

Zhejiang University Regulations for Dealing with Student Disciplinary Offences

(Revised in Dec. 2009)

Chapter One General Principles

I. In order to maintain good education order and an optimal living and learning environment, to create a harmonious campus and to inculcate in students self-discipline and conformity to laws and regulations, the regulations are formulated herein by Zhejiang University in accordance with the “Higher Education Law of the People's Republic of China”, the “Code of Conduct for University Students” and “Regulations for University Student Management”, as well as the practicalities at Zhejiang University.

II. The Regulations are applicable to registered full-time undergraduate and graduate students of Zhejiang University. Disciplinary actions concerning students of other types shall be imposed with reference to this document.

III. To impose disciplinary actions, the university shall strictly follow legitimate procedures, collect adequate evidence, seek accuracy in determining the nature and seriousness of an offence and appropriateness in making decisions. Principles to be followed in dealing with students disciplinary offences also include justice, openness and fairness; combining punishment with education; ensuring students' right to appeal.

Chapter Two Types of Disciplinary Actions and their Applicability

IV. Types of Disciplinary Actions:

- (I) Warning;
- (II) Serious Warning;
- (III) Demerit;
- (IV) Probation;
- (V) Expulsion.

V. More severe actions shall be imposed for cases that fall into any of the following

categories:

- (I) Deliberate hampering of investigation or obstructing the collection of evidence;
- (II) Over two disciplinary offences have been committed by a single individual;
- (III) Having previous experience of receiving punitive actions at the university;
- (IV) Threatening or taking revenge on someone who gives the information about the offence or serves as witnesses, investigators, etc.;
- (V) Play a leading role in a group disciplinary offence;
- (VI) Organizing group disciplinary offences;
- (VII) Offences with extraordinarily severe consequences.

VI. Mild actions will be taken for the following cases:

- (I) Offences that are not actually committed;
- (II) During investigation, the offender tells the facts about the offence truthfully and shows deep regret for the offence.

VII. More lenient actions shall be taken for cases that fall into any of the following categories:

- (I) Voluntarily informing the university department about one's own offence, or voluntarily providing facts about one's own offence that are not yet known to the university department during investigation;
- (II) Voluntarily providing truthful facts about others' offences unknown to the university;
- (III) Voluntarily stopping misconducts or taking measures to mitigate the consequences of the offence;
- (IV) Committing offences as a result of others' threat or inveiglement.

VIII. If a student is verified by legal procedures to have committed an offence when he/she was not able to identify or control his/her own behavior, he/she will not face disciplinary actions. But such students will be told to suspend or withdraw from normal studies in accordance with relevant regulations on students' status management. If a student has committed an offence when he/she was not able to totally identify or control his/her own behavior, he/she will receive mild or light

punitive actions.

IX. Additional limitations for students who commit offences.

(I) Not be allowed to apply for state loan, scholarship or any honorary titles.

(II) Cancel the scholarship for those who even has successfully applied for.

(III) For those who received punitive actions of expulsion, the student needs to leave the university in specified time with the study certificate while the residential materials will be send back to the student's native place according to the Ministry of Education.

Chapter Three Disciplinary Offences and Punitive Actions

X. Violations of basic constitutional principles; organizing, planning and stirring up trouble or disturbing social order; threatening national security; organizing unlawful assemblies or demonstrations; joining in illegal organizations and engaging in their illegal activities; illegal religious mission or mis-using religions to disrupt social order, harm people's health, interfere with the national education system; subverting stability and unity.

Students who have committed the above -mentioned offences shall face punitive actions as explained in the following (I) and (II) respectively:

(I) Students who have committed minor offences shall be given a Demerit or be put on Probation;

(II) Students who have committed serious offences with grave consequences or have committed repeated offences with no intention to change shall be expelled from the university.

XI. Punitive Actions for those who have violated laws and therefore been prosecuted for criminal liability or those who have been punished for disturbing public security:

(I) For students who have been given a Warning or those who have been told to pay a Fine by the Public Security, a "Serious Warning" or above shall be given according to the severity of the offence;

(II) For students that are held in custody for violating public security rules or those who have committed criminal offences but have been exempted from criminal

penalties, a Demerit record or above shall be filed;

(III) For students sentenced by the judicial authority to restriction of freedom, detention or subjected to accessory punishment, or sentenced to the fix term imprisonment with reprieve, punitive actions of Probation or Expulsion shall be imposed; for students sentenced to the fix-term imprisonment and above, the action of Expulsion shall be imposed.

