

BY – LAW NO. 03 / 2023

By – Law on Student Discipline

(Approved by the Board of Governors at its 102nd meeting held on 17.02.2023)

This By –Law may be cited as the Student Discipline By –Law No. 3 of 2023 of the Sri Lanka Institute of Textile and Apparel and shall come into operation from 01.03.2023.

The Director General shall be responsible for the maintenance of discipline within the institution. The Director General shall except in agent circumstances take all decisions in consultation with the Academic Council and the Board of Governors. All decisions shall be reported to the Academic Council and Board of Governors.

PART - I

REGISTRATION AND IDENTIFICATION

1. The Registrar shall on receipt on an application from a prospective student on a form prescribed for the purpose by the institute and supported by such information and documentation as may be required by the institute issue such person who has been registered of the institute in accordance with the provisions of By- Law No.2 of 2023 a record book bearing his/her with the seal of the institute / the institute student identity card.
2. Every student shall carry in his/her possession his/her institute student identity card whilst in the institute premises and produce such document when called upon to do so by any member of the Academic, Administrative staff or Security staff or any other person of the institute authorized by the Director General.

PART II

MISCONDUCT /INDISCIPLINE

1. Any conduct that amounts to a criminal offence under the Ragging and other forms of violence in Education Institution Act.No 20 of 1998 shall amount grave misconduct for which institute may inform the police to take action under the said Act. Considering the gravity of the misconduct and the judgment of the court institute may take action as per (10) of schedule I of part V.

2. Any student who :

- (i) Willfully refuses or neglects to produce his/her student identity card / record book when called upon to do so by any member of the Academic or Administrative or Security staff or any other person of the institute authorized by the Director General;
- (ii) Destroys, damages, defaces, alienates or unlawfully appropriates to himself / herself any property of the institute or any property held temporarily by the institute;
- (iii) Contravenes any By-Law, Rules or Regulations of the institution;
- (iv) Refuse to carry out any lawful order issued by a member of the Academic, Administrative or Security staff or any other person of the institute authorized by the Director General.
- (v) Furnishes the institute with false information in relation to any matter in respect of which the institute is entitled to true particulars and which in the opinion of the Director General is calculated to mislead the authorities of the institute;
- (vi) Is under the influence of an intoxicant, liquor or narcotic or is in possession intoxicant or addictive drug;
- (vii) Is in possession or storing or carrying or uses arms and weapons within the precincts of the institute;
- (viii) Engages in such activity which is likely to disrupt the conduct of teaching or study or research in the institute or the administration of the institute or an event organized by the institute;
- (ix) Obstructs or harasses any officer, teacher, member of the Academic staff or any employing of the institute in the performance of their duties;
- (x) Obstructs any other registered student of the institute;
- (xi) Unauthorized occupation of any property of the institute otherwise in accordance with the rules or other provisions made by the institute from time to time or without the authority of the relevant member of the staff.
- (xii) Abuses / harasses and /or intimidates either physically or mentally any registered student of the institute, officer ,teacher , member of the academic staff, employee of the institute or any person authorized to be in the premises of the institute or at an event organized by the institute;

- (xiii) Causes physical injury or physical harm or threatens to cause such harm to any registered student of the institute, officer ,teacher , member of the academic staff, employee of the institute or any person authorized to be in the premises of the institute;
- (xiv) Holds hostage , attempts to hold hostage , kidnaps , attempts to kidnaps or threatens to kidnap any officer, teacher , member of the academic staff , an employee , a registered student of the institute or any person authorized to be in the premises of the institute;
- (xv)Commits or attempts to commit theft of property within the institute premises or retain stolen property belonging to the institute or causes willful damage to the institute property or that of an officer, teacher, member of the academic staff, an employee , a registered student of the institute or any person lawfully in the premises of the institute;
- (xvi) Aids or abets any person to commit any one or more of the offences referred to in (i) to (xv) above;
- (xvii) Conducts himself/herself in a manner which in the opinion of the Director General is detrimental to the reputation of the institute or to the maintenance of order and discipline at the institute, shall be guilty of misconduct / indiscipline;

