



Student Discipline Code in the Institutions of the Ministry of Higher Education and Scientific Research

Al-Ayen Iraqi University

Comprehensive Presentation of the Student Discipline Code

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Introduction and Legal Basis

Student Discipline Instructions in the institutions of the Ministry of Higher Education and Scientific Research based on the provisions of Paragraph (γ) of Article (ε) and Paragraph (γ) of Article (εV) of the Ministry of Higher Education and Scientific Research Law No. (40) of 1988.



Law No. 40 of 1988



Legislative Basis



Higher Education Institutions

Article 1: Student Obligations (Items 1-3)

First - Adherence to laws, regulations, internal systems, instructions, and orders issued by the Ministry of Higher Education and Scientific Research and its institutions (University, Authority, College, Institute).

Second - Not harming religious beliefs, national unity, or nationalist sentiments, or intentionally inciting sectarian, ethnic, or religious strife through actions or words.

Third - Not damaging the reputation of the Ministry or its institutions through words or actions, either inside or outside their premises.



Adherence to Laws



Respect for Beliefs and National Unity



Preserving Institutional Reputation

Article 1: Student Obligations (Items 4-6)

- **Fourth:** Avoid everything that contradicts university behavior including maintaining high discipline, respecting the administration, faculty, staff, and fostering collegial relationships and cooperation among students.
- **Fifth:** Demonstrate proper disciplined behavior, which will positively impact appointment and nomination for scholarships and academic fellowships.
- **Sixth:** Refrain from any action that would disrupt order, tranquility, and serenity within the university campus (college or institute), or participating in such actions, inciting them, or covering up for those who commit them.



Academic Conduct



Respect for Others



Order and Tranquility

Article 1: Student Obligations (Items 7-10)

Seventh: Maintaining educational supplies and properties of the university, commission, college, or institute.

Eighth: Not disrupting the proper conduct of studies in the college or institute.

Ninth: Adhering to the designated uniform for students, taking into account the specifics of each university or commission.

Tenth: Avoiding calls for organizations that deepen division or practice any form of political, religious, or social oppression.



Property Protection



Academic Progress



Uniform Code



Unity & Coexistence

Article 1: Student Obligations (Items 11-14)

- Item 11:** Avoid propaganda for any political party, organization, ethnic group, national group, or sectarian group, whether by posting images, banners, posters, or holding seminars.
- Item 12:** Do not invite political figures to deliver lectures or hold political or religious promotional seminars within the university campus in order to preserve national unity.
- Item 13:** Do not use mobile phones, personal computers, or other devices in a manner that harms collegial relationships and public morals within the university campus.
- Item 14:** Do not attend college or institute while intoxicated or under the influence of drugs.



Avoid Political Activity



Use Technology Appropriately



Respect Campus Environment



Article 2: Notification Penalty

A student shall be penalized with a notification if they commit one of the following violations:

- **First** - Not adhering to the prescribed unified dress code at the university or authority.
- **Second** - Abuse of colleague relationships between students or verbal transgression against another student.



Unified Dress Code



Notification Penalty



Colleague Relationships

Article 3: Warning Penalty

The student shall be penalized with a warning if he commits one of the following violations:

First - An act that requires punishment with a notice after having been previously punished with a notice.

Second - Disrupting order, tranquility, and serenity in the university, authority, college, or institute.



Warning



Repeated Violation



Disruption of Order

Article 4: 30-Day Suspension Penalty

The student shall be penalized with a suspension for thirty (30) days if they commit one of the following violations:

-  **First:** An act that requires warning penalty with prior punishment by warning.
-  **Second:** Verbal abuse towards any university staff member who is not from the teaching faculty.
-  **Third:** Defaming any member of the teaching faculty in a manner that is offensive inside or outside the college or institute.
-  **Fourth:** Posting materials - within the university campus - that violate public order and morals.



Temporary Suspension



30-Day Period

10



Academic Conduct Violations



Article 5: Temporary Expulsion for up to One Academic Year

The student shall be punished with temporary expulsion from the university for a period not exceeding one academic year if he commits one of the following violations:

- ✚ First: If he repeats any of the acts stipulated in Article (4) of these instructions.
- ✚ Second: If he practices or incites sectarian or ethnic formations or political or partisan gatherings within the university campus.
- ✚ Third: If he physically assaults any university staff member other than teaching faculty members.
- ✚ Fourth: If he uses violence against fellow students.
- ✚ Fifth: If he threatens to commit acts of armed violence.
- ✚ Sixth: If he carries weapons of any kind, with or without a license, within the university campus.
- ✚ Seventh: If he deliberately or through gross negligence causes damage to university, authority, college, or institute property.
- ✚ Eighth: If he offends national unity or religious beliefs.
- ✚ Ninth: If he verbally abuses any faculty member inside or outside the college or institute.
- ✚ Tenth: If he damages the reputation of the university or authority by word or deed.
- ✚ Eleventh: If he deliberately disrupts the proper conduct of studies.
- ✚ Twelfth: If proven to have committed fraud or deception against fellow students and college or institute staff.

Article 6: Final Expulsion

The student shall be punished with final expulsion from the college or institute by a decision of the university or authority and his registration shall be terminated if he commits one of the following violations:

-  **First:** Repeating one of the violations stipulated in Article (5) of these instructions.
-  **Second:** Assaulting by action any member of the teaching staff or lecturers in the university, authority, college, or institute.
-  **Third:** Committing an act that is disgraceful and contrary to ethics and public morals.
-  **Fourth:** Submitting any forged documents, books, or papers with knowledge that they are forged or being among those who incite forgery.
-  **Fifth:** Proven to have committed an act that disturbs security and tranquility within the university campus, participated in it, or assisted in it.
-  **Sixth:** When convicted of a felony or misdemeanor that violates honor with a sentence exceeding one year.



