

INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA
STUDENT DISCIPLINARY RULES

ARRANGEMENT OF RULES

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INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA
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PREAMBLE

NATIONAL PHILOSOPHY OF EDUCATION

Education in Malaysia is an ongoing effort towards further developing the potential of individuals in a holistic and integrated approach to produce individuals who are intellectually, spiritually, emotionally and physically balanced and harmonious. Effort is designed to produce Malaysian citizens who are knowledgeable, honourable, responsible, competent and capable of achieving *sejahtera* and contribute to the betterment of family, community and country.

PART I
PRELIMINARY

Citation

1. These Rules may be cited as the International Islamic University Malaysia Student Disciplinary Rules, and may be referred to as “IIUM SDR”.

Application

2. IIUM SDR shall apply to every student throughout their period of studies.

Interpretation

3. In this IIUM SDR, interpretation made by the University in relation to the IIUM SDR shall be final and conclusive unless the context otherwise requires:

“cigarette” includes any electronic cigarettes or other devices similar in function;

“Constitution” means the Constitution of the International Islamic University Malaysia;

“Disciplinary Committee” means a panel of members appointed by the Disciplinary Authority;

“disciplinary hearing” means a hearing before the Disciplinary Committee;

“disciplinary misconduct” means a misconduct committed under the IIUM SDR;

“disciplinary proceeding” means a disciplinary proceeding under Part III of the IIUM SDR;

“drug” means any drug or substance which is defined under the laws regulating drugs;

“Executive Personnel” means the following persons:

- i. Chief Librarian;
- ii. Chief Medical Officer;
- iii. Executive Director of Finance Division;
- iv. Head in-charge of security;
- v. Head in-charge of academic management and admission;
- vi. Dean of Kulliyahs and Centres;
- vii. Head in-charge of student affairs;
- viii. Head in-charge of international affairs;

- ix. Head in-charge of residential and services;
- x. Head in-charge of information technology;
- xi. Principal;
- xii. Hospital Director;

This list is non-exhaustive and the Rector may include any other person or persons from time to time as he deems necessary.

“gaming” means the playing of any game of chance, or of skill, or of mixed chance and skill, for consideration of value or money and includes any wagering, any betting or any lottery;

“habitual offender” is a person compounded of a compoundable offence and who was previously compounded of similar offence;

“liquor” means any form of intoxicating liquid as prohibited by laws;

“Mahallah” means any accommodation by whatever name called, provided by the University for the residence of students;

"obscene materials" include articles or materials in whatever forms whether written, printed or electronically available or in any other forms which is against the Islamic moral norms and values;

“officer” means a person including fellows with an executive function attached to any office, department or division whether directly or indirectly under the Executive Personnel in the University, whether such office, department or division is voluntary, or for remuneration, or otherwise;

“poison” means any substance specified under the laws regulating poison;

“Principal means the principal of the Mahallah;

“Property” means movable and immovable, living and non-living, tangible and intangible things situated inside and outside including intellectual property, which belong to the University;

“Rector” as defined in the Constitution;

“resident student” means a student residing in a Mahallah;

“scholarship student” includes any student who is studying on a scholarship, bursary, loan, sponsorship, leave with or without pay or a grant of any other facility, from any Government, institution, statutory authority, commercial or business organization, or other bodies;

“*Shariah*” means the laws of *Islam* as recognised by *ahlul Sunnah wal jama’ah*;

“staff” means any person employed under a contract of service with the University;

“student” includes any undergraduate student, postgraduate student, part-time student, student under distance learning or off-campus programme, diploma student, matriculation student, and non-graduating student of the University;

“tobacco” includes tobacco substitute which is rolled into a single paper wrapper or more or in any other form;

“University” as defined in the Constitution;

“University Authority” as defined in the Constitution and includes any person or body of persons authorised to act on behalf of the University;

Whereas: -

Words importing the masculine gender include the feminine and neuter gender;

The recitals, headings and underlines are for convenience only and do not affect the interpretation of these Rules;

Words and phrases defined in the IIUM SDR, shall bear the same meanings herein;

