



GUIDE FOR FACULTY NOTIFICATION RECEPTION UNITS

How to handle notification cases (“whistleblowing”) regarding bullying, harassment, and other types of grossly disruptive behavior, where both perpetrator and victim are students.

Decided by Pro-rector for Education, December 2020

Appendices updated by Education Quality Division October 2021

CONTENTS

1. Introduction
 - 1.1 Purpose
 - 1.2 Who is the guide intended for
 - 1.3 A fully satisfactory learning environment
 - 1.3.1 Harassment and bullying
 - 1.3.2 Sexual harassment
 - 1.3.3 Grossly disruptive behavior

2. Administration of notification (“whistleblowing”) cases
 - 2.1 Case processing and documentation
 - 2.2 Notice of doubt – suitability
 - 2.3 Handling confidential information – request for access
 - 2.4 Protection from retaliation or negative consequences
 - 2.5 Anonymous notifications

3. Students’ rights in notification cases
 - 3.1 The student’s rights in notification cases

4. Responsibilities and roles in notification cases
 - 4.1 The central Speak Up-reception at NTNU
 - 4.1.1 Case processing and follow up measures from central level following a notification from the Speak Up-reception
 - 4.2 The faculties’ reception units for notifications

5. Handling notification cases – four stages
 - 5.1.1 Summoning the parties
 - 5.1.2 Interview the student who submits the notification (the “whistleblower”)
 - 5.1.3 Interview the accused student
 - 5.2 Assessment and planning
 - 5.3 Possible actions – sanctions
 - 5.3.1 Clarifying the student’s rights and responsibilities
 - 5.3.2 Advising or extended counselling
 - 5.3.3 Written warning
 - 5.3.4 Expulsion – repeated cases of harassment or unacceptable behavior
 - 5.3.5 Exclusion – not adhering to expulsion decision
 - 5.3.6 Exclusion from NTNU’s IT-infrastructure
 - 5.4 Continued follow-up and closure

6. Central guidance and counselling service

APPENDICES

1. Template 1 – Written warning in accordance with the Universities and University Colleges Act 4-8 (1)
2. Template 2 – Advance notice of possible exclusion in accordance with the Universities and University Colleges Act 4-8 (1)

1 Introduction

All students at NTNU have the right to a thoroughly sound physical and psychological learning environment, without being exposed to bullying or harassment. The basic requirements for the students' physical and psychosocial learning environment are presented in the Universities and University Colleges Act § 4-3, including the responsibility to prevent harassment and sexual harassment on NTNU premises cf. section 13 of the Equality and Anti-Discrimination Act § 13. This guide is anchored in the Universities and University Colleges Act 4-8 (1), the Public Administration Act, the Freedom of Information Act, the Working Environment Act and the Equality and Anti-Discrimination Act.

Routines regarding notification cases where employees are involved either as the notifier or the accused party are not included here.

1.1 Purpose

NTNU's quality system for education describes the requirements for all units to have a systematic approach to quality.

This guide will contribute to:

- Maintain and further develop a fully satisfactory and inclusive learning environment
- Prevent and handle cases of bullying and harassment
- Ensure sound processing and equal treatment in notification cases concerning bullying and harassment

1.2 Who is the guide intended for

The guide is intended as support to the faculties in their handling and further follow up of notification cases among students involving bullying, harassment, sexual harassment and grossly disturbing behavior.

1.3 A fully satisfactory learning environment

The term *fully satisfactory learning environment* is not defined in the Universities and University Colleges Act 4-3 except that it is used to describe the student's physical and psychosocial learning environment. The University has a duty to work towards preventing harassment and sexual harassment. These terms are described and further explained in the Equality and Anti-Discrimination Act 1.3.1 and 1.3.2. This is the lowest acceptable standard for how the students may expect their learning environment to be but does not entail that all risks are eliminated. It is important to consider how all the factors of a learning environment are connected when the recipients of a notification decide how to handle a notification case.

