



EASTERN UNIVERSITY, SRI LANKA

STUDENT CHARTER

STUDENT CHARTER

**Eastern University, Sri Lanka Student Charter serves as a guide to
the Eastern University Students, Academic, Administrative and
Support Staff and Public to Invest and Harvest the Fruits of
University Education of the Country**

**Eastern University, Sri Lanka
Vantharumoolai
Chenkalady
2015**

TABLE OF CONTENTS

	Page
PREFACE	01
PART I	
Introduction to Eastern University, Sri Lanka Student Charter	03
Guiding Principles on which Eastern University, Sri Lanka is governed	05
Transparency	05
Equity and Diversity	05
Commitment to Uphold Democratic Rights and Social Norms	05
PART II	
Academic Atmosphere and Student Support Services of Eastern University, Sri Lanka	06
Residential Facility to the students	06
Health Service	06
Security and Safety	06
Library Service	06
Centre for Information and Communication Technology	07
Career Guidance Services	08
English Language Teaching Unit	08
Sports and Recreational Facilities	09
Student Support Services and Welfare Network	10
PART III	
Governance and Management of Eastern University, Sri Lanka	12
Freedom of Expression	12
Student Representations	12
Right to form Students' Associations	12
Personal Conduct	12
Maintenance of Discipline and Law and Order	13
PART IV	
Unethical and Unlawful Activities that are Prohibited in the Eastern University, Sri Lanka	15
Plagiarism and Cheating	15
Disorderly conduct, dissent and protests	15
Disrespect and non-compliance	15
Wrongful utilization of goods, services or information	16
Unauthorized collection of funds	16
Solicitation	16

	Page
Possession and consumption of alcohol, drugs and tobacco within the university premises	16
Gambling	17
Harassment/Violence	17
Hazing/Ragging	17
Sexual harassment/sexual misconduct	18
Theft	18
Vandalism	18
Unauthorized Entry	19
Co-operation with authorities and Committees of Inquiry	19
Right of Appeal	19
WHAT EASTERN UNIVERSITY, SRI LANKA IS COMMITTED TO DO STUDENTS?	20
WHAT EASTERN UNIVERSITY, SRI LANKA EXPECTS FROM ITS STUDENTS?	21
<i>Annexures</i>	22
Anx 1: By-Laws Relating to Students' Conduct and Discipline	22
PART I - General	22
PART II - Students' Conduct	23
PART III - Student Discipline	25
Anx 2: Prohibition of Ragging and other forms of violence in Educational Institutions Act, No. 20 of 1998	28
Anx 3: Guidelines to Curb the Menace of Ragging in the Universities or Higher Educational Institutes (HEIs)	32
Anx 4: By-Law Relating to University Students' Union and Faculty Students Union	37
Anx 5: Eastern University, Sri Lanka Policy Framework for Gender Equity/Equality	43
Anx 6: By-law on Sexual and Gender - Based Violence	52

PREFACE

Eastern University, Sri Lanka

The Eastern University, Sri Lanka, the 9th National University was established first as Batticaloa University College (BUC) on 01.08.1981 with two faculties viz; Faculty of Sciences and Faculty of Agriculture. Subsequently the University College was upgraded as Eastern University, Sri Lanka on 26.09.1986 with two additional faculties viz; Faculty of Commerce & Management and Faculty of Arts & Culture. The Faculty of Health-Care Sciences of the Eastern University, Sri Lanka was established in 2004.

Trincomalee Campus

The Trincomalee Campus of the Eastern University, which is now located at Konesapuri, 10 km north of Trincomalee, was established on 15th June 2001 with two Faculties viz; Faculty of Communication & Business Studies and Faculty of Applied Science

Swamy Vipulananda Institute of Aesthetic Studies

The Swamy Vipulananda College of Music and Dance was established in 1981 by the Ministry of Regional Affairs and Hindu Culture and was affiliated to the Eastern University, Sri Lanka in 01st January 2002. Later this was renamed as Swamy Vipulananda Institute of Aesthetic Studies (SVIAS) and was attached to the University as an Institute and functioning since 14.03.2005.

Eastern University, Sri Lanka Student Charter is adapted from UGC Students Charter, and serves as a guide for students enrolled in the Eastern University, Sri Lanka. It also serves as a guide to the academic, administrative and support staff and the public, as it emphasizes the commitment expected from all stakeholders for the smooth functioning of Eastern University, Sri Lanka.

Eastern University, Sri Lanka Student Charter

- outlines the vision and mission of the Eastern University, Sri Lanka and the principles on which it is governed, and what experience the student can expect from the Eastern University, Sri Lanka once he or she becomes a student;
- states the conditions of the partnership that shall exist in the university and its students;
- guides the students in their quest for knowledge in a chosen field of study and urges the students to exploit the precious opportunity that they have received by having been admitted to Eastern University, Sri Lanka;
- advises the students to conduct themselves in productive, constructive, responsible and enlightened manner and do nothing to damage the good name of the university and their future.
- states the consequences of causing, inciting or abetting the breakdown of law and order and discipline of the Eastern University, Sri Lanka;
- explains the disciplinary procedures that would be initiated by the Eastern University, Sri Lanka and the punitive action that would be taken by the Police and Courts of Law;
- spells out the unethical and unlawful activities that are prohibited in Eastern University, Sri Lanka and
- spells out the possible punishment that could be imposed by the Eastern University, Sri Lanka on those who engage in or commit any one or more of the unethical and unlawful activities listed.

Therefore, students are earnestly urged to cooperate and contribute towards making it possible for the Eastern University, Sri Lanka to play their mandatory role and contribute to preserve and sustain the core values and principles of the institution.

PART-I

Introduction to Eastern University, Sri Lanka Student Charter

Guiding Principles on which Eastern University, Sri Lanka is governed

- Transparency
- Equity and Diversity
- Commitment to Uphold Democratic Rights and Social Norms

Introduction to Eastern University, Sri Lanka Student Charter

The Eastern University, Sri Lanka is committed to playing the dual role of producing young men and women with knowledge and wisdom to cater to the ever-increasing demand for human resources in the country, while fulfilling the aspirations of all those who seek higher education. They undertake this noble role by designing and offering high quality, relevant and well-recognized academic and/or professional qualifications of their chosen disciplines with a basket of transferable and technical skills, with which the students could explore the boundary-less world that would provide young graduates with infinite opportunities to realize their full potential and aspirations.

Eastern University, Sri Lanka Student Charter

University Student Charter outlines the vision and mission of the Eastern University, Sri Lanka and the broad principles on which the university is governed, and clarifies the experiences the students can expect from the university once they become students. It spells out the conditions of the partnership that shall exist between the university and its students, and thus, it serves as a contract between the University and its students. The Eastern University, Sri Lanka Students' Charter also serves as a guide to the academic, administrative and support staff and the public, as it reiterates the commitment expected from all stakeholders for the smooth functioning of Eastern University, Sri Lanka.

Vision and the Mission of Eastern University

Vision

The Vision of Eastern University is to become a national centre of excellence for higher learning and research with a competitive advantage, responsive to the dynamics of the regional and global conditions.

Mission

The Mission is to pursue excellence in teaching, research and dissemination of knowledge through enhancing the institutional capacity, human resource and infrastructure development and good governance to serve socio economic and cultural need of the community.

Guiding Principles on which Eastern University, Sri Lanka is governed

Going along with national policy initiatives and guidelines, Eastern University, Sri Lanka guided and managed adhering to the principles of openness, equality, and diversity while upholding democratic rights of individuals in conformity with civic norms and rights. It strive to be Center of Excellence in teaching and learning, aesthetic and cultural pursuits, research and development as well as outreach activities.

Principles of Openness, Equity and Diversity and Commitment to Uphold Democratic Rights and Social Norms

Eastern University, Sri Lanka is retreats for diverse groups of mature learners, to engage in higher learning and creative work with enthusiasm, excitement and harmony. Further, it ensure that all inhabitants are well aware and appreciative of the norms of the civil society, and in return expect the commitment of their inhabitants to act as socially-conscious and responsible citizens, complying with all forms of social norms expected in the civil society.

Transparency: Eastern University, Sri Lanka is fully committed to providing all information regarding admission, academic programmes, evaluation procedures, recruitment criteria, method of recruitment and also about the entitlements, privileges, opportunities as well as grievance redress and disciplinary procedures.

Equity and Diversity: Eastern University is fully cognizant of the fact that the Sri Lankan society is diverse in terms of ethnicity, religious faith, origin and socio-economic background. Eastern University, Sri Lanka will ensure that no student or staff member receives less favourable treatment directly or indirectly, on the grounds of age, race or ethnic origin, religion or belief or creed, gender, disability, marital and parental status, or sexual orientation.

Commitment to uphold democratic rights and social norms: Eastern University, Sri Lanka is committed to providing provisions to preserve democratic principles and norms, guaranteeing the rights of individuals (*rights of expression of opinion, forming associations and interest groups, living in dignity and self-respect free from any harassment, abuse, and intimidation, right of privacy, etc.*) and maintaining a just and righteous society within the institution (*free of evils such as drugs, alcohol and substance abuse and disrespect for written and unwritten laws and norms of the civil society*).

PART-II

Academic Atmosphere and Student Support Services

- Residential Facility to the students
- Health Service
- Security and Safety
- Library Service
- Information Communication Services
- Career Guidance Services
- English Language Teaching Unit
- Sports and Recreational Facilities
- Student Support services and Welfare network

Academic Atmosphere and Student Support Services

Residential Facility to the students

Hostel facilities are available for both male and female students at EUSL. All the hostels have been located inside the University. There are six blocks have been allocated to male students and at present there are about 716 students have obtained accommodation. As far as the female hostel is concerned there are nine blocks have been allocated for female students and 1483 students have obtained accommodation. Based on distance hostel accommodation is being given. To maintain and ensure student discipline in the hostels sub-wardens and academic sub-wardens have been appointed.

Students have the access to a cafeteria inside the hostel. For recreational activities lobbying with access of TV is available for male and female hostels. In addition to the gymnasium small volleyball and badminton court also made available to the students. Mobile vehicles have been provided to the hostels in case of urgent medical treatment and 24 hours security has been provided and adequate infrastructure facilities have been extended. All the activities related to the hostel are being monitored by AR/Welfare in liaison with relevant sections.

Health Service

Eastern University, Sri Lanka has a Medical Centre at Vantharumoolai. Most of the Lecture Halls, Library and hostels are at the same premises therefore, easily accessible. It provides routine health care service and emergency services to the students as well as to the staff. It provides the service during the day time and if the students who are in the hostels need medical services during night time are taken to nearby Chenkalady Hospital.

Quality health care services as well as government hospital service are given to the students. Dressing for the wounds, Nebulization for Asthmatic patients, Out patients treatments, giving IV fluids (Intravenous Fluids-Saline), Counselling, Monthly Clinics and Emergency Care are some of the Service of the Medical Centre. When necessary the Medical Team Visits to hostels to provide services. We plan to give "First Aid "training to every student, who will use the knowledge in the Society.

Security and Safety

Eastern University, Sri Lanka is maintaining the Security system of the University by its own permanent Security of University Staff and Private Security. These security arrangements are done in the University Premises and Hostel during day and night. Further, for maintaining student's discipline, University implements Proctor, and Counsellor System.

Library Service

The Main Library is the central information service unit of Eastern University, Sri Lanka which offers range of resources and services to support the academic activities of the university. It caters the needs of four faculties namely Faculty of Agriculture, Arts & culture, Commerce & management and Science. Presently, the library owns about 86,000 numbers of books and 31

numbers of titles of periodicals. An online catalogue (OPAC) consist bibliographic details of all books in the library. The library perceives one of its tasks in actively shaping the changes in an ever stronger digitized information landscape according to the needs of both academics and students. It is developing new user friendly services which ease access to electronic media. The library provides access to electronic journals / databases and e- repositories of digitized theses collections, past examination paper collections and research article collections authored by the academics of the university. The library offers reference service, lending service, orientation programmes, research support service (RSS), e-library service, current awareness services, outreach services, inter library loan (ILL) and photocopying facilities to the users. In addition to the Main Library, there is branch Medical Library attached with the Faculty of Health Care and Sciences to render medical literature to the students and medical professionals. Moreover, there are two other libraries, attached with Institute and Campus and serving to patrons of the Sawami Vipulanantha Institute of Aesthetic Studies (SVIAS) and the Trincomalee Campus of Eastern University, Sri Lanka, respectively.

Centre for Information and Communication Technology (CICT)

The Centre for Information and Communication Technology of Eastern University, Sri Lanka linked to the Faculty of Science caters to computer needs of all Faculties of the university (Agriculture, Arts and Culture, Commerce and Management, Health care Sciences and Science). CICT conducts various ICT courses (core courses that are part of the curriculum of degree programs) to students of all five faculties at EUSL. Moreover, the CICT conducts the training courses/ programmes in the field of IT/ Computer Science to the undergraduates. Furthermore, the centre takes the responsibility to conduct workshops on IT related areas.

The CICT provides the following services in general:

- E-mail and Internet access to all faculties
- Maintaining University Information Server (Web Server), Learning Management System (LMS) Server, File Server, Domain Controller (Active Directors and DNS Services), Anti-Virus Server, Library Information System Server, User Admin Control Panel and Intranet
- Hardware troubleshooting, Software installation and consulting
- Managing the University backbone network (Fibre and Data connectivity)

The centre also provides the following specific services to the students:

- Unlimited laboratory facilities
- Centre open for students daily 8.00am to 8.00pm
- Internet and e-mail facilities
- Access to the computers
- User name & password
- The video conferencing unit
- Remote lecturing services
- Wi-Fi LAN Network for entire university, including the Faculty of Healthcare Sciences.
- Printing service

Career Guidance Service

Career Guidance has been recognized as an important part of the education and training that the undergraduate are exposed to. The undergraduates are assisted by the Career Guidance Unit (CGU) to select their future careers to suit their abilities, wishes and expectations. This is to be achieved by means of enhancing the necessary attitude, motivation and the skills demanded by the organizations both in the state and private sector. The CGU liaises with these industrial sector establishments to organize capacity building sessions to develop the skills required for the present day job market among undergraduates. These include orientation of the undergraduates to develop the career related skills such as communication skills, leadership and teamwork skills, managerial skills, marketing and entrepreneurial skills. The CGU maintains links with these organizations and exchange information mutually benefiting both.

Career guidance unit was established in Eastern University, Sri Lanka by UGC Circular No.819 and 934 of universities in 2003 in order to cater to the needs of the students to the world of work. Through, these programs, students receive personalized career counseling from the advisers with extensive experience in their field, participate in skill-building workshops, and network with successful professionals and potential employers.

The Career Guidance Unit (CGU) of the Eastern University, Sri Lanka functions directly under the Vice Chancellor and the part time Coordinator has been appointed to see the administrative activities of the Unit. Respective faculties appoint the coordinators to implement their faculty programme.

