in the 13/2021 meeting on 18th December 2021, Chiang Mai University enacts the regulations on Student's Regulations and Disciplinary offenses as follows;

Article 1. This regulation is titled "Chiang Mai University Regulations on Student's Regulation and Disciplinary offenses 2021"

Article 2. This regulation becomes effective since its announcement.

Article 3. To cancel Chiang Mai University Regulations on Student's Regulations and Disciplinary offenses dated 2008

Content in any regulations, rules, orders and any other announcement that this regulation has been mentioned in or contradict these regulations, this regulation will prevail.

Article 4. In this regulation

"University" means Chiang Mai University

"University Council" means Chiang Mai University Council

"Working Units" means faculty, college, institute that supervises students

"Student Dormitory" means the dormitories under the University's Dormitory Office's Supervision

"President" means Chiang Mai University President

"Students" means Chiang Mai University Students

Article 5. President will have the right to act for this regulation and declare rules and other regulations to conform to this regulation and has the right to make the final decision concerning the problems occurred by enacting this regulation.

Section 1 Disciplines and Disciplinary offenses Part 1 Disciplines and Discipline Observation

Article 6. Students have to follow all the regulations, rules and announcements of Chiang Mai University and have to be always well disciplined

Article 7. Students have to maintain harmony by acting as polite people, being good citizens, not damage Chiang Mai University's reputation, maintain peace and honor of the university as a high level academic institution.

Article 8. Students have to be a good role model for the society, do not present themselves or act as privileged people which might bring trouble or damage to others.

Article 9. Students have to obey and pay respect to university's lecturers and follow orders or warnings from university staff who rightfully perform this duty.

Article 10. Students have to dress politely and appropriately. University staff have the right to not provide any service to students who are not polite or dress appropriately.

Article 11. Students have to present their student ID when requested, for safety of the student, the university's assets, to maintain the university's orderliness when using university's facilities or to prove one's identity during an examination.

Article 12. Students who do not follow regulations number 6 – 11 or act as follow; disciplinary measures will be taken against them.

- (1) Act with no morality, ethics or professional code of conduct
- (2) Be habitually engrossed in all vices, gambling, night entertainment spots or get into debt
- (3) Drink alcohol or intoxicants or taking any kind of drug within the university
- (4) Be immorally or sexually obscene
- (5) Cause controversy, support or instigate unrest within the university area, such as quarrels between students in the campus, make noise or shout at night or deliberately drive a vehicle in a manner that causes unrest or annoyance within the university
- (6) Any acts causing damage to the university's property, interest and well – being of the public
- (7) Any acts infringing other's rights and liberty, participating in or supporting such actions which violates the university's announcements

- (8) Any acts with intent to break the criminal code or other laws or doing any act with intent which is considered to be an offense under the Criminal Code or other laws except for the acts of negligence or misdemeanor
- (9) Actions causing damage or effect the orderliness within university or causing disgrace to the reputation of the university such as
 - a. Possession and carrying of lethal weapons such as swords, guns, weapons used in war and explosives
 - b. Intrusion into non-public areas of the University or into a dwelling or into a private place
 - c. Any act which is an offense related to property such as theft, snatching, fraud, embezzlement, vandalism
 - d. Forgery of documents and or using forged documents for the benefit of oneself or others
 - e. Selling or possessing for the purpose of distributing any kind of narcotic
- (10) Behave in a manner that is antagonistic to education, for example:
 - a. Corrupt or commit any act which is dishonest in the examination or measuring and evaluating the academic assessment
 - b. Intentionally misrepresenting any work as a thesis or independent research, academic work of one's own including creating false information, forgery or alteration of information

Article 13. Disciplinary offenses under Articles 12(7) to (10) are considered as serious disciplinary offenses. Disciplinary offenses under Articles 12(1) to (6) in the event of causing severe damage to the reputation of the University or the public order shall be regarded as serious disciplinary offenses.

Any offense which the rules, regulations and announcements of the University defines as a serious disciplinary offense shall be deemed to be a serious disciplinary offense under this Regulation.