1.3.1 Harassment and bullying

The Equality and Anti-Discrimination Act § 13 defines harassment as:

Harassment means acts, omissions or statements that have the purpose of being offensive, frightening, hostile, degrading or humiliating.

Such acts are prohibited, cf. The Equality and Anti-Discrimination Act § 13, section 1. Harassment is normally referred to as acts that have been repeated over time, but it may also refer to a single isolated episode if it is of a sufficiently grave nature. Examples of such cases could be a student who bullies or harasses fellow students, behaves in a grossly disruptive manner towards fellow students

or appears frightening or threatening. Other examples include situations or episodes where a student experiences an *imbalance of power* in a relation with for instance a tutor, a mentor, or a student union representative, where this person executes his/ her power in order to achieve benefits that may be perceived by the student as difficult or offensive.

1.3.2 Sexual harassment

The Equality and Anti-Discrimination Act § 13 defines sexual harassment as:

Sexual harassment» means any form of unwanted sexual attention that has the purpose or effect of being offensive, frightening, hostile, degrading, humiliating or troublesome.

It is the subjective experience of the violated party that will be considered, and where the purpose of the attention is “upsetting”. The attention must be unwanted (not reciprocal) for an act to be considered as sexual harassment. An attention is labelled sexual if it is of a sexual nature or if it carries any form of sexual innuendo. Examples are remarks or allusions of a sexual character, unwanted touches or photos/videos with offensive/sexually harassing content sent by letter, e-mail, phone or over the internet.

1.3.3 Grossly disruptive behavior

The term grossly disruptive behavior refers to students who act in an aggressive, abusive, or insulting manner, seriously disturbing the learning/ working environment for other students or employees, cf The Universities and University Colleges Act § 4-8. Whether a certain behavior is “grossly disruptive” must be individually considered in each case. Examples include harassing messages, bullying or disruptive behavior during lectures/ classes.

2 Handling of notification (“whistleblowing”) cases

All notification cases shall be taken seriously and be processed in a responsible and confidential manner, as quickly as possible and in accordance with this guide and NTNU’s routines. The provisions of the Public Administration Act on case processing apply in all cases, as do the regulations in the Act concerning adversarial proceedings and the duty to thoroughly investigate and give guidance. The following-up of any measures taken in notification cases shall not be delegated to leaders below level 3.

2.1 Case processing and documentation

The notification reception unit is responsible for gathering documentation of all the steps in the case from initial investigations, meetings, end proceedings and follow-up measures. It is essential that all documents gathered during the case are saved to the correct case number in ePhorte:

- Notes, minutes, and other documents gathered from various mappings, interviews and meetings must be registered in ePhorte on a running basis. These documents will be handled in accordance with ordinary archive routines.
- Secure reports in writing from employees in cases where they experience grossly disruptive behavior, bullying or harassment from students in class.
- If applicable, obtain written reports from the Head of Department
- Secure e-mails, screen shots, chatlogs, photos, recordings etc that may serve as documentation of the unacceptable conditions.
- Write a summary of the case when all mappings and interviews have been completed.
- Document any measures that have been initiated before closing the case.

Individual decisions shall be substantiated and communicated to the concerned party in writing without delay, ref. point 2.4 on the processing of confidential information and right of access.

2.2 Notification of doubt – suitability

In some notification cases, the question may arise of whether the accused student is suited to the profession in educations that are covered by mandatory aptitude assessments. In cases where there is doubt regarding suitability, separate rules that are stipulated in regulations concerning higher education apply.

If during the processing of the case, the faculty or anyone else are in doubt whether the student is suited, this doubt must be conveyed to the body at the institution that is responsible for aptitude assessments, cf. regulations regarding aptitude assessments in higher education.

Doubts of suitability must be reported on the form available on <https://i.ntnu.no/wiki/-/wiki/Norsk/Skikkethetsvurdering>. The responsible body at the institution will then make sure the notification is followed up according to the routines for suitability doubts.

