

Rules for the consideration of non-academic misconduct

Effective date

February 22, 2022

Objective

Definition and consideration of non-academic misconduct

Terms

Non-academic misconduct

Rules

1. General Provisions

Non-academic offenses attempted or committed by students on the University grounds or during University-sponsored events are grounds for disciplinary action by the University. The University reserves the right, in spite of everything contained in this document, to refer any non-academic offense to the appropriate civil or criminal authority that the University deems appropriate.

2. Non-academic offenses

Non-academic offenses include:

- violation of the university's activities
- physical violence or dangerous activity that leads or is capable of leading to physical violence against a person or property
- written and/or verbal insults
- sexual harassment
- refusal to provide an identity card

3. Definitions of non-academic offenses

3.1 Violation of University activities violation of University activities includes, but is not limited to writing exams, tutoring, teaching, studying, research, administration and meetings.

3.2 Misappropriation, abuse or damage of university property includes:

- misappropriation or possession of misappropriated university property
- seizure of books or other library and audiovisual materials without proper permission
- damage or damage to books or other library materials
- intentional inappropriate use of resources or intentional deprivation of other University employees of property or access to resources.

3.3 Physical violence and dangerous activities include:

- actual physical violence or threat of physical violence against another person
- damage to another person's property deliberately make another person fear physical violence or fear damage to his/her property
- creating conditions that endanger or threaten the health, safety or well-being of other persons, or may cause damage to property

3.4 Written and/or verbal insults/harassment, includes the use by a student of threatening, obscene, obscene or racist expressions or expressions that are offensive in these circumstances, addressed to another student, teacher, employee or other employee of the University or any other person.

3.5 Sexual harassment includes:

- written and/or verbal insults or threats
- unwanted remarks, jokes, hints or ridicule
- demonstration of pornographic or other offensive or derogatory images
- jokes that cause embarrassment or embarrassment
- unwanted invitations or requests, whether direct, unambiguous or intimidating
- indecent gestures
- physical violence

3.5 Refusal to provide an identity card at the request of an official, an employee of the University in the course of performing their duties.

4. Disciplinary Action

Disciplinary punishment may include one or more of the following punishments:

- reprimand
- suspension from the lecture
- suspension from the exam
- deduction

5. Disciplinary procedures

5.1 Initiation of university proceedings

5.1.1 Initiation

Any person who has reason to believe that a student is guilty of non-academic misconduct may initiate university proceedings against the student by means of a statement signed by the applicant and submitted to NU.

5.2 Proceedings

5.2.1 Survey and investigation

The University will review the complaint and conduct an investigation. It may include interviewing relevant persons and obtaining other information relevant to the complaint.

5.2.2 The complaint will be rejected under the following circumstances:

- if the University believes that no university rule has been violated
- if the University considers the complaint frivolous or intentionally exaggerated
- if the University believes that an unjustifiably long time has passed since the incident
- if the University believes that the crime should be reported to the police or the relevant state authorities

5.2.3 Complaint rejection procedure

If the University refused to consider the complaint, this decision will be transmitted to the Secretary, who will notify the applicant in writing within 10 (ten) calendar days from the date of receipt of the complaint.

5.2.4 Procedure of actions

- If the University wishes to receive additional information, it should conduct further investigation, which it deems appropriate, including consideration of the issue with the student, provided that this is practically possible.
- After such an investigation, the University may reject the complaint or impose one or more penalties.
- When determining the appropriate punishment, the University may take into account the student's disciplinary record, if any.
- The University must provide the student with written notification of the decision, any penalty imposed and the right to appeal within twenty (20) calendar days from the date of receipt of the initial complaint.

Note: If the University does not take any action within the deadlines specified in this document, the student, after such deadlines, has the right to proceed to the next step: a direct appeal to the President of the University or to the Vice-President.

