

Bartësi Privat i Arsimit të Lartë



ALMA MATER EUROPAEA CAMPUS COLLEGE REZONANCA



Tel: +383 38 544-754
Fax: +383 38 544-756

URL: <http://www.rezonanca-iks.com>

Date:	AD-450-5/23
Nr. of reference	31.01.2023

REGULATION ON DISCIPLINARY MEASURES AND PROCEDURES AGAINST ACADEMIC STAFF

The Steering Committee of the College, based on Article 13, point 1.4 of the College Statute, and in accordance with the recommendation of the Senate, pursuant to Article 43, point 2 of the Code of Ethics, at the meeting held on 31.01.2023, has approved the following.

REGULATION ON DISCIPLINARY MEASURES AND PROCEDURES AGAINST ACADEMIC STAFF

General Principles

The College is guided by a vision that emphasizes the importance of creating an environment that promotes the development, expansion, and critical analysis of knowledge and values, paving the way for the advancement of scientific research and quality-based education. Higher education at the College aims to provide a sustainable platform for academic development and intellectual innovation.

In accordance with the College Statute, the academic staff has important responsibilities to:

- Convey and support the principles of humanism, while preserving institutional autonomy and supporting freedom for scientific and artistic creativity.
- Respect professional and institutional responsibilities by strictly implementing the legal acts and decisions of the College.
- Promote and practice professional and scientific integrity, acting with honesty in all their academic duties.

- Safeguard and enhance the reputation of the College through the implementation of the Code of Ethics and a commitment to improving institutional standards.

This Regulation aims to ensure and advance the highest academic and scientific standards, supporting the College's commitment as a high-quality and respected institution in higher education. Through this commitment, the College contributes to the development of a sustainable and professional community that promotes excellence in teaching and research.

Principles of Academic Freedom

This Regulation protects and guarantees the right to academic freedom, including freedom of expression, artistic creativity, and the development of scientific research. These rights are recognized and supported in:

- The Constitution of the Republic of Kosovo,
- Higher Education legislation,
- The College Statute,
- The Code of Ethics.

The College is committed to ensuring that these principles are fully respected and implemented in practice without restrictions.

Evidence and Procedures

No disciplinary decision may be made without clear and substantiated evidence that goes beyond any reasonable doubt. The obligation to secure and verify evidence, as well as to impose the appropriate disciplinary measures, is the exclusive responsibility of the College's decision-making body. This body must follow a fair, evidence-based process to ensure justice and transparency.

I. GENERAL PROVISIONS

Article 1 – PURPOSE

1. This Regulation defines the disciplinary procedures and applicable measures in cases of disciplinary responsibility of the academic staff of the College (hereinafter "the College"), in accordance with the College's Statute, Code of Ethics, and other applicable legal and sub-legal acts within the College.
2. Disciplinary measures are applied by following the procedures set out in this Regulation and must be in accordance with the principle of proportionality. These measures aim not only to address violations but also to serve as educational and corrective tools within a fair and open academic environment.

3. The Regulation is based on the principle of collegiality in the decision-making process, ensuring transparency, fairness, and respect for legality in the handling of every disciplinary case.

II. DISCIPLINARY PROCEDURE FOR THE ACADEMIC STAFF OF THE COLLEGE

Article 2 – Reporting of Disciplinary Violations, Responsible Bodies, and Subjects of the Disciplinary Procedure

1. Any suspected violation must be reported to the Disciplinary Committee of the College or to the College's Ethics Council, depending on the nature of the violation as defined in this Regulation.
2. The Disciplinary Committee addresses violations, both minor and serious. The Committee is composed of five (5) members elected for a four-year term by the Steering Committee.
3. The Minor violations may be reported by:
 - a. The Dean of the respective academic unit;
 - b. Heads of Departments or Programs;
 - c. Any member of the academic staff, who must submit the relevant evidence to the Dean of the academic unit.
4. Serious violations may be referred for review by:
 - a. The Council of the Academic Unit;
 - b. The Dean of the Academic Unit;
 - c. The Rector of the College;
 - d. The Steering Committee;
 - e. The College Board;
 - f. Any interested party, in accordance with the provisions of the Code of Ethics.
5. Any decision of the Disciplinary Committee that affects the academic positions or professional status of the staff must first be confirmed by the Ethics Committee and subsequently by the College Senate.
6. Disciplinary procedures may involve all members of the College's academic staff, including those with full-time or part-time appointments.