2.3 Processing confidential information – request for access

It must be safe to give notification of improper or reprehensible behavior at NTNU. All cases shall be treated confidentially. Neither the identity of the whistleblower nor the content of the notification shall be disclosed to any other persons than necessary for processing the case.

- A *request for access* to the identity of the whistleblower must be handled according to an individual assessment. In some cases, such a request may be denied due to a statutory duty of confidentiality or other significant legal reasons.
- A *party's right of access* and *the principle of contradiction* mean as a rule that the accused party has the right to access all documents and facts gathered in the case. This means that in most cases, the accused student has the right to acquaint himself/ herself with the content of the notification and to learn the identity of the whistleblower, cf the Public Administration Act § 13 b, first paragraph no. 1.
- *Exceptions to the right of access* may be made for *assessments of the case in internal documents*, cf the Public Administration Act § 18. Such assessments may then be censored, but factual information shall be made available. Exceptions may also be made for information which for specific reasons should not be disclosed to the accused party, for instance could the whistleblower's name be censored out in cases where there is a real risk of retaliation cf. the Public Administration Act § 19, second paragraph, letter b.
- Students who are parties in notification cases may use confidential information concerning other people to protect their own interests in the case, but they are not permitted to further distribute such information.

2.4 Protection from retaliation or negative consequences

It is prohibited to retaliate against or inflict any negative consequences upon students who have submitted a notification. The term retaliation refers to unfavorable actions or omissions because of the notification, such as bullying, harassment, social or professional exclusion, consequences for the student's marks, warnings, expulsion or banishment. Students who *experience negative consequences* may report this via the notification tab on NTNU's central Speak Up online platform.

2.5 Anonymous notifications

Anonymous notifications from students shall be processed and investigated. In most cases, it is necessary to know the identity of the whistleblower in order to process the case thoroughly and initiate measures. Anonymous allegations against fellow students will rarely lead to sanctions. The receiving unit must consider in each case if it is possible to investigate further, for example by checking whether other similar allegations have been reported, thereby strengthening the notification in question. If it turns out that it is not possible to investigate the notification, the unit must document the efforts that have been made to attempt further examination and then make the decision to close the case in ePhorte.

It is important to make students aware that anonymous notifications are harder for the faculty to follow up on with concrete measures. Students who want to submit a notification anonymously may for instance contact the Student Ombudsperson, who will then take it further on their behalf.

3 Students' rights in notification cases

Students who experience bullying, harassment or sexual harassment, or who are aware of fellow students in similar situations, have the right to notify. NTNU recommend that the students register their notification through the Speak Up!-portal.

Students who are feeling unsure and need guidance on how to proceed, may contact a student advisor, the Student Ombudsperson or the Student Welfare Society (SIT), and they will help with the notification procedure if it turns out that the case cannot be solved at the lowest possible level.

3.1 Students' rights in notification cases

A student's rights in a notification case depend on whether the student is considered to be part in the case or not.

Both students who report cases where they are personally involved and accused students are considered parties in the case and have the following rights:

- To be called in for an interview in order to present their views on the case (contradiction)
- They are allowed to be accompanied by one person, for instance a friend or anyone else they trust.
- They will be given the opportunity to comment on the minutes from the interview.
- They shall be kept informed about case proceedings and outcomes, to the extent it is possible without breaking the rule of confidentiality towards third parties.
- The accused student has the right to be informed about the notification and to have access to case documents, cf. point 2.3 Processing of confidential information – request for access.
- The accused student shall at an early stage be informed about possible consequences and sanctions that may result from their actions (a warning, doubts about suitability, expulsion, exclusion) cf. the Universities and University Colleges Act § 4-8, first paragraph. Another possible consequence may be the closure of their user account at NTNU, cf. violation of NTNU's IT regulations. See point 5.3 for more detailed information and rights in case of possible measures/sanctions.

Students who report matters they have become aware of, but are not themselves involved in, are not considered party to the case:

- They will not take part in further proceedings.
- They shall receive confirmation that the notification has been received and be informed that they will only be contacted if the case officer needs more information.
- They shall be informed when the case is closed, but do not have the right to know the outcome of the case.

