

STUDENT CODE OF NON – ACADEMIC CONDUCT

The Student Code of Non-Academic Conduct reflects the university expectation that all students will follow generally accepted norms of behavior, University policies and procedures, state norms and regulations. The Code outlines examples of misconduct (both on and off campus) for misconduct against persons, university and community members' property, committing offenses, alcohol, drugs, assaults and/or weapons, etc.

All members of the KIMEP University community are required to give true and accurate testimony during any of the procedures listed below. Giving false or misleading testimony to an officer of KIMEP University who is investigating a complaint, or to any official body that is judging a complaint may result in disciplinary action. (Faculty or Employee misconduct cases are reviewed in accordance with Faculty Code of Practice and Employees Hand Book).

Violations of published laws; policies or rules and regulations may subject violators to appropriate disciplinary action by KIMEP University authorities. All non-academic misconduct cases shall be reported to the Student Affairs office.

The following procedures comprise the conduct process:

- **Complaint Reported.** Complaints should be reported in writing and registered in the SA Office.
- **Case review.** This step includes a review of the alleged violation(s) and the associated information and evidence by AVPSA. These include the report, explanatory note from a student named in the complaint, witness statements if any, other evidence of misconduct. If it is determined that the case has merit, the process will move forward to the next step. If it is determined that the case does not have merit the AVPSA and SA Executive Director will meet with the complaining party and explain why the complaint will not be pursued.
- **An administrative resolution** will be attempted between the two parties. This process will allow the students to admit responsibility for violation(s) of the Code and accept the sanctions. This step may happen only in case of a minor misconduct.

Disciplinary Hearings

The Student Affairs Disciplinary Committee mandate and membership

The Student Affairs Disciplinary Committee has the jurisdiction to investigate any non- academic student violations of rules and regulations of the institution.

The Student Affairs Disciplinary Committee members shall be one faculty member from each College/School, nominated by the Dean, one KSA representative and the Executive Director of Student Affairs. The Executive Director of Student Affairs shall be a chair of the committee.

In instances where non-academic offenses are of a severe and sensitive nature, including but not limited to sexual, racial or ethnic harassment, and could potentially have a significant impact on the well-being of the university community or its members, the Student Affairs Disciplinary Committee **may convoke without the inclusion of student.**

If a member of this committee is involved in the disciplinary action as either the initiator or alleged violator, then he/she will be replaced by an alternative representative, chosen by the corresponding College Dean/Unit Head/KSA President.

Eligibility Criteria for Membership:

Members of the Student Affairs Disciplinary Committee shall be selected based on their expertise, impartiality, and commitment to upholding the university's values. Faculty, staff members and student chosen to serve on the committee shall demonstrate knowledge of the university's policies and procedures, as well as a willingness to engage constructively in disciplinary proceedings. Student members shall be in good academic standing and have a demonstrated record of responsible conduct.

The members of the committee shall not have any contacts with an alleged student, his/her relatives or any other advocates before, during and after the hearings.

2. Voting Procedure and Use of Proxy Voting

The voting procedure for the Student Affairs Disciplinary Committee involves all eligible committee members participating in person or virtually during deliberations. Each member is expected to review the case materials, engage in thoughtful discussions, and cast their vote based on their assessment of the evidence and relevant policies.

Student Affairs Disciplinary Committee members shall use one of the three distinct types of votes for each case:

- a. "in favor" vote - indicates the committee member's endorsement of a proposed course of action or decision. It reflects the member's agreement with the presented evidence, policies, and arguments, indicating their support for the resolution under consideration.
- b. "oppose" vote - signifies dissent and opposition to the proposed course of action or decision. This vote underscores the committee member's disagreement with the presented information and suggested resolution.
- c. "abstain" vote - committee members choose not to cast a vote either in favor or against the proposed resolution.

Use of Proxy:

Proxy voting, which involves one committee member voting on behalf of another. The use of proxy voting raises concerns about the authenticity of the vote and the representation of the absent member's perspective.

Considering the potential challenges associated with proxy voting, **its use within the Student Affairs Disciplinary Committee should not be practiced.**

3. Confidentiality of Voting

The Student Affairs Disciplinary Committee recognizes the importance of maintaining the confidentiality of voting. Confidentiality is upheld as a fundamental principle in the committee's decision-making process. All committee members should sign "confidentiality agreement" and are expected to uphold the confidentiality of discussions, votes, and any related information related to the cases under review.

