Bartësi Privat i Arsimit të Lartë

Private Bearer of Higher Education



ALMA MATER EUROPAEA

CAMPUS COLLEGE REZONANCA



Tel: +383 38 544-754 URL: http://www.rezonanca-rks.com

DISCIPLINARY REGULATION

Pristina, 2021

In accordance with Article 31, paragraph 3, point 3.1, 3.2, 3.3 and 3.4 of the Law on Higher Education no. 04 / L-037, article 93, point 3 of the Statute of the College, the Senate in the meeting held on 31.03.2021 approved this Disciplinary Regulation of the College.

# I. GENERAL PROVISIONS

Object of the Regulation

Article 1

The Disciplinary Regulation of Alma Mater Europaea Campus College "Rezonanca" defines the obligations of students, minor and major disciplinary violations, disciplinary measures, competent disciplinary bodies and rules of disciplinary procedures, the process established on the existence of disciplinary violations and imposition of disciplinary measures.

Article 2

The student status is acquired by the person enrolled in the Faculty according to the criteria defined by the Statute of the College and the Regulation of studies within the deadlines provided by the competition.

Upon enrollment in the Faculty, the student acquires the rights of a full-time student, as well as receives the obligations provided by the Statute, the Code of Ethics and this Regulation.

Article 3

The student is obliged to strictly implement the obligations from article 2 of this Regulation and to protect the property, prestige and dignity of the Faculty.

Article 4

In case of violation of the student's obligations, disciplinary proceedings may be instituted against him under this Regulation.

Article 5

The student is accountable to the Faculty in a disciplinary and material manner.

The disciplinary responsibility of the student represents the responsibility for breaking the rules of conduct and breaking the obligations to the Faculty.

Material liability represents the liability for material damages caused by the student to the Faculty.

The student who breaks the rules of conduct and obligations is given disciplinary responsibility, and if he has caused material damage at the same time, he is also given material responsibility.

**Relationship of disciplinary violations, criminal offenses and violations**

Article 6

Legally defined liability for disciplinary violations that has the elements of a crime or offense does not preclude criminal proceedings.

The disciplinary bodies issue the Decision regarding the existence of the criminal offense, the violation and the guilt of the perpetrator of the offense.

Disciplinary bodies may terminate the disciplinary proceedings until the completion of the criminal proceedings for a criminal offense referred to in paragraph 1 of this Article.

Provisions of paragraphs 2 and 3 of this article shall apply to the decision taken in misdemeanor proceedings.

**Compensation for material damages**

Article 7

The student is obliged to make compensation if he causes material damage knowingly or through extreme negligence.

**Student behavior**

**Article 8**

Students on the College premises must:

a) Implement the teaching schedule and adhere to the rules sanctioned in the Statute and Rules of the College;

b) Appear in a serious and dignified manner in the premises of the institution, which means a suitable dress, pants or skirts no shorter than the knee and a blouse or shirt with short or long sleeves, not neckline, as well as the use of an appropriate dictionary, with regular intonations according to the norms of ethics, morality and etiquette;

c) Respect the academic staff, scientific teaching assistants and administrative staff, peers and teaching rules. To address the academic and administrative staff in the second person as well as with the respective full academic titles;

d) To not perform provocative or harassing actions and gestures towards the academic staff or other students, in the premises of the institution;

e) To not offer in any form, privileges, benefits, interventions, favors, payments or donations, in person or through other persons, for the purpose of obtaining high results, or other favors, which the lecturer or other members of the staff of the College may perform due to duty;

f) To not copy, not to cheat during the teaching process, as well as not to deviate from the payment of teaching obligations;

g) To not consume alcoholic beverages or tobacco on the premises of the institution;

h) To not use a mobile phone and keep it turned off during class or exam time in the auditorium;

i) Use the textbook during the exam, only if this action has been approved by the relevant faculty or unit;

j) The student who is involved in a prohibited action or violation of the law which results in the disruption of the lesson may be ordered by the lecturer to leave the auditorium for the remaining period of the lesson. For longer exceptions as a result of the disruption of the lesson, written decisions must be taken by the relevant bodies;

k) Carry with them throughout the learning process the identity card or student card issued by the College, and present / submit it upon a request based on members of the academic or administrative staff of the College.