4 Roles and responsibilities in notification cases

Notification cases shall normally be handled and processed at *the faculty where the accused student has his/ her main affiliation*, cf. and the authority to issue a written warning according to the Universities and University Colleges Act § 48 has been delegated to the faculty, cf. NTNU's Study Regulations § 3-5. This also applies in cases involving students from different faculties. The faculties and any other affected departments are required to cooperate in notification cases if necessary.

This chapter describes in more detail the distribution of responsibility between the central SpeakUp!-unit and the faculties' notification reception units.

4.1 The central Speak-Up!-reception unit at NTNU

All notifications that are reported online via the tab "censurable conditions" on <https://innsida.ntnu.no/en/sifra> are routed to NTNU's central SpeakUp-reception unit for assessment. The unit will make an initial assessment of all notifications in accordance with NTNU's guidelines for notification cases and regulations for cases of sexual harassment. If necessary, the notification reception unit at the faculty may be approached for assistance during the assessment.

4.1.1 Case processing and follow-up procedures at the central Speak Up!-reception unit

For notification cases concerning incidents in a student-student relation, the following procedures will be followed:

- The notification is forwarded to the faculty where the student who is accused of censurable conditions has his/her main affiliation. This also applies in cases involving students from different faculties.
- The notification shall be forwarded to the notification reception unit at the faculty as soon as possible and no later than within five working days from reception by PWC. It must be transmitted through ePhorte as an SX-note and is exempt from public access, cf the Public Administration Act § 13, first paragraph no. 1 (someone's personal circumstances).
- Notifications concerning sexual harassment shall in the first instance be sent to the external committee for sexual harassment for investigation and advice. Case processing time is normally 2-4 weeks. The central SpeakUp!-reception unit will make an assessment of whether the faculty must be informed and whether there is a need for implementation of immediate measures, based on the severity of the case.
- The central SpeakUP-reception unit will not convey any information to the student submitting the notification or to the accused student.

The note sent to the faculty with the notification shall contain a short recommendation for assistance in the initial phase of further processing based on how complicated the case is perceived to be:

- Consider the relation between the parties, cf. the student's right of access
- A brief recommendation on how to proceed and an explanation of what the plan for further handling of the case is built on
- Standard information about the requirements for ongoing processing of documentation of archival value in ePhorte
- If *an employee* submits a notification containing allegations of bullying, harassment or grossly disruptive behavior that *also involves a student*, the notification reception unit at the faculty must be copied in so that they are involved in further proceedings, cf. NTNU's routines for conflict management.

The Education Quality Division represented by The Education Quality Group shall on the first day of each month receive updated lists of all registered notifications involving students.

4.2 Notification reception units at the faculties

The Dean is responsible for the processing of notifications at the faculty. All faculties are required to have a system for receiving notifications with delegated responsibility for *case processing and follow-up actions* in the kind of notification cases referred to in this guide.

The faculty notification reception unit shall ensure that all notification cases are taken seriously and that all cases are processed and handled in a responsible manner, cf. point 5 in this guide. The reception unit is responsible for registering all notifications submitted orally or in writing through the notification tab.

The Dean must ensure that the notification reception units have sufficiently competent personnel from the student/education side and from the Human Resources department. The staff operating the reception unit should comprise the Head of the Education Section at the faculty, a case worker, and a deputy case worker. The implementation of any measures in notification cases cannot be delegated to any lower instances than the responsible manager on level 3.

Cases involving possible expulsion or exclusion will be prepared and forwarded to the Education Quality Division, who will in turn present the case to NTNU's Appeals Board according to the delegation regulations at NTNU, point 3.2.3.