The CGU provides the following services in general:

- Facilitating the young person's transition from School to University
- Counselling and Advising on Careers
- Employability Skills Enhancements

English Language Teaching Unit (ELTU)

The English Language Teaching Unit serves all the Faculties at the University and is set up for the specific purpose of teaching English to the undergraduates who enter the University with varying levels of proficiency in English, with a view to improving their knowledge of English to enable them to follow the courses and read the literature in English in their chosen disciplines.

The medium of instruction in the faculties of Commerce and Management, Science, Health Care Sciences, and Agriculture at the Eastern University, Sri Lanka is English and the students of these faculties are required to answer all examinations papers in the English medium. The University therefore endeavors to impart sufficient knowledge of English language in order that the students would be able to read, comprehend and collect facts from text books in English in their respective subjects of study.

The English Language teaching Unit at the University also conducts an Intensive Course in English for new entrants as and when requested by the deans of faculties concerned and this is followed

by on – going English courses conducted throughout the period of stay of the students in the University.

Video films of scientific, cultural and historical interest and a limited number of feature films are screened at regular intervals to motivate the students to improve their vocabulary and skills of speech.

A special selection of books on a variety of topics is made available and inducement is provided to instil the reading habit among students. Facilities are provided to help students to engage in language games to improve their vocabulary.

Regular assessments are made on the students' progress in English from the first year to the final year.

Sports and Recreational Facilities

The Department of Physical Education of Eastern University, Sri Lanka is an active part of our Institution that caters its services to undergraduates who are from 05 Faculties (Agriculture, Arts and Culture, Commerce and Management, Health care Sciences and Science) and 02 Institutes - SVIAS and the Trincomalee Campus. Our Department had taken part in all the events students for which we were approved by the University System including Inter Faculty Games, Inter University Games, National and International Level Championships and had been successful in every one of it.

The Department of Physical Education will provide the following services in general:

- Students are trained and prepared to participate Inter University Sports Championships, Combine University Games and International Sports Events.
- *Organize the Inter Faculty Tournaments, Fresher's Tournament annually.*
- *According to the approval of the Sports Advisory Board, local Tournament are Organized and participated*
- Department provides facilities for various games
 - Football (Men)
 - Netball(Women)
 - Karate(Men/Women)
 - Basketball(Men/Women)
 - Weight Lifting(Men)
 - Badminton (Men/Women)
 - Road Race (Men)
 - Table Tennis(Men/Women)
 - Carom (Men/Women)
 - Elle (Men/Women)
 - Volleyball (Men/Women)
 - Wrestling (Men)
 - Chess (Men/Women)
 - Cricket (Men)

- Rugby (Men)
- Track & Field (Men/Women)
- Colours would be awarded every year

The Department also provides the following specific services to the students:

- Specialist Coaching is given by Specialist Coaches for the pool players of the Inter University Games
- Mini Gymnasium is open for students to do their indoor sporting activities and leisure time play from 8.00 am to 8.15 pm
- Small Gym is operating in the Mini Gymnasium for the students
- University main ground is open for students to do their outdoor practices for games such as Cricket, Elley, Volleyball, Football and Netball
- Basketball court is open in evening for students to do their practices and leisure time play
- Sports goods are issuing for all approved activities to students by the University

Student Support Services and Welfare Network

In the administrative structure of EUSL a branch named “Welfare Branch” has been established aimed at providing access of Welfare needs both to the students and staff. Under the above said branch the following activities are being carried out.

- Providing Hostel Accommodation
- Facilitating to obtain student stipend
- providing staff quarters
- Maintenance of the cafeteria
- Monitoring the student union Activates
- Conducting Disciplinary procedure
- Facilitating the Senior Student counsellor’s activities.

In addition to the welfare needs of the University Community to maintain study discipline, Law and Order, and to extend counselling services to the students pertaining to their learning, financial matter and personal issues an office of the “Senior Student Counsellor” too has been established.

A Senior Student Counsellor has been appointed on Part-time basis. To assist the Senior Student Counsellor related to student matters Student Counsellors have been appointed at Faculty level. Faculty Student Counsellors directly deal with issues brought to them by the respective faculty students and should there is a necessity to refer the matter to Senior Student Counsellor then the same would be referred.

Student Counsellors are primarily concern in student discipline and will be vigilant about the beach of student discipline. In addition, office of the Senior Student Counsellor explore possibilities to assist the needy students by facilitating funds or assistance from donor agencies, well-wishers and Alumni of the University action has now been taken to expand the student services by introducing more services Unit. Further in liaison with other service centres such as carrier Guidance Unit, Physical Education Unit Programmes have designed to enhance knowledge and skills in ‘Non-Core’ disciplines as well.

PART-III

Governance and Management of Eastern University, Sri Lanka

- Freedom of Expression
- Student Representatives
- Right to form Students' Associations
- Personal Conduct
- Maintenance of Discipline and Law and Order

Governance and Management of Eastern University, Sri Lanka

Eastern University, Sri Lanka is established, structured and governed by the provision granted by the Universities Act No.16 of 1978. Eastern University, Sri Lanka is fully authorized and empowered to manage their core functions and to acquire the capacity to design, formulate, implement and deliver their services, and redress grievances and maintain discipline of students and staff. Eastern University, Sri Lanka is equipped with result-focused bureaucracies and management with accountability and responsiveness to the stakeholders. Also the institutions are capable of optimal use of resources (i.e. human, physical assets, technology and capital) to perform their core functions, defined by the institutions' mandate, vision and mission.

Eastern University, Sri Lanka is fully aware that while it functions as the center of excellence in training future leaders who will shape the future of the country in all spheres, it should also have a paramount role to play and function as role model for state institutions.

Eastern University, Sri Lanka students are strongly advised to follow the rules and regulations described herein to ensure the smooth functioning of university, maintain the dignity of the national universities and finally to work towards achieving lifelong goals they have aspired from their childhood and fulfil the expectations of their loving parents.

Freedom of Expression is guaranteed for all university students. Therefore, all students are encouraged to form opinions and express their views on matters ranging from academic affairs, administrative and welfare issues.

However, such expressions should not go to the extent of personalizing or targeting individuals, because every person has the right to form opinions and express their views without antagonizing others.

Student Representations at certain decision making levels are guaranteed by the Universities Act No.16 of 1978 as amended. On matters of welfare concerns and on certain matters relating to the administrative and academic nature, students are entitled to make representations through the student representatives. Student representatives are required to sit in the Faculty Boards, Food and Canteen Committees, Hostel Committees, Sports Committees and also in ad hoc committees for various events organized by the university.

Right to form Students Associations is guaranteed by the Universities Act No.16 of 1978 as amended. Students are granted the right of forming or grouping into associations or societies or unions that are free of any vested or politically driven motivations. Similarly, the rights of students who wish to remain independent and disassociate themselves from such associations or societies are also guaranteed. The individual students' freedom of choice should be respected by students who wish to form associations and unions. Students are warned against obstructing the freedom of students who prefer to remain independent.

Personal Conduct: Each individual making up the university community should fully understand the prestige of the institution and the self-esteem of its members. Therefore, all inhabitants should conduct themselves in a manner compatible with its quest or mission. Individuals need to be mindful of their personal hygiene, etiquette, dress or attire, speech, etc. No student should offend the feelings of fellow students or members of the community. As such, no one should impose their will on others to dress or to eat to suit one's own liking. Students must be polite in their words and actions, and should allow space for all people to live in harmony. Offensive

activities will be subject to the laws under the public nuisance framework and disciplinary regulations of the university.

Maintenance of Discipline and Law and Order: University is center of excellence in training and developing future leaders. Therefore, it is imperative that its inhabitants should behave in a responsible and dignified manner, conforming to all norms and practices of the civil society. Further, they have to abide by all rules and regulations enacted by the university. All university students are required to adhere to the highest behavioural and ethical standards. They are expected to protect the good name of the university and should not indulge in any unethical, immoral and illegal activity that will bring disrepute to the university and at the same time irrevocably damage their future.

Non-compliance with the university rules and regulations and resorting to disruptive measures leading to break down of law and order of the land and institution, will result in activation of disciplinary procedures within the university as specified in the Student By-laws approved by the Council of the University (*see the Annexure*). According to the law of the land the authorities may hand over the offenders to the law enforcing agency, the police, to be dealt with under the civil/criminal law. The unethical and unlawful activities which the students should refrain from, and the consequences that have to face if found guilty of misconduct, are listed in Part-IV.

PART-IV

Unethical and Unlawful Activities that are Prohibited in Eastern University, Sri Lanka

- Plagiarism and Cheating
- Disorderly conduct, dissent and protests
- Disrespect and non-compliance
- Wrongful utilization of goods, services or information
- Unauthorized collection of funds
- Solicitation
- Possession and consumption of alcohol, drugs and tobacco within the university premises
- Gambling
- Harassment/Violence
- Hazing/Ragging
- Sexual harassment/sexual misconduct
- Theft
- Vandalism
- Unauthorized Entry
- Co-operation with authorities and Committees of Inquiry
- Right of Appeal

Unethical and Unlawful Activities that are Prohibited in Eastern University

Undergraduate students of all Eastern University, Sri Lanka are required to refrain from engaging or committing the following unethical and unlawful Activities which will result in disciplinary action by the Institution and punitive action by the police and Courts of Law.

The Police has been empowered by the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act, No. 20 of 1998 to take punitive action against the offenders through the Court of Law. The university administrations have been empowered through the UGC Circular No. 919 of 15th January 2010 which sets strict guidelines to curb the menace of ragging in the Universities/Higher Educational Institutes, to take stern action against those who commit any one of the unethical and unlawful activities listed below. Further, the UGC has given instructions through UGC Circular No. 902 of 1st December 2008 to all universities to make offenders accountable for any damages to the university property and charge the cost of damages from the responsible individuals or, reduce the cost of damages from the allocations made to student societies and councils.

Therefore, the punishment that would be imposed by the university may range from recovering damages and/or issuing a warning letter to temporary suspension for a period of time from academic work and/or university residential facilities and expulsion from the university in addition to the punishments imposed by a Court of Law.

- 1. Plagiarism and Cheating:** Undergraduates are required to maintain high academic standards and commit themselves to academic honesty in their academic work and examinations. Copying, plagiarism or keeping unauthorized material at examinations, copying or reproducing work of others in students' reports or theses or assignments without disclosing the source of information are not allowed. Disciplinary action would be taken against all violators. All students are advised to ensure that any work submitted is one's own work and that use of work of others should appropriately be acknowledged.
- 2. Disorderly Conduct, Dissent and Protests:** Students' conduct violating the contemporary community standards of morality and/or in violation of university norms will not be tolerated. Any type of offensive or vulgar or rude or indecent conduct in campus or at university sponsored events, on or off campus will also not be tolerated. Organizing, sponsoring, implementing or conducting programmes or activities which are disorderly and/or violation of civil laws or university regulations are prohibited and will be subjected to disciplinary action.
- 3. Disrespect and Non-compliance:** Failure to comply with the directives of university officials acting in performance of their duties is prohibited. Disciplinary action can be applied in such situations including, but not limited to, the following acts:
 - i. Use of abusive or insulting language
 - ii. Engaging in indecent and unbecoming gestures
 - iii. Providing fraudulent or false information to university officials

- iv. Showing disrespect or refusing to comply with a reasonable request from a university official
- v. Not responding to a reasonable request within a specific timeline, including absence for assigned appointments
- vi. Intentionally and knowingly interfering with teaching
- vii. Obstructing or hindering the investigation of an incident

4. Wrongful Utilization of Goods, Services or Information: Students are required to demonstrate sincerity and honesty in their dealings with the university and the public. The following activities are prohibited for students and their guests:

- i. Possessing any property without authorization from another person, group of people or offering any service without authorization
- ii. Embezzling, defrauding or procuring money, goods or services under false pretence
- iii. Possessing, purchasing or receiving property, money or services knowing them to be stolen or embezzled.
- iv. Issuing a cheque for payment of dues or for any other purpose on campus knowing that it will not be honoured when presented for payment
- v. Duplicating keys, computer access codes or other devices without proper authorization
- vi. Forging, altering or causing any false information to be entered on an administrative record or presented such information at administrative or disciplinary proceedings
- vii. Unauthorized use of the computer system, computer access codes and restricted areas of computer services
- viii. Possession or use of false identification
- ix. Possession and/or use of keys or any other devices (such as number codes or sweep cards) for access to offices or laboratories of department or faculty buildings or rooms of resident halls by anyone other than those authorized by the university.

5. Unauthorized Collection of funds: Any solicitation of funds for a university purpose, whether organized by students or by the authority, should be pursued only with proper authorization of the Vice- Chancellor. Any external communications requesting sponsorships or funds should be done by a letter addressed to the external organization under Vice Chancellor's approval and signature. Without such approval, solicitation for or collection of funds for political purposes or purported charitable or social activities is not allowed either within or outside the premises.

6. Solicitation: No outside person, organization or business may solicit on the university campus without the express permission of the Vice Chancellor. This includes holding meetings, distribution of any type of leaflet, or posting, exchange of goods or services and bartering or selling of services or goods.

7. Possession and consumption of alcohol, drugs and tobacco within the university premises: Sri Lankan society discourages consumption of alcohol, drugs and tobacco as the consumption of all forms of such substances intoxicates the human mind and alters the human behaviour and hence, derails their mental and physical capacities. Therefore the Eastern University, Sri Lanka adopt a code of practices that prohibits possession and

consumption of alcohol, drugs and tobacco within the university premises. Hence, students are strongly advised to refrain from bringing alcohol into the campus and to any premises of the university. Students are discouraged from entering the university premises after consuming alcohol and/or drugs.

- 8. Gambling:** is not permissible within the campus. Any form of betting, acceptance of bets, payment or running of any betting scheme is not permitted. Any student/s caught gambling will be punished under the prevailing law and university regulations.
- 9. Harassment/Violence:** Harassment of an individual or group of individuals or inciting violence inside or outside the university is a punishable offence under the civil law and the civil law regarding harassment and violence is equally applicable both inside and outside the university. This includes, but is not limited to, the following activities against members of the university's faculty, administrative staff, student body or guests by direct or indirect methods.
- i. Threatening and /or using physical force on an individual or a group of persons
 - ii. Engaging in violence or commotion resulting in bodily injuries and/or psychological trauma of individuals or group of individuals and/or damages to properties and
 - iii. Causing intimidation, bullying or cruelty on individuals or a group of individuals
 - iv. Pestering or causing annoyance on others
 - v. Causing harassment through telephone, mail or computer e- mails or other means of communication

Any complaints on the above and any other form of harassment or violence will be referred to the police for appropriate legal action and may be referred to a disciplinary committee of inquiry appointed by the Vice Chancellor for necessary disciplinary action.