Any breach of confidentiality shall lead to disciplinary actions against a committee member and hearing results reassessed.

Modes of Voting:

The policy acknowledges that different cases may require distinct modes of voting to best serve the interests of fairness and justice. Two primary modes of voting are outlined: confidential voting and open voting.

a. Confidential Voting: In cases where the nature and severity of the offense demand a higher level of sensitivity and protection of involved parties' privacy, confidential voting will be prescribed.

b. Open voting: Open voting is employed in cases that typically involve non-academic offenses that are less severe and do not involve issues of personal privacy or vulnerability.

Balancing Considerations: The decision to implement open voting is balanced against the need to respect the privacy and rights of all parties involved. The decision to implement either confidential or open voting is at the discretion of the committee chair.

Procedure

1. The student(s) named in the complaint will be invited to attend a meeting of the SADC in most cases three days in advance. Exceptions to this policy may occur if an emergency situation exists.

The student(s) have to appear at this meeting. Failure to do so without giving advance notice of extenuating circumstances is taken as an admission of guilt.

2. The SADC will hear from both sides in the question. The person(s) facing the complaint and those bringing the complaint will then be asked to leave the room while the SADC makes a recommendation.

A simple majority constitutes a decision. The Chairperson has the casting vote in the event of a tie.

3. The recommendation is submitted to the Vice President of Students Affairs and after her/his review a decision is made within 3 working days.
4. If the committee does not recommend suspension or dismissal, the AVPSA issues a reprimand letter and passes it to the student. Once the reprimand letter is received, the decision must be immediately obeyed. Failure to do this will open the person penalized to further disciplinary action.
5. If the committee recommends suspension or dismissal, the AVPSA passes the report to the office of Provost and General Deputy to the President within one working day (if the procedure was violated or not all documents were presented, the report would be submitted once the pack is ready) of the decision of the SADC.
6. The Provost and General Deputy to the President will create a university ad hoc disciplinary committee to review the case and make a decision. The committee members shall be Law School faculty member, KIMEP U Senior Legal Advisor and Director of the Registrar Office.

The person(s) about whom the complaint was lodged is then notified in writing within five working days of the Committee decision after signing the minutes of the committee hearings.

7. All appeals must be submitted to the senior management disciplinary committee within one week once a dismissal/suspension letter is received and signed by a student. The decision of this Committee is final.

Actions of the committee

The SADC may recommend one of, or a combination of, the following:

Dismissal

The student is told to leave campus and not allowed to return to KIMEP University. Any degree candidacy or academic standing is automatically nullified. The student is forbidden to enter KIMEP University buildings and premises.

Suspension

The student is told to leave KIMEP University for a period deemed appropriate for the offense. During this time the student is forbidden to enter KIMEP University buildings and premises.

Disciplinary Probation

Disciplinary probation is a formal warning to a student that their conduct is unsatisfactory. A record of the probation is placed in the student's academic file. Any further violations of the discipline code will result in automatic suspension or dismissal from KIMEP University.

Reprimand letter is an official document that can be issued by the AVPSA to a student for behavioral misconduct. It serves as a formal warning and is used to inform the student that his/her actions are not acceptable and must be corrected.

The letter should include clear details about what the behavior was and any consequences that may result from future occurrences.

Mandatory Counseling There are circumstances where the Committee may feel that the student should have consultation(s) with a mental-healthcare professional before the student can be reintegrated into the KIMEP University academic community. Records of such consultations are entirely confidential.

Community Service/Work Experience

The student is asked to perform a specified number of hours of volunteer work, either at KIMEP University or in the wider community. In certain circumstances, the Committee may require that the student find regular paid employment and demonstrate a period of time working in that job.

Monetary Compensation for Damages from the Student

In cases where property has been damaged (E.g. computers, software, fixtures etc.), the Committee may offer the student an opportunity to compensate KIMEP University for the damage caused. In case of serious damage, the Committee may impose either suspension or expulsion, or recommend that KIMEP University sue the student in a civil court action to recover the cost of the damages.