For students who have already been punished by the university prior to his or her prosecution for criminal liability or penalties for violating public security rules for the same offence, and if the punitive actions taken by the university needs to be adjusted for being obviously too lenient or severe, the original punitive actions shall be withdrawn and new ones shall be imposed according to the relevant provisions of this document.

XII. Students who do harm to the development of harmonious campuses or disrupt social order shall be subject to following punitive actions based on the severity of their offences:

(I) For damaging public utilities, lawns, public sanitation or any other violations of the university 's regulations on the management of public locations, punitive actions to be imposed shall range from Warning to Probation;

(II) For unauthorized use of electricity, fire, hazardous equipment or any other behavior that is likely to threaten public safety, punitive actions to be imposed shall range from Warning to Probation;

(III) For deliberately hindering university staff from exercising their duties punitive actions to be imposed shall range from Serious Warning to Probation;

(IV) For causing disturbances, throwing and smashing objects on university premises or any other actions that severely disrupt others' studies or life, punitive actions to be imposed shall range from Serious Warning to Probation;

(V) For causing disturbances after excessive drinking, punitive actions to be imposed shall range from Warning to Probation based on the severity of the offence;

(VI) For making public or university emergency calls for malicious purposes, punitive actions to be imposed shall range from Warning to Probation;

(VII) For making up and spreading rumors or fabricating information, making false statements, distorting facts and the like, punitive actions to be imposed shall range from Warning to Probation;

(VIII) For taking objects prohibited by China's laws into the university, storing or using on campus without authorization highly toxic, inflammable, explosive, corrosive, radioactive, contagious, bacteria/virus materials or any other objects prohibited by China's laws, punitive actions to be imposed shall range from Warning to Probation;

(IX) For violation of dormitory regulations, staying over in the dormitory of the opposite sex, letting outsiders and students of the opposite sex linger or stay in the dormitory, punishment will range from Warning to Serious Warning;

(X) For any violations of the university moral standards, punitive actions to be imposed shall range from Warning to Probation.

XIII. For organizing profit -making activities or setting up unauthorized stalls on university premises:

(I) For organizing tourism business or serving as travel agencies without permission from the university, the punitive action to be imposed shall be Warning or Serious Warning; for activities like this that have caused disturbance or with severe consequences, the punitive actions shall be Demerit and Probation respectively;

(II) For setting up stalls or organizing profit-making activities without the university's permission, punitive actions shall be Warning or Serious Warning; for repeated offences or those activities with severe consequences, Demerit or Probation;

(III) For posting or distributing commercial promotional materials without permission, punitive actions shall range from Warning to Demerit if the offender does not follow the dissuasion of the university staff and stop the activities.

XIV. Punitive actions to be imposed for illegally taking for possession public or personal property by any means:

(I) For stealing property worth less than RMB 600 yuan, the punitive actions shall be Warning or Serious Warning; for stealing property worth more than RMB 600 yuan but less than RMB 2000 yuan, the actions shall be Demerit; for such offences

involving more than RMB 2000 yuan, the actions shall be Probation and above;

(II) For swindling public or personal property worth less than RMB 4000 yuan, illegally taking for possession public or personal property worth less than RMB 15000 yuan, snatching public or personal property worth less than RMB 600 yuan, extorting public or personal property worth less than RMB 4000 yuan, punitive actions shall range from Warning to Probation;

(III) For stealing official seals, confidential documents, files and the like, the punitive action shall be Probation or Expulsion, depending on the severity of the offence;

(IV) For illegally taking for possession rightful public or personal property by any means, punitive actions shall range from Warning to Probation, depending on the severity of the offence.

For providing information, assistance or tools for disciplinary offences, covering up facts of the offences, or hiding stolen goods for others, punitive actions shall range from Warning to Probation.

XV. For damage done to public or private properties:

(I) For unintentionally doing rather severe damage to public or personal property, the punitive action shall be Warning or Serious Warning in addition to compensation for the losses;

(II) For deliberately damaging public or personal property, the punitive actions shall range from Warning to Demerit in addition to compensation for the losses depending on the severity of the offence and the damage caused;

(III) For severe offences with grave consequences, the punitive action shall be Probation or Expulsion.