Part 2 Disciplinary Penalties

Article 14. There are 4 levels of disciplinary penalties

- (1) Probate
- (2) Probate and self-development
- (3) Suspension of studies for a period of one semester to four semesters. In the event that suspension is not possible, the nomination for graduation will be suspended for a period of not more than two years of study and self-development.

(4) Remove the person from being a student at the university

Punishment must be appropriately punished with respect to actual offense. If there is a justifiable cause, the punishment may be waived, reduced or suspended. For serious disciplinary offenses, the consideration for punishment shall not be mitigated to be lighter than (2). When the student is subject to disciplinary punishment under (2) – (3), that student shall also perform social service work or work for the public interest.

Any offense under item 12 (10) shall be awarded Grade F in a course with a grading scale or U in a course without a Grading Scale.

In the case of any non-serious disciplinary offense or if committing a first offense, the student may be refrained from being punished and is given a written warning.

Article 15. In case of committing a non-serious disciplinary offense, the Vice President who is responsible for student discipline, head of department, Director of the Student Dormitory Office, as the case occurred, shall be the assigned person who orders the punishment.

For serious disciplinary offenses, the President or Vice President who is assigned by the President shall order the punishment.

The disciplinary action for students under the age of eighteen must comply with the child protection law.

Section 2

Student Disciplinary Committee and Student Disciplinary Action

Part 1 Student Discipline Committee

Article 16. Disciplinary Committee will be assigned to supervise the discipline of the students as follows:

- (1) Chiang Mai University Student Discipline Committee
- (2) Student Disciplinary Committee of the Division
- (3) Student Dormitory Disciplinary Committee

Article 17. Chiang Mai University Student Discipline Committee appointed by the President, consisting of

- (1) Vice President who is responsible for student discipline Chairman
- (2) Assistant to the President who is responsible for
student disciplinary (if any) Committee
- (3) Expert in the field of law, student development,
psychology or specialized in children and youth counseling,
up to ten people. The term of office is 2 years each time. Committee

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| (4) Director of the Legal Division or his representative | Committee |
| (5) Director of the Student Development Division | Committee |
| (6) Head of Student Ethics and Disciplines Development Unit,
Student Development Division | Committee |

The President may appoint not more than two staff working in Student Ethics and Disciplines Development Unit, Student Development Division to be assistant secretaries.

Article 18. Chiang Mai University Student Discipline Committee have the following powers and duties:

- (1) Propose amendments to the regulations, rules, announcements or orders relating to student disciplinary matters to the University
- (2) Prepare rules and procedures for disciplinary investigations of students and propose them to the University;
- (3) Consider and propose any regulations, announcements, or orders relating to the affairs of student disciplinary matters without conflicting with these regulations
- (4) Propose guidelines and measures relating to the development of student disciplines
- (5) Consider and investigate the outcome of a serious disciplinary offense and propose appropriate and fair penalties for student disciplinary offenses to the University;
- (6) Control and supervise the investigation and consideration of disciplinary punishments of the student disciplinary committee or the working units and the Student Dormitory Discipline Committee in order to be in line with the standard of conduct and based on fair norms
- (7) Appoint a working group; or sub-committees to assist in performing tasks as necessary
- (8) Disseminate media to inform students and parents about the rules and regulations relating to student discipline, process and methods of disciplinary action, including the fundamental rights of students as well as the rights under the protection system that the university provides for students.
- (9) Perform other related duties or as assigned by the University.

Article 19. Student Disciplinary Committee appointed by the head of the department consisting of;

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| (1) Deputy head of department or
head of department assistant
responsible for student discipline. | Chairman |
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- (2) Professors or staff responsible for legal, psychological, social work within the department, up to five people.

The term of office is 2 years each time.

Committee

- (3) University staff responsible for student affairs and student quality improvement at departmental level

Committee
and secretary

Article 20. Student Disciplinary Committee have the following powers and duties:

- (1) Establish rules, regulations, announcements, or any orders relating to student discipline at the departmental level; to present to the university without contradicting or contrary to this regulation.
- (2) Propose guidelines and measures in relation to the development of student discipline at the departmental level.
- (3) Supervise the student behavior within the department in accordance with this regulation and under (1)
- (4) Conduct investigations or appoint an investigation committee; to consider and impose penalties and report the results to the university regarding disciplinary actions for the offenses as follows:
 - a. Non-serious cases – The affiliated department shall undertake every step, including penalties and reports to the university.
 - b. Severe cases - The affiliated department shall undertake every step and propose the penalty to the university for further consideration.
- (5) Perform other related acts or as assigned by the CMU's Student Disciplinary Committee or the University.