3. Without prejudice to the generality of the preceding provisions, any student who:

- (i) Purports to convene a meeting of any society or association or union which has not been authorized by the institute or displays or distributes unauthorized publications at the institute;
- (ii) Purports to establish or assist in establishing any society or association or union without following the authorized procedures in that regard;
- (iii) Does not comply with the rules and regulations made by the institute on the conduct of the affairs of any society /association / union;
- (iv) Convenes any meeting or participating in any meeting of students held in the precincts of the institute contrary to the constitution of the relevant society /association /union;
- (v) Distributes and /or displays and /or publishes any kind of materials printed and /or audio-visual materials which are defamatory and /or abusive of any officer, teacher, member of the academic staff, an employee, registered student of the institute or any person authorized to be present within the premises of the institute;
- (vi)Defaces or mutilates property belonging to the institute or officer, teacher, member of the academic staff, an employee, registered student of the institute or any person authorized to be in the premises of the institute;

- (vii) As a student or on behalf of or at the request of students of the institute, invites from outside the institute any speaker to address students or any outside person for any purpose within the institute without the prior approval in writing of the Director General or Other teacher or officer designated for this purpose by the Director General;
- (viii) Arranges or organizes any collection of money or goods in the name of the institute in the precincts or outside the institute without the prior approval in writing of the Director General or other teacher or officer designated for this purpose by the Director General;
- (ix) Aids for abets any person to commit one or more of the offences referred in (i) to (viii) above;

shall be guilty of misconduct / indiscipline.

- 4. (i) No notice , poster or other publication may be put-up or exhibited in any lecture room, laboratory or lecture theater of the institute by any students.
(ii) No notice, poster or other publication shall be displayed or exhibited elsewhere in the institute.
- 5. No newspaper periodicals or electronic may be sold or handbills distributed in the institute premises except with the prior permission of the Director General.
- 6. No communication may be made or addressed by a student or students or an institute society except these issues has been brought to the notice of officer or teacher or academic staff member or an employee previously and matter has been unresolved to the Director General.
- 7. No communication may be made to the press or any matter affecting the institute except with the consent of the Director General.

SPECIAL PROVISIONS

- 1. An officer / teacher /academic staff member shall report to the Director General of any act of indiscipline specified in this By-Law and detected by him/her or his /her staff.
- 2. An officer/ teacher /academic staff member may act in the removal of offensive or intimidatory posters and also in the verification of the student identity card / record book of students and shall report such action to the Director General.
- 3. An officer/ teacher /academic staff member may act in cautioning any student or students contravening or attempting to contravene any provisions of this By-Law.

PART III

DISCIPLINARY PROCEDURE

1. Any charge of misconduct /indiscipline against a student shall in the first instance be reported to the Director General.
2. Where the Director General receives information relating to misconduct /indiscipline and considers that further particulars should be obtained, he /she may require a member of the staff to proceed to the place in question and to report back as soon as possible.
3. Where the Director General receive a complaint / report relating to misconduct / indiscipline, the Director General shall, if he/she deems it necessary, appoint one or more member of staff of the SLITA or any other qualified person to investigate the facts and submit their conclusion and recommendations in writing to the Director General.
4. The Director General may, in cases where he/she deems it necessary in the context of a serious infringement of discipline or where the student pleads not guilty but has been identified by a Dean or Student Counselor as having committed an act amounting to misconduct, in order to avoid delay, take interim disciplinary action that he/she considers appropriate, pending a formal inquiry and report this to the Academic Council and Board of Governors for their endorsement or review of the interim disciplinary orders.
5. The Director General shall on receipt of a complaint /report of unlawful activities infringing student discipline, by a staff member or report of a fact – finding committee cause chargers to be framed in writing and sent under registered post and where relevant by hand to the students or in the case of more than one students to individual students alleged to have committed the offences within two weeks from the date of the complaint or report.
6. The charge sheet shall contain the specific charges. The charge sheet directs the student respondent to plead to the charge sheet. Respond should be submitted individually in writing within one week or the time period granted.
7. If the students respondent/s plead /s guilty to the charge sheet, the Director General shall proceed to impose on the student any of the punishment set out in the schedule and report this to the Academic Council and the Board of Governors.
8. If the students respondent/s plead/s not guilty to charges, the Director General shall appoint a Disciplinary Committee of up to three members of Academic staff and or outside persons to hold a formal inquiry.
9. If the students' respondent does not reply within the time specified period, the Director General shall proceed to impose on the student any of the punishment set out in the schedule and report this to the Academic Council and Board of Governors.

