



**Karolinska
Institutet**

Rules of procedure for the disciplinary board at Karolinska Institutet

Ref. No 1-405/2020

In effect as of 2020-06-02

NOTE: This is a translation of the Swedish version (Arbetsordning för disciplinnämnden vid Karolinska Institutet). In the event of any discrepancy between the versions, the Swedish version constitutes the official decision and the Swedish wording will prevail.

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1 Introduction

Chapter 10 section 3 of the Higher Education Ordinance (1993:100, HF) requires Karolinska Institutet to have a disciplinary board. Chapter 10 of the Ordinance regulates disciplinary measures against students in higher education. Section 1 provides that disciplinary measures may be invoked against students who:

1. use prohibited aids or other methods to attempt to deceive during examinations or other forms of assessment of study performance
2. disrupt or obstruct teaching, tests or other activities within the framework of courses and study programmes at the higher education institution
3. disrupt activities in the library of the higher education institution or other separate establishments at the institution, or
4. subject another student or member of the staff of the higher education institution to harassment or sexual harassment of the kind laid down in Section 4 of Chapter 1 of the Discrimination Act (2008:567).

The same chapter of the Ordinance contains provisions on the composition of the disciplinary board, the handling of cases and decision-making procedures. The handling of cases is also regulated by the Administrative Procedure Act (2017:900).

These rules of procedure regulate the operations of the KI disciplinary board when a disciplinary case has been passed to it for hearing. The purpose of the rules is to clarify the handling of disciplinary cases and procedural matters relating to board meetings.

2 Composition

The KI disciplinary board comprises the president (chair), a legally qualified member, a faculty representative, a student representative from the Medical Students' Association in Stockholm and a student representative from the Student Union of Odontology. Should the president be unable to attend, he or she is to be replaced by the vice-president (the President's deputy). A substitute must be available for each of the other members. The rapporteurs to the board comprise members of the University Administration.

3 Term of office

The term of office for the legally qualified member and the faculty representative is three years. The student representatives are appointed for a year at a time.

The process for appointing new members should commence no later than the September immediately preceding a new term of office. The faculty representative and his/her substitute are chosen by nomination, taking into account gender balance, scientific field and campus. Decisions on selections for a new term of office for the faculty representative and his/her substitute are made by the president.

The president appoints the legally qualified member and his/her substitute.

The Medical Students' Association in Stockholm and the Student Union of Odontology each elect its student representative and his/her substitute annually.

4 Time and date of meetings

It is the responsibility of the rapporteurs to propose a time and date for board meetings. The board fixes the proposed times for six months at a time. It is the responsibility of the rapporteurs to book suitable premises.

5 Remuneration

Remuneration for board duties is disbursed to the legally qualified member and his/her substitute and the student representatives and their substitutes every six months in December/January and June. It is the responsibility of the rapporteurs to ensure that the remuneration is paid.

Remuneration is decided under separate rules.

6 Quorum and voting rights

The board is quorate when at least three members are present. The chair and the legally qualified member must be present. The chair, the legally qualified member, the faculty representative and the student representatives are entitled to vote. Rapporteurs participate in the meeting but have no voting rights.

7 Reporting and administration

7.1 Reporting to the president

Reports of incidents that might necessitate disciplinary measures against a student are sent to the president (rektor@ki.se). Cases are investigated by the rapporteur and the student involved is to be given opportunity to make an oral or written statement on the report and on any supporting material.

7.2 President's decision to refer a case to the board

When the investigation is complete, the president decides if the case is to be dismissed without further action, if the student is to be issued a warning, or if the case is to be referred to the disciplinary board for examination. Such decisions are made at the president's decision meeting.

If the president decides to dismiss the case or issue a warning, the decision is to be announced separately. If the president issues a warning, the student is to be informed that the decision may be submitted to the disciplinary board for examination.

7.3 Temporary suspension prior to meeting

The president may temporarily suspend a student from further studies at Karolinska Institutet with immediate effect if his/her case is referred to the disciplinary board. Such a decision is taken on consultation with the legally qualified member and remains in effect until the board has examined the case. Suspension may not extend beyond one month.

7.4 Limitation period

The limitation period for disciplinary cases is two years. A decision on disciplinary action must be made before this period expires.¹

7.5 Police report

If a student has acted in such a way that might be construed as illegal, the matter shall be reported to the police. It is the president's responsibility to ensure such a

¹ The limitation period is regulated in Chapter 10 Section 2 of the Higher Education Ordinance. The Ordinance should be interpreted in accordance with Nils Jareborg's reading; see p. 18 in *Disciplinansvar för studenter som fuskar eller stör* (Högskoleverket 2002)

report is made. In such cases, the disciplinary board may decide if KI is to continue handling the case or if it is to be postponed.