Examples of Misconduct

I. Severe Behavioral Misconduct that leads to immediate Suspension and likely Dismissal


	Behavioral Misconduct Includes:	Normal sanction
1	Physically Assaulting Another Student or Faculty/Staff Member or visitor with a Weapon (knife, bat, traumatic gun)	Suspension and probability of permanent dismissal from KIMEP University
2	Physically Fighting or Displaying Physical Aggressiveness & Contact Towards Faculty or staff member or visitor	Suspension and probability of permanent dismissal from KIMEP University
3	Being identified as dealer and/or provider of drugs on campus	Suspension and probability of permanent dismissal from KIMEP University
4	Unlawful Possession of Substances on Campus (drugs)	Suspension and probability of permanent dismissal from KIMEP University
5	Sexual Harassment/Assault	Suspension and probability of permanent dismissal from KIMEP University
6	Threatening bodily harm to another person with a knife, firearm, club, or another object that could be construed as a weapon.	Suspension and probability of permanent dismissal from KIMEP University
7	Theft of KIMEP U, students, faculty or staff property	Suspension and probability of permanent dismissal from KIMEP University
8	Hazing	Suspension and probability of permanent dismissal from KIMEP University
9	Falsification of official documents	Suspension and probability of permanent dismissal from KIMEP University
10	Physically Fighting or Displaying Physical Aggressiveness & Contact Towards Another Student	1 st Offense: suspension and Mandatory Counseling 2 nd Offense: Permanent Dismissal from KIMEP University
11	Undermining the KIMEP U reputation while studying in a partner university (any reported academic misconduct should be referred to the college; non-academic misconduct to SADC)	1 st Offense: suspension and Mandatory Counseling 2 nd Offense: Permanent Dismissal from KIMEP University

II. Behavioral Misconduct that leads to Disciplinary Probation and after 2nd offense to Dismissal

1	Verbally threatening /using abusive language /discrimination of any aspects towards another student or faculty/staff member with harmful intent	1 st Offense: Disciplinary Probation & Mandatory Counseling 2 nd Offense: suspension and probability of Dismissal from KIMEP University
2	Groundless accusation	1 st Offense: Disciplinary Probation and Mandatory Counseling 2 nd Offense: suspension and probability of Permanent Dismissal from KIMEP University
3	Being found in possession of any kind of weapon (For example: a knife, firearm, or club).	1 st Offense: Disciplinary Probation and Mandatory Counseling 2 nd Offense: suspension and probability of Permanent Dismissal from KIMEP University
4	Alcohol Intoxication/Possession Unlawful Substances on Campus	1 st Offense: Immediate confiscation of the substance by security personnel. Disciplinary Probation and Mandatory Counseling 2 nd Offense: suspension and probability of permanent dismissal.
5	Smoking is banned at KIMEP University (cigarettes, electronic cigarettes, water pipes etc.). Violating the smoking policy anywhere at KIMEP University Campus is prohibited.	Immediate confiscation of cigarettes by security personnel 1 st Offense: Disciplinary Probation 2 nd Offense: Mandatory Counseling and community service 3 rd offense: suspension and probability of permanent dismissal.
6	Vandalism or deliberate damage to KIMEP University property or the property of other individuals	1 st Offense: Disciplinary Probation 2 nd Offense: Suspension or Dismissal
7	Offensive behavior in the classroom or corridors of the university (For example: spitting, shouting, offensive behavior towards classmates/faculty members along with ethnic, religious or racial slurs, etc.)	1 st Offense: Disciplinary Probation and Mandatory Counseling 2 nd Offense: Suspension or Dismissal

8	Littering On Campus Grounds (This would include the improper disposal of cigarette butts, chewing gum, and other trash, etc.)	1st Offense: Official reprimand letter 2nd Offense: Community Service 3rd Offense: Suspension or Dismissal
9	The playing of cards for the purpose of gambling and/or gambling on campus grounds	1st Offense: immediate confiscation of cards by KIMEP University Official and Official reprimand letter 2nd Offense: Disciplinary Probation and Mandatory Counseling 3rd Offense: Suspension or Dismissal

Note: For other actions, which are not specified in the list above will also be subject to Disciplinary Committee penalties.

Dr. Barnett, Provost and General Deputy to the President 

Dr. Riviez, Vice President of Academic Affairs _____

Mr. Fidirko, Vice President for Finance  Pending Decision.

Date: _____  & 