10. The Dean of the Faculty is not a member of formal inquiry committee; the Director General shall appoint a person as Chairman from among the members of the committee. An officer appointed by Director General shall function as the Secretary of the committee.
11. The student respondent/s shall be noticed of the date of inquiry by the Secretary to the committee of inquiry.
12. At the inquiry the student respondent/s shall be informed of the evidence and have the right to defend himself/herself. He / she may make his/her own defence and call any witnesses for the defence.
13. The disciplinary committee may, taking in to consideration the special circumstances of the situation deny a student charged with an offence the opportunity to question the complainant regarding the complaint made or any witness relating to the evidence given by the witness. Provided that in such a situation, the student charged with the offence shall have the right to seek in writing, through the Disciplinary committee, clarification or specific issues relating to the complaint or evidence from the complainant or witness as the case may be. Upon the disciplinary committee directing such request to the complainant or the witness, he/she shall give his/her clarification in writing to the student charged with the offence within the time stipulated by the Disciplinary committee.
14. The Committee of inquiry shall have the power to summon any witness required by the prosecution and by the defence.
15. The Committee of inquiry after finalizing its verdict shall submit its report to the Director General giving reasons for such findings and the verdict.
16. The committee shall, if the student respondent was found guilty of the charges, recommend to the Director General the imposition on the student respondent of any punishment within the scope of the schedule.
17. The Director General shall refer the report to the Academic Council and the Board of Governors for decisions. In the event of a difference of opinion, the decision of the Board of Governors shall prevail. The decision shall be conveyed to the student under registered post and where relevant by hand.
18. A student against whom such disciplinary action has been taken may appeal to the Appeal Committee of the institute through the Director General against such decision within fourteen (14) days.
19. The board or any committee of the inquiry appointed by the Director General shall have the power to summon any student of the institute to render whatever assistance needed to conduct inquiries on matters pertaining to provision of the By- Law. A student who does not comply shall be guilty of a punishable offence.

At a committee of inquiry, a student shall have been provided with relevant documents or extracts from the same, which have been used to frame charges against the students.

20. (a) The Director General may subject to the provisions in this section declare the institute out of bounds to a student who is reported to have violated any of the provision of this By-Law or against when a disciplinary inquiry or criminal case is pending or who is the subject of police investigation, for a prescribed period of time.
- (b) Declaring of the institute out of bounds to a student (hearing after called “OUT OF BOUNDS DECLARATION”) under this section shall mean a total prohibition on attendance at or access to the institute and participation in any institute activities provided however that the Director General may at his/her discretion permit such a student to enter the institute for a specific purpose.
- (c) The out of bounds declaration may include such other reasonable conditions as the Director General may think fit.
- (d) The out of bounds declaration under this section shall not be considered as a punishment. The purpose of this declaration under the provisions of this section is to protect the members of the institute, community in general or a particular member or members and the power shall be used only where Director General is of the opinion that this is necessary to take such action. Written reasons for the decisions shall be recorded and made available to the student.
- (e) No students shall be subjected to the out of bounds declaration unless he/she has been given an opportunity to make representations in person to the members of the institute appointed by the Director General in the presents of the Dean of the relevant Faculty. Where for any reason it appears to the Director General that it is not possible for the student to attend in person, he/she shall be entitled to make the above representations in writing. The members of the institute appointed by the Director General shall forward a written report to the Director General within twenty four (24) hours of such representations for making the decision on the out of bounds declarations.
- (f) In cases of grate urgency, the Director General shall be empowered to impose the out of bounds declaration on a student with immediate effect, provided that the opportunities mentioned in section 20 (e) are given and the out of bounds declaration reviewed within five working days of such declaration.
- (g) The Director General shall review the out of bounds declaration every thirty (30) calendar days and shall record the reason if the validity period of the declaration is extended.