5 Handling notification cases – four stages

The processing of notification cases from start to finish is divided into four stages, and is described in more detail in chapter 5:

- Introductory interviews and investigation
- Assessment and planning
- Appropriate measures – NTNU's sanctions
- Follow-up and closure

5.1 Introductory interviews and investigation

As soon as a notification has been received, the reception unit at the faculty is required to consider its content and determine degree of severity, and then start planning how to proceed further. Such cases are a heavy burden on everyone involved, and the faculty reception unit carries a duty of care

towards the parties. Initial interviews must be properly prepared and whether further meetings are necessary must be carefully considered:

- The person who has submitted a notification shall as soon as possible and no later than within one week receive written confirmation that the notification has been received as well as information about his/her rights and the name of the officer in charge of the case.
- Clarify the identity of the involved parties in the case.
- Consider the content of the notification. Assess whether the allegations in the notification are presumed to be correct, or whether they may be the result of a possible misunderstanding due to different perceptions etc.
- If the allegations prove to be incorrect, there may be grounds for closing the case without further processing. This assessment must be documented and saved to the case in ePhorte before it is marked as closed. The person who submitted the notification shall be informed.
- Consider whether the notification may have an impact on suitability assessment, see section 2.2.
- Decide who must be involved in the case processing (responsible manager etc.)
- Clarify if there is a need for collaboration with any other affected departments.
- Based on the notification, map out possible consequences for the accused student.
- If there is a need for immediate measures, these must be implemented quickly, cf. NTNU's duty to ensure a responsible learning environment for both parties.

5.1.1 Summoning the parties

Initial interviews shall be carried out by staff from the faculty's notification reception unit. Discretion and confidentiality must be ensured. When information is disseminated, the reception center shall make sure that no reference is made to identity, but rather emphasize the content of the conveyed message. It is important to sustain a neutral and objective approach to both parties. Assess and clarify whether an interpreter is required.

The person who has submitted the notification shall be summoned to an interview to elaborate on the notification (if he/she is part in the case), and the invitation to this meeting shall contain information about who will attend. Date and time should be agreed upon by phone to establish contact with the reception unit. Formal requirements for the citation: It must refer to the notification, state the purpose of the interview, give information about the right to bring someone to the meeting and mention who will attend the meeting from the faculty.

Next, *the accused student* shall be summoned for an interview to present his/ her views on the case. Date and time should be agreed upon by phone to inform the student that a notification has been received and to establish contact with the notification reception unit. Formal requirements for the citation: It must refer to the notification and briefly describe its contents, explain the purpose of the interview, give information about the right to bring someone to the meeting and mention who will be attending from the faculty. Consider whether the actual notification should be enclosed with the citation, seek legal advice on level 1 if necessary, cf. point 6.

5.1.2 Interview with the student who submits the notification

- Presentation: Everyone present at the meeting and their roles in the case
- Introduction: Give information about the purpose of the interview, plans for further processing and the regulatory framework for the processing of such cases:
 - Explain how discretion and duty of confidentiality are ensured cf. the accused student's right of access and opportunity to file a request for access in accordance with the Public Administration Act.

- Explain that the interview will be documented in the minutes, and that everyone present at the meeting will be given the opportunity to provide input and adjustments.
- Give information about the opportunity to seek support and advice from SiT's health- and counselling services and assist with booking appointments if necessary.
- Elaboration on the content of the notification: Let the student who has submitted the notification tell his/her version of events as freely as possible. Avoid leading questions. Focus on the content of the notification and ask questions if there is a need for elaboration of the facts; what happened, when did it happen, who was involved, how does the incident affect study situation and learning environment, is there any relevant documentation of the incident in e-mails, messages, photos etc.
- Discuss with the student possible solutions and measures that can be implemented to maintain a safe learning environment.