XVI. For causing disturbances, assaulting and physical fighting:

(I) For provoking others through verbal insults or other methods into physical fighting, the punitive action shall be Warning;

(II) For assaulting others with no or slight injuries, the punitive action shall be Serious Warning or Demerit; for assaults causing minor injuries, Probation; for those causing serious injuries, Expulsion;

(III) For plotting, instigating physical fights with no consequences, the punitive action shall be Serious Warning or Demerit; if with consequences, the punitive action shall be Demerit or Probation depending on the severity of the offence;

(IV) For providing others with fighting tools, if no injury is caused, the punitive action shall be Serious Warning or Demerit; if any injury is caused, Probation;

(V) For other types of involvement in offences of physical fighting, the punitive actions shall range from Warning to Demerit depending on the severity of the offences.

Severe punitive actions shall be imposed for group physical fights.

XVII. For gambling or disguised gambling, or providing places, fund, or devices for gambling, the punitive actions for the first offence shall range from Warning to Demerit; for repeated offences Probation or Expulsion.

XVIII. For creating, copying, spreading pornographic, superstitious and other harmful materials or organizing group showing of such materials, punitive actions shall range from Serious Warning to Probation depending on the severity of the offence.

XIX. For drug abuse, punitive actions shall be Probation or Expulsion depending on the severity of the offence.

XX. For unmarried sex behavior which results in negative effects, punitive actions, demerit or probation, shall be taken. For violating the national population and family planning laws and Zhejiang Province population and family planning regulations, punitive actions shall range from Demerit to Expulsion depending on the severity of the offence.

XXI. For violation of state or school fire control laws and regulations, or unauthorized use or damaging of fire-fighting equipment, punitive actions of Warning or Serious Warning shall be imposed in addition to compensation for the losses; for such offences that cause a fire alarm, Demerit or Probation shall be imposed in addition to compensation for the losses; for such offences that cause a fire, Probation or Expulsion shall be imposed in addition of compensation for the losses.

XXII. For violating, damaging others' legitimate interest and personal safety; doing

damage to China's national or collective interest:

(I) For unauthorized use of the identities of organizations or other individuals for personal interest:

1. For unauthorized use of the identities of organizations or other individuals for one's personal interest, punitive actions shall range between Serious Warning and Probation in addition to compensation for the losses;

2. For unauthorized use of others' identities to claim their money or properties, punitive actions of Demerit or Probation shall be imposed in addition to the return of the money or property that has been claimed;

(II) For forging and selling certificates, seals and supporting documents or materials, or using other illegitimate methods for one's personal interest, punitive actions shall be Serious Warning or Demerit; for severe offences, Probation or Expulsion;

(III) For maliciously harassing, intimidating, threatening others, punitive actions shall range from Serious Warning to Probation;

(IV) For malicious insults, calumnies, framing or false accusations aimed to damage others' reputations, punitive actions shall range from Serious Warning to Probation;

(V) For concealing, intercepting, destroying or opening other's letters or telegrams with no authorization, punitive actions shall range from Serious Warning to Probation;

(VI) For revealing state and school secrets, punitive actions shall range from Serious Warning to Probation.

XXIII. Network Offences:

(I) For unauthorized use of others' network account and/or passwords, punitive actions shall range from Warning to Demerit depending on the severity of the offences;

(II) For using university network to seek illegal gains, punitive actions shall be Serious Warning or Demerit;

(III) For deliberately creating and spreading computer viruses, spamming emails, the punitive action shall be Serious Warning or Demerit;

(IV) For deliberately insulting or calumniating others or releasing others' private

matters over the net, punitive actions shall range from Serious Warning to Probation;

(V) For instigating unlawful demonstrations or assemblies via network and the like, the punitive action shall be Warning or Serious Warning; for such offences with severe consequences, punitive actions shall be Demerit or Probation;

(VI) For damaging the safety system of the university network, attacking or damaging the service facilities of the public network, accessing the network system without authorization, stealing or falsifying data, or doing damage to the public information system, the punitive action shall be Probation; for such offences with destructive effects on the network or the management system, Expulsion.

XXIV. Perjurer:

(I) For providing false or misleading testimony as a witness of an offence to cause complications for the investigation, punitive actions shall range from Warning to Demerit;

(II) For deliberately providing false or misleading testimony as a participant in an offence, severe punitive actions shall be imposed.