As members of the College, students have the following rights and freedoms:

a) Every student has the right to be free from racial, religious, ethnic, political, age, gender and disability discrimination.

b) Students have the right to freedom of expression, assembling and grouping as long as the exercise of these freedoms is in accordance with the policies of the College, does not interfere with the effective conduct of university courses and respects the rights of others;

c) Students are free to organize and participate in student organizations, to promote their common interest within the College. Student organizations are free to review and discuss all matters of interest, pursuant to the regulation of the College. Recognized and accepted organizations may enjoy the privilege of using the College premises, facilities and services in accordance with the College's administrative policies and procedures.

d) Students have the right to be free and invulnerable to any form of harassment by members of the College community. Students have the right and responsibility to report, in good faith and without fear of retaliation, any violation of this Code or the academic and administrative policy of the College to the academic or administrative directors of the College.

Students accused for violating of this Code have the following rights:

a) To be provided with all the regulations and procedures of the College regarding the functioning of the disciplinary process;

b) To be informed and clarified as required for pending charges;

c) To be free from the threats of the College staff in resolving the disciplinary issue.

d) To face the accuser (s) and have the opportunity to re-examine them / any witnesses present.

e) To be free from checks or confiscations, unless these are based on reasonable grounds given by the relevant authorities.

**Prohibited behaviors**

Article 9

Prohibited behaviors include actions defined as follows:

a) Interference or disruption that interferes with the College's mission, processes, or functions that violate the rights of others. The offenses included are: occupation of any College building; or property or parts thereof without the authorization of the College, blocking the entry or exit of any College building; setting fire or any other means, damaging a building, university property or assets;

b) Usage, distribution of narcotic or dangerous substances, except when expressly permitted by law, the College prohibits the possession, use, sale or distribution of illicit substances or controlled substances;

c) Irregular, abusive, violent behavior or overly noisy expression. Any intentional attempt or threat with intent to injure the other person, together with the apparent ability to do so is prohibited. A disordered behavior can be performed without touching, hitting, or doing bodily harm. Depending on the circumstances a mitigating factor for this charge may be self-defense.

e) Implementation of programs or activities that constitute violations of local or state law and the policies of the College. Students are prohibited from speaking on behalf of the College, with any spoken or written media organization. Students are prohibited from inviting media organizations to the College premises or events, unless written permission is obtained from the governing authorities. Students as individuals or representatives of student organizations are prohibited from entering into verbal, written or contractual agreements intended to enter into, coerce, or create any kind of responsibility for the College. The College will individually recognize all such students responsible for the financial, legal consequences or damages that may result from such unauthorized actions;

f) Failure to comply with the instructions of the College officials acting in the performance of their duties is not permitted. It is not allowed to fail to fulfill or follow the orientations and instructions of a member of the academic staff, an administrator of the administration acting according to his / her duty, or any other person responsible for a structure of the College;

g) It is forbidden to falsify or manipulate the official documents of the College, to use the official documents and records of the College for misinterpretation purposes. The use of telecommunications, the data network or any electronic equipment owned and administered by the College for unlawful / improper purposes, in violation of the rules, policies or laws of the College is prohibited;

h) Any action taken or situation created, intentionally or negligently, creating a problem for the College. These actions include but are not limited to: copying answers from another student during the exam; unauthorized communication with others during an exam; allowing another student to copy the answers; replacing another person or using another as a substitute during an exam; pre-programming of a calculator, or other electronic device that holds unauthorized answers or information for the exam; use of unauthorized materials, pre-prepared answers, written notes, or information hidden during an exam; allowing others to do for them a task or part of a task (eg group task), including using the commercial service of works (purchasing them); submitting the same assignment to more than one course without the prior approval of all lecturers involved.

i) Offering bribes to College staff or those holding senior positions; persistent non-payment of financial obligations to the College are covered;

j) Unauthorized appropriation of assets or services within the College is prohibited.

k) Unauthorized possession of deadly weapons (firearms, explosives, knives, etc.) or endangering the well-being of members of the university community are prohibited. Possession, use, storage, or transportation of firearms, explosives, fireworks or hazardous chemicals is prohibited, except for vehicles / materials for which there is an authorization for use in the classroom.