- 10. Hazing/Ragging:** University is haven for the independent pursuit of academic excellence. Ragging or hazing has reduced and diminished the freedom or independence of students and it hinders the achievement of academic excellence. Ragging is now a criminal offence under the Anti Ragging Law passed by the Parliament in 1998. Unfortunately, ragging/hazing occurs in many national universities due to the organized oppression by individuals who suffer from abnormal mentalities and inferiority complexes and also by the blind followers of destructive political movements. Indeed the 'raggers' may be the cat's paws in the armory of political strategies used by some political activists. Hazing or ragging is interpreted as any act (by an individual or group) whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass or intimidate whether on or off the campus. These actions are prohibited and include, but are not limited to, the following.
- i. Forcing individuals to perform and/or engage in demeaning or humiliating acts
 - ii. Bullying or coercing, or intimidating individuals or group of individuals
 - iii. Creation of excessive physical or mental fatigue

- iv. Causing physical or psychological shocks
- v. Forcing to wear clothing which is conspicuous or bad in taste
- vi. Forcing an individual or individuals to engage in morally degrading or humiliating acts, games or activities
- vii. Forcing individuals or group of individuals to engage in early morning or late evening work sessions which are not in conformity with norms of civil society and/or that may interfere with academic performance
- viii. Body marking/painting or any activity that is not consistent with the policy of the university which would adversely affect the University's mission and damage its image.

All reported events of the above nature will be handed over to the **police** for necessary action under the Anti Ragging Law passed by the Parliament in 1998, while the university will also take appropriate disciplinary action. In this connection the University Grants Commission has already issued several guidelines and circulars to facilitate the enforcement of law and order by the universities and urge universities to adapt strict measures to prevent the occurrence of any hazing or ragging.

- 11. Sexual Harassment/Sexual Misconduct:** The university students population is a mixed, usually in equal proportions of males and females. The freedom to engage in sexual behaviour cannot be practically restricted other than on moral and ethical grounds. Notwithstanding all moral, ethical and religious values instilled into the human being, there are people who force their will on others *causing* sexual harassment and misconduct. If any person under the university administration commits an act of sexual harassment or misconduct by trying to impose their sexual desires on another person, be it a person of the opposite sex or of the same sex, and if a complaint is received, action will be taken under the prevailing law to bring justice and punish the offender.

- 12. Theft:** Stealing physical goods as well as stealing intangible assets such as **intellectual** properties (*plagiarism; i.e. academic and research work and innovations of others*) are punishable offences under the civil law as well as under the university disciplinary procedures. Such acts could be detrimental to the person in question and its effects would last over the entire career and the lifetime of the person. As such, students are warned to practice transparency and honesty in citing or acknowledging sources of intellectual properties they quote.

- 13. Vandalism:** Vandalizing property in the university or provoking others to do so will be dealt with under the law of the land concerning public property and privately held assets, and the university regulations. Damage due to vandalism to class room furniture, hostel furniture, laboratory equipment, computers and accessories, and playground equipment will be charged to the students, if they are found guilty. In the case of student agitation causing vandalism, the replacement cost and penalties will be charged to the organizers responsible for agitation while in the case of isolated acts those students, who are officially authorized to occupy or to use the property, will be held responsible and are liable to pay compensation for the damages.

- 14. Unauthorized Entry:** University impose restrictions regarding persons entitled to use its assets. Normally all students are given unrestricted access during working hours to the class rooms, libraries, play grounds, gymnasium areas etc. Students have access to their hostels but no visitors are permitted without approval of the warden of the hostel. Similarly, restrictions may be imposed on access to public areas due to various concerns including security matters. Students of other universities who wish to visit a university to which they do not belong must seek permission from the university authorities of both campuses. Anyone found trespassing is liable to be prosecuted under the common law of the land and be dealt with under the university disciplinary procedures.
- 15. Co-operation with Authorities and Committees of Inquiry:** University appoint various committees of inquiry on disciplinary matters and empowered officers may summon students to provide verbal or written evidence. On such events it is necessary for students to cooperate with the authorities. If students fail to cooperate by being stubborn or by resisting the action taken by authorities, this may be construed as an act of disregard to the university authority and may become the cause for another disciplinary action. Students are strongly advised to cooperate with the authorities whenever requests for information are made.
- 16. Right of Appeal:** Right of appeal is enshrined in the fundamental rights up until the level of the Supreme Court. This principle applies to the university as well, and therefore one can appeal to the Vice Chancellor against a decision given by the disciplinary authorities regarding any matter. This may be done collectively or individually and a fair hearing for such appeals will be given by the Vice Chancellor through appropriate channels.

WHAT EASTERN UNIVERSITY, SRI LANKA COMMITTED TO DO STUDENTS?

01. **Excellence:** the achievement of high standards in all its activities and individual students and staff.
02. **Equality:** the fair and equal treatment of every person, and to diversity and inclusivity in its student and staff community.
03. **Quality:** providing high standards of teaching, support, advice and guidance for students and competent, diligent and professionally trained staff who help them to realize their potential.
04. **Student support:** providing access to Library and IT faculties and to advice and support on issues relating to welfare, health, finance, residential accommodation, chaplaincy, counseling and careers.
05. **The student experience:** offering an inspiring experience which allows students to benefit from being part of the University and its wider academic and social community and encourages personal development.
06. **Student feedback:** responding to students' comments and suggestions for improvement.
07. **Student achievement:** supporting and challenging students to realize their ambitions through active engagement with their studies and other opportunities provided (such as for involvement in sport, music, cultural and college activities).
08. **Transparency:** ensuring that all students will be able to access an outline syllabus before starting their programmes and details of the requirements for attendance, reading and academic work including deadlines for the submission and return of work.
09. **Personal development:** providing access to activities which will enhance students' graduate prospects, skills development and well-being, these including opportunities, links with external organizations and volunteering.
10. **Student participation:** providing support for the involvement of student representatives in academic development and management in Academic School and decision-making at Faculty, Senate and Council levels.
11. **The Students' Union:** facilitating opportunities for student involvement in its activities and, as prescribed in legislation, bringing to students' attention, at least once a year, the right to opt out of membership.

WHAT EASTERN UNIVERSITY, SRI LANKA EXPECTS FROM ITS STUDENTS?
--

1. **Diligence:** striving to achieve success in academic and other activities.
2. **Respectfulness:** treating fellow students, University staff, visitors, neighbours and all people equally and respectfully, regardless of gender, religion, community background, nationality, race/ethnic origin, disability, marital or other status, responsibilities, sexual orientation or age.
3. **Collaboration:** complying with the terms of all Statutes, Ordinances, Regulations relating to their studies and conduct, policies, rules and requirements of the University and Union, as well as any professional standards and requirements applicable to their programmes.
4. **Engagement:** embracing a shared learning experience by attending all scheduled sessions and examinations related to their studies, as well as pursuing their academic studies in a diligent, honest and professional manner.
5. **Communication:** informing their tutor, supervisor or School office if they are unable to attend a teaching session, examination or are unable to submit coursework on time.
6. **Feedback:** giving their views on their educational and university experience honestly and constructively so that the University can seek to improve it year on year.
7. **Development:** taking part in all aspects of University life as much as possible to help them receive the best possible experience the Eastern University, Sri Lanka has to offer.
8. **Being informed:** ensuring that they read information provided for students by the University, particularly from their School and Student Services, and to retaining it for future reference as well as seeking clarification on anything that they do not understand so all students are fully engaged.
9. **Responsibility:** behaving in a responsible manner, on and off campus, and ensuring that their actions do not have an adverse impact on the University's reputation, its environment, their neighbours, the local community of those who work or study at the University.
10. **Being organized:** meeting all academic and related obligations and paying all fees and charges when these are due.

ANX 1: BY-LAW RELATING TO STUDENTS' CONDUCT AND DISCIPLINE

Given below is the By - Law relating to Students' Conduct and Discipline made by the Council of the Eastern University, Sri Lanka Under Section 135 of the Universities Act No: 16 of 1978 as amended by Acts N0 7 of 1985 and No 26 of 1988 and enforced with effect from 29th August, 2015. **This By - Law may be cited as the Students' Conduct and Discipline By-Law No 13 of 2015.**

PART I - GENERAL

1. The Eastern University, Sri Lanka (hereinafter referred to as "the University") hereby adopts this By-Law as recommended by the Special Meeting of the Senate of the University (hereinafter referred to as "the Senate") held on the 27/08/2015 and approved by the Council of the University (hereinafter referred to as "the Council") at its 256th meeting held on 29/08/2015 being prepared under the provisions of the section 135 of the Universities Act No. 16. of 1978, as amended by the Universities (amendment) Act of No.07 of 1985 and No 26 of 1988. (here in after referred to as 'the Act'). This By-Law supersede any other By-Law or Regulations that may have been issued to students earlier.
2. Notwithstanding anything to the contrary in any of the provisions of this By-Law, the Vice-Chancellor shall take appropriate action he deems necessary to maintain discipline at the University and nothing in this By-Law shall be construed in a manner to detract from the powers, duties and functions conferred on or imposed upon the Vice-Chancellor by the Universities Act No.16 of 1978 (hereinafter referred to as the "Act") or by any other Instrument.
3. (1) Upon coming into operation of this By-law, there shall be established a Board of Discipline (referred to as the "Board") constituted as provided in Sub-paragraph (2).

(2) The Board of Discipline shall consist of the following Members, who shall hold office for a period of 03 (three) years with effect from the date of appointment.
 - (i) The Dean of each Faculty;
 - (ii) A Proctor, if any, or a Deputy Proctor nominated by the Proctor;
 - (iii) Two Wardens nominated by the Vice-Chancellor;
 - (iv) Two members of the Council nominated by the Council, from among its appointed members;
 - (v) Two senior Student Counselors nominated by the Vice-Chancellor.
- (3) The Registrar or his nominee shall be the ex-officio Secretary of the Board.
- (4) The Chairman of the Board shall be elected by the members from among the Deans and he shall preside at all meetings of the Board. If the Chairman is unable to preside at a meeting the members shall elect any Dean to preside at such meeting.
- (5) The Chairman shall hold office for a period of one year reckoned from the date of his election so long as he retains the status of membership by virtue of which he was eligible for election as the Chairman of the Board and is eligible for re-election.
- (6) The quorum for the meeting of the Board shall be seven members.
4. Subject to the provisions of the Act, and of any other appropriate Instrument, the Board shall work under the directives of the Vice Chancellor who is responsible for maintenance of discipline of students, and have the following powers, duties and functions:
 - (i) To advise the Vice Chancellor on all matters concerning the maintenance of student discipline within the University;

- (ii) To make recommendations to the Vice Chancellor on the amendments to the Student By-Law and guidelines pertaining to student discipline within the University;
- (iii) Upon the request by the Vice Chancellor, to hold inquiries or cause inquiries to be held pertaining to allegations of indiscipline or misconduct on the part of any student or students of the University and submit recommendation on the incidence of indiscipline or misconduct to the Vice Chancellor;
- (iv) To review reports submitted by Committees of Inquiries appointed by the Vice Chancellor, and recommend appropriate penalties or punishments, on any student or students who have been found guilty of any acts of indiscipline or misconduct or who have been found guilty of an offense under this By-Law or, of acting in contravention of the provisions of this By-Law or the Rules made by the Board; and
- (v) To do all other acts incidental to the powers aforesaid as may be required in order to further the objectives of this By-Law.

PART II - STUDENTS' CONDUCT

1. Without prejudice to the generality of the powers, duties and functions conferred upon or imposed on the Council by the Act or any other Instrument, the Council shall be responsible for the administration and implementation of this By-Law.
2. (1) This By-Law shall apply to every Registered Student of the Eastern University, Sri Lanka (hereinafter referred to as the "University").

(2) (a) For the purpose of this By-Law "Registered Student" means any student who has already been duly admitted and registered at the University for any academic year or any student who is duly admitted and registered from time to time in respect of any Academic year, or, other period of study.

(b) "Academic Year" for the purpose of this By-Law, shall be construed to mean the academic year as decided by the Senate from time to time.

(3) (a) Every student of the University shall be of good behaviour and shall at all times conduct himself in an orderly manner befitting the status of an undergraduate or graduate student.

(b) Students of the University shall at all times endeavour to safeguard the dignity, good name and reputation of the University.
3. Students are admitted and registered as undergraduates or graduate students of the University, subject to their good behaviour and the observance of strict discipline.
4. Each and every student duly registered as a student of the University shall be issued with a copy of this By-Law, the provisions of which will be binding on him in conformity with the declaration made by him in terms of Section 17(b) of the application for University admission submitted by him to the University Grants Commission.
5. Upon the receipt of an application on the prescribed form for registration as a student of the University, together with such documents as may be necessary for this purpose, the Registrar or such other officer as may be nominated by him for this purpose shall register such student and shall issue to the student so registered an Identity Card and a Students' Record Book bearing the photograph of the student concerned duly embossed with the seal of the University which shall be final and conclusive evidence pertaining to the identity of the student and also to the accuracy of the particulars stated therein.

6. Every registered student of the University shall have in his possession either such Identity Card or Students' Record Book, which he shall produce when called upon to do so by a member of the academic staff or by any officer authorized by the Vice-Chancellor or Registrar for this purpose.
7. If any registered student shall fail to produce or will fully refuses to produce or neglects to produce such Identity Card or Students' Record Book when called upon to do so by an authorized officer of the University, such student shall be deemed to be guilty of an offense punishable under this By-Law.
8. In the event of the failure or the refusal to produce such Identity Card or Students' Record Book to any member of the academic staff or an authorized officer, such officer shall have the power to take such student into custody and to produce him before the Dean of the respective Faculty or Warden of the respective Hall of Residence of such student if he claims to be residing in a Hall of Residence for identification. In the event of such student not being a resident of a Hall of Residence, such student may be produced before the Marshal/Chief Security Officer, who shall report him to the Proctor for appropriate action.
9. The particulars stated in the Identity Card or Students' Record Book shall be deemed to contain prima facie evidence of the status of the student and shall be in the manner prescribed in Schedule I of this By-Law.
10. Upon coming into operation of this By-Law the University shall have full power and authority to consider and assess the conduct of each student in determining the eligibility of such student for the conferment on him of the degree, diploma, certificate or other academic distinctions.
11. Every registered student shall be bound to protect and safeguard the property of the University. "Property" for this purpose includes buildings, libraries, lecture halls, furniture, equipment, and all other movable and immovable assets of the University.
12. If in the event of any student being found guilty of damaging or destroying or attempting to damage or destroy the property of the University, he shall be deemed to have committed an offense and shall be dealt with in accordance with the provisions of this By-Law.
13. Every student shall endeavour to foster a corporate and community spirit of life and shall always respect the liberty, freedom and personality of fellow students.
14. No student shall engage in anti-social actions or in any act calculated to humiliate, ridicule, hurt or harass a fellow student or any other person within the University or engage in any other anti-social conduct which may bring the University to disrepute.
15. No student shall incite provoke or aid and abet any other student in the commission of any of the acts specified herein before.
16. Any student who acts in violation of paragraphs 6(3)(a) & (b) and 21 to 24 of this By-Law shall be guilty of an offense punishable under the provisions of this By-Law.
17. (1) No meeting may be held within the University premises by any student or students, University Union or society, or other association of students of the University, except with the written approval of the Proctor. The Dean of the Faculty may permit the holding of a meeting of the Faculty students, Faculty Unit or Society where it is restricted to the students of such Faculty.