Registration Termination



University Decision



Final Penalty

Articles 7-8: Other Penalties and Committee Formation

Article 7:

First - The imposition of penalties stipulated in Articles (2), (3), (4), (5), and (6) of these instructions on the violating student does not prevent the imposition of other penalties if the violation falls under punitive laws.

Second - If a criminal case is filed against a student for an act attributed to them outside the university or institute, disciplinary consideration shall be postponed until the criminal case is resolved.

Article 8:

The Dean of the College or Institute shall form a Student Discipline Committee chaired by the Dean's Assistant and the membership of two faculty members, provided that one of the committee members is a legal expert. A representative from the Students' Union (elected) shall be included, and one of the administrative staff shall be assigned to serve as the committee's secretary.



Other Penalties



Student Discipline Committee



Legal Procedures

Articles 9-11: Procedures for Applying Penalties and Objections

Article 9:

No disciplinary penalty may be imposed unless recommended by the Student Discipline Committee.

Article 10:

The disciplinary penalties stipulated in these instructions shall be imposed by a decision of the College or Institute Council, and the Council may delegate its powers to the Dean of the College or Institute.

Article 11:

First: The notification and warning penalties are final.

Second: A student expelled from the college or institute for a period not exceeding thirty (30) days may object to the expulsion decision before the college or institute council, and its decision shall be final.

Articles 12-15: Objection, Publication and Cancellation

Article 12: Right to Object to Expulsion

The student may object to the expulsion decisions stipulated in paragraphs (Second), (Third), and (Fourth) of Article (11) within (7) seven days from the date of notification of the decision issued against him. If notification is not possible, he has the right to object within (15) fifteen days from the date of publication of the expulsion decision on the bulletin board.

Article 13: Announcement of Penalty and Notification to Guardian

The penalty decision shall be posted on the bulletin board in the college or institute for a period of no less than (15) fifteen days, and the student's guardian shall be notified in writing.

Article 14: Cancellation of Previous Instructions

Higher Education Student Discipline Instructions No. (19) of 1989 are cancelled.

Article 15: Effective Date

These instructions shall be implemented from the date of their publication in the Official Gazette.



Right to Object



Penalty Announcement



Official Gazette

First Amendment 2018: Article 1

First: The text of item (Eighth) of Article (1) of the Student Discipline Instructions in the institutions of the Ministry of Higher Education and Scientific Research No. (160) of 2007 shall be cancelled and replaced with the following:

New Item:

Eighth: Not to disrupt the proper course of studies and to maintain the discipline required for lectures, seminars, or activities held within the university campus (college or institute).

Second: The following shall be added to Article (1) of the instructions and shall be items (thirteen) and (fourteen):

Added Items:

Thirteenth: Not to use mobile phones, personal computers, or other devices in a manner that harms colleague relationships and public decorum within the university campus.

Fourteenth: Not to attend college or institute while intoxicated or under the influence of drugs.



First Amendment 2018: Articles 2-3

2 The texts of items (Fourth) and (Sixth) from Article (5) of the instructions are canceled and replaced with the following:

Fourth: Using violence against fellow students, threatening them, or attempting to blackmail them with photos, recordings, or by any other means.

Sixth: Carrying weapons of any kind, whether licensed or not, or carrying cutting or blunt instruments or harmful materials of various types within the university campus and its facilities.

3 The introduction of Article (6) of the instructions is canceled and replaced with the following:

The student shall be punished with final expulsion from the college or institute by a decision from the university council, and their registration shall be canceled if they commit one of the following violations:



Strengthening Penalties



Preventing Violence and Blackmail



Protecting University Environment

First Amendment 2018: Articles 4-6

Article 4:

The text of paragraph (Second) of Article (7) of the Instructions shall be cancelled and replaced with the following:

Second: If criminal proceedings are initiated against a student for an act attributed to him outside the university campus, the disciplinary action against him shall be postponed until the criminal case is decided and a final judgment is issued.

Article 5:

The text of Article (8) of the Instructions shall be cancelled and replaced with the following:

First: A. The Dean of the college or institute shall form a student discipline committee chaired by the Dean's Assistant with the membership of two faculty members, provided that one of the committee members is a legal specialist, and shall assign an administrative staff member as the committee's rapporteur.

B. The Dean of the college or institute may seek assistance from a faculty member with legal expertise from outside the college or institute for the membership of the committee stipulated in paragraph (A) of this item.

Second: If the committee finds that the act of the student referred to it constitutes a crime under the penal laws, it shall recommend referring him to the competent court.

Article 6:

The text of Article (11) of the Instructions shall be cancelled and replaced with the following:

First: A student expelled from the college or institute may appeal the expulsion decision to the Administrative Court in accordance with the law.

Second: The periods of expulsion stipulated in these instructions shall not be counted from the absence periods stipulated in Article (9) of the Examination Instructions No. (134) for the year 2000.

Conclusion and Official Signature



Minister of Higher Education and Scientific
Research

These instructions were published in the Iraqi
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Legislative Basis

Higher Education Ministry Law No. (40) of 1988



First Amendment

Instructions No. 169 of 2018

End of Presentation