Words importing the singular include the plural and vice versa;

A reference to any statute or legislation shall, unless otherwise indicated, be a reference to the statute or legislation of Malaysia and includes any statutory modification, amendment or re-enactment thereof;

Reference to “*Islam*” and “*Shariah*” shall, unless otherwise indicated, bear the same meaning herein;

All schedules, attachments, notice, publication and annexure hereto form part of these Rules;

PART II GENERAL DISCIPLINE

General prohibitions

4. (i) Muslim students shall not act contrary to the Islamic code of conduct as prescribed by the *Shariah* or neglect Islamic duties which are obligatory upon them in private or in public within or outside the University.

(ii) Non-Muslim students shall be required to respect the Islamic code of conduct and not act in any way, which may be interpreted as disrespectful to Islam.

(iii) A student shall not:

- (a) act in any manner that constitutes or appears to constitute a threat or intimidation or is injurious, physically, emotionally or mentally, to the well-being and safety of any other student or any member of staff of the University
- (b) act in any manner that constitutes or appears to constitute contempt of the University.
- (c) conduct himself, whether within or outside the University, in any manner which is detrimental or

prejudicial to the interest, well-being or good name of the University, any of the students, staff or officers of the University, or to public order, safety or security, or to morality, decency or discipline

- (d) violate any provision of any written law, rules, regulations, orders and procedures, whether within or outside the University.
- (e) disrupt or in any manner interfere with or cause disruption to or in any manner cause interference to, any teaching, study, research, administrative work, or any activity carried out by or under the direction of or with the permission of the University, or do any act which may cause such disruption or interference;
- (f) prevent, obstruct, or interfere with, or cause to be prevented, obstructed or interfered with any staff or officers of the University or any person acting under the direction or permission of such staff or officers, from carrying out his work, duty or function, or do any act which may cause such prevention, obstruction or interference;
- (g) prevent or obstruct, or cause to be prevented or obstructed, any student from attending any lecture, tutorial or class, or from engaging in any legitimate activity, or do any act which may cause such prevention or obstruction.
- (h) organise, incite or participate in the boycott of any examination, lecture, tutorial, class or other legitimate activity carried out by or under the direction or with the permission of the University.
- (i) damage in any manner or cause to be damaged in any manner any property of the University, or do any act which may cause such damage;

- (j) tamper, interfere with, move, or in any manner deal with, any substance, object, article or property whatsoever, or knowingly do any act or cause any act to be done in the University, so as to cause or be likely to cause any obstruction, inconvenience, annoyance, loss or damage to any person.

Organising, etc. of assemblies

5. (1) Student and registered organisations, body or group of students shall with the prior written permission of the Rector or Executive Personnel do the following: -

- (a) organise, convene or call; or
- (b) cause to hold, organise, convene or call; or
- (c) involve in holding, organising, convening or calling;
or
- (d) causing to hold, organise, convene or call; or
- (e) doing any act towards holding, organising, convening or calling

any assembly of a number of persons in the University.

(2) Prior to granting the permission referred to in sub-rule (1), the Rector or Executive Personnel may impose such restrictions, terms of conditions in relation to the proposed assembly in accordance with the University's rules and regulations.

(3) No student shall attend or participate in any assembly held in contravention of sub-rule (1) and (2) above which is conducive to the promotion of immorality, indiscipline, disorder, disobedience or contravention of the IIUM SDR.

Information, communication, telecommunication and multimedia, etc.

6. A student shall not:
- (a) use or utilise, or tamper any information, communication, telecommunication and multimedia devices at any area prohibited by the University;
 - (b) create, transmit, have in his possession, publish, distribute, circulate or broadcast any information or materials, via electronic, radiofrequency, programmes, software, systems that are contrary to the University's rules and regulations.

Making, using, displaying, owning, etc. of banners, placards, etc.

7. Student, registered organisations, body or group of students shall not:
- (a) make or cause to be made or do any act towards making or causing to be flown, exhibited, displayed or in any manner make use of or cause to be flown, exhibited, displayed or in any manner made use of; or,
 - (b) own or have in his possession, custody or control of any flag, banner, placard, poster, emblem or other devices;

which are conducive to the promotion of immorality, indiscipline, disorder, disobedience or contravention of IIUM SDR.