(2) Where the approval of the Dean/Proctor, as the case may be, has been so granted subject to such terms and conditions relating to the venue and date of such meeting and its duration and any other matter as may be deemed to be necessary in the circumstances, the meeting must be held in conformity with all such terms and conditions.

- (3) Any student who summons or causes the holding of a meeting other than in the manner prescribed in the foregoing paragraph or aids and abets any other person to summon or hold such meeting, shall be guilty of an offense and shall be liable for punishment, under the provisions of this By-Law.
- (4) (a) Unless the prior written consent of the Vice-Chancellor has been obtained, no subscription or currency may be collected from among the students, staff of the University or the general public by any student or office-bearer of any union, society or association.
- (b) Provided, however, that the provision of this paragraph shall not apply to a subscription collected by a registered union, society or association in accordance with its Constitution or any By-Law made in terms of section 115(2) of the Act.
18. (1) No notice, pamphlet, publication or other printed material detrimental to the good name and discipline of the University, words defamatory of any member of the staff or student of the University, may be published and/or distributed, circulated or exhibited in any Hall of Residence, Lecture Hall/Room, Laboratory or on any other building or any other property standing on the premises of the University within its territorial boundaries.
- Provided however that the provision of this paragraph shall not apply to notices, pamphlets, publications and printed material relating to the activities of any registered Students' Union, Society or other Association established and recognized under section 115 of the Act and intended solely for the furthering of academic or social objectives.
- Provided that such material shall not be detrimental to the good name and discipline of the University, or any member of the staff or student of the University.
- (2) Any note, pamphlet, bulletin published should contain the signature of the President or the Secretary of such Organization.

PART III - STUDENT DISCIPLINE

Powers and Responsibilities Vested with the Dean, Proctor and Deputy Proctors and Wardens of Hall of Residence

1. (1) The Vice Chancellor in his capacity as the person responsible for maintenance of discipline of students may impose penalties and punishments as recommended by the Board of Discipline or may refer it back to the Board of Discipline for further review and necessary amendments, if he/she wishes do so.
- (2) The Vice-Chancellor may appoint a senior academic member as the Proctor of the University and he shall act on behalf of the Vice-Chancellor in matters of student discipline within the University and may delegate any of his powers and duties regarding student discipline.
- (3) The Dean of each Faculty of the University shall have full power and authority to exercise supervisory control over the discipline of all students within the Faculty.
- (4) The Vice-Chancellor may, in consultation with the Dean and the Proctor, appoint a member of the academic staff of each Faculty as the Deputy Proctor for such Faculty. The first Deputy Proctor may be appointed by the Vice-Chancellor in consultation with the Dean of the respective Faculty. The Deputy Proctor shall assist the Dean and the Proctor in matters of student discipline within the Faculty.

- (5) A Warden of a Hall of Residence shall have powers to impose discipline among the students of the Hall of Residence and act in consultation with the Proctor regarding matters pertaining to student discipline in the Hall of Residence.
2.
 - (1) The Board of Discipline or allied Committee of Inquiry appointed by the Board or the Vice-Chancellor for purposes set out in paragraph 4(iii) or 4(iv) shall have the power to summon any student of the University, to attend any Inquiry or to give evidence thereat and to direct any student to make a written statement concerning any matter pertaining to his conduct or behaviour or to the conduct or behaviour of any other student within the University.
 - (2) Such Committee of Inquiry shall conduct such inquiries in accordance with the rules of natural justice as far as possible.
 - (3) Before the commencement of such inquiry, every accused student shall be informed of the charge or charges against him to be tried at the inquiry before the Committee of Inquiry.
 - (4) An accused student shall be allowed to be present either in person or with a representative of the Eastern University Students' Union or the respective Faculty Students' Union, at the inquiry, and may also be allowed to suggest to the Chairman of the Committee of Inquiry any questions that may be put to any person who testifies before the Committee of Inquiry.
 - (5) The Chairman of the Committee of Inquiry may at his discretion put to the witness such questions suggested by or on behalf of the accused student.
 - (6) Under exceptional circumstances the Chairman of the Committee of Inquiry may allow the witnesses to give evidence recorded-in camera.
3. The Board of Discipline may for any breach of this By-Law or for any offense punishable under the provisions of this By-Law by any registered student, recommend to the Vice-Chancellor the imposing on him of anyone or more of the following punishments:
 - (i) A written warning or a severe reprimand;
 - (ii) Suspension from the University;
 - (iii) Withdrawal of residential facilities and accommodation;
 - (iv) Withdrawal, cancellation or suspension of any financial benefits, assistance or award under the Mahapola Scholarship Scheme, any Bursary Scheme or endowed Scholarship Scheme;
 - (v) Disqualification from sitting any University Examination for a specific period;
 - (vi) Suspension of the release of the results of any University Examination for a specific period;
 - (vii) Expulsion from the University.
4.
 - (1) Upon the declaration of an order of closure of the University by the University authorities every student of the University shall be bound to act in accordance with this Order and shall leave the University premises before the stipulated time specified in such Order.
 - (2) Any student who acts in contravention of the provisions of the foregoing paragraph shall be deemed to have committed an offense and shall be liable to be punished in accordance with the provisions of this By-Law.
5.
 - (1) Any student on whom a punishment has been imposed by the Vice-Chancellor on the recommendation of the Board of Discipline and who is aggrieved by the decision of the Board regarding the punishment may within a period of one month from the date of communication to him of such punishment or penalty, appeal against such punishment or penalty to the Vice-chancellor.

- (2) Upon the receipt of an appeal, the Vice-Chancellor shall refer such appeal to an Appeals Committee appointed by him.
 - (3) The Appeals Committee, for the purposes of the above paragraph, shall consist of three persons of legal/academic eminence appointed by the Vice-Chancellor. The Appeals Committee shall have the power to review the decision of the Board of Discipline regarding the punishment imposed and may either affirm, vary or set aside the decision regarding the punishment.
6.
 - (1) Subject to the provisions of the Universities Act and other Statutes of the University, the Proctor shall be the authority in charge of the maintenance of discipline among the students of the University.
 - (2) In discharging the above duties, he shall act in consultation with the Vice-Chancellor and with the assistance of the Deputy Proctors.
 - (3) The Proctor shall inquire into complaints of breach of discipline in the University and take appropriate action.
 - (4) In cases in which incidents of indiscipline are reported, the Proctor shall conduct a preliminary inquiry and submit his observations to the Vice-Chancellor for appropriate action under this By-Law.
 - (5) Where the incident of indiscipline is of such a nature that it can be adequately dealt with by the imposition of the following punishments, he may act by himself:
 - (i) Suspending from the University for a period not exceeding 05 weeks;
 - (ii) A written warning.
 - (6) In every case in which the Proctor acts under this provisions, he shall submit a report to the Vice-Chancellor.
 - (7) Any student who is aggrieved by the punishment imposed by the Proctor shall have the right to appeal to the Vice-Chancellor forthwith and the Vice-Chancellor may review the punishment and/or order a formal inquiry where he considers it desirable.
7.
 - (1) The Dean of a Faculty shall impose discipline among the students of the Faculty and shall act in consultation with the Proctor and Deputy Proctor of the Faculty regarding matters pertaining to student discipline in his Faculty.
 - (2) The Dean of a Faculty shall inquire into complaints of a breach of discipline and take appropriate action by himself where the act of indiscipline is of such a nature that it could be adequately dealt with by imposing any of the following punishments:
 - (i) Suspension from academic activities for a period not exceeding two weeks;
 - (ii) A written warning.
 - (3) In every case in which a Dean acts under the above provisions, he shall submit a report to the Proctor.
 - (4) Any student who is aggrieved by the punishments imposed by a Dean of a Faculty shall have the right to appeal to the Vice-Chancellor who may review the punishment and/or order the conduct of a formal inquiry where he considers it desirable, depending on the nature of the incident.
8.
 - (1) It would be the duty of a Warden of a Hall of Residence to impose discipline among the students of the Hall of Residence and act in consultation with the Proctor regarding matters pertaining to student discipline in the Hall of Residence.

- (2) A Warden of a Hall of Residence shall inquire into complaints of breach of discipline and take appropriate action by himself where the act of indiscipline is not of a serious nature and may impose any of the following punishments:
- (i) Suspension from the Hall of Residence for a period not exceeding two weeks;
 - (ii) Written warning.
- (3) In every case in which a Warden acts under the above provisions, he shall submit a report to the Proctor and shall act in consultation with the Proctor. Where the Proctor is of the view that the breach of discipline is of such nature that it calls for his intervention, he may act in the manner laid down in this By-Law.
- (4) Any student who is aggrieved by the punishment imposed by a Warden shall have the right to appeal to the Vice-Chancellor forthwith, and the Vice-Chancellor shall instruct the Proctor to conduct a formal inquiry where he considers it desirable, depending on the nature of the incident.
- (9) (1) A Deputy Proctor of a Faculty shall assist the Dean of the Faculty to maintain and impose discipline among students of the Faculty and shall report to the Dean regarding such matters.
- (2) A Deputy Proctor shall also assist the Proctor in the maintenance of discipline among the students of the University.

ANX 2: PROHIBITION OF RAGGING AND OTHER FORMS OF VIOLENCE IN EDUCATIONAL INSTITUTIONS ACT, NO. 20 OF 1998

The Act to Eliminate Ragging and Other Forms of Violence, and Cruel, Inhuman and Degrading Treatment, from Educational Institutions (Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998). Be it enacted by the Parliament of the Democratic, Socialist Republic of Sri Lanka as follows:-

1. Short Title

This Act may be cited as the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act, No.20 of 1998.

2. Ragging

- 2.1. Any person who commits, or participates in, Ragging, within or outside an educational institution, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to rigorous imprisonment for a term not exceeding two years and may also be ordered to pay compensation of an amount determined by court, to the person in respect of whom the offence was committed for the injuries caused to such person.
- 2.2. A person who, whilst committing ragging, causes sexual harassment or grievous hurt to any student or a member of the staff of an educational institution shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding ten years and may also be ordered to pay compensation of an amount determined by court, to the person in respect of whom the offence was committed for the injuries caused to such person.

3. Criminal Intimidation

Any person who, within or outside an educational institution, threatens, verbally or in writing, to cause injury to the person, reputation or property of any student or a member of the staff, of an educational institution (in this section referred to as lithe victim") or to the person, reputation or property of some other person in whom the victim is interested, with the

intention of causing fear in the victim or of compelling the victim to do any act which the victim is not legally required to do, or to omit to do any act which the victim is entitled to do, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to rigorous imprisonment for a term not exceeding five years.

4. Hostage Taking

Any person who does any act, by which the personal liberty and the freedom of movement of any student or a member of the staff of an educational institution or other person within such educational institution or any premises under the management and control of such educational institution, is restrained without lawful justification and for the purpose of forcing such student, member of the staff or person to take a particular course of action, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate, be liable to rigorous imprisonment for a term not exceeding seven years.

5. Wrongful Restraint

Any person who unlawfully obstructs any student or a member of the staff of an educational institution, in such a manner as to prevent such student or member of the staff from proceeding in any direction in which such student or member of the staff has a right to proceed, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to rigorous imprisonment for a term not exceeding seven years.

6. Unlawful Confinement

Any person who unlawfully restrains any student or a member of the staff of an educational institution in such a manner as to prevent such student or member of the staff from proceeding beyond certain circumscribing limits, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding seven years.

7. Forcible Occupation and Damage to Property of an Educational Institution

7.1. Any person who, without lawful excuse, occupies, by force, any premises of, or under the management or control of, an educational institution shall be guilty of an offence under this Act, and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding ten thousand rupees or to both such imprisonment and fine.

7.2. Any person who causes mischief in respect of any property of, or under the management or control of, an educational institution shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding twenty years and a fine of five thousand rupees or three times the amount of the loss or damage caused to such property, whichever amount is higher.

8. Orders of Expulsion or Dismissal

Where a person is convicted of an offence under this Act, the court may, having regard to the gravity of the offence-

- (a) in any case where the person convicted is a student of an educational institution, order that such person be expelled from such institution;
- (b) in any case where the person convicted is a member of the staff of an educational institution, order that such person be dismissed from such educational institution.

9. Bail

- 9.1. A person suspected or accused of committing an offence under subsection (2) of section 2 or section 4 of this Act shall not be released on bail except by the judge of a High Court established by Article 154P of the Constitution. In exercising his discretion to grant bail such Judge shall have regard to the provisions of section 14 of the Bail Act No. 30 of 1997.
- 9.2. Where a person is convicted of an offence under subsection (2) of section 2 or section 4 of this Act, and an appeal is preferred against such conviction, the Court convicting such person may, taking into consideration the gravity of the offence and the antecedents of the person convicted, either release or refuse to release, such person on bail. Certain provisions of the Code of Criminal Procedure Act not to apply to persons convicted or found guilty of an offence under this Act

10. Notwithstanding anything in the Code of Criminal Procedure Act, No, 15 of 1979-

- 10.1 the provisions of section 303 of that Act shall not apply in the case of any person who is convicted,
- 10.2 the provisions of section 306 of that Act shall not apply in the case of any person who pleads or is found guilty, by or before any court of any offence under subsection (2) of section 2 or section 4 of this Act.

11. Offences under this Act deemed to be cognizable offences

All offences under this Act shall be deemed to be cognizable offences for the purposes of the application of the provisions of the Code of Criminal Procedure Act, No.15 of 1979, notwithstanding anything contained in the First Schedule to that Act.

12. Certificate

Where in any prosecution for an offence under this Act, a question arises whether any person is a student or a member of the staff of an educational institution or whether any premises or property is the property of, or is under the management and control of, an educational institution a certificate purporting to be under the hand of the head or other officer of such educational institution to the effect that the person named therein is a student or a member of the staff of such educational institution, or that the premises or property specified therein is the property of, or is under the management and control of, such educational institution, shall be admissible in evidence without proof of signature and shall be prima facie evidence of the facts stated therein.

13. Admissibility of Statement in Evidence

- 13.1. If in the course of a trial for an offence under this Act, any witness shall on any material point contradict either expressly or by necessary implication a statement previously given by him in the course of any investigation into such offence, it shall be lawful for the Magistrate if, after due inquiry into the circumstances in which the statement was made, he considers it safe and just -
- (a) to act upon the statement given by the witness in the course of the investigation, if such statement is corroborated in material particulars by evidence from an independent source; and
 - (b) to have such witness at the conclusion of such trial, tried before such court upon a charge for intentionally giving false evidence in a stage of a judicial proceeding.
- 13.2. At any trial under paragraph (b) of subsection (1) it shall be sufficient to prove that the accused made the contradictory statements alleged in the charge and it shall not be necessary to prove which of such statements is false.