5.1.3 Interview with the accused student

- Presentation: Everyone present at the meeting and their roles in the case
- Introduction: Give information about the purpose of the interview, plans for further processing and the regulatory framework for the processing of such cases:
 - Explain how duty of confidentiality is ensured.
 - Explain the student's right of access and opportunity to submit a request for such access which will be handled in accordance with the Public Administration Act.
 - Mention possible consequences of the alleged actions, that potential future actions will be documented and that retaliations are prohibited.
 - Make clear that the student who submitted the notification may perceive as retaliation any attempts at contact from the accused student.
 - Explain that the interview will be documented in the minutes, and that everyone present at the meeting will be given the opportunity to provide input and adjustments.
 - Give information about the opportunity to seek support and advice from SiT's health- and counselling services and assist with booking appointments if necessary.
- Elaboration on the content of the notification: Let the accused student tell his/her version of events as freely as possible. Avoid leading questions. Focus on the content of the notification and ask questions if there is a need for elaboration of facts to shed some light on the incident.
- Discuss with the student possible solutions and measures that can be implemented to maintain a safe learning environment.

5.2 Assessment and planning

After the initial interviews have been completed, the notification reception unit is responsible for providing a summary of the investigation.

- Make sure that the case is sufficiently investigated. Ensure that all documentation collected during the proceedings is registered to the case in ePhorte.
- If further investigation is required, additional interviews must be conducted, or information must be gathered and documented by other means, cf. The Public Administration Act § 17, second and third section.

- When the notification reception unit considers the case to be sufficiently investigated, the responsible manager (Head of Department/ Dean) will be involved in the ensuing discussion regarding relevant measures or sanctions.

5.3 Possible measures – sanctions

Harassment or grossly disruptive behavior are not accepted at NTNU. Students who are guilty of harassment or behave in a manner that grossly disrupts other students or NTNU's activities, may have sanctions conferred on them, cf. The Universities and University Colleges Act § 4-8, first paragraph: *“A student who despite a written warning from the board repeatedly behaves in a manner which seriously disturbs the work of fellow students or other activities at the institution, may, following a decision by the board or by the institution's appeals committee, cf. Section 5-1, be expelled from specific parts of the institution for up to one year. If a student after receiving a written warning from the board continues to disrespect such expulsion, the board or the institution's appeals committee, cf. Section 5-1, may exclude him or her from attending courses and from sitting examinations at institutions under this Act for up to one year. Other universities and university colleges shall be informed about this decision. “*

One should always first consider whether low-threshold measures can be conferred upon the student as an appropriate reaction. A decision on measures to be implemented shall be in writing and must contain a description of the concrete measures and any follow-up actions to be carried out. The notification reception unit must always perform a thorough mapping and documentation of the case. If it falls under the Universities and University Colleges Act § 4-8 first section, the unit shall prepare the case according to the provisions in sections 5.3.3 – 5.3.5 in this guide.

5.3.1 Clarifying the student's rights and responsibilities

A clarification of duties and responsibilities may be necessary if the responsible manager sees that there is a need to make clear to both/all parties the rules and regulations that apply, for instance professional ethical guidelines that the student is obligated to comply with.

If such measures do not work, or do not work to a sufficient degree, the notification reception unit must consider further actions in cooperation with the responsible manager.

5.3.2 Advising or extended counselling

It may be revealed through introductory interviews that the student needs counselling or extended guidance regarding his/her actions, with the purpose of reflection and increased insight into what is acceptable behavior at NTNU. Counselling may be carried out under the auspices of either NTNU or the Student Welfare Society.

5.3.3 Written warning

In some cases, it will be necessary to implement stricter measures against the student who has displayed harassing and grossly disruptive behavior. The notification reception unit may in such cases process for distribution a written and clearly explained warning to the student, with reference to the Universities and University Colleges Act § 4-8, section 1. A written warning is formally dispersed by the Dean, cf. the Study Regulations § 3-5.

- The student shall be informed of his/ her right to receive legal aid at NTNU's expense, the Universities and University Colleges Act § 4-8 section 5 (state rates). This right applies from the moment the student receives the written warning according to § 4-8, section 1. Note that legal aid at the university's expense only applies to the accused student.

- The warning must contain information about the possibility that the consequences of his/ her actions/ behavior may lead to expulsion from certain physical areas on NTNU premises.

A written warning has no impact on the student's right to follow his/her studies or to sit for exams. It will, however, have some significance in relation to a potential expulsion case.