Publication etc. of documents, affecting the University's image

8. Student, registered organisations, body or group of students, shall not use, publish, distribute or circulate any documents affecting the University; or name, acronym, logo, official emblem, trademark, (or any variation thereof) belonging to the University without prior written consent of the University.

Engaging in unlawful occupation

9. Students shall not engage in any unlawful occupation, employment, business, trade, or other activities, which are undesirable or against any written law and *Shariah*.

Student activities outside University campus

10. Student, registered organisations, body or group of students shall not organise, carry out or participate in any activity outside the University which has a direct adverse effect or is prejudicial to the interest of the University.

Negative and prejudicial representation

11. Student, registered organisations, body or group of students, shall not make any representation or other communication, in relation to any matters pertaining to the University or to the staff or students in his capacity as a student, whether orally or in writing or in any other manners, to any public officer or to the mass media or to the public in the course of any lecture, speech or public statement or any other forms thereof.

Gaming, wagering, lottery, betting

12. Student, registered organisations, body or group of students, shall not in any form organise, run or assist in organising, managing or running, or participate in any gaming, wagering, lottery or betting within the University.

Consumption, possession, custody and etc of liquor

13. Student shall not within the University consume or has in his possession or under his custody or control any liquor or container for

liquor regardless of whether such container is used as storage, displayed, recycled and collectable item.

Obscene materials

14. (1) Student shall not, within the University, has in his possession or under his custody or control any materials, which is considered as obscene or pornographic under the Islamic moral, norms and values of the *Shariah*.

(2) Student, registered organisations, body or group of students, shall not distribute, circulate or exhibit, or cause to be distributed, circulated or exhibited or be in any manner concerned with the distribution, circulation or exhibitions of any obscene materials regardless of whether such distribution, circulation or exhibition is to only one person or to more than one person and regardless of whether such circulation, distribution or exhibition is for payment or for any other consideration.

(3) Student, registered organisations, body or group of students, shall not voluntarily view or hear any obscene materials within the University.

Drugs and poisons

15. (1) Student shall not have in his possession or under his custody or control any appliance, tool, apparatus or article which, in the opinion of the disciplinary authority, is designed or intended to be used to process, consume or drink or smoke or inhale or administer into the body by way of injection or in any other way any drug or poison.

(2) Nothing in this rule shall be deemed to prevent a student from undergoing any treatment by or under the prescription of a medical practitioner registered under the Medical Act 1971.

(3) The University may require a student suspected to be a drug dependent to submit himself for urine test and body examination and a

refusal to submit himself to the test mentioned in sub-rule (3) is a grave disciplinary misconduct hereof.

Smoking or storing tobacco within campus

16. Students shall not within the University:

(a). smoke, store, possess, distribute, supply any tobacco or cigarette; or

(b) attempt to store, possess, distribute, supply any tobacco or cigarette.

“Tobacco Product” means:

a. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, cigarillo, chewing tobacco, pipe tobacco, snuff;

b. Any electronic smoking device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah;

c. “tobacco product” includes any component, part, or accessory of a tobacco product.

Cleanliness within the University

17. Students shall at all times maintain the cleanliness and neatness of the University and Mahallah including any buildings, landscaping, structures and any other parts thereof.

Annoying or disturbing noise

18. (1) Students shall not:

- (a) make any sound or noise; or
- (b). cause any sound or noise;

by any means or in any manner, which is likely to cause nuisance, annoyance, or disturbance to any person within the University.

(2) Student, registered organisations, body or group of students shall with the prior written consent of the Rector or Executive Personnel use: -

- (a) loudspeaker; or
- (b) loud-hailer; or
- (c) amplifier; or
- (d) other similar appliances;

provided that the usage shall not interfere with the quiet and peaceful enjoyment of any person within the University.

Living or sleeping in the University

19. Student shall not use or cause to be used any part of the University or any part of any building within the University as accommodation, except the accommodation provided for him in the Mahallah by the University.