PART – IV

APPEALS PROCEDURE

1. The Board of Governors shall appoint three (03) of its members as an Appeals Committee as and when necessary. The Appeals Committee shall elect its Chairman. An officer appointed by the Director General shall be the Secretary to the Appeals Committee.
2. Any appeal shall be made to the Appeals Committee through the Director General.
3. The Appeals Committee shall consider an appeal and submit the report to the Board of Governors preferably within two weeks of receipt of the appeal by the committee.
4. The members of the disciplinary committee relating to the appeal in question, shall not participate in the proceedings of the Board of Governors when it considers the report of the Appeals Committee.
5. The Board of Governors shall have the power to vary the decision taken on the disciplinary action against the student on the basis of the recommendation of the Appeals Committee. The decision of the Board of the Governors on the appeal by the student shall be final.
6. The Secretary to the Appeals Committee shall communicate to the appellant students the decision of the Board of Governors under registered post. The decision so communicated shall be final and conclusive.

PART V

RECORD OF PUNISHMENT

1. All punishments and any disciplinary action taken shall be recorded in the personal file and may be reflected in a testimonial and the student record book.
2. The Director General may also order the withholding of the examination results of a student pending the holding of completion of an inquiry or investigation.

SCHEDULE

SCHEDULE OF PUNISHMENTS GENERAL DISCIPLINARY MATTERS

| Offences | Recommended maximum punishment |
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| <p>1. Destroys, damage, defaces or appropriates to himself/herself any property of the institute. Any offence committed in the institute will come within the common law of Sri Lanka.</p> | <ul style="list-style-type: none"> • A fine equivalent to the replacement value plus 25% of such value. Punishment for such offence would be referred to a court of law, if necessary. • Expulsion from the institute. |
| <p>2. Contravenes any By-Law, Regulation or Rule</p> | <ul style="list-style-type: none"> • Severe warning by the Director General with a record of same in the personal file and the record book of the student and • Withholding of examinations as appropriate. |
| <p>3. Refuses to show his/her student identity card/ record book , refuses to carry out any lawful order issued by the Director General, a member of Academic or Administrative staff or Security staff</p> | <ul style="list-style-type: none"> • Suspension from the institute up to a period not exceeding six month or • Severe warning by the Director General with a record of the same in the personal file and the record book of the student. |
| <p>4. Furnishes the institute with false information in relation to any matter in respect of which the institute is entitled to true particulars which the opinion of the calculated to mislead the authorities of the institute.</p> | <ul style="list-style-type: none"> • Expulsion from the institute for falsification of documents on admission or • One year suspension in other cases. |
| <p>5. Being under influence of an intoxicant, liquor or narcotic or in possession of an intoxicant, liquor or narcotic, illegal weapons and arms, consuming of or supplying liquor, narcotic addictive drug or gambling within the precincts of the institute.</p> | <ul style="list-style-type: none"> • Severe warning by the Director General with a record of same in the personal file and the record book of the student or • Suspension from the institute for a period not exceeding one year depending on the gravity of the offence. |
| <p>6. Engages in such activities that are likely to disrupt the conduct of teaching or study or research in the institute or in the administration of the institute.</p> | <ul style="list-style-type: none"> • Severe warning by the Director General with a record of same in the personal file and the record book of the student or • Suspension for one academic year. |
| <p>7. Obstructs or harasses any officer, teacher, member of the academic staff or an employee of the institute in the performance of his/her duties. Obstructs any other registered student of the institute.</p> | <ul style="list-style-type: none"> • Severe warning by the Director General with a record of same in the personal file and the record book of the student or • Suspension for one academic year. |
| <p>8. Occupies or uses any property of the institute other than in accordance with the rules or other provisions made by the institute from time to time or without the authority of the Director General.</p> | <ul style="list-style-type: none"> • Severe warning by the Director General with a record of same in the personal file and the record book of the student or • Suspension for one academic year. |