14. Provisions of this Act to be in addition to and not in derogation of the provisions of the Penal Code and C

The provisions of this Act shall be in addition to, and not in derogation of, the provisions of the Penal Code, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act, No.22 of 1994 or any other law.

15. Priority for Trials and appeals under this Act

Every Court shall give priority to the trial of any person charged with any offence under this Act and to the hearing of any appeal from the conviction of any person for any such offence and any sentence imposed on such conviction.

16. Sinhala text to prevail in case of inconsistency

In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Tamil text shall prevail.

17. Interpretation

In this Act unless the context otherwise requires-
"criminal force", "fear", "force", "grievous hurt", "hurt" and "mischief" shall have the respective meanings assigned to them in the Penal Code;

"Educational Institution" means –

- (a) a Higher Educational Institution;
- (b) any other Institution recognized under Chapter IV of the Universities Act, No. 16 of 1978;
- (c) The Buddhist and Pali University established by the Buddhist and Pali University of Sri Lanka Act, No.74 of 1981;
- (d) The Buddha Sravaka Bhikku University, established by the Buddha Sravaka Bhikku University Act. No. 26 of 1996;
- (e) any Institute registered under section 14 of the Tertiary and Vocational Education Act, No. 20 of 1990;
- (f) any Advanced Technical Institute established under the Sri Lanka Institute of Technical Education Act, No. 29 of 1995;
- (g) a Pirivena registered under the Pirivena Education Act, No. 64 of 1979 and receiving grants from State Funds and includes a Pirivena Training Institute established under that Act;
- (h) the Sri Lanka Law College;
- (i) the National Institute of Education established by the National Institute of Education Act, No. 28 of 1985;
- (j) a College of Education established by the College of Education Act No. 30 of 1986, or a Government Training College;
- (k) a Government School or an assisted school or an unaided school, within the meaning of the Education Ordinance (Chapter 185);

and includes any other institution established for the purpose of providing education, instruction or training; "head of an educational institution", means the Vice-Chancellor, Mahopadyaya, Director, President, Principal or any other person howsoever designated charged with the administration and management of the affairs of such educational institution: "Higher Educational Institution" has the meaning assigned to it in the Universities Act. No. 16 of 1978; "Ragging" means any act which causes or is likely to cause physical or psychological injury or mental pain or fear to a student or a member of the staff of an educational institution; "Student" means a student of an educational institution; "Sexual harassment" means the use of criminal force, words or actions to cause sexual annoyance or harassment to a student or a member of the staff, of an educational institution;

ANX 3: GUIDELINES TO CURB THE MENACE OF RAGGING IN THE UNIVERSITIES OR HIGHER EDUCATIONAL INSTITUTES (HEIS)

Ragging has been in existence in the University system all over the world from time immemorial especially promoting good will and acquaintance amongst students. On the contrary, in Sri Lankan Universities quite alarmingly, ragging had caused severe mental and physical torture to the fresher students resulting in permanent physical and/or mental disabilities or else causing the death of few students in the past. In addition it is a well-known phenomenon that in the majority of cases that ragging has been intentionally used to either cause torture to certain selected groups or classes of students or intended to infuse various political ideologies into the minds of the fresher students. Overall, the ill effects, particularly the life threatening incidences has far exceeded the socialization or naturalization claim put forward by promoters of ragging. In view of the serious nature of the incidences that took place associated with ragging and high incidences of ragging related complaints made during the period of enrolment of fresher students to the HEIs, a new Act has been introduced in 1998 under the title **Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act, No 20 of 1998**. In terms of the said Act, ragging means "any act caused or likely to cause physical or psychological injury or mental pain or fear to a student or a member of the staff of an educational institution".

Forms of Ragging;

Any person who commits or participates in ragging within or outside an educational institution shall be guilty of an offence under this act.

- a) Any person who whilst committing ragging causes sexual harassment or grievous hurt to any student or a member of staff,
- b) Any person who within or outside an educational institution threatens verbally or in writing to cause injury to any person, reputation or property of any student or a staff of any member of a staff of any higher education institution or to the person, reputation or property some other person in whom the victim is interested with the intention of causing fear in the victim or of compelling the victim to do any other act which the victim is legally not required to do or to omit to do any act which the victim is entitled to do,
- c) Any person who does any act by which the personal liberty and the freedom of movement of any student or a member of staff of an education Institution; or other person within such educational institution or any premises under the management and control of such educational institution, is restrained without lawful justification and for the purpose forcing such student, member of the staff or person to take a particular course of action,
- d) Any person who unlawfully obstructs any student or a member of the staff of an educational institution, in such a manner as to prevent such students or member of staff from proceeding in any direction in which such student or staff has right to proceed,
- e) Any person who unlawfully restrains any student or a member of staff of an education institution in such a manner as to prevent such Student or member of the staff from proceeding beyond certain circumscribing limits,
- f) Any person who without lawful excuse, occupies by force, any premises of or under the management or control of, an education institution,
- g) Any person who causes mischief in respect of any property of or under the management or control of an education institution

However, it is observed that the powers vested or the provisions of the above Act had not been properly utilized by the Universities /HEIs during the last decade to curb ragging, causing more concern especially amongst fresher students and public outcry.

In view of the alarming increase of incidences of ragging of various forms that were reported and observed in the recent past in all Universities / Higher Education Institutions, in spite of having introduced the above Act in 1998, the following guidelines are prepared in order to facilitate strict immediate implementation of the provisions of the above Act. Thus, Universities / Higher Education Institutions are hereby required to adopt the following measures in three phases, namely Prevent, Perform and Punish in addition to the strategies adopted to suit the respective Institutions.

1. Prevent

- 1.1 The students should sign a declaration (Template in Annexure I), countersigned by the parent/guardian stating that they shall not initiate, aide, abate, perform or participate in any form of ragging or violence inside or outside the premises of the HEIs during the period of their registration at the HEI.
- 1.2 Appoint an Anti Ragging Committees (ARC) in all Universities/HEIs consisting of the VC and/or DVC, Deans, One Council Member representing the UGC nominees, Proctor if any, University Medical Officer, Student Counselors, Sub-Wardens, and SAR/AR Student welfare as the convener. This committee should meet at least twice a month during the preparatory and peak period and regularly report to the Council.

Universities/HEIs are encouraged to establish Faculty level Anti Ragging Committees depending on the needs of the individual Universities/HEIs.
- 1.3 Prepare handout detailing the acts that could be considered as ragging together with the punishments that could be meted out under the provisions of the above Act.
- 1.4 Appoint Academic Staff of Senior Lecturer Grade II and above at least for a period of three months or more as Temporary Student Counselors (TSC) on the basis of one TSC not exceeding per 20-50 Students.
- 1.5 Educate all Heads of Departments and other responsible unit heads on all aspects of ragging including the provisions of the Act.
- 1.6 Posters on all measures taken on ragging should be displayed in prominent places such as the libraries, student canteens, hostels and in the relevant notice boards.
- 1.7 All security staff should be detailed on the preventive measures.
- 1.8 All parents and new entrants should be informed about the features of the Act.
- 1.9 Educate the seniors on the consequences of ragging.
- 1.10 Admit the fresher students while the senior students are on vacation
- 1.11 Conduct an orientation/familiarization programme for fresher students educating them on the strategic locations and procedures to be followed if subjected to any form of ragging.
- 1.12 All relevant officials should be encouraged to be present after working hours or during weekends to take part in vigilant activities round the clock within and in the immediate vicinity of the HEI.
- 1.13 Keep the local police informed of the places and period in which ragging could likely to occur.

- 1.14 Keep the mass media informed on the measures taken to curb ragging and create public awareness especially targeting the neighborhood.
- 1.15 Encourage the presence of Student Counselors and sub-wardens Within the University premises for longer hours, may be on voluntary and roster basis.
- 1.16 Initiate innovative University specific programs or activities that could provide a safer and student friendly environment for the fresher students to get familiarized with the University environment and culture.

2. Procedures to be followed in the event of ragging

- 2.1 Record all complaints related to ragging and provide facilities to lodge open complaints or under 'confidential' basis if needed
 - 2.2 Encourage submission of evidence as much as possible, written forms of complaints, material evidence, injuries, witnesses, circumstantial, tape-recorded (audio) and photographs or Videos
 - 2.3 Report all cases of ragging to the relevant Police Station to be followed under the Ragging Act No. 20 of 1998.
 - 2.4 Refer for medical or Psychiatric examination and request medical reports if necessary
 - 2.5 In case of grievous injuries or on punishable acts as prescribed in the Penal Code and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act No 22 of 1994, report to the Police
 - 2.6 Obtain details of the damages caused to University or public property as a result of ragging
 - 2.7 Follow the procedures prescribed in the Prohibition of Ragging Act No 20 of 1998.
 - 2.8 Report all incidences of ragging, and the punishments meted on the basis of the Ragging Act No 20 of 1998 to the University Grants Commission on a weekly basis during the period of the first three months of the enrollment of fresher students.
3. Punishment

It is emphasised that many of the offences listed under the above Act are unbailable and liable to rigorous imprisonment, up to ten years. It is also possible that a student if found guilty under the provisions of the above Act could be expelled from the Institution and also liable to pay compensation for any damages to property or injuries caused on the victims.

TEMPLATE OF THE DECLARATION

DECLARATION BY THE CANDIDATE OR STUDENT

1. I have carefully read and fully understood the law prohibiting ragging referred in the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act, No 20 of 1998 and the Commission Circular, No: of 15th January, 2010.

2. I hereby undertake that;
 - 2.1 I will not indulge in any behavior or act that may come under the definition of ragging
 - 2.2 I will not participate in or abet or propagate ragging in any form
 - 2.3 I will not hurt anyone physically or psychologically or cause any other harm

3. I hereby agree that if found guilty of any form of ragging, I may be punished as per the law enforced and by-laws of the University.

Signed this on the day of month of in the year

.....
Signature of the student

Name:

Admission No:

Address:

.....

.....

UNDERTAKING BY THE PARENT/GUARDIAN

1. I have carefully read and fully understood the law prohibiting ragging referred in the Prohibition of Ragging and Other Forms of Violence Educational Institutions Act, No. 20 of 1998 and the Commission Circular No: of 15th January 2010:
2. I assure you that my son/daughter/ward will not indulge in any form of ragging.
3. I hereby agree that if he or she is found guilty of any form of ragging he or she may be punished as per the law enforce and by-laws of the University.

.....
Signature of Parent or Guardian

Name:

Relationship to the student:

Address:

.....

.....

ANX 4: BY-LAW RELATING TO UNIVERSITY STUDENTS' UNION AND FACULTY STUDENTS UNION

Given below is the By - Law relating to University Students' Union and Faculty Students' Union made by the Council of the Eastern University, Sri Lanka Under Section 135 of the Universities Act No: 16 of 1978 as amended by Acts N0 7 of 1985 and No 26 of 1988 and enforced with effect from 29th August, 2015. **This By – Law may be cited as the Students' Union By-Law No 14 of 2015.**

PART I

1. The Eastern University, Sri Lanka (hereinafter referred to as "the University") hereby adopts this By-Law as recommended by the Special Meeting of the Senate of the University (hereinafter referred to as "the Senate") held on the 27/08/2015 and approved by the Council of the University (hereinafter referred to as "the Council) at its 256th meeting held on 29/08/2015 being prepared under the provisions of the section 135 of the Universities Act No. 16. of 1978, as amended by the Universities (amendment) Act of No.07 of 1985 and No 26 of 1988. (hereinafter referred to as 'the Act"). This By-Law supersede any other By-Law or Regulation that may have been issued on the subject of election to students union earlier.
2. Nothing in this By-law shall be construed in a manner to detract from the power, duties and functions conferred on or imposed upon the Principal Executive officer by the Universities Act, No. 16 of 1978 (as amended) hereinafter referred to as the Act, or by any other Instrument.
3. (i) Upon the coming into operation of this By-law there shall be established a Eastern University Students Union and Faculty Students Unions as per the terms provided for in sub-paragraph 3(ii) and 3(iii) of this By-law.
(ii) The Eastern University Students Union shall derive its authority for its composition, duties and functions as provided for in Section 1(1), 1(2), Section 2 and Section 3 in the schedule to the Universities (Amendment) Act No. 26 of 1988.
(iii) There shall be a Eastern University, Sri Lanka Faculty Students Union for each Faculty of the Eastern University, Sri Lanka, which Unions will derive their authority for their composition, duties and functions as provided for in Section 6(1), 6(2), 6(3) and Section 7 in the schedule to the Universities (Amendment) Act No. 26 of 1988.

PART II

4. Without prejudice to the generality of the powers, duties and functions conferred upon or imposed on the Governing Authority of the Eastern University, Sri Lanka by the "Act", or any other Instrument, the Council shall be responsible for the administration and implementation of this By-law.
5. No student of a Faculty shall be eligible to vote at an election
 - (a) unless he has been duly registered and admitted as a full-time undergraduate student and is following a course of study in the relevant Faculty in respect of the academic year in which the election is held;
 - (b) if he is under suspension from Faculty and/or University;
 - (c) if he fails to establish his identity at the time of voting.
6. For the purpose of this By-law, "Registered Student" means any undergraduate Student who has already been registered and admitted to a course of study at the University for any academic year or any student who is duly admitted and registered from time to time to follow a course of study in respect of any academic year, or other period of study.

7. Within seven days of the commencement of each academic year the Registrar of the University shall publish within the University a notice containing;
 - (a) the name of each Faculty Students Union;
 - (b) the title of the office-bearers and the number of other members to be elected to each such Faculty Students Union;
 - (c) the names and registration numbers of students who are eligible to vote at an election of office bearers and other members to each such Faculty Student Union.

8. The Principal Executive Officer of the University shall nominate in respect of the election of office bearers and other members to each Faculty Students Union, the name and designation of a person to conduct such election (hereinafter referred to as the "Election Officer"). The Election Officer may co-opt any person or persons to assist him in this task.

9. (i) The Principal Executive Officer of the University shall fix in respect of each Faculty Students Union, a date, closing time and venue for the receipt of Nominations by the Election Officer for the election of office bearers and other members for that Faculty Students Union. Such date shall be a date after the expiry of eight days but prior to the expiry of fourteen days from the date of publication of the Notice under section 7(1) of this By-law.

(ii) The Registrar of the University shall publish within the University the date, time and venue fixed for the receipt of nominations in respect of each Faculty Students' Union.

10. (i) Every registered undergraduate student who is eligible to vote at an election of the Faculty Students Union will be eligible to be nominated as a candidate for election of office bearers or members of that Faculty Students Union. Provided, however, no student shall be eligible to be nominated as a candidate for election of office bearer or member of a Faculty Students Union, if he has been found guilty of misconduct.