Beyond political activities

20. Students shall not be a member of, or shall in any manner associate with any unlawful;

- (a) society;
- (b) political party;
- (c) trade union; or
- (d) any other organisation, association, body or group of persons whatsoever;

whether it is in the University or outside the University, and whether it is in Malaysia or outside Malaysia.

Immoral interactions

- 21.** (1) Any-
- (a) male who is found together with one or more female, not being his wife or *mahram*; or
 - (b) female who is found together with one or more male not being her husband or *mahram*;
 - (c) male or female who is found together with the same gender;

in any secluded place or in a house or room under circumstances which may give rise to suspicion that they were engaged in immoral interaction or being in physical proximity or any kind of indecent behaviour shall be guilty under this rule.

“Indecent behaviour” may include, but not limited to any of the following acts:

- i. caressing any part of the partner’s body;
- ii. smooching;
- iii. hugging;
- iv. kissing;
- v. holding hands.

(2) Any person who commits unnatural offence or attempt to commit unnatural offence or incest or attempt to commit incest shall be guilty under this rule.

“Unnatural offence” means carnal intercourse against the order of nature with any man, woman or animal.

"Incest" means sexual intercourse between a male and a female who are prohibited from marrying each other under the Islamic Law.

(3) Any student who is found guilty under rule 21(1) or (2) may be punished with-

- (a) expulsion; or
- (b) a minimum punishment of suspension which may extend to one (1) academic year and
- (c) attending counselling session and
- (d) any additional punishments under Rule 35.

Illicit sexual relationship

22. (1) Students shall not engage or participate in any kind of illicit sexual relationship within the University.

- (2) Any student who is found guilty under this rule may be punished with-
 - (a) expulsion; or
 - (b) a minimum punishment of suspension which may extend to one (1) academic year; and
 - (c) attending counselling session; and
 - (d) any additional punishments under Rule 35.

Harassment

23. (1) Harassment means any verbal, written or physical conduct that is known or ought reasonably to have been known to be unwelcome, inappropriate or otherwise offensive to a person, and that such conduct demeans, humiliates, threatens him/her or otherwise violates his/her dignity.

- (2) A student is deemed to commit an act of harassment when he;
 - (a) creates an intimidating, hostile or offensive environment;
 - (b) interferes with the performance of a student's functions, duties and responsibilities; or

- (c) affects study opportunities;

harassment may include but does not limit to race or ethnicity; skin colour; religion; sex or gender; place of origin; ancestry; culture; age; mental or physical disability; family, marital or social status; economic or financial background; and political affiliation.

Sexual harassment

23A. A student shall not act in any manner that constitutes or appears to constitute an act whether directly or by implication such as-

- (a) physical contact and advances;
- (b) demand or request for sexual favours;
- (c) making sexually coloured remarks;
- (d) showing or sending pornography or obscene material; or
- (e) any other inappropriate, unwelcome gesture or non-verbal conduct of sexual nature;

where any of these acts are committed in circumstances under which the person of such conduct can be humiliated and may constitute a health and safety problem or intrudes upon the privacy of such person, it amounts to sexual harassment.

Body Shaming

23B. A student shall not act in any manner that constitutes or appears to constitute an act whether directly or by implication such as-

- (a) Criticising appearance of an individual or a group of people whether in front of them, without their presence with or without their knowledge to another person such as:
 - (i) fat-shaming, shaming for thinness, height-shaming, shaming of hairiness (or lack thereof), of hair-colour,

body-shape, one's muscularity (or lack thereof),
shaming of looks (facial features);

- (ii) body odour;
- (iii) masculinity or femininity;
- (iv) fashion or apparel including but not limited to colour or design; and
- (v) eating, health or mental disorder.

where any of these acts are committed in circumstances under which the person of such conduct can be humiliated and may constitute a health and safety problem or intrudes upon the privacy of such person, it amounts to body shaming.