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| <p>9. Conduct himself/herself in a manner which, in the opinion of the Director General is detrimental to the reputation of the institute or to the maintenance of order and discipline at the institute.</p> | <ul style="list-style-type: none"> • Severe warning by the Director General with a record of same in the personal file and the record book of the student or • Suspension from the institute for a period not exceeding one year depending on the gravity of the offence. |
| <p>10. Abuse / harassment (including any form of ragging / molestation) and intimidation of any person whether physical or mental.</p> | <p>Prohibition of ragging and other forms of violence in Educational Instructions Act No.20 of 1998 will immediately take effect and punishment meted out under the law, considering the gravity of the misconduct, the institute may give any of the following punishment;</p> <ul style="list-style-type: none"> • Expulsion from the institute. • Suspension for one academic year with severe warning with a record in the student personal file and the record book. |
| <p>11. The display of posters in the institute premises or any other public place by any student or students which are intimidating or defamatory to the institute, officer, teacher, member of the academic staff or employee of the institute.</p> | <ul style="list-style-type: none"> • Suspension up to six month and severe warning. |
| <p>12. Causing of physical injury or physical harm.</p> | <p>Considering the gravity of offence;</p> <ul style="list-style-type: none"> • Expulsion from the institute or • Suspension for academic year with severe warning with a record in the student personal file and the record book. |
| <p>13. Kidnapping, hostage taking, attempt to kidnap or threatening to kidnap any person or persons.</p> | <p>Considering the gravity of offence;</p> <ul style="list-style-type: none"> • Expulsion from the institute or • Suspension for academic year with severe warning with a record in the student personal file and the record book. |
| <p>14. Any student who has stolen or attempt to steal any property within the institute premises or has retained stolen property belonging to the institute or has caused willful damage to institute property or to property of an officer, teacher , member of the academic staff or an employee or a student of the institution:</p> <p>(a) Theft</p> | <p>Considering the gravity of misconduct;</p> <p>(a)(i) Expulsion from the institute or (ii) Suspension one academic year and</p> |

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| <p>(b) Willful damage</p> <p>(c) Attempted theft</p> <p>(d) Retaining stolen property</p> | <p>(iii) A fine equivalent to the replacement value plus 25% of such value.</p> <p>(b) (i) Expulsion from the institute or (ii) Suspension one academic year and (iii) A fine equivalent to the replacement value plus 25% of such value.</p> <ul style="list-style-type: none"> • Fine to be determined by the committee of inquiry. • Return of the property and a fine to be determined by the committee of inquiry. |
| <p>15. A student who has received three (03) warnings within a period of twelve calendar months.</p> | <ul style="list-style-type: none"> • Suspend for a period of twelve months from the date of last warning. |
| <p>16. Failure to adhere to the warning</p> | <ul style="list-style-type: none"> • Suspend for one academic year. |
| <p>17. A student under suspension committing a further offence.</p> | <ul style="list-style-type: none"> • Expulsion or a further period of suspension depending on the gravity of the offence. |
| <p>18. Publication of notice, posters within the institute premises without the permission of authorities.</p> | <ul style="list-style-type: none"> • Suspension for three calendar months. |
| <p>19. Selling of newspapers / periodicals or distributing on hand bills within the institute premises without approval of the Director General.</p> | <ul style="list-style-type: none"> • Suspension for three calendar months. |
| <p>20. Communicating with higher authorities without going through the Director General.</p> | <ul style="list-style-type: none"> • Suspension for six calendar months. |
| <p>21. Communicating with press without the consent of the Director General.</p> | <ul style="list-style-type: none"> • Suspension for one academic year. |