(ii) Proposers and seconders should be registered students of the Faculty to which they will be nominating a candidate.

(iii) No student will be eligible to be nominated for more than one post or by more than one proposer or seconder at any given election.

(iv) Nominations will be on a form given in schedule one 01) of this By-law. Nominations should be accompanied by name and student registration number of the proposer and seconder, and should be signed by the nominee in token of his agreement to stand for election.

(v) Nominations so received will be displayed by the Election Officer on the Faculty notice board on the day following receipt of nominations.

(vi) Any objections to persons nominated should be submitted to the Election Officer by any registered student of that Faculty prior to the expiration of one day after the displaying of nominations, giving valid reasons for such objections. The decision whether a nomination is valid or not will be made by the Principal Executive Officer and such decision shall be final.

11. Where no nominations have been received, the Principal Executive Officer shall fix in respect of such Faculty Students Union, a fresh date, time and venue for the receipt of nominations.

12. (i) The Principal Executive Officer of the University shall fix in respect of each Faculty Students Union a date for the election of office bearers and other members to such Faculty Students Union. Such date shall be a date falling within fourteen days of the date on which nominations were received in respect of that Faculty Students Union.
- (ii) The Registrar of the University shall publish within the University, the date, time and venue fixed for the election of office bearers and other members in respect of each Faculty Students Union.
- (iii) The Election Officer shall conduct the election by secret ballot. For an election to be valid 50% or more of the eligible voters should cast their votes.

13. Each candidate contesting the election of a Faculty Students Union may appoint two students as polling agents to represent him at the venue of election during the taking of the poll and the count. Notice in writing of every such appointment stating the names and registration numbers of the students appointed shall be given by the candidate to the Election Officer before the opening of the poll. Provided, however, that only one polling agent of a candidate can be present at the venue of election at any time during the taking of the poll, or the count.

14. (i) Every registered student who is eligible to vote at an election of a Faculty students Union shall be entitled to vote for a candidate for each office and for such number of candidates for membership as is equivalent to the number of members to be elected to such Faculty Students Union as specified in the schedule to the Amendment Act. No.26 of 1988.
- (ii) Where the number of votes cast at an election is less than 50% of the eligible votes, the Election Officer shall declare such election as invalid.
- (iii) Where only one nomination has been received and accepted in respect of such post, the Election Officer shall declare elected the candidate so nominated to the respective post.
- (iv) Where 02 or more nomination papers have been received in respect of each post the Election Officer shall declare elected the candidate who polls the highest number of votes.
- (v) The Election Officer shall declare elected as members the candidates who poll the most number of votes in descending order until the number of candidates declared elected as members shall be equivalent to the number for membership for each Faculty.
- (vi) Where equality is found to exist between the votes polled by two or more candidates for election of an officer bearer or member the determination of the office bearer/member to be elected shall be made by a draw of lots.
- (vii) At the conclusion of the election of office bearers, the Faculty Students Union shall nominate, with the concurrence of the Dean of the Faculty, a senior teacher of the Faculty to be appointed by the Principal Executive Officer of the University as the Senior Treasurer of the Faculty Students Union.

15. (i) Each office bearer or member of a Faculty Students Union shall hold office from the date of his election up to the end of the academic year in which he was elected. Provided, however, that the Council shall have the discretionary power to Extend the period of office of such office bearer or member.
- (ii) No student shall be eligible for re-election to the same office.
- (iii) If any office bearer or member:
 - (a) ceases to be a student; or
 - (b) resigns office by writing under his hand addressed to the Senior Treasure, or
 - (c) is found guilty of misconduct, his office shall be deemed to be vacant.

- (iv) Where the post of an office bearer/member of a Faculty Students Union falls vacant, the Election Officer shall, as determined by the Principal Executive Office in accordance with the earlier provisions of this By-law, initiate Action for the holding of an election to elect a person to fill such vacancy. The person so elected shall hold office for the unexpired portion of the term of Office of his predecessor.
16. (i) The duties and functions of the President of the Faculty Students Union shall be:
- (a) to preside at all meetings of the Faculty Students Union;
 - (b) to carry out the decisions of the Faculty Students Union; and
 - (c) to call meetings of the Faculty Students Union.
- (ii) The duties and functions of the Vice-President of the Faculty Students Union shall be:
- (a) to preside at any meeting of the Faculty Students Union in the absence of the President;
 - (b) to assist the President in the discharge of his duties; and
 - (c) to carry out any other duty or function assigned to him by the Faculty Students' Union.
- (iii) The duties and functions of the Secretary of the Faculty Students Union shall be:
- (a) to keep records of all proceedings of the Faculty Students Union;
 - (b) to summon meetings of the Faculty Students Union on the Instructions of the President or upon the receipt by the Secretary of a written request, from not less than one third of the total membership of the Faculty Students Union;
 - (c) to ensure that a copy of the minutes of the proceedings are forwarded to the Dean of the Faculty; and
 - (d) to ensure that minutes of the proceedings are available for inspection by any student of the Faculty.
- (iv) The duties and functions of the Junior Treasurer of the Faculty Students Union shall be:
- (a) to have custody of the funds of the Faculty Students Union;
 - (b) To ensure that all income and expenditure are properly recorded for in the books kept for this purpose, subject to any rules pertaining to maintenance of such accounts.
 - (c) To inform the Senior Treasurer within one week of the receipt of any money by the Faculty Students Union, of such receipt;
 - (d) To make payments out of the funds of the Faculty Students Union with the approval of the Senior Treasurer;
 - (e) To prepare a budget for the academic year after consultation with the office bearers of the Faculty Students Union -within one month from the date of election of its office bearers;
 - (f) When necessary, to prepare supplementary estimates;
 - (g) To submit to the Faculty Students Union a report on its current and projected financial position as at the last day of each term within one month of the end of that term; and
 - (h) to submit to the Auditor through the Senior Treasurer, a statement of income and expenditure and the balance sheet of the Faculty Students Union for the academic year within two weeks of the end of the academic year in which the Faculty Students Union was elected.

PART III

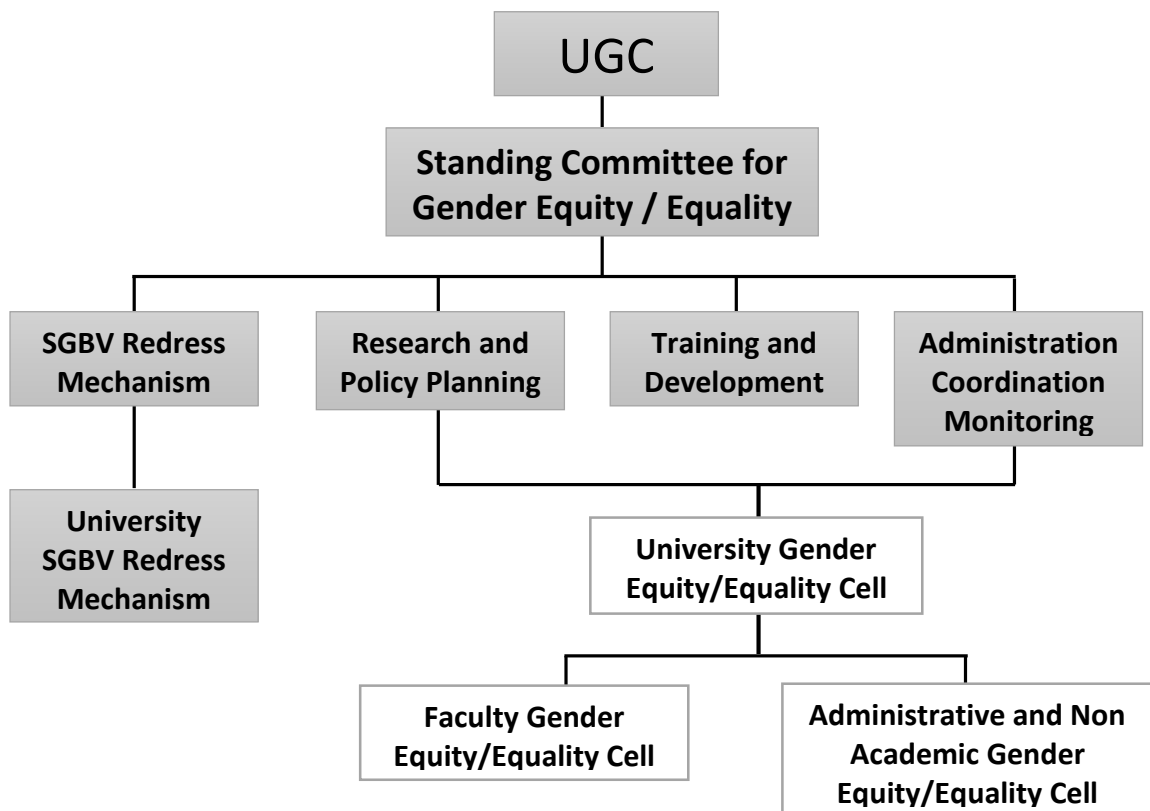
17. (i) The Principal Executive Officer Shall arrange a date for the holding of the first meeting of the University Students Union wherein all the members of the Faculty Students Unions shall elect the office bearers of the University Students Union. Such date shall be a date falling within two weeks of the conclusion of the election of office bearers and other members to all the Faculty Students Unions in terms of the relevant Sections of Part 11 of this By-law.
- (ii) For the purpose of this meeting the Principal Executive Officer shall nominate a senior member of the University as the Returning Officer to conduct the election of office-bearers by secret ballot. He shall preside at the meeting and take all necessary action for the smooth conduct of the election.
- (iii) At the conclusion of the election of office bearers, the University Students Union shall nominate a senior teacher to be appointed by the Principal Executive Officer of the University as the Senior Treasurer of the University Students Union.
- (iv) The Returning Officer shall submit a report on the above election to the Principal Executive Officer.
18. (i) Each office-bearer of the University Students Union shall hold office from the date of his election up to the end of the academic year in which he was elected. Provided, however, that the council shall have the discretionary power to extend the period of office of such office bearer or member.
- (ii) No member shall be eligible for re-election to the same office.
- (iii) If any office-bearer
- (a) ceases to be a student; or
 - (b) resigns office by writing under his hand addressed to the Senior Treasurer; or
 - (c) is found guilty of misconduct
- his office shall be deemed to be vacant.
- (iv) Where an office of the University Students Union falls vacant, the Returning Officer shall, as determined by the Principal Executive Officer of the University, initiate action for the holding of an election to elect an office bearer. The Person so elected shall hold office for the unexpired portion of the term of office of his predecessor.
19. (i) The duties and functions of the President of the University Students Union shall be
- (a) to preside at all meetings of the University Students Union;
 - (b) to carry out the decisions of the University Students Union; and
 - (c) to call meetings of the University Students Union.
- (ii) The duties and functions of the Vice-President of the University Students union shall be
- (a) to preside at any meeting of the University Students Union in the absence of the President;
 - (b) to assist the President in the discharge of his duties; and
 - (c) to carry out any other duty or function assigned to him by the University Students Union.
- (iii) The duties and functions of the Secretary of the University Students Union shall be
- (a) to keep records of all proceedings of the University Students Union;
 - (b) to summon meeting of the University Students Union on the instructions of the President or upon the receipt by the Secretary of a written request, from not less than one third of the total membership of the University Students Union.
 - (c) To ensure that a copy of the minutes of the proceedings are forwarded to the Principal Executive Officer of the University; and

- (d) To ensure that the minutes of the proceedings are available for inspection by any student of the University.
- (iv) The duties and functions of the Junior Treasurer of the University Students Union shall be
- (a) to ensure that all income and expenditure is properly recorded and accounted for in the books kept for this purpose, subject to any rules pertaining to maintenance of such accounts;
 - (b) to inform the Senior Treasurer within one week of the receipt of any money by the Union, of such receipt;
 - (c) to make payments out of the funds of the Union with the approval of the Senior Treasurer;
 - (d) to prepare a budget for the academic year and submit it to the Union within one month from the date of election its office-bearers; (for this purpose he shall consult the office-bearers and any standing committee of the union, if any)
 - (e) where necessary, to prepare supplementary estimates;
 - (f) to submit to the Auditor through the Senior Treasurer a statement of income and expenditure and the balance sheet of the Union for the academic year within two weeks of the end of the academic year in which the Union was elected.
20. Any question regarding the interpretation of this By-law shall be referred to the Council whose decision thereon shall be final.
21. In this By-law
- "Academic year" means the period commencing on 1st day of October of the year and ending on so" day of September of the following year';
 - "Act" means the Universities Act No. 16 of 1978 (as amended);
 - "Auditor" means any auditor appointed by the Principal Executive Officer to audit the accounts of the University Students Union or any Faculty Students Unions;
 - "Council" means the Council of the Eastern University, Sri Lanka;
 - "Dean" means the Dean of each Faculty or any other person acting for the Dean for the time being;
 - "Faculty" means any Faculty established by the Eastern University, Sri Lanka under the Act except the Faculty of Graduate Studies;
 - "Principal Executive Officer" means the Vice-Chancellor or any other person performing the duties of office of the Vice-Chancellor for the time being;
 - "Registrar" means the Registrar of the Eastern University, Sri Lanka or any other person acting for the Registrar for the time being;
 - "Senate" means the Senate of the Eastern University, Sri Lanka;
 - The word 'Post' means the position of office bearer or member

ANX 5: EASTERN UNIVERSITY, SRI LANKA POLICY FRAMEWORK FOR GENDER EQUITY/EQUALITY

01. Background

Gender inequalities and violence including that of sexual and gender-based violence in the Universities have been reported as significant shortcomings in the Sri Lankan University System. (UGC; CARE & FUTA 2015). University Grants Commission (UGC) has recognized that without addressing these deep rooted inequalities and inequities within the system, Sri Lankan Universities cannot genuinely consider themselves to be centres of academic excellence. Therefore the UGC has taken up the challenge to address these unresolved concerns by establishing a Centre for Gender Equity/Equality (GEE) in October 2015, so as to institute socially and gender-sensitive university subcultures and an environment of freedom and security that allows students and all university staff to pursue their study and work without discrimination and oppression. The UGC - GEE Centre will be managed directly under the UGC Standing Committee for Gender Equity/ Equality. The Management structure of the UGC Centre for Gender Equity/ Equality up to the University level is given below.



02. Commitment of EUSL

EUSL is committed to the promotion of Gender Equity/Equality (GEE) and women's empowerment where all students, academic, administrative and support staff, female and male, enjoy equal opportunities, human rights, and free from all forms of discrimination and harassment. As such members of the University community have the responsibility of ensuring that it is free from gender inequity and Sexual and Gender Based Violence (SGBV).

Thus EUSL policy on GEE is designed to promote equality between women and men; to eliminate unlawful discrimination and harassment; and to provide an inclusive working, learning and social environment in which the rights and dignity of all its staff and students are respected to assist them in reaching their full potential. The university will work to remove any barriers which might deter people of the highest ability from applying to EUSL as staff or students.