Cyberbullying

23C. A student shall not misuse digital technologies or communications to bully a person or a group, typically through messages or actions that are threatening and/or intended to cause offence, anxiety or humiliation which included:

- (a) making abusive comments such as rumours, gossip and threats using digital communications and/or technologies;
- (b) sharing pictures, videos or personal information without the consent of the owner and with the intent to cause harm or humiliation;
- (c) hacking into someone's email, phone or online profiles to extract and share personal information, or to send hurtful content while posing as that person;
- (d) creating dedicated websites that intend to harm, tease someone or spread malicious rumours; and
- (e) blackmailing or pressuring someone to do something they do not want to such as sending a sexually explicit image.

Punishment for harassment

23D. Any student who is found guilty under rule 23, 23A, 23B or 23C may be punished with-

- (a) expulsion; or
- (b) a minimum punishment of suspension which may extend to one (1) academic year and
- (c) attending counselling session and
- (d) any additional punishments under Rule 35

Entry into prohibited parts of the University or buildings

24. A student shall not enter any part of the University or any part of any building within the University, the entry into which is prohibited to students generally or in particular, to the student or class of students concerned.

Refusal to produce student matriculation card

25. Any student who fails or refuses to produce his matriculation card upon demand by any Executive Personnel or his officer, shall be guilty of a disciplinary misconduct.

PART III DISCIPLINARY PROCEDURE

Investigation

26. (1) Where it appears to a Disciplinary Authority that a student has committed a disciplinary misconduct, the Disciplinary Authority may proceed with further investigation.

(2) The Disciplinary Authority may issue a notice to the student to attend before the Disciplinary Authority to give statement in writing within a specified period or on the date specified in the notice

(3) The Disciplinary Authority has the absolute discretion either to accept the written explanation given by the student or to proceed with the disciplinary hearing.

(4) In the event the student fails, neglects to react or respond to the notice in sub-rule (2) above, the Disciplinary Authority may nonetheless complete the investigation and proceed with the disciplinary hearing.

Right for consultation

27. Where a student is required to attend the disciplinary hearing before a Disciplinary Committee, the student may consult any person at his own cost in preparation of his case.

Attendance during a disciplinary hearing

28. (1) No person shall be present at a disciplinary hearing except:

-

- (a) the student against whom the disciplinary proceeding is taken;
- (b) the Disciplinary Committee and its officer;
- (c) a witness while he is giving evidence or when required by the Disciplinary Committee; and
- (d) such other person as the Disciplinary Committee may authorise to be present;
- (e) such other person who attends as an observer with the consent of the Disciplinary Committee.

(2) A person who is present at the disciplinary hearing under rule 28 (e) shall not interfere in any way that may disrupt the disciplinary hearing.

Facts of disciplinary misconduct to be explained and plea to be taken

29. (1) Upon completion of the investigation, the Disciplinary Authority may proceed with the disciplinary hearing before the Disciplinary Committee.

(2) Disciplinary hearing shall be heard in the disciplinary room and the Disciplinary Committee or the officer shall explain to the student the facts of the disciplinary misconduct alleged to have been committed by the student and call upon him to plead thereto.

(3) In the event the student fails to attend the disciplinary hearing on the hearing day, the Disciplinary Committee may proceed with the hearing in the absence of the student and shall pronounce its decision in the case as provided in Rule 34.

Plea of guilty and consequential procedure

30. (1) If the student pleads guilty, the Disciplinary Committee shall record his plea.

(2) If the Disciplinary Committee is satisfied that the plea is made voluntarily and without qualification, the Disciplinary Committee shall pronounce him guilty of the disciplinary misconduct and allow him to put forward his mitigation.

Procedure for hearing when student pleads not guilty

31. If the student pleads not guilty or refuses to plead;

(1) the Disciplinary Committee or the officer shall examine any witnesses or any documents or other articles whatsoever in support of the case against the student;

(2) the student shall be allowed to question such witnesses and inspect such documents or articles and the Disciplinary Committee or officer may re-examine such witnesses.

Student's evidence

32. After the evidence referred to in Rule 31 has been received, the student in his defence shall be allowed to:

- (a) give his evidence; or
- (b) call any witnesses; or
- (c) produce any documents or other articles whatsoever.

The Disciplinary Committee or the officer may question the student or any of his witnesses and inspect any such documents or articles thereto, and the student may re-examine any of the witnesses.