XXV. For offences including violations of the education regulations, absenteeism, or leaving the school without permission or evading the educational practice arrangement without authorization, the following rules on punitive actions shall be followed:

(I) For the time of offence totaling between 3 days and 1 week, the punitive action to be imposed shall be Warning;

(II) For that totaling between 1 and 2 weeks, Serious Warning;

(III) For that totaling between 2 and 3 weeks, Demerit;

(IV) For that totaling over 3 weeks, Probation.

XXVI. For violations of examination regulations:

(I) Behavior that falls into any of the following categories shall be deemed as violations of examination regulations, for which the punitive action to be imposed shall be Warning or Serious Warning depending on the severity of the violations:

1. Carrying into examination locations objects irrelevant to the exams without placing them in the designated places;

2. Failure to follow the seating arrangement when taking the exam;
3. Starting to do the test before the starting signal is given or continuing to do it after the ending signal is given;
4. Side-glance, whispering, signaling and gesticulating during the exam;
5. Making noises at the prohibited area of the examination location and disrupting the exam order;
6. Leaving the examination location during the exam without the supervisors' permission;
7. Taking exam papers, answer sheets, scratch paper, etc. out of the examination location;
8. Answering with pen or paper that are not allowed by regulations; writing the names, exam numbers in areas on the exam paper that are not allowed by regulations, or making other message-carrying marks on the answer sheet;
9. Taking forbidden materials or tools into the examination location during an open-book exam;
10. Other behavior in violation of examination regulations that are not deemed as cheating.

(II) Behavior that falls into any of the following categories shall be deemed as cheating, for which the punitive action of Demerit shall be imposed:

1. Taking exam-related text materials or electronic devices stored with exam-related information into the location for a close-book exam;
2. Writing any exam-related words or making any exam-related symbols on the exam desk or one's body;
3. Unauthorized use of electronic or communication devices;
4. Copying other's paper or exam-related materials;
5. Deliberately letting others copy one's own exam paper or exam-related materials;
6. Comparing each other's answers, or passing notes, exam papers, answer sheets and scratch papers without the supervisors' permission of instruction;
7. Snatching or stealing other's exam papers or answer sheets, or forcing others to

provide convenience for copying;

8. Leaving examination location temporarily for the purpose of obtaining answers;
9. Giving all answers exactly the same as those on the answer sheet of another examinee during the same course examination in the same location;
10. Cheating by any other means.

(III) Any of the following behaviors should be deemed as cheating, punishment will be Probation or Expulsion depending on the severity of the offence: Behavior that falls into any of the following categories shall be deemed as cheating, for which the punitive action of Probation or Expulsion shall be imposed depending on the severity of the offences:

1. Using communication equipment or other devices to send and receive exam-related data;
2. Taking an exam in another person's name or having one's own exam taken by someone else;
3. Organizing cheating;
4. Stealing exam papers;
5. Falsifying scores;
6. Having violated exam regulations or committed cheating for over two times.

XXVII. Misconduct in scientific research shall be punished with the following rules: for slight violation of the research norm, the punitive action to be imposed shall be Serious Warning; for minor violations, Demerit or Probation; for serious violations, Expulsion.

XXVIII. For repeated violation of university regulations, the punitive action to be imposed shall be Expulsion if previous disciplinary actions imposed on the offender have proved no effect.

XXIX. The duration of Probation shall be 6 months or 1 year. Students on probation can have the punitive action removed when the probation period is over if they show significant improvement during the probation; they may also have their Probation status cancelled ahead of the schedule if they perform extremely well during probation. Students on probation continue to violate the same university regulations or

commit other offences shall be expelled. Graduating students with less than 6 months before graduation shall have the punitive action of Demerit imposed on them instead of Probation, even though the latter is more appropriate for the offence. Such graduating students shall not be granted diplomas, but a Course-Completion Certificate shall be given to them. (If the student has significant improvement or perform extremely well in the year after obtaining employment, he/she can be granted a Diploma with the employer's verification and the university's approval).

Chapter Four Administrative Authority for Disciplinary Actions and Relevant Procedures

XXX. Generally, if a student commits a disciplinary offence, the school/college he/she is affiliated to shall be in charge of admonishing and educating him/her and proposing relevant punitive actions. Such Proposals involving undergraduate students shall be submitted to the Undergraduate School for verification, and those involving graduate students shall be submitted to the Graduate School for verification.