Article 21. Student Dormitory Discipline Committee appointed by the President, consisting

of

- (1) Director of the Student Dormitory Office

Chairman

- (2) Up to three student dormitory advisors;

The term of office is 2 years each time

Committee

- (3) Up to three parents of students staying in the student dormitories.

The term of office is 2 years each time

Committee

- (4) University staff responsible for student dormitory

Committee
and secretary

Article 22. The Student Dormitory Discipline Committee has the powers and duties as follows:

- (1) Establish rules, regulations, announcements, or any orders relating to student discipline at the departmental level; to present to the university without contradicting or contrary to this regulation.
- (2) Propose guidelines and measures relating to the development of discipline for students in the dormitory.
- (3) Supervise student behavior in the dormitory to be in accordance with this regulation and under (1).
- (4) Conduct investigations or appoint an investigation committee; to consider and impose penalties and report the results to the university regarding disciplinary actions for offenses as follows:
 - a. Non-serious cases - The student dormitory office shall under take every step, including penalties and reports to the university.
 - b. Severe cases, the student dormitory office shall under take every step and propose the penalty to the University for further consideration.
- (5) Perform other related acts or as assigned by the CMU's Student Disciplinary Committee or the University.

Article 23. The Student Ethics and Disciplines Development Unit, Student Development Division is responsible for giving advice to the Student Discipline Committee at the departmental level and to the Student Dormitory Discipline Committee in order to ensure the operation is efficient and accurate.

Part 2 Student Disciplinary Actions

Article 24. If the facts clearly show that any student behaves or commits a disciplinary offense which is a minor offense or is deemed an inappropriate behavior, the chairman of the Chiang Mai University Student Disciplinary Committee, Chairman of the Student Discipline Committee, Chairman of the Student Dormitory Discipline Committee, or an assigned person by the chairman, shall summon that student to give a warning to terminate or suspend their behavior and it shall be recorded in writing without appointing an inquiry committee and shall refrain from punishing the student.

Article 25. If it appears that there has been a disciplinary offense committed by any student against the university, department, student dormitory office or to the Disciplinary Committee of Chiang Mai University, Student Discipline Committee, Student Dormitory Discipline Committee and the process cannot proceed in accordance with Article 24, the Student Disciplinary Committee

of the Division or the Student Dormitory Disciplinary Committee, as the case may be, shall bring disciplinary action against that student.

If the offender under paragraph one is involved with several departments, Chiang Mai University Student Discipline Committee shall take disciplinary action.

Article 26. If the authority under Article 25 deems that the evidence is insufficient, a preliminary investigation committee may be appointed.

Article 27. The Student Disciplinary Committee of the departments, Student Dormitory Disciplinary Committee or the Investigation Committee, must complete the investigation within 45 days from the date that the Student Disciplinary Committee, Student Dormitory Discipline Committee acknowledges the student disciplinary offense(s) or the Appointing Order of the Investigation Committee, as the case may be.

If the investigation cannot be completed within the time limit under paragraph one, it may be extended for another 30 days. If not completed, the investigation period can be extended for another 15 days.

If the time period under paragraph two has been extended but the investigation has not been completed, then a request for an extension up to 15 days to the Chiang Mai University Student Discipline Committee is possible.

Article 28. Report the allegation together with a summary of evidence to the alleged student by making a letter indicating the behavior or actions in brief along with the alleged charges. Notification should be done individually. If the student is under 20 years of age as of the date of the allegation, a copy of the letter must be sent to their parent or guardian.

If the alleged student dodges or intentionally evades the reported allegations or does not cooperate in any way, it shall be recorded as part of the investigation report and shall comply with the Administrative Practices Act 1996.