Rule of evidence under the Evidence Act shall not be applicable for the purpose of disciplinary proceeding.

Power of Disciplinary Committee to question or recall witnesses

33. The Disciplinary Committee may question or recall any witness at any stage of the disciplinary hearing before it pronounces its decision.

Pronouncement of decision

34 (1) After hearing the witnesses and examining the documents or other articles produced before it, the Disciplinary Committee shall pronounce its decision in the case

(2) If the Disciplinary Committee decides that the student is guilty of the disciplinary misconduct and the student is present before the Disciplinary Committee, it shall allow the student to mitigate.

Disciplinary punishment

35. A student who is found guilty of a disciplinary offence shall be liable to any one (1) or any appropriate combination of two or more of the following punishments: -

- (a) reprimand;
 - (b) a fine not exceeding Ringgit Malaysia Five Hundred (RM500.00) to be paid within a specified period;
 - (c) community service, a minimum of ten (10) hours but not exceeding sixty (60) hours in aggregate, as specified by the University;
 - (d) exclusion from any part or parts of the University for a specified period;
 - (e) recovery of any financial losses;
 - (f) suspension from being a student of the University for a specified period;
 - (g) expulsion from the University; and
- any other orders as the Disciplinary Committee deems fit.

Consequence of failure to pay fine or complete the community service

36. If the student fails to pay the fine or complete the community service or both, within the period specified under Rule 35, the University may take any one or more of the following actions:

- (a) withhold the student's result transcript;
- (b) refuse registration for the new semester;
- (c) refuse registration or entry of the Mahallah;
- (d) withhold or refuse graduation clearance;
- (e) take any other measures the University deems fit;
- (f) shall immediately thereupon suspend the student from the University;

provided that the action shall remain and continue to be in force until the fine is paid and community service is completed.

Order to pay compensation

37. (1) Where any punishment is imposed on a student under Rule 35, the Disciplinary Authority may, in addition, order the student to pay such compensation as it may fix in respect of any damages to any property or any losses or injuries to any person for which the Disciplinary Authority may find the student, in the course of the disciplinary proceeding, to be responsible. A student may be ordered to pay compensation under this sub-rule regardless of whether the property that is damaged belongs to the University or to any other person.

(2) The amount of compensation fixed by the Disciplinary Authority under sub-rule (1) shall be a just and reasonable amount having regard to all the circumstances of the case and of the persons involved therein.

(3) The compensation fixed under sub-rule (1) shall be paid by the student to the University within such period as the disciplinary authority may specify.

(4) The provisions of Rule 36 shall be applicable should the student fails to pay the compensation fixed under sub-rule (1) within the period specified under sub-rule (3).

(5) Any compensation payable or paid under this rule shall not prejudiced the right of any person to institute civil proceedings in a court of law for damages or compensation in respect of the damage, loss or injury referred to in sub-rule (1), or the right of any person to receive any payment or compensation under any other written law in respect of such damage, loss or injury.

Custody and disposal of exhibits.

38. (1) The Disciplinary Authority may order any document or other article whatsoever produced before it in the course of any disciplinary proceedings to be kept in its custody or in the custody of such person as it may specify pending the conclusion of the disciplinary proceeding and appeal.

(2) The Disciplinary Authority shall, upon the conclusion of the disciplinary proceeding and appeal, make such order as it deems fit for the disposal of any document or other article whatsoever produced before it in the course of the disciplinary proceeding, and may direct that such order shall take effect either immediately or at such time as it may specify.

Written notes of disciplinary hearing to be made

39. The Disciplinary Committee that conducts a disciplinary hearing against a student, shall make or cause to be made written notes of the proceeding, but those notes need not be verbatim.

Custody of notes.

40. The notes referred to in Rule 39 shall be forwarded to and be kept in the custody of the Disciplinary Authority.

Register of Disciplinary Proceedings

41. The Disciplinary Authority shall maintain a register of all disciplinary proceedings taken under these Rules; such register shall record the name of the student, the particulars of the disciplinary offence, the progress of the proceeding, the result of the proceeding and such other information or particulars as the Disciplinary Authority may direct.

