

16.1. Dubai International Academic City Shared Facility Policy Statement on Student Discipline

This Shared Facility Policy Statement on Student Discipline (the “Discipline Statement”) governs the presence of, and the usage by the students (each a “Student”) enrolled in the educational institutions (each an “Institution” and collectively the “Institutions”) licensed and operating in the Dubai International Academic City (“DIAC”) of the Shared Facilities.

This Shared Policy Statement also governs the presence of and the usage by students enrolled in licensed educational institutions operating in the Dubai Knowledge Park (“DKP”), of Shared Facilities therein. All references therefore set out in this Policy Statement which relate to the management of DIAC, facilities of DIAC and the use of such facilities by the students of licensed institutions apply in equal measure to the students of licensed institutions operating in the DKP.

It is acknowledged and agreed that where any similar policy of any Institution contradicts with this Discipline Statement, then this Discipline Statement shall prevail.

This Discipline Statement is issued to instil standards of integrity and ethical conduct in the users of the Shared Facilities within the DIAC. Every Institution operating within the DIAC is required to sign this Discipline Statement as a requirement to be able to operate within the DIAC.

This Discipline Statement does neither address every possible situation that may arise nor serve as a substitute for any Federal or local law, governmental decision or order, or any other relevant regulation in the Emirate of Dubai. Any issues that are not covered under the terms of this Discipline Statement shall be interpreted under the Dubai Code of Conduct issued in March 2009 by the Executive Council of Dubai (the “Dubai Code of Conduct”). The DIAC management reserves the right to amend this Discipline Statement as and when it is deemed suitable.

The aim of this Discipline Statement is to confirm the commitment of the Institutions to the content hereof; and provide a reference for disciplinary procedures if a Student is found in violation of any of the terms of this Discipline Statement; and serve as a commitment by the Institutions to the highest standards of ethical and professional conduct in executing the decisions that may be issued by the disciplinary committee to be formed pursuant to the terms hereunder (the “Disciplinary Committee”) based on the terms and conditions contained herein.

By signing this Discipline Statement, each Institution accepts to be bound by, adhere to and procure compliance by its Students with the aims and objectives of this Discipline Statement and the laws and regulations in force in the Emirate of Dubai, including but not limited to the Dubai Code of Conduct.

1. Shared Facilities

The DIAC management has authority to control Students' conduct which is detrimental to good order and discipline in any of the Shared Facilities. For the purpose of this Discipline Statement, "Shared Facilities" mean real property within the DIAC in which the Institutions have no lease right of sole personal use including but not limited to the food court(s), the DIAC campus grounds, the DIAC recreation rooms, the DIAC recreational areas, internal roads, infrastructure, and all other common assets and facilities that are intended for use by all the Institutions, the Students and guests together with all external open spaces contained within the DIAC.

2. Rights and Responsibilities

- a. No Student shall be deprived of personal rights or liberties without recourse to due and fair processes of applicable regulations.
- b. No disciplinary sanctions may be imposed by the Disciplinary Committee upon any Student without fair and due process.
- c. The Disciplinary Committee shall not consider ignorance of a rule or regulation an acceptable defence.

3. Misconduct

Misconduct means (i) wrongful, improper, or unlawful conduct (ii) motivated by premeditated or intentional purpose or by obstinate indifference to the consequences of a Student's act(s), (ii) conduct that is unacceptable to the DIAC management even if such conduct does not violate any criminal statutes.

Violations of the following standards of conduct represent misbehaviour that normally will result in a disciplinary action from the Disciplinary Committee in addition to any other punishment, sanction or penalty imposed by the relevant governmental bodies/authorities.

Enumerated below is a list of misconduct which is not intended to be exhaustive but indicative and shall not be taken in any way as limiting the generality of high standards of conduct required within the Shared Facilities.

- a. Failure to comply with the laws of Dubai and/or the United Arab Emirates including but not limited to the Dubai Code of Conduct.
- b. Failure to comply with the DIAC policies or regulations including rules as may be imposed by the DIAC management to manage the use of the Shared Facilities.
- c. Causing disruption of any function.
- d. Physical contact between males and females is strictly prohibited in keeping with the cultural norms of Dubai and the United Arab Emirates. This includes but is not limited to indecent kissing, touching and other public displays of affection;