Article 29. An investigation shall be conducted on the basis of independence and without bias and the investigation shall be conducted in accordance with the following fair standards:

- (1) Inform the name of the investigation committee and explain the steps of disciplinary action, including any objections to the Investigation Committee who may cause the investigation to be biased.
- (2) Inform the students' rights and duties in relation to the student disciplinary proceedings.

- (3) Inform the date, time and place; and the issues that the Investigation Committee will investigate.
- (4) Provide the opportunity for the alleged student to give statements or dispute the allegation by bringing various evidences including personal witnesses, documentary witnesses, or objectionable witnesses related to the allegation or action to be considered and investigated.
- (5) Provide the opportunity for the accused student to examine the specific documents pertaining to the disciplinary offense that the student is accused of. The potential impact on the safety of witnesses or the rights of third parties must also be taken into account.
- (6) Interrogation of students or witnesses must be recorded as evidence and signed by the person giving the testimony, including the investigation committee. In the case where the student or the witness does not sign, a record of the non-signing shall also be recorded.

Article 30. The Investigation Committee has the power to summon evidence in the possession of the person concerned or summon the person concerned to give testimony or go out to inspect the premises for consideration and investigation.

Article 31. Students accused of disciplinary offenses have the right to make a written statement and present all evidence to the Investigation Committee before the investigation is complete.

Article 32. When the investigation committee has finished collecting the evidence, it shall make an opinion and report the results and report of the investigation to the person with the authority to punish, for further consideration.

Article 33. An order of sanction shall consist of the facts, relevant rules, reasons for issuing the order, a time limit for appeal, and an appellate authority.

Article 34. When disciplinary action has been taken, the department, Student Dormitory Office, or the university shall notify the student(s) of their findings along with the time limit and the student's right to dispute an order or to appeal.

Chapter 3 Appeal

Part 1 Appeal Committee

Article 35. There shall be an Appeal Committee of five to seven members appointed by the University Council which consists of faculty members or staff working in the University or appointed experts in psychology, in the field of student development, law, or having expertise in

counseling children and youth as appropriate. The Director of the Student Development Division shall be the secretary and may appoint not more than two assistant secretaries for a term of 2 years each.

If the appeal committee has a conflict of interest with a student, where a committee member has accused the student or the student has been involved in disciplinary action in the past with committee members or there are other grounds that cause the consideration of the appeal to be biased and thus unable to consider and vote on the matter.

Article 36. Appeal Committee have the following powers and duties:

- (1) Establish rules and procedures for considering appeals to propose to the University
- (2) Consider the appeal against the punishment order, facts, rules, and appropriateness of the punishment and form a resolution:
 - a. If it is seen that the appeal is heard, there is a resolution to revoke the order or change the order.
 - b. If it is found that the appeal cannot be heard, there shall be a resolution to dismiss the appeal.
 - c. If it is found that the investigation is inaccurate or that any of the steps is incorrect, a resolution shall be taken to rectify the investigation.
- (3) Perform other related actions or as assigned by the university

The resolution of the committee shall be made by the vote of the majority. If the votes are equal, the chairman will be the judge. Once this is done, notify the university for further action.

Part 2 Appeal of Punishment Order

Article 37. An appeal against an order of sanction must be carried out by oneself only.

Article 38. Students who have been punished have the right to appeal to the Appeal Committee within 30 days from the date of acknowledgment of the punishment order and it must be made in writing with supporting reasons and submitted as a complaint to the Student Ethics and Disciplines Development Unit, Student Development Division and the Appeal Committee shall complete its consideration within 30 days from the date of receipt of the appeal letter. This may be extended for no more than 30 days with the approval of the President.

Article 39. The decision of the Appeal Committee is considered final.

Transitional Chapter

Article 40. In the event that a student commits a disciplinary violation or is accused of committing a disciplinary violation before the date this regulation comes into force and the disciplinary action has not been completed by the student or an appeal has been filed before this regulation comes into force, it shall proceed in accordance with the Chiang Mai University Regulations on Discipline and Student Disciplinary Action 2010 until completion unless any provision of this regulation is favorable to students, that provision shall be used instead.

Announced on December 21, 2021

(Signed) Kasem Watanachai

(Professor Emeritus Kasem Watanachai)

President of Chiang Mai University Council