For violations of the “Law of the People's Republic of China on Public Security Administration Punishments” or China's criminal laws, the university's Security Department shall be responsible for contacting the public security and judicial organs, assisting and cooperating with them to ascertain facts, as well as filling the Material Transference Form and passing the result of investigation and procedures from public security and judicial organs on to the Undergraduate School or Graduate School of the university;

Violations of education or examination regulations involving undergraduate students shall be handled by the Undergraduate School, which will work together with the school/department that the students are affiliated to in verifying the facts and then make proposals for disciplinary actions; such violations involving graduate students shall be handled by the Graduate School, which will work together with the school/department that the students are affiliated to in verifying the facts and then make proposals for disciplinary actions;

Violations of dormitory rules shall be handled by the university Dormitory

management Office, which shall verify the facts and make proposals for disciplinary actions. Such proposals shall be reviewed and approved by the Undergraduate School or Graduate School;

For special cases, the Undergraduate School or Graduate School shall propose disciplinary actions directly.

XXXI. For disciplinary offences that involve students from different schools/departments, the Undergraduate School or Graduate School shall assemble discussions with heads of the schools/departments concerned for proposals to deal with the offences in accordance with the regulations of this document. Based on the proposals, the schools/departments shall submit suggestions of punitive actions following the regulated procedures.

XXXII. Once the student's disciplinary offence has been ascertained, the school/department that the student is affiliated to shall submit the proposal for punitive actions to the Undergraduate School or Graduate School for review within 1 week.

XXXIII. The university shall listen to the student or his/her agent's description of facts and defense before imposing punitive actions. Students have the full right to defend themselves. For Probation and Expulsion, the university shall notify the students concerned of the right to apply for a hearing before the punitive actions are imposed. Students who wish to have a hearing must submit application to the University Hearing Committee for the hearing, which shall be organized following the regulations of “Zhejiang University Hearing System Implementation Procedures (Trial)”.

XXXIV. After reviewing the relevant materials, the Undergraduate School or Graduate School shall draft out documents for disciplinary actions, which are to be signed by the president of the university in charge. Decisions on Expulsion shall be made by the Presidents Meeting.

XXXV. Once decisions on disciplinary actions are made, the university shall publicize them in proper ways within the university. The documents for imposing the actions shall be in triplicate, one for the student, one for the school/department that

the student is affiliated to, and still another one for the university's file keeping. The student must sign the delivery notice upon receiving the document. Refusal to sign it shall be recorded on file by the document delivery personnel. The school/department that the student is affiliated to shall give an appropriate admonitory education to the student after receiving the document. If the document cannot reach the student concerned, the university shall publicize it as a substitute for delivery.

XXXVI. Documents for disciplinary actions shall be recorded truthfully in the University Administrative files in its entirety. Upon receiving the document, if the student concerned has any objection to it, he/she can lodge an appeal to the University Student Appeals Administration Committee within 5 work days; if the document cannot reach the student, the 5-day limit shall start at the end of the document publicizing period. The University Student Appeals Administration Committee shall give a written reply to the student within 15 work days after receiving the appeal. The Committee shall verify the student's appeal and then decide if the appeal is to be accepted. For accepted appeals, the Committee shall re-investigate the case and give a reply. Specific procedures for processing appeals are to be found in "Zhejiang University Regulations on Processing Student Appeal"(Z.U.P.S. (2004) No.21).

XXXVII. Upon receiving the document about the result of re-investigation, if the student concerned has any objection to it, he/she can lodge a written appeal to Department of Education of Zhejiang Province within 15 work days.

XXXVIII. Expulsion documents should be reported to Department of Education of Zhejiang Province.

XXXIX. The student can lodge an appeal before graduation if he/she concerned shows his/her repentance after the punishment and behaves well all the time. The related schools/departments may provide a written review involving the differences before and after the punishment according to the approval procedure of disciplinary. The review material is recorded in the student file. For the student who has been imposed punishment of probation, if he/she met the condition subsequent of the part XXX, he/she can apply for removing the punishment. The submitting procedure for removal should be the same with the submitting procedures for general punishment.

The removal document should be recorded together with the original disciplinary document in the student file.

Chapter Five Supplementary Provisions

XXXX. For any “more than”, “less than”, “above”, “below” and so forth in the Rules, the original value is included.

XXXXI. The price of commodities related to disciplinary offences in the Regulations shall be assessed by specialized department.

XXXXII. The disciplinary offences listed in Clauses XIII to XXX of this document refer to those that are not processed by the public security and judicial organs.

XXXXIII. The Undergraduate School and Graduate School are responsible for the interpretation of the Rules of this document.