5.3.4 Expulsion – repeated cases of harassment or unacceptable behavior

In repeated cases of unacceptable behavior, and if a warning has not led to a change in behavior, the faculty may prepare a case for expulsion from specific physical areas on NTNU premises, cf. the Universities and University Colleges Act § 4-8 (1). The expulsion case shall be forwarded to the Education Quality Division which will in turn present it to the appeals committee, as per NTNU's delegation regulations, section 3.2.3.

- The student shall be presented with a prior written notice that NTNU is considering the instigation of an expulsion case. The advance notice should be sent out as early as possible and must contain an explanation of the grounds for the case.
- The student shall be informed of his/her right to make a statement, and the statutory right to engage a lawyer at the expense of the university (the Universities and University Colleges Act § 4-8 (5).)
- The advance notice must explicitly describe the extent to which the expulsion applies, for instance specific areas, reading rooms or lecture halls at NTNU, all lectures/ trainings in general, office buildings etc.

An expulsion does not affect the student's right to sit for exams. An expulsion decision will be valid from the moment the decision is made and may last for up to one year.

For all practical purposes, however, an expulsion may carry the same consequences as an exclusion. It is possible that an expelled student will not be able to continue his/ her studies without access to relevant areas, e.g. laboratories or rooms/locations where obligatory education takes place, which in turn could mean that the opportunity to sit for the exam is lost. These consequences must be considered before a decision to implement such measures is made, and when the scope and extent of the expulsion are determined.

It is important to be aware that a student can always be dismissed from an exam area or from any other location if he/she behaves in such a manner that it interferes with examination or teaching activities. Such concrete measures to restore peace and order are not considered to fall in under the definition of expulsion according to the Universities and University Colleges Act § 4-8, first paragraph, and will only be valid there and then as an immediate reaction.

It is the responsibility of the Appeals Committee at NTNU to decide whether a student should be expelled, cf. NTNU's study regulations § 3-5, second paragraph. The Head of the Education Quality Division, on behalf of the Vice-rector for Education, has been given the authority to submit cases concerning grossly disruptive behavior to the Appeals Committee, cf. NTNU's delegation regulations section 3.2.3. Decisions made by the committee may be appealed to the national Appeals Board, which has been established by the Ministry of Education.

5.3.5 Exclusion – not adhering to an expulsion decision

If the student does not adhere to the expulsion decision, the faculties' notification reception units are at liberty to start the proceedings of an exclusion case towards him/her. This may lead to a more comprehensive decision in accordance with the Universities and University Colleges Act § 4-8, first

paragraph. Before an exclusion case can be established, an expulsion decision must have been presented to the student, as well as a warning for violation of this decision.

If the student enters NTNU premises despite having received a previous expulsion decision, the notification reception unit may issue a warning for violation of this decision and notify him/her of the possibility of exclusion from NTNU. The warning must be substantiated and in writing and should contain information about the student's right to legal assistance at NTNU's expense.

If this does not lead to a change in behavior, the notification reception unit may prepare a case for exclusion. Head of the Education Quality Division, on behalf of the Vice-rector for Education, will present the case to the Appeals Committee at NTNU, cf. NTNU's delegation regulations, point 3.2.3. The Appeals Committee has the authority to decide whether the student should be excluded from NTNU, cf. NTNU's study regulations § 3-5, second paragraph.

The Education Quality Division is responsible for informing the student that the case has been forwarded to the Appeals Committee and shall also inform him/her of the right to legal assistance following public fee rate and the right to appeal against a decision of exclusion. All information shall be distributed via secure digital mail in ePhorte.

The Education Quality Division shall also notify the student, the faculty and department, the Academic Administrative Division and the Campus Services Division of the decision made by the Appeals Committee.

An exclusion decision means that the student is excluded from studies at NTNU and denied the right to sit for exams at NTNU and other institutions that fall under the Universities and University Colleges act for up to one year. An exclusion decision may be appealed to the national Appeals Board.

