



**UNIVERSITETI - AAB**  
**ARENA E ARSIMIT BASHKËKOHOR**  
**PRISHTINË**

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# **REGULATION ON THE DISCIPLINARY PROCEDURE**

Prishtinë, 2006



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Based on Article 33 paragraph 17 and 18, Article 63 and 64 of the Statute of AAB University, the Board of the University compiled and approved the below mentioned Regulation:

#### I. GENERAL PROVISIONS

##### Article 1

This Regulation aims to regulate the following matters:

- Disciplinary Procedure for the academic and administrative staff of AAB University (hereinafter the University) and students of this University;
- Presentation and identification of the committed violations;
- Disciplinary violations;
- Nomination of the Disciplinary Commission;
- Measures of handling disciplinary violations and other matters;
- Definition of the procedure for students of AAB University and
- Complaint procedure, right to complaint, nomination of the commission.

#### II. DISCIPLINARY PROCEDURE FOR THE STAFF OF AAB UNIVERSITY

##### Article 2

1. Presentation and identification of the disciplinary violation
  - a) Every doubtful and supposed disciplinary violation by the academic staff engaged at the University must be presented to the **Rector of the University**,
  - b) The violations committed by any professor must be presented to the head of the department or **Dean of the respective Faculty**;
  - c) The violations committed by the administrative staff must be presented to the head of administration respectively to the Secretary of the University.



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#### Article 3

The mentioned Institutions in Article 2, (hereinafter the Institutions of the University) start investigation on the case immediately after getting the report, interview the supposed person as well as the person which reported the case, analyze the declaration and decide then whether it is a slight or severe violation.

When taking decisions, the Institutions of the University must act according to the provisions of this Regulation.

#### Article 4

##### 2. Disciplinary violations

##### a) As a slight disciplinary violation is considered:

The absence at work without reason, disregard of the working hours, slight negligent mistakes or repeated mistakes which do not lead to disciplinary procedure are considered as slight disciplinary violations.

The Institutions of the University will collect and re examine every document or evidence which has to do with the case, will interview the supposed violator, the person who has reported the case and everybody who has any information concerning the case.

Interview must take place as soon as possible.

#### Article 5

If the Institution of AAB University concludes that it was a slight violation and it happened for the first time then just a **verbal reminder** is done but if it is a repeated one then also a **written reminder** is done.

The report about the verbal notice and that in written form is archived in the personal file of the respective person.

#### Article 6

In case of any violence against human beings or property the Institution of the University can decide to suspend the suspend violator for the time until the investigations and the disciplinary procedure is executed.



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#### Article 7

As a severe disciplinary violation is considered:

- Causeless refusal to fulfill the tasks based on the employment agreement;
- Theft, fraud, falsification, harm or unauthorized usage of the University's facilities;
- Breach of the provisions of the Ethical Code;
- Absence at the workplace without any reason for more than 3 days in succession without reporting it;
- Repeated contempt which disturb the normal working procedure;
- Discrimination, direct or indirect mistreatment against any other person of the University based on the gender, race, face color, language, religion, location, political attitude, social status, and other regulated by law;
- Verbal provocation of another person characterized by physical or verbal sexual harassment, violation of someone's dignity at work offensively, creating thus antagonism by threatening or alarm that person;
- Misconduct off the job which does not conform to the status of the staff or student at the University which can also lead to the discredit of the University;
- Destruction of the property on purpose;
- Breaking the business secret;
- Consumption of alcohol and drugs during the working hours and a conduct of unsound mind because of consuming them;
- False information in case of conflict of interest;
- Aggressive or abusive conduct in the workplace etc.

#### Article 8

##### b) Determination of a severe disciplinary violation:

If the Institution of the University concludes that there has been a severe disciplinary violation, the case will be presented to the Disciplinary Commission.

The Institution of the University will interview the supposed violator within 5 days after receipt of the report by the Disciplinary Commission which will conclude:

- The form of the supposed violation;
- That the supposed violation is to be considered as serious;
- The date and place of the session of the Disciplinary Commission;
- That the supposed violator can be accompanied by another employee;
- The proposal of taking measures with respect to the case.



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#### Article 9

##### 3. Disciplinary Commission

- The Institutions of the University can form a Disciplinary Commission which must decide on supposed severe disciplinary violations;
- For the cases of point a) Article 2, the Commission always consists of the Rector and two members of the respective departments;
- For the cases of point b) Article 2, the Commission consist of the head of the respective department;
- For the cases of point c) Article 2, the Commission consists of the Secretary of the University, the Rector of the University and a member of the administrative staff;
- The Rector is a permanent member of the Disciplinary Commission.

