



THE STUDENT ASSOCIATION

DISCIPLINARY STATUTE

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15/16

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2021-01-27

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1 § INTRODUCTION

The purpose of this document

1.1 §

This disciplinary statute regulates issues regarding disciplinary matters that can be taken against an individual who is a member of the Student Association at the Stockholm School of Economics (SASSE) or has been a member of SASSE.

1.2 §

The purpose of the Disciplinary Statute is not to make SASSE a judgmental and convicting organisation. Therefore, it is up to the SASSE Board or the Board of Directors to decide upon if a reported suspicion of violation specified in 2.1 § should be investigated in accordance to this document, or if the matter should be dealt with in other ways. The Board of Directors have the highest decisive power when deciding on this. If the concerned individual under investigation is a member of the Board of Directors, the decision is to be made by the Internal Auditors. However, the SASSE Council should be informed if the Internal Auditor decides not to investigate a reported incident, and has the authority to revoke such a decision with a 5/6 majority. The SASSE Board or the Board of Directors, whomever receives the report, are obligated to present all reported suspicions of violation of this statute to the SASSE Council.

Definitions used throughout this document

1.3 § - Concerned individual

An individual whom may contribute to the investigation.

1.4 § Investigated individual

An individual under suspicion of at least one violation stated in 2.1 § and therefore is the subject of a investigation.

1.5 § Investigating Authority

The group conducting the investigation of an errand, selected in accordance with 3.4-3.8 §§.

2 § Disciplinary measures

Reasons

2.1 §

Disciplinary measures may be taken against an individual according to 1.1 § that

- a) Disrupts operations at SASSE to the extent that it harms the organisation profoundly,
- b) Damages or seizes property that belongs to SASSE, is used in its operations or is located in premises or areas where SASSE activities take place,
- c) Subjects any other SASSE functionary, member or employee at SASSE to discrimination or harassment,
- d) Acts dishonestly or improperly towards another member, employee or other functionary at SASSE,
- e) Is guilty of an act, related to SASSE or a person linked to the organisation, which may reasonably be assumed to constitute a violation of Swedish law,
- f) Acts in a way that is likely to seriously damage the reputation of SASSE,
- g) Otherwise violates SASSE statutes, values, other official regulations or guidelines,
- h) Has been subject to disciplinary action by SSE after an investigation has been carried out by SSE

2.2 §

Disciplinary measures may not be taken later than two years after the misbehaviour.

Measures

2.3 §

The possible disciplinary measures are:

- a) notification in the protocol,
- b) warning,
- c) liability to compensate,
- d) suspension

2.4 § Notification in the protocol

A decision for a notification in the protocol entails that a violation as such specified in 2.1 § is written down and archived. If the Investigated Individual is subject to an additional disciplinary errand in the future, that Investigating Authority may take the notification in the protocol into consideration when deciding on suitable disciplinary measures for that errand.

2.5 § Warning

A decision of a warning entails that the Investigated Individual has been warned about a possible suspension. If the Investigated Individual is subject to an additional disciplinary errand in future time, that Investigative Authority should take the warning into consideration, and the individual should face suspension.

2.6 § Liability to compensate

A decision for liability to compensate entails that the individual concerned should compensate the economic loss the individual has caused SASSE through such violations specified in 2.1 §. It is up to the Investigating Authority to decide if compensation should cover the partial or full amount.

2.7 § Suspension

A decision for suspension means that the individual for a certain period, or permanently, may not participate or engage in any activities organized by SASSE, as a member or functionaire. .

A decision for suspension may be limited solely to access to certain premises within SASSE, as well as involvement in some functions, activities or other operations within SASSE. The decision on suspension can also be combined with that the individual loses the right to receive scholarships from SASSE. A decision to permanently suspend means that the individual is permanently separated from its membership in SASSE and everything that is related to it.

2.8 §

More than one disciplinary measure can be taken against an individual found guilty of an act stated in 2.1 §.

Take effect

2.9 §

A decision for suspension shall immediately become effective, unless otherwise specified in the decision. If the decision includes loss of a scholarship, the scholarship funds shall be withheld pending the final decision.

2.10 §

If considered needed (e.g. if there is a severe risk of a 2.1 § violation being repeated) the SASSE Council may with immediate effect suspend an individual suspected for violations stated in 2.1 § from involvement within SASSE before an investigation has been conducted. Such a decision shall apply until the Investigating Authority has examined the matter in accordance with 3.9 §, although no longer than a month. This clause can only be used under extreme circumstances.

2.11 §

If SSE, after investigation, has taken disciplinary action against a student who is a member of SASSE, the Investigating Authority may also suspend or take any other disciplinary action against that individual with immediate effect without launching an investigation of its own.

2.12 §

If the student concerned in 2.11 § is currently serving on or elected to the SASSE Board, a decision under 2.11 § must be taken by the SASSE Council.

3 § Conduction of errand

Introduction

3.1 §

Matters concerning disciplinary measures may be dealt with either by the SASSE Board or the Disciplinary Committee.

3.2 §

It is up to the SASSE Board to decide upon if a reported suspicion of violation specified in 2.1 § should be investigated or not. If a member of the SASSE Board is subject of suspicion, it is up to the Board of Directors to decide upon if the matter should be investigated or not.

3.3 §

If the SASSE Board or the Board of Directors decides that a matter should not be subject for investigation, the decision must be complemented with a basis for this decision.

The Investigating Authority's composition

3.4 § The SASSE Board

When the SASSE Board is acting as the Investigating Authority, the SASSE Board can decide to delegate the operational work of the investigation to a selected group within the SASSE Board.