Article 3 – Criteria for Reporting a Disciplinary Violation

1. Every reported violation must meet the following criteria:
 - 1.1. Be supported by a documented report with clear and verifiable evidence, in accordance with the laws and regulatory acts of the College;
 - 1.2. Clearly identify the accused person and contain sufficient evidence supporting the allegation beyond any reasonable doubt;

- 1.3. Specify the type of violation, its impact or harm, and the relevant evidence.
2. The Disciplinary Committee must hold at least one (1) hearing session to examine and confront the evidence between the parties involved. The suspected individual has the right to a fair hearing and equal treatment throughout the process.
2. For serious violations, as defined in this Regulation, the decision of the Disciplinary Committee must be approved by the Ethics Committee and subsequently confirmed by the College Senate.
3. All decisions regarding disciplinary violations must be made within a period of thirty (30) days and communicated to the parties involved in a clear and transparent manner.

Article 4 - Categorization of Disciplinary Violations

1. Disciplinary violations are divided into two main categories:
 - 1.1. Minor violations; and
 - 1.2. Serious violations.

Article 5 – Minor Violations

1. A minor violation includes actions or omissions that, due to their limited impact, do not fundamentally undermine the employment relationship of the academic staff. This category includes:

- 1.1. Three unexcused absences within a calendar year;
- 1.2. Failure to maintain official documentation correctly and properly;
- 1.3. Repeated violations of the work schedule without valid reason;
- 1.4. Failure to fulfil responsibilities in organizing the examination process;
- 1.5. Failure to timely address decisions approved by the academic unit;
- 1.6. Actions or mistakes resulting from professional negligence.

2. If minor violations are repeated and at least three disciplinary measures have been taken against them, they may be categorized as serious violations.

1. A minor disciplinary violation is considered any violation that, due to its low level of risk, does not undermine the fundamental employment relationship of academic staff. The following are considered minor violations:
 - 1.1. Three (3) unjustified one-day absences within a calendar year;
 - 1.2. Failure to properly maintain official records and data related to job duties;
 - 1.3. Continuous and unjustified non-compliance with working hours;
 - 1.4. Clear and persistent negligence in organizing examinations concerning scheduling, student distribution, and the timely release of results;
 - 1.5. Failure to address decisions taken by the Academic Unit Council in a timely

manner, including non-compliance with transparency requirements for all decisions at both the evaluative and managerial levels; and

1.6. Other mistakes caused by negligence.

2. If the violations listed in paragraph 1 of this article are repeated multiple times, and at least three (3) disciplinary measures have been imposed for them, such violations may constitute a serious violation.

Article 6 – Serious Violations

1. A serious violation is considered any action that significantly affects employment relations or severely harms the institution, academic integrity, or the parties involved. These violations include:

- 1.1. Serious breach of the Code of Ethics;
- 1.2. Non-compliance with laws governing academic and administrative activities;
- 1.3. Falsification of official documents or manipulation of institutional data;
- 1.4. Use of falsified documents for professional or personal gain;
- 1.5. Use of false degrees, titles, or positions without correcting the error in the relevant documents;
- 1.6. Concealment or failure to submit official documents in accordance with institutional obligations;
- 1.7. Illegal influence or manipulation of the student assessment process or scientific work;
- 1.8. Illegal gain from academic or administrative processes;
- 1.9. Making decisions without following legal procedures;
- 1.10. Providing false information in official documents;
- 1.11. Physical or psychological violence against colleagues, students, or other parties;
- 1.12. Discrimination in any form against other individuals;
- 1.13. Intentional damage to College's property;
- 1.14. Reporting to work under the influence of alcohol or narcotic substances;
- 1.15. Willful failure to perform work duties or performing them inadequately;
- 1.16. False reporting of academic or teaching commitments;
- 1.17. Plagiarism in scientific or academic activities;
- 1.18. Violation of workplace health and safety rules;
- 1.19. Violation of copyright and ethical standards in scientific publications;
- 1.20. Non-disclosure or false disclosure of a conflict of interest;
- 1.21. Misuse of institutional funds for personal gain;
- 1.22. Actions that damage the interests and reputation of the College;
- 1.23. Obstructing colleagues or students from performing their duties;
- 1.24. Intentional concealment or manipulation of facts or evidence;
- 1.25. Unauthorized disclosure of confidential information;
- 1.26. Using institutional authority for personal purposes outside the College;
- 1.27. Unlawful favoritism of individuals in academic or administrative processes;
- 1.28. Intentional discrimination against members of academic or administrative staff;
- 1.29. Any form of harassment that harms an individual's dignity;
- 1.30. Concealment of conflicts of interest in recruitment or promotion processes;
- 1.31. Repetition of three (3) minor violations within one year that have received final

status;

1.32. Any action taken with direct intent that contradicts institutional or legal rules.

Article 7 – Ethics Committee

1. The Ethics Committee reviews and confirms the decisions of the Disciplinary Committee regarding serious violations.
2. In handling disciplinary cases, the Ethics Committee acts in accordance with this Regulation, the College Statute, the Law on Higher Education, the Labor Law, and other applicable legal and sub-legal acts in force.
3. The Committee's decisions must be fully supported by evidence collected by the Disciplinary Committee or by additional new and reliable evidence that meets the standard of proof beyond any reasonable doubt.
4. Reports on violations addressed by the Committee must include the following elements:
 - 4.1. Clear and documented evidence proving the violation;
 - 4.2. Accurate identification of the individual involved in the violation;
 - 4.3. A detailed description of the violation and its impact, including any damage caused.
5. Decisions approved by the Ethics Committee are sent to the Rector and then forwarded for review and approval by the Senate within thirty (30) days from the submission of the violation.
6. Decisions are considered final and enforceable only after being approved by the Senate or the Steering Committee and must be delivered to the interested parties within five (5) working days from the date of approval.
7. The decision must include a clear justification for the established violation, the involvement of the accused individual, and the appropriateness of the disciplinary measure, based on the applicable legal provisions and relevant regulations.

Article 8

Measures for Disciplinary Violations

1. For violations defined in this Regulation and in the Code of Ethics, the following disciplinary measures may be imposed to the academic staff:
 - 1.1. Verbal warning;
 - 1.2. Written warning;
 - 1.3. Temporary suspension of additional financial benefits;
 - 1.4. Exclusion from participation in evaluation committees for a period of three (3) years;
 - 1.5. Exclusion from mentoring at all levels for one (1) year;
 - 1.6. Demotion or downgrade in position;
 - 1.7. Prohibition of professional advancement for up to three (3) years;
 - 1.8. Reduction in academic title;

1.9. Revocation of scientific degree;

1.10. Termination of employment.

2. Disciplinary measures specified in points 1.1 to 1.4 apply to minor violations and are implemented in accordance with applicable legal and sub-legal acts.
3. Disciplinary measures specified in points 1.5 to 1.10 apply to serious violations and are based on the provisions of this Regulation and the relevant legal acts.
4. Decisions regarding minor violations are issued by the College Disciplinary Commission, while for serious violations, measures are proposed by the Ethics Committee and approved by the Senate or the Governing Council of the College.