8 Before the meeting

8.1 Distribution of documents

A week before the board meeting, the rapporteur sends out a summons along with a list of cases to be considered and the relevant documentation to the members of the board by email. The rapporteur summons the student and examiner to the meeting, who are then furnished with the documents that are relevant to their case. Others, such as exam invigilators, may be summoned if necessary.

8.2 Checking quorum

The rapporteur checks that the board is quorate before the meeting (see section 5).

8.3 Suspension period and appeal period

The rapporteur prepares, if necessary, the suspension and appeal period.

The suspension period is calculated from the day following the meeting unless the board directs otherwise. The appeal period is three weeks from the date that the appellant is notified of the decision.

9 The meeting

9.1 Conflict of Interest

Provisions covering conflict of interest are contained within the Administrative Procedure Act (2017:900) and KI's own guidelines on conflict of interest. Board members are required to declare any circumstances that may be assumed to constitute a conflict of interest to the rapporteur. The rapporteur checks that the board remains quorate despite any such declaration(s).

9.2 Procedure

The president accords the right to speak at the meeting. Before the student and the examiner are called to the meeting, the rapporteur begins every case with a brief presentation, including any additional information that has emerged since the summons, and a review of practice.

When the student and the examiner have been called in, the members of the board and rapporteur are presented. The student is given opportunity to comment, followed by the examiner. The board is given opportunity to ask questions. The student and examiner are then required to leave the room, taking bags and jackets with them. The board then deliberates on the case. The board can decide to dismiss the case without further action or decide on a warning or a suspension from studies of a maximum of six months.

The student and examiner are then called back to the meeting room and the president announces the board's decision and gives a brief account of the reasons for it. The rapporteur informs the student of the personal implications of the decision. If the board has decided on a warning or a suspension, the rapporteur is to inform the student how to lodge an appeal to the Administrative Court in Stockholm.

9.3 Special provision on the suspension period

The principle is that a period of suspension is to take immediate effect and commence from the day following the disciplinary board meeting. The disciplinary board may, however, order a postponement of the suspension if, for example, immediate suspension would cause serious harm to the student. The period of suspension shall be scheduled during term time.

9.4 Postponement

The disciplinary board shall ensure that cases referred to it are thoroughly investigated.

The board may postpone a case until the next forthcoming meeting if it feels that the case has not been sufficiently investigated or for other appropriate reason.

9.5 Divergent opinions

If during the consideration of a case there are divergent opinions, the provisions of Chapter 29 of the Code of Judicial Procedure concerning voting in court shall be applied. The younger student representative shall vote first, followed by the

other student representative, the faculty representative and the legally qualified member. The chairperson casts the last vote.

The opinion represented by over half of the members' votes shall prevail. If both opinions receive half the vote, the one that is less intrusive for the student shall prevail.

9.6 Dissenting opinions

The members have the right to lodge reservations against decisions taken by the board. The rapporteur may lodge a dissenting opinion and is entitled to have this opinion recorded in the minutes. The dissenting opinion may relate to the actual outcome of the meeting but can also be limited to the reasons for the decision.

9.7 Special provision on attempts to deceive during an examination

It is not the disciplinary board's remit to decide if the examination to which a disciplinary case relates is to go ahead or not. It is the examiner who decides if the examination is to go ahead in accordance with KI's guidelines and the syllabus.

10 After the meeting

The rapporteur notifies the student and examiner in writing of the board's decision and any opportunity there might be to appeal. If the board decides to suspend a student, the rapporteur is to register the decision in KI's Ladok system, and notify the student counsellor at the relevant department and the Swedish Board of Student Finance (CSN).

The rapporteur makes up the minutes and sends a draft to the legally qualified member for perusal and proofing. The minutes are then submitted to the president for signing.

The rapporteur scans the signed minutes and places them in the folder for the year's minutes. The minutes are submitted annually to the Archive and Registry Unit.

The rapporteur sends a copy of the minutes to the student by email and for information purposes to the examiner.

11 Appeals

Appeals shall be lodged with the Administrative Court in Stockholm and sent to the KI registrar (registrator@ki.se).

It is the responsibility of the rapporteur to administer the appeal. This is to be done promptly. An examination shall be made of whether the appeal has been made in time (i.e. a review of time limit). It shall be considered whether reasons exist for the decision to be changed (e.g. if new circumstances have arisen). Might there be reason to change the decision, the legally qualified member shall be consulted. If the decision is not changed, the case is submitted to the Court of Appeal in Stockholm for examination.

The rapporteur informs the board about the appeal and the decision of the Court of Appeal at the next forthcoming meeting.

12 Miscellaneous

It is the responsibility of the rapporteur to compile statistics of disciplinary cases.