03. Policy Framework

The policy seeks to create a framework that will assist the university to encourage gender equity/ equality in all staff and student activities, ensure equitable participation and appropriate representation of both genders in all its decision making process and prevent Sexual and Gender-Based Violence (SGBV).

3.1. Scope of the Policy

The policy establishes the basis for EUSL cooperation with the Government and society at large to promote equality between women and men.

This policy applies to all members of the university, including students, employees, visitors, any individuals regularly or temporarily employed, studying, living, visiting, conducting business, or having any official capacity at the university.

This policy also applies to off-campus conduct that is likely to have a substantial adverse effect on any member of the university community or university.

3.2. Overarching Policy Statement

Achieving gender equality and non-discrimination in educational and work environment for all staff and students is a strategic objective of EUSL. The university explicitly plans to integrate gender as a cross-cutting issue into both its core and support functions. EUSL is committed to lead the next generation on the way to securing equality of opportunity for women and men whether as students, staff members or external users of our facilities.

In realizing gender equality EUSL shall endeavour to do everything within its means not to overlook the diversities among and between members of EUSL community and prohibit sexual or gender based harassment. The policy recognizes gender education as a major pillar in the process of gender equality and women empowerment through transformative development process.

EUSL is committed to working with all its stakeholders within and outside the university guided by the strategic actions outlined here.

3.2.1. Policy Vision

A gender-responsive university with zero tolerance toward SGBV.

3.2.2. Policy Mission

To enable the university to excel in providing a gender-responsive organizational environment and to integrate gender into the functions of the university in order to attain gender equality and women's empowerment and to promote zero tolerance against SGBV.

04. Guiding Principles

Policy will be based on the following principles:

- Principles of GEE shall be upheld
- Equal participation of male and female staff and students in the implementation of the policy shall be upheld
- Gender empowerment is central to the achievement of the goal and objectives of the policy
- Transparency, accountability, confidentiality and sensitivity in the implementation of the policy shall be upheld
- Partnership and collaboration between staff and students are essential to the realization of a conducive learning and working environment free from SGBV
- Principle of zero tolerance to SGBV shall be upheld.

05. Specific objectives of the policy

- Achieve gender balance with respect to both academic and administrative staffing and decision making processes.
- Achieve gender balance in enrolment of students.
- Maintain gender-disaggregated statistics on both staff and students for decision making.
- Address gender issues in the content of courses and course materials.
- Support the development of policy documents from a gender perspective and the use of gender sensitive language at all levels of activity.
- Prevent cases of SGBV at EUSL.
- Sensitise EUSL university community on what constitutes SGBV
- Create awareness on the reporting procedure for victims of SGBV including circumstantial evidence.
- Promote harmonious relations between different categories of staff and students at EUSL.
- Provide prompt, effective, and consistent and fair guidelines for handling cases of SGBV at the university.
- Provide disciplinary procedures, justice and reprieve for the aggrieved.
- Promote research and publications of research findings and recommendations in form of measures regarding SGBV.

06. Policy Resolutions

6.1. Organizational culture

Objective: EUSL shall promote and enforce gender-responsive organizational culture to eliminate gender inequities in all university activities to meet this.

To achieve this objective EUSL shall:

- Develop and enforce policy guidelines on the use of gender inclusive language throughout the university

- Review and update all existing policies, forms, and procedures to eliminate sexist language and establish gender equality
- Develop and operationalize policy prohibiting public display of visual aids and materials that are demeaning to men and women.
- Organize special gender awareness orientation programmes for new members of university bodies

6.2. Awareness and creation

Objective: To enhance better understanding and appreciation of GEE and SGBV throughout the entire EUSL community with the aim of preventing occurrence of the same.

To achieve this objective university shall:

- Conduct workshops on GEE and SGBV for all staff and students
- Create and support an advocacy group to advance issues of GEE and SGBC
- Publish the policy on GEE and SGBV and disseminate to all members of staff and students
- Require all staff and students to undertake to abide by the policy
- Undertake to regularly sensitise the university community on the policy

6.3. Safety and Security

Objective: The university management and administration shall promote a gender friendly and inclusive secure environment in the university in order to ensure effective protection of bodily integrity and dignity of every member of the university community to strengthen safety and security measures for all members of the University community.

To achieve this objective EUSL shall:

- Implement policy and regulations on sexual harassment
- Develop and enforce guidelines for ensure a secure environment that include street and security lighting; posting security at strategic points; providing night surveillance services; availing hotlines for emergencies etc. particular attention be paid to halls of residence
- The university shall institute concrete mechanisms to address gender-based violence against students and staff
- Strengthen counselling services and allocate adequate resources for prevention, management, and rehabilitation of survivors of gender based violence at the university

6.4. Curriculum and co-curricular programmes

Objective: To mainstream gender in the formal curriculum and strengthen the co-curricular programmes.

To achieve the objective EUSL shall

- Create a framework for engendering the university curriculum
- Mainstream gender issues in the formal university curriculum
- Review and engender all existing curricula and ensure that new programmes are gender responsive

- Encourage staff and students to actively participate in co-curricular activities design and implement a mandatory cross cutting core course on gender and development for all first year undergraduate and postgraduate students

6.5. Capacity building and training

Objective: To enhance the capacity of members of the university community and managers to support the implementation of the policy.

To achieve this objective EUSL shall:

- Train all members of the community to facilitate the implementation process
- Institute empowerment programmes to protect all members of the university community against SGBV
- Strengthen the current guidance and counselling unit to deal effectively with cases of SGBV
- Facilitate university health providers to recognize and be responsive to the emotional and psychological needs of staff and students

6.6. Research and innovations

Objective: The University shall adopt a gender-responsive research environment that improves our understanding of national development issues, and impacts positively on the lives of men and women

To achieve this objective EUSL shall:

- Design and carry out a gender-focused research skills training programme for staff members
- Develop guidelines to ensure that all research processes and innovations irrespective of discipline, integrate gender analysis
- Design and implement an affirmative action programme to encourage participation of female members of staff , with specific budget allocations to support their multiple roles in society
- Expand dissemination outlets of international standards for gender focused research and publications
- Encourage increased operational research leading to evidence -based programming /service delivery to handling of SGBV research agenda
- Facilitate the identification of SGBV research capacities /needs and develop an SGBV research agenda
- Encourage research methodologies and approaches that are sensitive to survivors of SGBV and that lead to mechanisms of eradicating SGBV

6.7. Women's participation in decision making

Objective: The University shall adopt proactive measures to increase the participation of women in decision making through recruitment, promotion, and retention in order to eliminate the existing gender imbalances within systems, structures, and all core activities of the university.

To meet this EUSL shall:

- Design and implement programmes that ensure equal opportunities and affirmative action
- Design and implement a gender-responsive cross generational leadership and mentoring programme, particularly for young female staff in the science disciplines
- Establish and implement programmes with adequate facilities and resources to support the multiple roles of university staff, particularly their career, studies and care-giving roles
- Develop and implement a gender sensitive and responsive human resources policy
- Develop a databank of qualifications, specialties, and experiences of women on the supreme university governing bodies, such as the university council, senate and other related bodies.

6.8. Resource mobilization and Gender Mainstreaming

Objective: The University shall actively promote resource mobilization and gender budgeting processes as a way of ensuring adequate and sustainable budget allocations for effective institutionalization of gender mainstreaming as a cross-cutting issue within the core activities of the university.

To achieve this EUSL shall:

- Develop and implement a resource mobilization strategy for financing the GEE objectives.
- Design guidelines and implement gender budgeting training programme for all key staff involved in university planning and budgeting processes
- Earmark budgetary resources , on the basis of a well -clarified percentage for funding gender mainstreaming processes in all the core functions of the university
- Establish a mechanism for financial accountability for resources allocated for gender mainstreaming

6.9. Staff and Student welfare

Objective: The University shall plan and provide welfare of all its staff and students to achieve optimal productivity.

To meet this EUSL shall:

- Engender human resource policies
- Formulate and implement a gender-sensitive policy on disability including accessibility to the university buildings and facilities.
- Formulate and implement a policy on pregnant and parenting students and sensitise all relevant staff on sexual and reproductive rights of students
- Invest in child care facilities on university campus for the benefit of parenting staff

6.10. Creation of the GEE Directorate

Objective: A GEE Cell will be established reporting to the Vice Chancellor so as to ensure its capacity to facilitate and monitor the implementation of the GEE Policy

To meet this EUSL shall:

- Seek approval for the positioning of the GEE Cell by Senate and Council
- Establish the GEE Cell with adequate space and staff
- Implement Resource Mobilisation Strategy to enable the Cell to access resources
- GEE Cell will organize regular meetings once every two months to assess progress, monitor and evaluate the GEE Programme, consider implementation strategies and develop sustainability strategies

07. Monitoring, evaluation and Accountability for GEE

7.1. Responsibility for Implementation of GEE

All individuals in EUSL and all those who are associated with EUSL have a responsibility to adhere to the policy and apply it in their day-to-day activities and in all dealings with EUSL. The overall responsibilities in relation to this policy are as follows:

EUSL Council

As the Governing Authority of EUSL, the Council is responsible for ensuring that EUSL fulfils its legal and financial responsibilities for promoting gender equality and eliminating discrimination. In order to fulfill this Council needs to receive an annual progress report on the monitoring and implementation of the policy to enable its members to ensure that the policy is being operationalized. The Council will further monitor progress on the implementation of the policy.

The Council discharges its responsibility through the management structures of EUSL.

The Vice-Chancellor

The Vice-Chancellor is responsible for ensuring that the policy is effectively implemented and that staff are aware of their responsibilities, accountability, and training needs; ensuring that appropriate action is taken against staff or students who violate the policy.

The Vice-Chancellor relies on the Senior Management team to take forward the GEE Agenda ensuring that it is fully operationalized.

Deans and Heads of Departments

They are responsible for the implementation of the policy within their areas of responsibilities. This involves putting the policy and strategic actions and procedures into practice; making sure that all staff are aware of their responsibilities and receive support and training in carrying out these; and take action against staff and students who discriminate on grounds of gender.

7.2. Monitoring and Evaluation

Effective institutional arrangement for monitoring and evaluation are key components for achieving the objectives of the policy. This can only be achieved by instituting an effective mechanism for monitoring and evaluating the system to ensure adherence to this policy.

7.3. Institutional and Regulatory frameworks

The implementation of the GEE Policy requires a well-coordinated and guided institutional framework to translate Goals, Objectives and Strategies into action programmes at all levels of the university functions. The implementation of the Policy will therefore be operationalized through the existing University institutional such as Senate and Council on policy matters.

7.3.1. Eastern University GEE Cell

There shall be a GEE Cell of EUSL reporting to the Vice-Chancellor with the following roles:

- Provide training on gender equity and equality (including social intersections)for the establishment of a core team of gender experts
- To conduct research, review policies and contribute policy inputs in the university level
- To do the curricular reforms to inculcate the concepts and practices of GEE
- To prevent and respond to SGBV by developing relevant skills
- Identifying ways and means of preventing SGBV in the university and empowering staff and students to prevent and respond to SGBV by developing relevant skills
- And enhance its capacity to facilitate and monitor the implementation of the GEE Policy at the institutional level.

Composition:

Vice-Chancellor (Chairperson)
Deans of Faculties
Registrar
Bursar
Director/Staff Development Centre
Two academic representatives from each Faculty (one male and one female)
Two academic support representatives from each Faculty (one male and one female)
Two student representatives from each Faculty (one male and one female)

Sub-Committees of the EUSL GEE Cell

The GEE Cell will have following Sub-Committees composed of members drawn from relevant university units to offer expertise and extra support to the Centre/ Cell:

- I. Resource Mobilisation
- II. Education and Research
- III. Women empowerment(women and Leadership)
- IV. Grievances

Sub-committees will review their progress on the implementation of gender equality activities annually and submit them to the GEE Centre/Cell for consideration and forwarding to Senate and on to Council.

The Policy and annual progress reports will be published on the EUSL website.

7.3.2. Faculty level GEE Cells

There shall be GEE Cells at the Faculty levels to achieve the objectives of the University Cell at the Faculty level

Composition

Dean of the Faculty (Chairperson)

Two academic representatives from each Department (one male and one female)

Two student representatives from each Department (one male and one female)

The objective is to appraise the steps taken and the success in the implementation of the policy.

To achieve this EUSL shall:

- Establish a committee to monitor and evaluate the performance of EUSL in implementing this policy
- Put in place appropriate monitoring and evaluating system to ensure that the necessary measures are taken promptly
- Put in place monitoring indicators with time frames to measure the implementation process
- Undertake to review the policy from time to time on informed research
- Put in place a forum for receiving views of members of EUSL regarding the policy

7.3.3. Administrative and Non Academic GEE Cell

Composition:

Registrar (Chairman)

Two Representatives from each Administrative Department (one male and one female)

ANX 6: BY-LAW ON SEXUAL AND GENDER – BASED VIOLENCE

Given below is the By-law on Sexual and Gender – based Violence (SGBV) made by the Council of Eastern University, Sri Lanka under Section 135 of the Universities Act No:16 of 1978 as amended by Acts No 7 of 1985 and No 26 of 1988 and enforced with effect from 27th February, 2016.

This By-law may be cited as the Sexual and Gender-Based Violence By- Law No 1 of 2016

PART I: General

1. The Eastern University, Sri Lanka (herein referred to as “the University”) hereby adopts this By-Law as approved by the Council of the University (herein referred to as “the Council”) at its 262nd meeting held on 26th February 2016 being prepared under the provisions of the section 135 of the Universities Act No. 16 of 1978, as amended by the Universities (Amendment) Act No 07 of 1985 and No 26 of 1988,” herein after referred to as “the Act”). This By-Law supersedes any other By-Law or Regulations that may have been issued earlier.

The University is committed to maintaining and promoting safe and respectful campus environments that are free from SGBV which includes sex discrimination, sexual harassment and gender-based violence. The By-Law establishes an integrated and consistent approach to prevention, reporting and promptly responding to these forms of SGBV across the University.

2. Notwithstanding anything to the contrary in any of the provisions of this By-Law, the Vice-Chancellor shall take appropriate action he deems necessary to maintain discipline at the University and nothing in this By-Law shall be construed in a manner to detract from the powers, duties, and functions conferred on or imposed upon the Vice-Chancellor by the Universities Act No. 16 of 1978 (herein referred as the “Act”) or by any other instrument.

3. (1) Upon coming into operation of this By-Law, there shall be established a Standing Committee on Sexual and Gender-based Violence (referred to as the “Committee”) constituted as provided in Sub-paragraph (2) to reduce the incidence of SGBV and improve responses.

(2) The Standing Committee shall consist of the following members, who shall hold office for a period of 03 (three years) with effect from the date of appointment with the exception of the Vice-Chancellor.