However, it is still the SASSE Board in full that is the Investigating Authority, and the final decision on the outcome of the investigated errand should be taken by the full SASSE Board

3.5 § The Disciplinary Committee

The Disciplinary Committee shall consist of the Chair of the SASSE Council, at least one of the internal auditors in charge and at least one member of the Board of Directors. The committee shall consist of at least four (4) persons. The Chair of the Council is the chair of the committee.

3.6 §

If any of the above-mentioned members of the Disciplinary Committee is subject to the investigation, is biased in question or otherwise considered inappropriate to investigate the specific errand, the SASSE Council has the obligation to appoint appropriate members of the Disciplinary Committee. Members of one of the organs listed in 3.5 §, can not partake in an investigation regarding to an errand clearly connected to a member of the same organ.

3.7 §

The SASSE Council has the obligation to appoint appropriate members of the Disciplinary Committee if the requirements in 3.5 § are not met.

3.8 §

The selected Investigative Authority shall adjunct the Equality representative whenever an errand has a connection to their area of responsibility, unless they are considered an Investigated Individual (See 1.4 §). The representative shall have the same rights and obligations as the ordinary members of the Investigative Authority.

Investigation

3.9 §

Founded suspicion of such a violation specified in 2.1 § shall be promptly notified in writing to the SASSE President. If the President is subject of suspicion to the violations specified in 2.1 § or otherwise unfit to handle the matter, it shall instead be reported to the Chair of the SASSE Council.

3.10 §

If the SASSE Board as a unit wishes to report founded suspicion of such violations specified in 2.1 §, the matter should be reported to the Chair of the SASSE Council.

3.11 §

The person notified should ensure that the matter becomes thoroughly investigated by either the SASSE Board or passed on to the Disciplinary Committee.

3.12 §

If the SASSE Board or the Disciplinary Committee finds that the SASSE Board is not suitable as the Investigating Authority, the matter shall be handled by the Disciplinary Committee.

3.13 §

If the SASSE Board acts as the Investigating Authority, the SASSE President shall ensure that the matter is thoroughly investigated. If the Disciplinary Committee acts as the Investigating Authority, the Chair of the Disciplinary Committee shall ensure that the matter is thoroughly investigated.

3.14 §

Until the conclusion of the investigation, the content, procedure, and the investigated parties shall remain confidential. Exceptions may be made if it poses as an obstacle to the investigation.

3.15 §

The Investigating Authority shall provide the individual(s) that is concerned in the errand an opportunity to express their opinion on the matter. In order to do so, the Investigated Individual(s) shall receive a summary of the accusations brought up against them, and the paragraphs violated as soon as they are informed that an errand is conducted against them. The Concerned individuals may receive a summary after the errand has been concluded in accordance with 3.18 §.

3.16 §

The Investigating Authority may convene concerned individuals to attend in order to provide information. If the Investigating Authority finds it necessary to hear the concerned individual in person, the person is obliged, on risk for disciplinary measures under this statute, to appear when summoned. The individual may send a representative.

3.17 §

Throughout an investigation, a Concerned individual may become an Investigated Individual as a result of emerged information which leads to a suspicion of at least one violation stated in 2.1 §.

Formalities

3.18 §

The investigation shall be considered concluded once the documentation outlined in 3.19 § has been presented at the SASSE Council in accordance with 3.21 §.

3.19 §

The documentation of the disciplinary investigation shall, in addition to the provisions of these statutes, include the following information:

1. The persons who have participated in the investigation.
2. Background and turn of events.
3. Paragraphs that have been violated.
4. The reason why they have been breached and the investigator's comments.
5. Decision.
6. The basis for decisions.

Individual members of the Investigative Authority may leave individual statements regarding the errand and the decision.

Decisions

3.20 §

The Investigating Authority shall in the protocol state their decision if the case should: a) be left without further action, or
b) give rise to any of the disciplinary measures in 2.3 §.

3.21 §

The Investigating Authority shall inform the Investigated Individual about their decision within 24 hours of the decision. The notification shall also inform the Investigated Individual about the possibility for modifications in accordance with 3.22 §.

3.22 §

The disciplinary decision shall be presented to the council at the next meeting of the SASSE Council. The SASSE Council has the right to revoke and to urge on revision of the Disciplinary Committee's, or the SASSE Board's, decision. The SASSE Council has the right to appoint new members of the Disciplinary Committee, independently of the requirements in 3.5 §, to reinvestigate the errand.

Quorum

3.23 §

The Disciplinary Committee is in quorum when at least four (4) members are present. If dissenting opinions are expressed, voting shall take place. The committee makes decisions by simple majority. At equal number of votes the Chair of the Disciplinary Committee has the casting vote.

3.24 §

The SASSE Board is quorum when at least half of the members are present. If dissenting opinions are expressed, voting shall take place. The SASSE Board takes decisions by a simple majority. At equal number of votes the SASSE President has the casting vote.

Appeals

3.25 §

The appeal on the decision of the Investigating Authority and disciplinary measures is made in written format by a member of SASSE to the SASSE Council.

3.26 §

The individual(s) that are concerned shall be informed of the right to appeal when the individual(s) receive the decision taken in the errand.

3.27 §

On appeal, the errand will be examined by the Disciplinary Committee, if the SASSE Board was the first instance. If the Disciplinary Committee was the first instance, the errand will be examined by the SASSE Council as a whole.

3.28 §

In cases when the subject for investigation is a member of the Disciplinary Committee or the SASSE Council, and the SASSE Board was the first instance, the appeal will be examined by the Internal Auditors.

3.29 §

The appeal must be submitted to the SASSE Council within three weeks after the member has received the decision. Appeals can only be made once.