l) Demolition, damage or destruction of public or private property are prohibited. The property owned by the College, or the property under the custody or control of the College, may not be entered or used for an improper purpose, without proper authorization, or by helping others to do so;

m) False testimony or concealment of evidence before the Collegiate Bodies or members of the College staff. False reporting of the presence / threat of a bomb, equipment or other hazard situation: Recognizing and not reporting an event / act that endangers College members are prohibited. Realization of refutations in the material in the context of an academic task; changing information or data and presenting them as lawful; providing false / misleading information to a lecturer or College official; sabotaging or stealing another person's task, book, work, notes, experiment, project, software or electronic hardware; obtaining a copy of the exam or assignment prior to issuance approved by the lecturer; selling, distributing, posting on the website or publishing notes of lectures, handouts, reviews, registrations, or other information provided by a lecturer, or their use for commercial purposes, without the permission of the lecturer; falsifying the signature on a letter of recommendation or any other document of a lecturer; putting one person's name on another person's exam or assignment; changing a previously assessed exam or assignment for the purposes of a grade appeal or to earn points in a reassessment process. Plagiarism is a violation of the Student Ethics Code referred to in Article 23 of this Code.

n) Harassment of any kind against College staff or students. Engaging a behavior in verbal, electronic, visual, written, or physical (physical) form toward an individual or group of individuals that is likely to provoke / result in a negative, damaging reaction, and in mental or emotional stress. This behavior may include:

1) Direct or implicit threat to the university activity of other members of the College, university organizations or groups.

2) Unjustified obstruction / interference in school and university activities, personal activities of other members including, but not limited to: conduct / communications that interfere with or obstruct the work of the instructor / lecturer in the auditorium, laboratory, professional practice, or related activities directly with teaching, mentoring and academic counseling, or support services throughout the College community.

3) Creating a frightening or humiliating situation / environment, causing personal, social, academic, psychological, emotional, or unnecessary stress.

o) Participation or organization in betting activities within the premises of the College is prohibited. Participating in demonstrations, riots or activities that disrupt the normal functioning of the College and / or violate the rights of others or leading or inciting other members to disrupt normal and / or planned activities.

p) Violation of the regulations or policies set by the College which include: unauthorized use or violation of computer equipment, drinking alcohol, smoking, unauthorized entry, use or violation of the College's physical equipment and facilities. Theft or attempted theft of College property and / or services; conscious possession and transportation of stolen property; inappropriate use or conversion of another's property for personal use. The code also includes identity theft.

q) Verbal, physical and sexual threats, abuse or violence.

r) Revenge or persecution directly or indirectly after any decision has been taken against members of the Ethics Council or other body involved in the matter. Persecution is defined as the intentional, malicious, and repetitive harassment of a person that causes feelings of fear, threat, harassment, or rape. Persecution is the behavior of a student who maintains a repetitive attitude towards another person and creates a credible threat with the intent to intimidate his or her safety or that of his or her family. The harassment can be physical or at official email addresses.

s) Attempts to commit the aforementioned acts or cooperation in the aforementioned acts.

# II. DISCIPLINARY RESPONSIBILITY

Disciplinary violations

The notion of disciplinary violations

Article 10

Disciplinary violation is any violation which by this Regulation is provided as a disciplinary violation, which constitutes a violation of the provisions of student obligations and is committed with intent or gross negligence.

**Types of disciplinary violations**

Article 11

Disciplinary offense can be minor or serious.

Minor disciplinary violations

Article 12

Minor disciplinary violations are considered:

1) violation of the order of lectures, exercises, exams and other forms of teaching, which is not considered as the most serious disciplinary violation;

2) intentional damage to the property of the College funds, if the damage does not exceed the value of 50 euros;

3) inappropriate behavior towards teachers, associates, personnel and other staff, students, faculty guests, or persons present at the Faculty;

4) non-response to the invitation of the disciplinary body;

5) sending inappropriate emails;

6) adverse reactions to instructions or routine problems;

7) not accepting the performance of daily tasks at due time;

8) minor acts of intentional non-cooperation;

Serious disciplinary violations

Article 13

Serious disciplinary violations are considered:

1) organizing of political, party and religious activities in College;

2) expressing and inciting national, religious and political hatred;

3) intentional obstruction of teaching and examinations;

4) use of illegal equipment in the exam as well as passing the exam against the rules of study;

5) entering the exam instead of the other student;

6) changing data and adding notes to official documents issued by the College;

7) changing data and adding notes to College records;

8) forgery of signature, seal or other marks on official documents;

9) giving false notes about oneself, for the purpose of benefits;

10) organizing the boycott of the lesson or participating in it;

11) theft of College property, College staff or other students;

12) initiating beatings or participating in beatings on the premises of the College, or in the courtyard of the College, as well as causing riots in these places;

13) the use of alcohol or narcotics in the College and the incitement of others to do so;

14) Intentional violation of safety due to non-compliance with the rules for protection at work;

15) unauthorized photocopying of exam preparation and examination material;

16) unauthorized use of laboratories, laboratory equipment or computers in the Informatics cabinet, for non-academic purposes;

17) continous rehearsal (several times) of minor violations: rehearsal of three public warnings and rehearsal of two reprimand for disciplinary violations during studies;

Unpredicted disciplinary violations

Article 14

The disciplinary measures provided above, which are given for actions and under certain conditions can be given for other violations of the same importance and the same characteristics.