- (i) Vice-Chancellor
- (ii) The Deputy Vice-Chancellor
- (iii) One member of the Council nominated by the Council from among its appointed members
- (iv) Registrar
- (v) Rector/Trincomalee Campus

- (vi) Deans of Faculties
- (vii) Proctor
- (viii) Senior Student Counsellor
- (ix) Director/Staff Development Centre
- (x) Director/Career Guidance Unit
- (xi) 2 Wardens of the Hostel
- (xii) Chief Marshal or his nominee
- (xiii) A Gender Specialist appointed by the Vice-Chancellor
- (xiv) 2 representatives from among the administrative staff
- (xv) 2 representatives from among the non-academic staff
- (xvi) 2 representatives from among the students
- (xvii) Head/Legal and Documentation Division

(3) The Chairperson of the Committee shall be the Vice-Chancellor and he/she shall preside at all meetings of the Committee. If the Chairperson is unable to preside at the meeting the Deputy Vice-Chancellor shall preside at such meeting.

(4) The Head/Legal and Documentation Division shall be the ex-officio secretary to the Committee and the Coordinator. The Coordinator is responsible for complying with and carrying out the responsibilities under the Policy Framework for Gender Equity/Equality and this By-Law. The Coordinator may designate Deputy Coordinators to assist with these responsibilities with notice to the Vice-Chancellor.

(5) The quorum of the meeting of the Committee shall be 15 members.

(6) The code of conduct for the Committee on SGBV:

- Treating victims with compassion, sensitivity, respect and patience
- Being impartial
- Not blaming the victims
- Investigating thoroughly
- Being patient
- Not compromising cases/offences
- Being professional
- Being supportive

4. Preventive measures

(1) Disseminate information on policies relating to SGBV and related grievance handling procedures to address and prevent sexual harassment in the workplace and learning environment in an accessible manner;

(2) Seek ways of integrating sessions on gender discrimination into student and staff training modules and proactively implement awareness raising on SGBV ;

(3) Adopt a Code of Ethics for students and staff on issues related to gender and SGBV;

(4) Adopt and implement the policy on gender equity/equality ;

(5) Consider establishing the following employee support programmes:

- Mentoring and coaching programmes for men and women
 - Counselling services for men and women;
 - (6) Recognise and reward staff who are active and promoting gender equity/equality and SGBV;
 - (7) Consider establishing creches and day care facilities at the workplace;
 - (8) Institute measures to prevent the perpetrators from pressuring or intimidating complainants to accept compensation for withdrawing charges.
5. Subject to the provision to the Act, and of any other appropriate instrument the Committee shall work under the directive of the Vice-Chancellor who is responsible for maintenance of discipline of the university and have the following powers, duties and functions;
- (1) to advise the Vice-Chancellor on all matters concerning the maintenance of staff and student discipline within the University;
 - (2) to make recommendation to the Vice-Chancellor on the amendments to the By-Law on sexual and gender- based violence and guidelines pertaining to staff and students discipline;
 - (3) upon the request by the Vice-Chancellor to hold inquiries or cause inquiries to be held pertaining to allegations of sexual and gender- based violence on the part of any students or staff of the university and submit recommendations on the incidents of sexual and gender based violence to the Vice-Chancellor;
 - (4) review the reports of the committees of inquiries appointed by the Vice-Chancellor and recommend appropriate penalties or punishments, on any students or staff who have been found guilty of any acts of sexual and gender-based violence or who have been found guilty of an offence under this by-law or of acting in contravention of the provisions of this By-Law or Rules made by the Committee;
 - (5) to do all other acts incidental to the powers aforesaid as may be required in order to further the objectives of this By-Law;
 - (6) any questions regarding the interpretation of the By-Law shall be referred to the Council whose decision thereon shall be final.

PART II: Areas of Intervention

To achieve the objectives of By-Law on SGBV, the following areas of interventions shall be initiated:

1. Confidentiality

To ensure observation of strict confidentiality in handling cases of SGBV to protect the dignity of the victims

- (1) Put in place mechanisms to ensure confidentiality in handling cases of SGBV.
- (2) Guarantee the dignity and privacy of the complainant, perpetrator/s, and the witness/es.

2. Notice and Report of Prohibited Behaviour

(1) Parties:

Reporting Party

Reporting Party is a person who alleges being a victim of prohibited behaviour under this By-Law (Complainant)

Responding Party

Responding Party is a person against whom an allegation of prohibited behaviour is directed (Perpetrator)

(2) To put in place detailed procedures for reporting and documenting cases of SGBV. All complaints, allegations, and reports of prohibited behaviour under this Policy (“Complaints”) should be made to the Coordinator.

- (i) Strengthen the office that receives reports of SGBV. All verbal and written information submitted during the procedure shall be treated with due reservation and in particular appropriate steps shall be taken to preserve the identity of the persons who are the alleged victim and perpetrators
- (ii) All persons involved in the procedure are sworn to secrecy regarding all the information collected on the case and actions taken;
- (iii) Upon receiving notice of a “Complaint” the Coordinator shall promptly assess the situation and take action according to the investigation procedure.
- (iv) Put in place steps to be followed from the time of receiving complaint to the action stage;
- (v) Install 24-hour access to suggestions/complaints boxes in all buildings in the university;
- (vi) Maintain a website where all members of the university community can report cases of SGBV online;
- (vii) Any person included within the scope of this policy, who considers him or herself to be a victim of sexual or gender-based violence may file a grievance with the Secretary of the Committee on SGBV;
- (viii) A complaint may also be filed by a third party who is aware of the situation of harassment, including heads of departments and worker’s or student’s representatives. In these cases the Secretary of the Committee on SGBV will forward a copy of the complaint to the alleged victim so that he or she may ratify it, if appropriate;
- (ix) Any member of the university community has the duty to report to their heads / deans / supervisors or to the Secretary of the Committee on SGBV any situation of possible sexual or gender-based violence that they may be aware of;
- (x) The complaint, which in all cases must include the identification of the complainant, may be presented either in writing or verbally.

- (xi) For the purpose of ensuring the right to privacy of the persons affected, the form shown in annex 1 along with the details of the events reported with the identification of the accused must be submitted in a sealed envelope accompanied by a request form as per the model shown in annex 2 addressed to the Secretary of the Committee on SGBV;
- (xii) The complaint must be presented by the complainant within a period of one month from the date incident took place;
- (xiii) Mechanisms should ensure that all complaints are conducted with due regard to key principles including impartiality, objectivity, timelines, accuracy and thoroughness;

3. Investigating Procedure

To carry out a sensitive investigation on cases of SGBV:

- (i) The procedure shall be processed promptly avoiding undue delays, from start to finish so that it may be resolved in the shortest possible time frame;
- (ii) Ensure proper documentation of evidence provided during investigations;
- (iii) Once the Secretary to the Committee on SGBV has received the complaint, all of the members of the SGBV Committee will be summoned to convene within a period of 7 working days from the date of the reception of said complaint or, if deemed appropriate, from the date the alleged victim ratified the complaint;
- (iv) Once the complaint has been accepted for processing, the Vice-Chancellor may appoint a member/s of the Committee on SGBV as the case investigator/s. For purpose of investigation/inquiry the investigator will be assisted by the Secretary to the Committee on SGBV;

Pending investigation appropriate action may be taken once the case has been reported such action may include but not limited to suspension or termination of service/student status depending on the nature and severity of the offence;

- (v) Whoever is responsible for the investigation must collect all the information that he or she deems appropriate and include all the testimonial evidence and documents that he or she considers necessary to be able to clarify the events reported;
- (vi) In any case the person in charge of the investigation will grant an interview to each of the parties involved in the alleged act of harassment / violence;
- (vii) All the actions aimed at clarifying the events must be carried out with reservation, caution and with the utmost sensitivity, and respect for the rights of the parties involved in the said events;
- (viii) All interviews with victim/witnesses shall be conducted in a private room in the presence of persons, whose presence is allowed /requested by the victim/witness.
- (ix) Secretary to the Committee on SGBV should keep all records on SGBV cases confidential. All the files/documents should be kept in a secure area

- (x) The person in charge of the investigation will have 30 working days from the date the complaint was accepted to take all the actions as established under this provision.
 - (xi) After finishing the investigation, the person in charge will submit a detailed report to the Secretary to the Committee on SGBV specifying the actions carried out and the results obtained;
 - (xii) The Secretary to the Committee on SGBV will submit the report to the Vice-Chancellor for necessary action;
 - (xiii) The Vice-Chancellor shall initiate disciplinary proceedings against the accused when the actions carried show sufficient evidence that acts constituting sexual or gender-based harassment were committed;
 - (xiv) Categorise cases of SGBV offences according to their severity and take appropriate action.
 - (xv) Communicate the categorises of offences and corresponding penalties to all staff and students; (schedule 1)
 - (xvi) Severely discipline any person who threatens or victimizes individuals who report cases of SGBV;
 - (xvii) Put in place mechanisms to protect parties involved in SGBV proceedings from any intimidation, threats or repercussion once an incident has been reported.
 - (xviii) Provide an opportunity for appeal procedures
 - (xix) Any student or staff on whom punishment has been imposed by the Vice-chancellor on recommendation of the Committee on SGBV and the Council and who is agreed by such decision regarding the punishment may within a period of one month from the date of communication to him of such punishment of penalty appeal against such punishment or penalty.
 - (xx) Upon the receipt of an appeal the Vice-Chancellor shall refer such appeal to an appeals Committee by him.
 - (xxi) The appeals committee, for the purpose of the above paragraph shall consists of 3 persons of legal/academic eminence appointed by the Vice-Chancellor. The appeals Committee shall has the power to review the decision of the Committee on SGBV regarding the punishment imposed and may either affirm, vary or set aside the decision regarding the punishment.
4. Dissemination of the By-Law
- To ensure effective dissemination of the policy to all members of the University community.
- (1) Place copies of the By-Law in strategic places.
 - (2) Undertake to publicize anti-SGBV messages.
 - (3) Produce Braille editions of SGBV By-Law.
 - (4) Incorporate the By-Law in the orientation of new students and in mentoring programmes.

5. Monitoring and Evaluation

To appraise the steps taken and the success in the implementation of the policy.

- (1) Establish a committee to monitor and evaluate the performance of the University in implementing this By-Law.
- (2) Put in place appropriate monitoring and evaluation systems to ensure that the necessary measures are taken promptly.
- (3) Put in place monitoring indicators with time frames to measure the implementation process.
- (4) Undertake to review the By-Law from time to time on informed research.
- (5) Put in place a forum for receiving views members of the university regarding the By-Law
- (6) Review the By-Law after every five years to take into account emerging issues and trends.

PART III: Defining Key Concepts

In this by-Law the definitions of the following words shall be

1. Abuse

This is the misuse of power through which the perpetrator gains control or advantage of the abused, using and causing physical or psychological harm or inciting fear of that harm. Abuse prevents persons from making free decisions and forces them to believe against their will.

2. Coercion

This is forcing or attempting to force, another person to engage in behaviours against her will by using threats, verbal insistence, manipulation, deception, cultural expectations or economic power.

3. Complaint

“Complaint” means a complaint that is lodged with the University in the forms of a letter, complaint Pro-forma Form (Appendix 4), email or verbally of;

- Direct discrimination;
- Indirect discrimination;
- Sexual harassment;
- Victimization;
- Authorizing and assisting any of the above behaviours;

4. Consent

This is when a person makes an informed choice to agree freely and voluntarily to do something. There is no consent when agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, and misrepresentation. The use of threat to withhold a benefit, or a promise to provide a benefit, in order to obtain the agreement of a person is also abuse of power; any agreement obtained in this way is not considered to be a consensual.

5. Criminal behaviour

Some types of sexual harassment and other behaviours may be criminal offences and so may be referred to the Police. These types of behaviour include:

- Physical molestation or assault
- Indecent exposure
- Sexual assault
- Stalking
- Obscene communications (telephone calls, letters etc.)
- Serious racial or religious vilification
- Victimisation

6. Defamation

A complaint of sexual harassment, harassment and discrimination which is brought to the attention of a respondent can sometimes result in the respondent threatening to take action for defamation.

Defamation is the publication of a statement about a person which causes that person's reputation with other people to be lowered, or causes them to be shunned, avoided or brought into ridicule.

It is not defamatory to make a complaint to a person who has a legitimate interest in knowing about the incident (ie. to a Contact Officer, Conciliator or Investigator) in order to seek redress under these Guidelines. Where the duties of persons such as Contact Officers, Conciliators and Investigators, involve receiving information and documenting it for reporting to appropriate people, they are, under normal circumstances, protected from liability for defamation

7. Discrimination

Direct discrimination means treating someone less favourably than someone without that attribute or someone with a different attribute in the same or similar circumstances. Indirect discrimination occurs if a person imposes or proposes to impose an unreasonable requirement, condition or practice that someone with a protected attribute does not or cannot comply with and a higher proportion of people without that attribute or with a different attribute can comply with.

8. Gender

It is the term used to denote the social characteristics assigned to men and women. These social characteristics are constructed on the basis of different factors such as age, religion, national ethnic and social origin.

9. Perpetrator

It is a person, group, or institution that directly inflicts, support and condones violence or other abuse against a person or a group of persons. Perpetrators are in a position of real or perceived power, decision making and/or authority and can thus exert control over their victims.

10. Respondent

The respondent is the person against whom a complaint has been lodged.

11. Sex

It refers to biological characteristics of males and females. These characteristics are congenital and their differences are limited to physiological reproductive functions

12. Sexual and Gender-based Violence

It refers to acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty, whether occurring in public or in private life based on one's gender and /or sexuality. It includes sexual harassment, domestic violence amongst other practices.

13. Sexual harassment

This is any unwanted sexual behaviour which makes a person feel offended, or unwelcome sexual behaviour which makes a person feel offended, humiliated, and intimidated. It is a type of sex discrimination. It takes many different forms.

Sexual harassment can take various forms and could include any of the following:

- Unwelcome touching, hugging, or kissing
- Suggestive comments or jokes
- Unwanted invitations to go out on dates or requests for sex
- Sexually explicit e-mails
- Use of university computer systems for the retention and distribution of sexually explicit material
- Display of sexually explicit posters, screen savers, or pictures
- Accessing sexually explicit internet sites
- Intrusive questions or comments about a person's private life, body, or sex/gender

14. Victimisation

It is unlawful to victimise (treating less favourably) someone because they have exercised their rights under workplace anti-discrimination policies or the law because they have:

- Made an inquiry about their rights under workplace policies, equal opportunity or occupational health and safety laws;
- Made a complaint of discrimination, harassment or sexual harassment
- Been a witness to, or participated in, an investigation of complaint.

15. Violence

It is a means of control and oppression that can include emotional, social or economic force, coercion or pressure, as well as physical harm. It can be overt, in the form of physical assault or threatening someone with a weapon; it can be covert, in the form of intimidation, threats, persecution, deception, or other forms of psychological or social pressure. The person targeted by this kind of violence is compelled to behave as expected or to act against her will out of fear.