Article 9

Right to Appeal

1. The decision of the Disciplinary Committee, in the case of minor violations, may be appealed to the Ethics Council.
2. The decision of the Ethics Committee, when reviewing appeals for minor violations, is final within the internal system of the College.
3. For decisions approved by the Senate regarding serious violations, an appeal may be submitted to the Governing Council of the College, which has the authority to make the final decision.

Article 10

Secretariat

1. The central administration of the College provides logistical and administrative support for the functioning of the Ethics Committee. This includes:
 - 1.1. Implementing the procedures and measures defined in the Disciplinary Regulation;
 - 1.2. Providing guidance and advice to members of the Ethics Committee, as needed;
 - 1.3. Collecting, reviewing, and documenting relevant evidence for disciplinary cases;
 - 1.4. Drafting and managing schedules for disciplinary hearings;
 - 1.5. Informing the involved parties of the date, time, and location of the hearings;
 - 1.6. Recording and maintaining minutes of the disciplinary hearings;
 - 1.7. Handling any other procedural matters related to the proper functioning of the Committee.

Final Provisions

Article 11

Implementation and Interpretation of the Regulation

1. The Steering Committee of the College is responsible for the implementation of the

provisions of this Regulation.

2. The interpretation of the provisions contained in this Regulation is carried out by the Steering Committee of the College.
3. In cases where this Regulation does not address specific matters, the provisions of the Law on Higher Education, the Labor Law, the Law on General Administrative Procedure, the College Statute, the Code of Ethics, and the applicable legal and sub-legal acts shall apply.
4. The documents and supporting materials that form an integral part of this Regulation include:
 - Forms for disciplinary procedures;
 - Procedures for submitting and reviewing complaints;
 - Guidelines for the functioning of the Disciplinary Commission;
 - Guidelines for the complaint review process.

Article 12

Repeal

Upon the entry into force of this Regulation, any previous act regulating disciplinary procedures and measures within the College shall be considered repealed.

Article 13

Entry into Force

This Regulation enters into force on the day of its approval and signing by the Chairperson of the Steering Committee of the College.

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Private Bearer of Higher Education



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Interview Record Form

Academic Unit: _____

I. Information on the Interviewee

- Full Name: _____
- Academic/Administrative Position: _____
- Department/Program: _____
- Residential Address: _____
- Phone Number: _____

II. Information on the Interviewer

- First and Last Name: _____
- Position: _____
- Department/Program: _____

III. Interview Minutes

(To be completed by the interviewer. Use the space below to describe the details provided by the interviewee during the session.)

IV. Confirmation and Signatures

- Date of Interview: _____
- Interviewer's Signature: _____
- Interviewee's Signature: _____

Note:

This form must be completed in a detailed and accurate manner during the interview. All information shall be treated confidentially in accordance with the College's Regulation on Disciplinary Procedures.

For Internal Use:

- Reference Code:
- Recorded by:

Form 3.
Verbal Warning Form

Institution: Alma Mater Europaea Campus College Rezonanca

Academic Unit: _____

Verbal Warning Record

I. Employee Information

• First and Last Name: _____

• Academic/Administrative Position: _____

II. Warning Details

• Type of Measure: Verbal Warning

• Date of Issuance: _____

III. Description of the Disciplinary Violation

• Actions or omissions that constitute the violation: _____

IV. Required Improvements

• Actions or changes expected for improvement: _____

V. Further Measures in Case of Non-Compliance

• Disciplinary actions to be taken if the improvements are not observed:

VI. Information on the Person Issuing the Warning

• First and Last Name: _____

• Position: _____

VII. Confirmation and Signatures

- Date of Warning: _____
- Signature of the Person Issuing the Warning (Supervisor): _____
- Signature of the Warned Employee: _____

Note:

This form must be filed in the employee's personal file, and a copy should be submitted to the College's Central Administration or the Ethics Committee for future reference.