Rehearsal of disciplinary violations

Article 15

If the action or conditions for which a disciplinary measure has been given is repeated, then a more severe degree disciplinary measure is given. If actions are taken or we are in conditions which are considered with the same disciplinary measure taken before, then a more severe degree disciplinary measure is given.

**III. DISCIPLINARY MEASURES**

Article 16

The following disciplinary measures may be imposed on students for minor disciplinary offenses:

- Public remarks

- Reprimand

Article 17

The following disciplinary measures may be imposed on a student for serious disciplinary violations:

* Strict reprimand
* Obtaining the right to take exams for 3 months
* Obtaining the right to take exams for 6 months
* Suspension of the right to continue studies at the Faculty for a period of 1 to 2 semesters
* Exclusion from the Faculty

**IV. DISCIPLINARY BODIES**

Article 18

The Student Disciplinary Commission is responsible for enforcing the disciplinary procedure and enforcing the disciplinary measure.

The Teaching-Scientific Council of the Faculty is responsible for the implementation of the disciplinary measure of expulsion from the Faculty, based on the proposal of the Disciplinary Commission for students.

The Disciplinary Commission for Students consists of the Chair of the Commission, two members and their deputies.

The Chairperson of the Commission, the Deputy Chairperson, one member and his / her deputy are elected from among the teachers and collaborators of the College, while the second member and his / her deputy are elected from among the students of the College.

Article 19

Against the decision of the Disciplinary Commission, the student can submit an objection addressed to the Education-Scientific Council of the Faculty, within 8 days from the date of imposition of the disciplinary measure by the Disciplinary Commission for students.

Against the decision of the Education-Scientific Council of the Faculty, for exclusion from the Faculty, a complaint is submitted to the Senate of the College for reconsideration of the decision.

**V. DISCIPLINARY PROCEDURE**

Initiation of the procedure

Article 20

The submission of the violation of the student's obligations can be done by any teacher, collaborator, College employee or other student, by completing the Written Report for breaking the disciplinary rules.

Article 21

The report for violation of disciplinary rules contains: data on the perpetrator of the violation (name, surname and file number), information about the place and time of the violation, description of the violation, against whom the violation was committed, witnesses for the commission of the violation, the persons implicated in the violation, the type of disciplinary violation, the initiator of the violation, the participants in the violation, the statement of the complainant, the name and surname of the complainant, the position, the date of filing and the signature.

Article 22

The student disciplinary commission may:

* cancel the reporting if action is not defined as a disciplinary violation by this Regulation, or the reporting is obsolete under this Regulation;
* return the request to the applicant for additional information;
* complete the disciplinary procedure;
* implement the disciplinary procedure.

Article 23

The disciplinary procedure is initiated upon request, no later than 15 days from the day of the disciplinary violation.

The disciplinary procedure is initiated by the Dean of the Faculty.

The disciplinary procedure begins with the filing of a request for the initiation of disciplinary proceedings against the perpetrator.

Article 24

The request for initiating the disciplinary procedure is submitted by the Head of the Disciplinary Commission no later than 8 days before the beginning of the other stages of the disciplinary procedure, in order to have time for preparation for defense.

The student is handed the invitation to appear in the College, to complete the personal statement.

Article 25

If the Disciplinary Commission needs to conduct additional investigations, it appoints one of the members of the Commission, in cooperation with the administration of the College, to conduct additional investigations into the case.

During the additional investigations, the necessary data for the establishment of the case are collected.

Article 26

The discussion before the Disciplinary Commission is done orally and in public.

Article 27

During the discussion, the Commission ascertains the important factual situation for making the decision for the disciplinary violation of the student and imposing of the disciplinary measure.

Article 28

The discussion is appointed and chaired by the Chairperson of the Disciplinary Commission.

The chairperson sets the date, time, place of the hearing, invites the student against whom the procedure has been initiated, his / her defense counsel if any, witnesses and the applicant.

Article 29

Invitations for the discussion session are delivered to the student at the College during the lesson, or by mail to the home address.

Implementation of the procedure

Article 30

The Chairperson of the Disciplinary Commission ascertains the presence of the guests in the discussion.