- e. Inappropriate dress for both males and females is prohibited. This includes, but is not limited to, tank tops, tight or transparent clothing, exposing too much skin or exposing the waist or back, and clothing shorter than the knee, or short pants.
- f. Entering or attempting to enter without lawful authority any of the Shared Facilities or against the will of the lawful occupant or of the person lawfully in charge thereof; or being therein or thereon without lawful authority to remain and refusing to leave on demand of the lawful occupant or of the person lawfully in charge thereof.
- g. Damaging or possessing DIAC's property or property of others.
- h. Fighting, assaulting or committing any other acts of violence within any of the DIAC Shared Facility areas.
- i. Harassing, threatening, bullying or intimidating others.
- j. Possessing, using, distributing, selling, buying or being under the influence of alcohol, illegal drugs or controlled substances.
- k. Unapproved placement of posters or signs.
- l. Smoking in undesignated areas.
- m. Being insubordinate or disrespectful to DIAC management, administrators, staff or any person engaged by the DIAC to render a service in any of the Shared Facilities.
- n. Using, possessing, selling or distributing any firearms, fireworks, explosives or weapons, or possessing any object produced as a weapon, or any other materials or substances that are prohibited by law.
- o. Gambling or other illegal or unauthorized games or contests of chance.
- p. Failure to be fully responsible for the behaviour of guests. A guest is defined as any visitor who is not enrolled in any of the Institutions and using a Shared Facility.
- q. Violation of traffic laws, including but not limited to reckless driving, and parking in unauthorized spaces.
- r. Posing a threat of harm to oneself or others.
- s. Possessing any dangerous substances which can be used to inflict injury upon oneself, another person or property.
- t. Raising false alarms or making false reports.
- u. Setting or attempting to set fires.
- v. Non-abidance by the rules and regulations set within each of the Shared Facilities.
- w. Misuse of network access, internet access or electronic equipment (including hacking and other unlawful activities, violating copyright laws, employing the network for commercial purposes, or any other inappropriate electronic related actions).
- x. Any other serious misconduct that is not expressly covered by the foregoing standards but which is disruptive to the DIAC operations and detrimental to good order and discipline.
- y. Violating the terms of any disciplinary sanction imposed by the Disciplinary Committee.
- z. Evidence of bigotry, racism, or prejudice directed towards other individuals or organizations.

4. Filing a complaint

- a. A written complaint (or a verbal complaint, which must be followed up by a written complaint within two days of the verbal complaint made) may be filed by any (i) academic or administrative officials at any of the Institutions; (ii) any administrative officials, or employees, or security guards engaged by the DIAC management; (iii) any Student of any of the institutions. Each such complaint shall be lodged with the DIAC management office.
- b. The DIAC management shall inform the Institution(s) in which the Student(s) against whom the complaint is made, in writing and shall cause an investigation to be conducted in cooperation with the informed Institution(s) (if needed), and shall prepare a report setting out the details of the alleged improper conduct and the results of the investigation.
- c. Upon completion of the investigation and report, the DIAC management shall deliver a copy of the report to the concerned Institution(s).
- d. If the DIAC management is of the opinion that there is sufficient cause to merit a hearing of the complaint, this shall be so stated in the said report.
- e. A complaint must be filed within three (3) working days of the occurrence or the discovery of the alleged infraction(s), provided that where it is not reasonably possible to file a complaint within the time limit, the complaint may be filed as soon after the occurrence of the event as is reasonably possible.

5. The Hearing

- a. The following persons shall have standing before the Disciplinary Committee:
 - i. The Student(s) against whom the complaint is made; and
 - ii. The complainant (if the chairperson deems necessary).
- b. The chairperson shall present the complaint and the supporting evidence (if any). The hearing shall not be open to the public.
- c. The hearing of the complaint by the Disciplinary Committee shall take place at as early a convenient time as may be arranged by the chairperson of the Disciplinary Committee. The chairperson shall so inform the concerned Institution which shall inform the Student(s) against whom the complaint is made who shall be given two days' notice of the time and place of the hearing.
- d. In exceptional cases of improper conduct which threatens to continue and to seriously disrupt or obstruct the orderly continuation of the activities at any of the Shared Facilities, the Disciplinary Committee shall have the power, without prior notification to the Student, to make a suspension order against any Student against whom a report has been received from the DIAC management as the latter may deem appropriate in accordance with the foregoing provisions. A hearing for this purpose will take place on a later stage as stated above. The Disciplinary Committee, based on a unanimous decision, shall have the power to reinstate before, during, or after a hearing any Student who has been suspended under the provisions of this paragraph (d).

6. The Disciplinary Committee

The ultimate authority for all Shared Facilities is vested in the DIAC management. The DIAC management can delegate the Disciplinary Authority within the DIAC Shared Facilities to the Disciplinary Committee to implement student conduct policies and take all necessary and appropriate action to protect the safety and well-being of the DIAC community.