Written decision to parents, etc.

42. Where a student has been found guilty of a disciplinary offence, the Disciplinary Authority may send a written decision of the disciplinary hearing to the student's parent or guardian and in the case of a scholarship student, to the scholarship sponsoring or scholarship granting authority or body.

Suspension pending investigation of misconduct

43. (1) Where a student of the University is under investigation, the Disciplinary Authority may suspend the student for a maximum period of fourteen (14) days on the advice from the office in-charge of University's legal affairs.

Notwithstanding sub-rule (1) above, where there is any inconsistency with Rule 44 herein, Rule 44 shall prevail.

Suspension / expulsion of a student charged with a criminal offence under Civil or *Shariah* courts

44. (1) Where a student of the University is charged with a criminal offence in the Civil or *Shariah* courts, he shall immediately thereupon be suspended from being a student of the University and shall not, during the pendency of the criminal proceedings, remain in or enter the University, unless otherwise decided by the University.

(2) In the event of such happening in sub-rule (1) above, the University reserves the right to bring disciplinary action against the student in accordance with the rules and regulations herein.

PART IV APPEALS

Notice of appeal

45. Where a student is dissatisfied with the punishments of a Disciplinary Committee, he may submit his appeal in writing against such punishments within fourteen (14) days from the date of pronouncement of the decision.

Transmission of appeal to President

46. The Disciplinary Authority shall upon receiving the notice of appeal, submit the same to the President together with a copy of the notes of the disciplinary proceeding in respect of which the notice of appeal is given.

Action by President on appeal

47. (1) The President may, on receiving the notice of appeal and the notes of the disciplinary proceeding, request for such further information or particulars in relation to the disciplinary proceeding as he may deem fit.

(2) The President shall decide whether to accept, vary, or decline the appeal and the President's decision shall be conveyed to the student through the Disciplinary Authority.

Appeal not to operate as stay of execution

48. An appeal by a student shall not operate as a stay of execution of the punishment imposed under IIUM SDR.

PART V GENERAL

Disciplinary liability of office-bearers, etc. of a student organisation, body or group

49. (1) Where any disciplinary misconduct has been committed under the IIUM SDR, whether or not any student has been found guilty in respect thereof, and such disciplinary misconduct has been committed or purports to have been committed in the name or on behalf of any organisation, body or group of students of the University which is established by, under or in accordance with the Constitution, or any other organisation, body or group of students of the University, every office-bearer of such organisation, body or group and every student managing or assisting in the management of such organisation, body or group at the time of the commission of such disciplinary misconduct shall be deemed to be guilty of such disciplinary misconduct and shall be liable to punishment therefore, unless he establishes to the satisfaction of the appropriate Disciplinary Authority that the disciplinary misconduct was committed without his knowledge and that he had exercised all due diligence to prevent the commission of the disciplinary misconduct.

(2) Any office-bearer of, or any student managing or assisting in the management of, any organisation, body or group as referred to in sub-rule (1) shall be liable to be proceeded against under this rule, notwithstanding that he may not have taken part in the commission of the disciplinary misconduct.

(3) In any disciplinary proceeding under this rule against any office bearer of, or any student managing or assisting in the

management of, any organisation, body or group, any document found in the possession of any office-bearer of, or person managing or assisting in the management of, such organisation, body or group, or in the possession of a member of such organisation, body or group, shall be prima facie evidence of the contents thereof for the purpose of proving that anything has been done or purports to have been done by or on behalf of such organisation, body or group.

Examination of student suspected to have medical health issues

50. (1) The University may require a student suspected to have medical health issues to submit himself for medical examination by a qualified medical practitioner.

(2) Subject to sub-rule (1) above, the University may defer his study period if the student is found to have medical health issues.

Executive Personnel's power to give orders, instructions or directives with regard to good order and discipline

51. The Disciplinary Authority or Executive Personnel may from time to time, give orders orally or in writing, instructions or directions as he may deem necessary or expedient for the maintenance of good order and discipline in the University, and such orders, instructions or directions may relate generally to all students or to a class or description of students or to a particular student and it shall be the duty of every student to whom such orders, instructions or directions apply to comply with and give effect thereto.

