

(Translation)

Chulalongkorn University Regulation

On Complaints, Appeals, and Consideration of Complaints or Appeals of Students

B.E. 2560 (2017)

Whereas it is expedient to have Chulalongkorn University Regulations on Complaints, Appeals, and Consideration of Complaints or Appeals of Students to provide Chulalongkorn University students who are aggrieved or injured in consequence of Announcements, Orders, or other Acts of staff or unit of Chulalongkorn University with the redress of the grievance or injury in a fair manner and to reduce the quantity of administrative dispute of the university;

By virtue of Section 21(2) of Chulalongkorn University Act B.E. 2551, the Chulalongkorn University Council, in the 805th Meeting on 27 July 2017, hereby issues a Regulation as follows:

Clause 1. This Regulation is called the “Chulalongkorn University Regulation on Complaints, Appeals, and Consideration of Complaints or Appeals of Students B.E. 2560 (2017).”

Clause 2. This Regulation shall come into force as from the day following the date of its publication.

Clause 3. The Chulalongkorn University Regulation on Complaints, Appeals, and Consideration of Complaints or Appeals of Students B.E. 2545 (2002) shall be repealed.

Clause 4. In this Regulation:

“University” means Chulalongkorn University

“Unit of the University” means a division established in accordance with Chulalongkorn University Announcement on the Division of the University as well as units under the said division.

“Staff” means executives of the university, university lecturers, and university employees.

“Student” means a student of Chulalongkorn University

“Committee” means the Committee on the Consideration of Complaints or Appeals of Students

Clause 5. The University President shall have charge and control over the execution of this Regulation.

In case where interpretation issues or problems arise under this Regulation, the Chair of the Committee shall deliver the final adjudication.

Chapter 1

Criteria and Procedure for Complaints or Appeals

Clause 6. Students who perceive any exercise of authority or action by the University, the Unit of the University, or staff as being in violation of applicable Laws, Rules, Regulations, or Announcements of the University or who believe they have not received fairness in matters related to teaching may lodge a complaint in accordance with the criteria and procedures stipulated in this Regulation.

Clause 7. Where a case arises in accordance with Clause 6 and the student wishes to consult with the relevant staff, the staff is required to provide the student with access to all relevant facts, applicable laws, and the rationale underlying the exercise of authority or action in question and to afford the student the opportunity to present an explanation and submit evidence to challenge such exercise of authority or action.

Clause 8. In relation to lodging a complaint, the student is required to prepare a written complaint, duly signed, and submit it personally to the head of the respective Unit of the University where the case occurred in accordance with Clause 6 within 30 days from the date on which the student became aware, or should have become aware, of the grounds for the complaint.

The complaint shall include the following elements:

(1) A detailed account of the circumstances or facts leading the student to perceive that the exercise of authority or action by the University, the Unit of the University, or staff towards them constitutes a violation of applicable Laws, Rules, Regulations, or Announcements of the University, or has resulted in a lack of fairness in matters related to teaching and learning; and

(2) A statement of the student's intention.

In case the student possesses witnesses or evidence to support the complaint, the student must indicate them within the complaint.

Clause 9. The head of the respective Unit of the University is mandated to consider and adjudicate the student's complaint in accordance with Clause 8 within 15 days.

Should the student remain dissatisfied with the resolution provided by the head under paragraph one, or if the head fails to consider and adjudicate the case within the stipulated timeframe, the student has the right to lodge a complaint to the Committee within 30 days from the date on which the student receives the resolution or the date on which the stipulated timeframe under paragraph one has lapsed, as the case may be.

Clause 10. A student subject to orders or sanctions as mandated by the Regulations, Rules, or Announcements of the University retains the right to appeal such order by preparing a written appeal, duly signed, and submitting it personally to the Committee within 30 days from the date on which the student was formally notified of the order.

The appeal shall include the following elements:

(1) A challenge of order, whether pertaining to questions of fact, questions of law, or the exercise of discretion;

(2) Rationales underlying such a challenge; and

(3) A statement of the appeal request.

In case the student possesses witnesses or evidence to support the challenge, the student must indicate them within the appeal.

Clause 10/1. The lodging of a written complaint or appeal in accordance with this Regulation must be directed to the Center of Law and Legal Affairs at Chulalongkorn University.

For procedural purposes outlined in this Regulation, the date upon which the Center of Law and Legal Affairs receives the written complaint or appeal under paragraph one shall be deemed the date of receipt by the Committee.