If the student did not come to the discussion, the chairperson ascertains whether the student has been duly notified of the discussion.

If the student has been duly invited but has not justified his absence, the Chairperson of the Commission decides whether to hold the discussion in his absence or not.

If the student has not been duly notified, the discussion is postponed for another day, and the chairperson sets the date, time and place of the next discussion.

If the student does not participate in the discussion due to illness, the chairperson may decide to postpone the discussion. The student proves this with a doctor's certificate.

Article 31

The absence of the applicant (complainant) is not an obstacle to holding the discussion.

Article 32

The Chairperson of the Disciplinary Commission informs the participants about the content of the disciplinary case (by reading the request for violation, and the report of additional investigations, if they have been conducted).

Article33

The Chairperson of the Disciplinary Commission invites the student to give his oral statement and arguments for defense.

Article 34

After the student's defense, the Disciplinary Commission discloses the facts: it hears witnesses and testimonies of additional investigations.

Each member of the Commission has the right to ask questions to the participants in the discussion.

Article 35

If, in addition to the violation of the student's obligations, material damages have been caused, the issue of compensation for material damages is also examined in the liability procedure.

Article 36

After giving the final word to the student and the applicant, the discussion session ends.

Article 37

During the discussion, a written record is kept, by the administration workshop, appointed by the dean.

The minutes are signed by the chairperson and members of the disciplinary commission, the student and the applicant.

Article 38

Legal administrative interpretations for the needs of the Commission are performed by the secretary of the College.

Determining responsibility

Article 39

After the end of the discussion, only the members of the Disciplinary Commission remain in the hall, who start the decision-making procedure.

The decision may be unanimous or by a majority vote of the total number of members.

Article 40

During a disciplinary procedure, no more than one disciplinary measure can be imposed on a student.

Article 41

Each disciplinary measure is published on the notification board and the decision is delivered to the student, the applicant, the archive and a copy is placed in the student file.

Article 42

If the Disciplinary Commission for students finds that the violation of student obligations also contains elements of a criminal offense, the relevant state bodies should be notified.

Student Defender

Article 43

The student has the right to hire a lawyer as his defense counsel.

Mitigating or aggravating factors

Article 44

When making a decision on a disciplinary measure, the following are taken into account:

* the severity of the violation and its consequences
* the degree of student’s responsibility
* the conditions in which the violation was committed
* the student's previous behavior
* the student’s behavior during the procedure.

Procedure deadlines

Article 45

The disciplinary procedure is initiated no later than 15 days from the day of the disciplinary violation.

The Disciplinary Commission must take the first action in the procedure within 15 days at the latest.

The deadline for submitting the student's objection to the decision of the first instance by the Disciplinary Commission is 8 days from the date of receipt of the decision.

Disciplinary proceedings may not be initiated or enforced if 3 months have elapsed from the day the violation was established.

**VI. SECOND DEGREE DISCIPLINARY PROCEDURE**

Article 46

The education-scientific council of the faculty, as a second instance body, must make a decision on the student's complaint within 30 days from the day the complaint is submitted.

The student has the right to participate in the meeting of the Teaching-Scientific Council of the Faculty, in which the issue of his complaint is examined, where he can state regarding the important facts for the defense.

Article 47

The second instance body may:

* verify the decision of the first instance
* accept the complaint as valid and review the decision
* accept the complaint as valid, revoke the decision of the first instance and return it to the body of the first instance for reconsideration.

Article 48

The decision of the body of the second instance is final, except in cases when the decision is for exclusion from the Faculty, in which cases Article 19, paragraph 2 of this Regulation applies.

**VII. MATERIAL RESPONSIBILITY**

Article 49

Material liability is the student's liability for damages caused to the College.

The existence of damages, the circumstances in which it was caused, the amount of damages and the perpetrator of the violation are determined by the Student Disciplinary Commission.

Article 50

A student who intentionally or by negligence causes material damage to the College is obliged to compensate them.

If the material damage was caused by more than one student, each student is responsible for his or her share of the damage caused.

If the degree of liability for the damage caused cannot be determined for each student, it is considered that all students have the same responsibility and compensate the damages equally.

Article 51

If the student does not compensate the damages within 3 months from the day he received the decision for material compensation, the College can initiate the procedure before the competent court.

# VIII. TRANSITIONAL AND FINAL PROVISIONS

Article 52

The Regulation can be amended according to the procedure of its approval.

Article 53

This Regulation comes into force on the day of approval by the Senate of the College.

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Dt.31.03.2021