5.3 Appeal procedures

- A student or applicant may appeal against the University's decision to refuse to initiate a case by sending such notice of appeal in writing to the President or Vice-President of the University no later than ten (10) calendar days after receiving notification of the University's decision. The President or Vice President may, at his own discretion, accept the appeal.
- The notice of appeal must be in writing, signed in person or through an agent representing the applicant, and contain grounds for appeal. The appeal must relate to the University's decision, the establishment of guilt and/or the imposed punishment.
- If the applicant has hired a legal adviser, the Deputy President or Vice President of the University must be notified immediately.
- The President or Vice-President of the University may review the appeal and consider the matter in a way that he/she, in his/her sole discretion, deems appropriate, and may either support, reverse or amend the appealed decision.
- The President or Vice President will inform the appellant or his/her agent/representative/lawyer of his/her decision in writing within the period that the Deputy deems necessary in his/her sole discretion. The fine takes effect immediately after such notification. Any imposed or confirmed penalty shall take effect from the date specified in the written notification.

- The decisions of the President or Vice-President of the University are final and binding, and are not subject to appeal.

6. Student records and transcripts

Suspension imposed for disciplinary reasons must be indicated in the student's records and protocols for the entire period of suspension until the suspension is lifted. In case of expulsion, an entry must be made in the student's transcripts.

7. Suspension from a lecture or exam for destructive behavior

7.1 Suspension of a student from a lecture by a lecturer

- When a student interferes, disrupts, or otherwise interferes with group activities, the teacher may immediately suspend the student from the lecture. In each case, the teacher is obliged to notify the curator of the course and the program director before the next working day.
- If the behavior persists when the student is re-admitted to the class, the teacher may again immediately exclude the student from the class, and the teacher must initiate university proceedings against the student in accordance with the procedures described above. The exclusion of the student from the lecture will be valid until the program director makes a decision. If a student is reinstated by the decision of the Program Manager, such a decision does not cancel the previous actions of the teacher. The University is not legally responsible for the lost time of classes. The program manager must inform the student of his decision in writing within 5 (five) calendar days from the date of the last exclusion.
- The student can appeal the decision of the Program Manager, as indicated below. The student must not be admitted to the classroom without the written permission of the Program Manager until the appeal is considered and a decision is made.
- Within five (5) calendar days from the date of receipt of the appeal, the Program Manager must provide the student with a written notification of the decision, any fine imposed and the deadline for filing an appeal to the President or Vice President of the University in ten (10) calendar days.
- The student (hereinafter referred to as the applicant of the appeal) must submit a written appeal to the President or Vice-President of the University within 10 (ten) calendar days after the decision was made or is considered to have been made to the applicant of the appeal.

- The President or Vice President will consider the appeal and the issue in such a way that he/she, at his/her sole discretion, deems appropriate, and can either support, cancel or change the appealed decision. If the decision against the applicant remains in force, the President and Vice-President of the University can also confirm, change, extend or suspend the originally imposed suspension from lectures.
- The President or Vice-President of the University will inform the applicant of the appeal or his/her agent/representative/lawyer in writing within 10 (ten) calendar days from the date of receipt of the appeal or for such a longer period as the President and Vice-President of the University deem necessary at his/her own discretion.
- The decisions of the President and Vice-President of the University are final and binding, and they are not subject to appeal.

7.2 Suspension of a student from the exam:

- When a student interferes or otherwise interferes with examination activities, the exam supervisor may immediately suspend the student from the exam. The examiner should inform the student that he/she may ask to write another version of the exam later.
- The examiner is obliged to notify the student, the University, the course manager and the program manager of the suspension before the next working day.
- A student who believes that he/she has been treated unfairly can file a complaint with the program manager. The decision of the program manager, as well as the President and Vice President of the University, in case of appeal, does not cancel the previous actions of the examiner.
- The program manager must inform the student of his decision in writing within 10 (ten) calendar days from the date of receipt of the complaint.
- In this case, the University is not legally responsible for any period of validity of the training contract or loss of credit.
- The student may appeal the decision of the program manager by following the same procedures described in section 5.3 of the Appeal Procedure under these rules.

8. Freedom of information and protection of privacy

The use and disclosure of personal information will be carried out only in accordance with the Nairi University Privacy Policy.