- a. In order to uphold and safeguard the objects, purposes and standards of the DIAC, a Disciplinary Committee shall be established. Each Institution shall, at the commencement of each academic year, name one representative (the “Representative”) to be a member of the List of Representatives.
- b. The Disciplinary Committee shall consist of seven (7) members or more (as the case may be) to be selected from the list of Representatives appointed by the Institutions (the “List of Representatives”) and a representative of the DIAC management.
- c. The Disciplinary Committee shall hear and decide each case in which it is alleged that a Student has engaged in improper conduct as defined in the Discipline Statement or as the DIAC management may deem needful.
- d. The Disciplinary Committee shall include the Representative of the Institution in which the Student to be disciplined is enrolled, a representative of the DIAC management, and five (5) neutral members to be chosen from the List of Representatives.
- e. If more than one Student is to be disciplined, the Disciplinary Committee shall consist of Representatives of the Institutions in which the Students are enrolled, and an equivalent number of neutral members to be chosen from the List of Representatives and a representative of the DIAC management. However, the number of members of the Disciplinary Committee shall be always odd.
- f. The neutral members will be chosen following the alphabetical order of the names of Institutions. All members named on the List of Representatives shall serve as members of the Disciplinary Committee before calling a Representative who has already served as a neutral member of the Disciplinary Committee to attend again (except in cases of excuse or absence).
- g. The representative of the DIAC management shall chair the Disciplinary Committee, and shall be entitled to participate in all proceedings of the Disciplinary Committee and shall have the same voting rights as each other voting member of the Disciplinary Committee.
- h. The Disciplinary Committee can meet anytime during the calendar year.

7. Procedures

- a. The Disciplinary Committee shall follow common sense based procedures.
- b. The burden of proof during a hearing rests on the complainant.
- c. The Student(s) against whom the complaint is filed shall attend in person without any assistance whether from the Institution or elsewhere.

- d. Witnesses may be called after the approval of the chairperson.
- e. If the Student(s) against whom the complaint is filed does/do not attend the hearing, the Disciplinary Committee may hear the case and issue its decisions in his/her/their absence.
- f. At the closing session of the hearing, the Disciplinary Committee, after due deliberation, will decide by majority vote, if the Student(s) against whom the case is filed is/are in violation of the provisions of this Discipline Statement.
- g. After deliberating, the Disciplinary Committee will determine the appropriate sanctions.

8. Sanctions

- a. The Disciplinary Committee will recommend sanctions consistent with the severity of the offense. Repeat offenders may receive harsher sanctions. Sanctions may vary from warning the Student and up to a recommendation of dismissal from the Institution.
- b. One or more of the following sanctions may be imposed upon a Student for violation of the disciplinary regulations within the Shared Facilities. The Disciplinary Committee is not limited to the list of sanctions provided below and may recommend new sanctions. The sanctions that may be imposed are as follows:
 - i. Request for apology (oral or written);
 - ii. Warning (notice, oral or written, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action);
 - iii. Punitive fine;
 - iv. Temporary or permanent barring from a certain Shared Facility;
 - v. Loss of privilege;
 - vi. Repayment of the direct cost for damages or interruption of services resulting from a violation;
 - vii. Temporary prohibition from entering the DIAC;
 - viii. Recommendation of dismissal from the Institution (permanent termination of Student(s) status and exclusion from the Institution, privileges and activities and will be permanently banned from entering the DIAC. Such sanction requires a unanimous decision from the Disciplinary Committee and a written confirmation from the Institution).
 - ix. The Disciplinary Committee reserves the right to impose any other sanction(s) that it may deem appropriate to correspond with the violation(s).

9. Implementation

- a. The Disciplinary Committee should forward the case record including the decision and the sanction to the Institution(s) in which the Student(s) against whom the case is made to within three (3) working days.
- b. In cases in which the sanction(s) is one that may be implemented by DIAC (e.g. barring from a Shared Facility, the DIAC management will ensure the implementation of the

sanction(s) given and the Institution must support the DIAC management if so required by the latter.

- c. In cases in which the imposed sanction(s) is/are to be implemented by one Institution or more, the said Institution(s) must implement the sanction(s).
- d. In the instance of severely and wilfully disruptive behaviour, or when the ordinary rights of any person within DIAC are threatened by the continued presence or activity of any Student(s), the DIAC management may suspend such Student(s) from entering into the DIAC premises or any Shared Facilities, pending the outcomes of a hearing. In this case the Institution in which the Student(s) is/are enrolled shall suspend such Student(s) from the Institution, pending the outcome of a hearing.

10. Appeal

The Student(s) who had to stand as respondent(s) in a hearing, may appeal to the DIAC management regarding any disciplinary determination arrived at through a hearing and resulting in disciplinary sanction(s).

- a. An appeal must be in writing and delivered to the DIAC management within seven working days after the Disciplinary Committee issues a decision.
- b. The appeal will be reviewed by the DIAC management to determine its viability. The DIAC management will ask the Disciplinary Committee that issued the appealed decision to determine the viability of an appeal if required.
- c. The DIAC management will determine the viability based on whether there is new information that significantly alters the face of facts stated earlier, evidence of improper procedure, findings, that are against the weight of evidence or excessive sanctions.
- d. If the DIAC management deems an appeal to be viable, the chairperson of the Disciplinary Committee will reconsider it for review and decision.
- e. The DIAC management may deny the request for appeal and affirm the earlier findings.
- f. A new hearing will not be conducted on appeal. Decisions rendered solely by the chairperson are final.
- g. Sanctions may be reduced only if found to be substantially disproportionate to the violation.
- h. Appeal may be dismissed if the findings are found to be unsupported by evidence.