The Rector of the University can set up a special Disciplinary Commission which treats different cases; this Commission can have another consistency in comparison to that one mentioned above.

#### Article 10

The disciplinary session must take place within a very short period of time.

The Disciplinary Commission proves the evidences and decides based on the information whether there was a violation or not and if it is the case then to what extent and takes the necessary disciplinary measures.

The decision taken by the Disciplinary Commission must be noted in the personnel file.

#### Article 11

##### 4. Measures concerning severe disciplinary violations

After the clarification of the case the Disciplinary Commission can take the following measures:

- verbal reminder,
- written reminder,
- last reminder,
- degradation,
- penalty and
- termination of the employment agreement.

The disciplinary measures in paragraph 1 and 2 of this Article are declared by the Institution of the University in Article 2 whereas the measures of paragraph 3-5 are declared by the Disciplinary Commission.

### III. DISCIPLINARY PROCEDURE FOR THE STUDENTS OF AAB UNIVERSITY



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#### Article 12

The students are obliged to stick to the obligations according to the general regulations of the University and this Regulation.

The students must be careful when using the facilities offered for studying purposes, must save them from a loss.

In case of violence of the legal regulations of the University, the student can face to disciplinary procedure.

#### Article 13

##### 1. Slight disciplinary violation

As a slight disciplinary violation is considered:

- Incorrect conduct within the buildings of the University;
- Breach of the peace during the lectures by disturbing the normal working procedure of teachers and students;
- Damage of the learning facilities, laboratories, computers, books at libraries, and other facilities of the University;
- Other activities by which the authority of the University, teachers, cooperators, other employees and students of the University is harmed.

#### Article 14

##### 2. Severe disciplinary violation

As a severe disciplinary violation is considered:

- Falsification, change of the data in the index, certification and other documents issued by AAB University;
- Falsification of the mark or signature of the teacher;
- Indication of incorrect data to the Institutions of the University for certain purposes;
- Presentation for an exam instead of another student;
- Demolition of the facilities of the University on purpose;
- Disrespect of the teacher and his advice, offence and other actions which disturb the educational process;
- Consumption of alcohol and other means which are prohibited in the buildings of the University;
- Peer pressure;
- Other activities which are against the rules of the house and regulation of the University.



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#### Article 15

The disciplinary procedure for the students must start three months after notification of the slight disciplinary violation.

Severe disciplinary violations will be treated six months after notification.

#### Article 16

##### 3. Measures concerning disciplinary violations

The Institutions of the University can take the following measures after investigation of the case:

- verbal reminder,
- written reminder,
- suspense,
- suspense from the Faculty for 6 months,
- suspense from the Faculty for one year,
- suspense from the Faculty for two years,
- expulsion from the Faculty,
- the University can pronounce also any other measure which is not mentioned above but contributes to the discipline of the student.

In urgent cases, for various reasons, the Disciplinary Commission can pronounce disciplinary measures until taking any final decision.

The measures mentioned in point 1 and 2 of this Article can be pronounced by the head of the respective department- dean of the respective faculty, and the measures of point 3 and 7 are pronounced by the Disciplinary Commission.

#### IV. OBJECTION PROCEDURE

##### Article 17

a) The objection procedure aims the protection of the person and student from wrong decisions.

b) The person who is dissatisfied with the decision taken by the Institution of the University has the right to raise an objection. The objection is sent to the second step meaning the Rector of the University.

c) The person who is dissatisfied with the Disciplinary Commission has the right to raise an objection. The objection is sent to the Secretary of the Board of the University

d) The latter can form a Council for investigation of the objections in cases when it is the responsible body for the disciplinary measure.



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Article 18

The person who is raising an objection must present facts, new arguments and proofs collecting thus reasons for the objection.

The session must take place as soon as possible, however, no later than 30 days after the receipt of the objection at the respective Institution of the University.

The Institution of the University has the following tasks:

- Proves the presented evidences,
- Based on the offered evidences, it decides whether or not to accept the objection;
- In case of approval of any measure taken by the Institution or any change of it is justified by the same Institution.

V. FINAL PROVISIONS

Article 19

In case the provisions of this Regulation are not conforming to the provisions of the Statute of the University, the provisions of the Statute have priority.

Article 20

The interpretation of this Regulation is done by the juridical office of the University in cooperation with the Secretary of the University.

Article 21

Any change to this Regulation can be made according to the same procedure like that of its approval.

Article 22

The Regulation comes into force immediately after it is signed by the chairman of the Board.

Prishtinë, 2006

Chairman of the Board of the  
University

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