Chapter 2

Consideration of Complaints or Appeals of Students

Clause 11. The University Council shall appoint a committee designated as the “Committee on the Consideration of Complaints or Appeals of Students” with an expert committee of the University Council as Chair and the following composition of committee members:

- (1) A University Vice President or an Assistant to the University President, appointed by the University President;
- (2) The President of the University Faculty Senate or a representative;
- (3) A lecturer who is or has been awarded an Annual Recognition Award in Student Affairs;
- (4) Lecturers of the Faculties of Law, Political Science, and Psychology, each nominated by the Administrative Board of their respective Faculties, provided that these lecturers do not concurrently serve on the student disciplinary committee;
- (5) A representative from the Chulalongkorn University Alumni Association under the Royal Patronage;
- (6) A staff responsible for student affairs within the division;
- (7) A representative from the undergraduate student body and a representative from the graduate student body, both nominated by the Student Union of Chulalongkorn University in accordance with the criteria and procedures stipulated in the Announcement of the University.

The University President shall designate a legal officer to serve as the secretary to the Committee, with an additional legal officer and a staff from the University Office of Student Affairs appointed as assistants to the secretary.

The Chair and the committee members under paragraph one shall hold office for a term of 2 years.

Clause 12. A meeting of the Committee requires the presence of not less than half of the total number of committee members to constitute a quorum.

In a meeting of the Committee, if the Chair is absent or is unable to perform the duty, the meeting shall elect a member to preside over the meeting.

Should any member of the committee possess a direct or indirect conflict of interest concerning the case under consideration, the said member shall be precluded from participating in the deliberation and voting process regarding that specific case.

The final adjudication of the meeting shall be made by a majority of votes. In an equality of votes, the person presiding over the meeting shall have an additional vote as a casting vote.

Clause 13. The Committee shall have the power and duties to consider complaints or appeals in accordance with this Regulation and to undertake other actions as mandated by the University Council.

Clause 14. The Committee shall have the power to conduct investigations, gather evidence, and summon staff or students for the purpose of providing testimony, contingent upon the appropriateness of the matter under consideration.

In proceeding under paragraph one, the Committee is not constrained by the confines of the complaints or appeals, nor by any evidence tendered by students, in the execution of its duties.

Clause 15. In considering the complaints or appeals, the Committee shall strictly adhere to the laws relating to administrative procedures.

Clause 16. The Committee is mandated to consider and adjudicate the student's complaints or appeals, as the case may be, within 30 days from the date on which the Committee receives the case.

In case of necessity rendering an inability to resolve the case within the stipulated timeframe, an extension is permissible, provided it does not exceed 30 days from the date on which the initial timeframe under paragraph one has lapsed.

Clause 17. Upon completion of its deliberations on the complaints or appeals, as the case may be, the Committee shall render its resolution in accordance with the following determinations:

- (1) To dismiss the complaints or appeals if the Committee deems that the exercise of authority or actions by the University, the Unit of the University, or staff, or the orders issued, are correct, appropriate, and fair;
- (2) To annul or rescind any orders or actions of the University, the Unit of the University, or staff if the Committee deems that such orders or actions contravene applicable Laws, Rules, Regulations, or Announcements of the University;
- (3) To increase, reduce, or omit the sanctions if the Committee deems that the sanctions imposed contravene applicable Laws, Rules, Regulations, or Announcements of the University or are considered inappropriate or unfair;
- (4) To mandate that staff undertake specific actions to achieve a fair outcome appropriate to the case;
- (5) To initiate other actions to achieve a fair outcome appropriate to the case.

The resolution of the Committee shall be final.

Clause 18. Upon the Committee rendering a resolution in accordance with Clause 17, the University President shall order or undertake actions to implement said resolution forthwith.

In case of justifiable cause or necessity, the University President may defer action until the minutes of the meeting have been formally approved, prior to executing any actions under paragraph one.

Clause 19. Subsequent to the execution of actions by the University President in accordance with Clause 18, the secretary of the Committee is mandated to promptly issue written notifications to the students who lodged the complaints or appeals, as the case may be, and to communicate to the staff or the respective University

Unit involved in the matter, alongside other relevant units, for the purpose of informing them of the actions ordered by the University President and facilitating their implementation thereof.

Transitory Provision

Clause 20. Complaints or appeals lodged by students prior to the entry into force of this Regulation that remain unresolved shall henceforth be deemed complaints or appeals in accordance with this Regulation, and the Committee shall have the power to consider and adjudicate such complaints or appeals.

Clause 21. In case the appointment of a new Committee in accordance with this Regulation is not completed, the incumbent Committee established under the Chulalongkorn University Regulation on Complaints, Appeals, and Consideration of Complaints or Appeals of Students B.E. 2545 (2002) shall continue to discharge its duties and persist until the formation of the new Committee as stipulated by this Regulation, provided that such an interim period shall not extend beyond 60 days from the date on which this Regulation has come into force.

Given on the 3rd October B.E. 2560 (2017)

(signed)

(Professor Emeritus Dr. Khunying Suchada Kiranandana)

President of the University Council