



Regulations for

The Board of Appeals at Jönköping University (HJÖN)

Introductory regulations

1. The Board of Appeals at Jönköping University (HJÖN) is established by the Governing Board of the Jönköping University Foundation (Foundation Governing Board). HJÖN is a joint body of the Jönköping University Foundation and its subsidiaries ('JU'), with the task of reviewing decisions that can be referred to HJÖN in accordance with JU's regulations. The overall aim is to ensure that such decisions are taken in accordance with the substantive rules in force at JU and to strengthen legal protection for students and applicants.

All departments within JU are required to comply with and, where appropriate, enforce HJÖN's decisions. HJÖN has exclusive authority to decide on matters referred to HJÖN. No other department within JU shall therefore have the authority to decide on a pending case at HJÖN.

2. HJÖN's decisions shall be made following a thorough investigation of the relevant circumstances of each individual case and in accordance with substantive rules governing JU.
3. Within the framework of the applicable substantive rules, HJÖN shall also take into account previous decisions by HJÖN to meet the objective of a high degree of legal certainty and in the interest of establishing long-term and consistent practice within JU.

Composition of the Board

Members and how they are appointed

4. HJÖN shall consist of six members as follows:
 - 4.1. The President of JU
 - 4.2. Three members currently practising as lawyers, one of whom must be learned in the law
 - 4.3. One member who is employed by another Swedish university or institution of higher education
 - 4.4. One member representing Jönköping's Student Union ('Student Representative')

5. In addition to the members referred to in Clause 4 above, HJÖN shall appoint another member with relevant medical or psychiatric expertise when hearing and deciding on cases of Expulsion ('Temporary Member').
6. The President of JU always serves as a member as well as the Chairperson of HJÖN.
7. The other members, apart from the student representative, are appointed for a term of three (3) years by the Foundation Governing Board on the recommendation of the President.
8. The Student Representative is appointed for a term of one (1) year by the President on the recommendation of Jönköping's Student Union.
9. A Temporary Member is appointed by HJÖN when necessary and for an individual case.

Deputies

10. Each member, in addition to the Temporary Member, shall have a personal deputy who shall take the place of the member should they be temporarily prevented from participating in the work of HJÖN.
11. The deputy for the President is appointed by decision of the President.
12. Other deputies shall be appointed in the same manner and for the same term as the ordinary members.
13. If a member or deputy resigns or no longer meets the qualifications set out in Clause 4 above, the President shall appoint a new member or deputy for the remainder of the term. A new Student Representative or their deputy shall be appointed on the recommendation of Jönköping Student Union.

Secretariat

14. HJÖN shall have a secretariat. The secretariat shall consist of at least one (1) secretary as well as administrative officers. The secretary shall be appointed by the President.
15. HJÖN's secretaries and administrative officers shall be employed by or work on behalf of JU.
16. The secretariat is responsible for the routine office work, such as planning cases, registration, mailings, summons as well as coordination tasks on behalf of the Chairperson.

HJÖN's secretary shall be the investigator, rapporteur of HJÖN's meetings and keeper of minutes.

Decisions

Quorum

17. Except as provided in Clause 18 below, a quorum shall consist of at least four members, including the Chairperson, the legally trained member and the Student Representative or their deputy. In addition, the participation of a Temporary member is required when hearing cases of Expulsion.
18. In the case of decisions as provided in Clauses 22, 23.4, 27 and 28 below, a quorum shall consist of at least the Chairperson and the legally trained member or their deputy.

Decisions

19. Decisions are taken by simple majority vote. In the event of a tie, the Chairperson has a casting vote. Members shall have the right to express a dissenting opinion and to have a dissenting opinion recorded in the minutes.
20. The reasoning on which a decision is based shall be stated.

Where appropriate, references shall be made to previous decisions on the same or similar issues to achieve the objective of Clause 3 above.