5.3.6 Exclusion from NTNU's IT Infrastructure

Misuse of NTNU's IT Infrastructure, such as serious violation of IT regulations, may result in denied access to all or parts of this infrastructure. As an example, harassment of other students by means of NTNU's IT -equipment may lead to sanctions in accordance with IT-regulations. Losing access to the IT infrastructure may have consequences for education and exams. A decision to exclude a student for a longer period than fourteen days must always be considered as a single formal decision and must follow the case processing rules for individual decisions. The Dean, in consultation with the system owner, has the authority to decide that a student shall be denied access to all or parts of NTNU's IT Infrastructure.

5.4 Further follow-up and closure

When initial interviews with both parties have been concluded, the faculty's notification reception unit must, in collaboration with the responsible manager, assess and document which measures should be implemented towards the accused student and any measures required to take care of the student who has submitted the notification. It is the responsibility of the unit to ensure that relevant measures are considered and executed to protect the notifier if necessary. The unit also has a responsibility to make sure that the decision and all supporting documents are registered in ePhorte, and to finalize and close the case. It is important that the parties are informed that the case has been closed. If the person who has submitted the notification is not an active party in the case, he/she shall still be informed that the case has been processed and measures have been implemented. The notification reception unit must follow up that the measures decided on are implemented.

6 Central guidance and Counselling Service

Faculties in need of advice and guidance on legal issues are welcome to contact the legal advisor at the Education Quality Division, Education Quality Group. The HR/HSE-department connected to the central SpeakUP!-reception may also be contacted for advice and instructions on how to manage notification cases.

APPENDIX 1

TEMPLATE 1 – Written warning according to the Universities and University Colleges Act 4-8 (1)

Date and reference

Exempt from public disclosure, cf. the Public Access to Information Act § 13.1

Name of student

Address

Written warning pursuant to the Universities and University Colleges Act § 4-8 (1)

We refer to previous letter dated (date) and to the meeting on (date) where you elaborated on the events (insert text from previous letter).

The faculty regards this as a serious incident and has decided to serve you with a written warning in accordance with the provisions of the Universities and University Colleges Act § 4-8 (1), on grossly disruptive behavior affecting other students' work and/or the activities of the institution.

We would like to make clear that the faculty will consider the provisions of expulsion and exclusion from NTNU according to the Universities and University Colleges Act § 4-8 (1) if you continue to display similar behavior after you have received this warning.

You have the right to assistance from a lawyer or another spokesperson, and to have the expenses covered by NTNU according to state rates pursuant to the Universities and University Colleges Act § 4-8 (5).

With regards

Responsible manager

Caseworker

APPENDIX 2

TEMPLATE – advance notice of possible expulsion pursuant to the University and University Colleges Act § 4-8 (1)

Date and reference

Exempt from public disclosure, cf.
the Public Access to Information Act
§ 13.1

Name of student

Address

Advance notice on possible expulsion pursuant to the University and University Colleges Act § 4-8 (1)

The Faculty ofrefers to previous written warning dated xxxxxx. You were served with a written warning because of(short description of the incident).

It has come to the attention of the faculty that you, even after having received the written warning, have behaved in a way that falls under the description “*grossly disruptive for other students’ work or for the activities of the institution*” (briefly explain the behavior in concrete terms).

When a student repeatedly behaves in such a manner, NTNU has the right to expel the student from parts of NTNU’s premises for up to a year. This is an advance notice that NTNU is considering to expel you fromfor up to.....

You have the right to legal assistance from a lawyer or counselor. Any expenses incurred will be covered by NTNU pursuant to the University and University Colleges Act § 4-8 (5).

An expulsion decision will be made by the Appeals Committee at NTNU and can be appealed to a national Appeals Board.

If the decision on expulsion is not respected, you may be excluded from studies at NTNU and you will lose the right to sit for exams at institutions that are covered by the Universities and University Colleges Act.

You have the right to make a statement, which must be submitted byThe statement should be sent to

With regards

Responsible manager

Caseworker