In the event of any inconsistency of orders, instructions or directives between Disciplinary Authority and Executive Personnel, then the orders, instructions or directives of the Disciplinary Authority shall prevail.

Presumptions

52. (1) Muslim students are presumed to have knowledge of the Islamic Code of Conduct and shall observe the same at all times. Non-Muslim students are presumed to have knowledge of the University code of conduct and shall observe the same at all times.

- (2) In any disciplinary proceeding against a student:
- (a) it shall not be necessary to prove that an organisation, body or group of students possesses a name or that it has been constituted or is usually known under a particular name;
 - (b) where any books, accounts, writings, lists of members, seals, banners or insignia of, or relating to, or purporting to relate to, any organisation, body or group of persons are found in the possession, custody or under the control of any student, it shall be presumed, until the contrary is proved, that such student is a member of such organisation, body or group and such organisation, body or group shall be presumed until the contrary is proved, to be in existence at the time such books, accounts, writings, list of members, seals, banners or insignia are so found; and
 - (c) where any books, accounts, writings, lists of members, seals, banners or insignia of, or relating to, or purporting to relate to, any organisation, body or group of persons are found in the possession, custody or under the control of any student, it shall be presumed, until the contrary is proved, that such student is a member of such organisation, body or group.

Reservation

53. (1) The University reserves the absolute right to interpret and decide on any matter including but not limited to any *Shariah* and Islamic issues.

(2) Notwithstanding the above, in relation to any interpretation of any *Shariah* and Islamic affair, doctrine or thought including but not limited to all recognised Islamic schools; the University shall have the absolute discretion to decide and determine the interpretation.

Any interpretation and decision made by the University shall be final and conclusive.

Disciplinary misconduct

54. (1) Any student who commits a breach of or fails to comply with, or contravenes any of the IIUM SDR or any restrictions, conditions, standing orders or terms imposed under or pursuant to the IIUM SDR shall be guilty of a disciplinary misconduct.

Enforcement of rules, orders, directives, etc.

55. The Disciplinary Authority, Executive Personnel or officers shall enforce the IIUM SDR and orders or directives given under Rule 51 herein in the University.

Service of notice, letter, memo etc

56. Any notice, letter, memo or document required to be served, delivered or given under IIUM SDR shall be deemed to have been sufficiently served, given or made if delivered or sent by registered post at the last known address or by registered digital technologies or communications with the University and shall be deemed to have been duly received by the other party at the time of delivery (by hand) and in the ordinary course of post (if sent by post).

IIUM SDR is not to derogate from criminal liability

57. Nothing in the IIUM SDR shall derogate from the liability of any student or other person for any offence under any written law.

Saving clause

58. Students' Discipline Rules 2004 (Amendment 2006) is hereby amended.

Provided that any appointment made under the Students' Discipline Rules 2004, (Amendment 2006) hereby amended, it shall be deemed to be made under the IIUM SDR.

Provided further that any pending disciplinary proceeding or any disciplinary misconduct prior to the commencement of the IIUM SDR shall be subjected to the rules and orders of Students' Discipline Rules 2004, (Amendment 2006) until the completion of the proceeding made thereunder.

The International Islamic University Malaysia Student Disciplinary Rules shall commence with effect from Semester 2, 2020/2021.

Made this 4 day of Jamadilawal 1442H

Made this 18 day of December 2020

STUDENTS' DISCIPLINARY RULES

Amending Laws	Title	Commencement
Majlis Meeting No. 2 - 28 th November 1983	Discipline of Students Rule 1984	28 th November 1983
Majlis Meeting No. 55 - 21 st March 2001	Discipline of Students Rule 1984-amendment	21 st March 2001
Majlis Meeting No. 66 - 22 nd July 2004	Discipline of Students Rule 1984 (Amendment 2002)	18 th November 2003
Majlis Meeting No. 71 - 28 th February 2006	Students' Discipline Rule 2004 (Amendment 2006)	28 th February 2006