Hearing cases and enforcement of decisions

21. When an appeal is submitted to HJÖN, HJÖN's secretary shall immediately open a case. Each case shall be assigned a case number and a brief written description of the issue to which the case relates. This process is the responsibility of HJÖN's secretary, but enactment may be delegated to the JU registrar.
22. HJÖN's secretary shall, as soon as possible orally or in writing, present the appealed decision and any information included in the appeal to the Chairperson and the legally trained member. On the basis of the report, these shall examine HJÖN's authority and decide whether the case shall be referred to HJÖN for review, or be rejected or dismissed. No appeal may be lodged against decisions at this stage.
23. Cases referred to HJÖN must be investigated thoroughly and fairly. Investigations shall be conducted by HJÖN's secretary in accordance with the instructions for HJÖN. The following are the stages of an investigation.
 - 23.1. The appellant shall be given the opportunity to submit a written statement.
 - 23.2. If necessary, additional information shall be obtained from the relevant unit within JU.
 - 23.3. The appellant shall be informed of their right to make an oral statement to HJÖN in cases to be decided at an in-person meeting.
 - 23.4. The Chairperson and legally trained member may, if necessary, decide to obtain oral statements from third parties. No appeal may be lodged against decisions at this stage. In this case, the appellant shall be given the opportunity to attend in person.

24. All decisions taken during the investigation stage must be submitted in writing and added to the case file. All documents and information received in connection with the case shall be forwarded to the members. The appellant shall have the right to study any decisions taken during the investigation stage and provided with any new information on the substance of the case which is brought to light during the investigation stage.
25. Cases at HJÖN shall be decided at a meeting after the presentation of a report. HJÖN's secretary shall serve as rapporteur.

In-person meetings shall be held when necessary and at least once a year. The Chairperson shall convene meetings.

If HJÖN so decides, meetings may also be held per capsulam.

26. Cases at HJÖN shall be dealt with promptly and, unless special circumstances require otherwise, be decided within three months of the case being referred to HJÖN.
27. During the investigation stage, the Chairperson and legally trained member can decide on their own to defer the enforcement of previous decisions pertaining to a case, i.e. suspend Disciplinary Measures pertaining to an appealed decision.

Hearing of specific cases

28. The Chairperson and legally trained member can, on their own, interpret and decide on matters relating to:
 - 28.1. Appeals against a decision to reject an applicant on the grounds that they do not meet the eligibility requirements for admission to a higher education programme at first or second cycle, or
 - 28.2. Appeals against decisions not to waive eligibility requirements.

If the Chairperson and legally trained member deem it appropriate, e.g. in a case pertaining to a question of principle, the case shall be referred to HJÖN for examination in the usual way.

Minutes

29. The chairperson is responsible for keeping minutes of board meetings. HJÖN's secretary shall act as keeper of the minutes.
30. The minutes shall, for each case, provide a record of the names of the members and, where applicable, deputies in attendance, the appealed decision and the amendment sought by the appellant, the decisions taken and reasons for them, the votes taken and their outcomes and, where applicable, dissenting opinions and reservations to them.
31. In the event of a decision to invoke Disciplinary Measures, the minutes must set out the extent of the measures taken and, where applicable, whether the measure relates to suspension from specific premises within JU.

32. The minutes shall be confirmed by the chairperson and rapporteur within two weeks of the meeting, unless otherwise decided by HJÖN.

Decisions that are to be put into immediate effect shall be considered to have been immediately confirmed.

Notification of decisions etc.

33. Decisions on:

33.1. cases that are not referred to HJÖN, or

33.2. cases decided in final by HJÖN

shall be communicated, as soon as the minutes have been confirmed, to the appellant, faculty of each of JU's schools, JUE, University Services and Jönköping's Student Union.

Decisions to overturn a Suspension shall also be communicated to the Swedish Board of Student Finance and other affected units within JU.

Decisions to overturn a previous decision on Expulsion shall also be communicated to Swedish Board of Student Finance, the Higher Education Expulsions Board (HAN) and other affected departments within JU.

Other

Disqualification

34. JU's rules on disqualification – *Rules relating to disqualification at Jönköping University* – shall apply to HJÖN's members, including Temporary Members.

Remuneration

35. HJÖN's members and deputies, including Temporary Members, but excluding the President, the President's deputy, the Student Representative or the deputy for the student representative, are entitled to remuneration. The President is responsible for deciding on the conditions for and levels of such fees.