For Internal Use:

- Registration Code: _____
- Referred to: _____

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Written Warning Form

Academic Unit: _____

I. Employee Details:

• First and Last Name: _____

• Academic/Administrative Position: _____

• Department/Program: _____

• Date: _____

WRITTEN WARNING (REPRIMAND) FOR DISCIPLINARY VIOLATION

This formal warning is issued to you due to your behavior regarding:

This behavior constitutes an unacceptable disciplinary violation. The following improvements are required:

Note:

Failure to improve your behavior or any similar future violations will result in stricter

disciplinary measures. A copy of this warning will be filed in your personal file with the College administration.

II. Signatures and Date:

- Date: _____
- Signature of the Person Issuing the Warning (Supervisor): _____

Note: This form must be submitted to the College's Central Administration for filing and further procedures.

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Form for Notifying the Subject of an Alleged Violation

Academic Unit: _____

I. Information on the Alleged Subject

- First and Last Name: _____
- Academic/Administrative Position: _____
- Department/Program: _____
- Date of Notification: _____

NOTICE OF ALLEGED VIOLATION

Dear Mr./Ms.,

This letter is to inform you that you are suspected of committing a serious disciplinary violation. A brief description of the alleged violation is as follows:

A statement regarding this violation has been referred to the Disciplinary Commission, which will examine whether there is sufficient evidence to support the allegations and, if so, the case will be forwarded to the College Ethics Committee for a decision on any possible disciplinary action.

You are requested to appear before the Disciplinary Commission at:

- Location: _____
- Date: _____
- Time: _____

The purpose of the Disciplinary Commission is to evaluate the facts related to the case, and during the session, you will have the opportunity to present clarifications regarding your version of events and provide any evidence that may support your position.

Procedure Instructions

1. Please submit any supporting documents at least five (5) working days before the session to ensure that the Disciplinary Commission has sufficient time to review the materials.
2. The session will be conducted in the official language of Kosovo that you prefer and will be recorded using audio equipment for documentation purposes.

Notice

The decision of the Disciplinary Commission regarding alleged serious violations will be forwarded for review to the Ethics Committee and then to the Senate or the Steering Committee of the College for approval, within thirty (30) calendar days. The final decision will be delivered to the parties within five (5) working days from the date of approval.

Right to Appeal: The interested party has the right to appeal the decision in accordance with Article 9 of this Regulation.

II. Signatures and Date

• Date of Notification: _____

• Signature of the Supervisor: _____

Note: This form must be submitted and filed with the College's Central Administration or the Disciplinary Commission for the relevant procedures.

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Form for Notification of Paid Suspension

Academic Unit:

I. Employee Information

- First and Last Name: _____
- Academic/Administrative Position: _____
- Department/Program: _____
- Date of Notification: _____

Notification of Paid Suspension

Dear Mr./Ms.,

Through this notice, we inform you that, based on the allegations made regarding a serious disciplinary violation:

You are suspended from your duties until the completion of the investigation and disciplinary procedure.

Reasons and Restrictions During the Suspension Period:

1. **Reason for Suspension:** The measure has been taken to safeguard the interests and functioning of the College and the relevant unit during the course of the procedure.

2. **Restrictions During Suspension:**

- You are not allowed to perform any work duties until the conclusion of the procedure.
- Visiting College premises, including academic and administrative areas, is prohibited, except when required for the investigation or otherwise notified by the competent authorities.

3. **Date of Return to Duties:** You are required to return to your workplace on: _____, unless otherwise notified.

Note:

A copy of this notice will be placed in your personal file for future reference.

II. Signatures and Date

• Date of Notification: _____

• Signature of the Supervisor: _____

Instructions for Central Administration:

This form must be retained and filed by the College's Central Administration to ensure proper procedural follow-up and for further monitoring.

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Form for Communicating the Decision of the Competent Authority

Academic Unit: _____

I. Employee Information

- First and Last Name: _____
- Academic/Administrative Position: _____
- Department/Program: _____
- Date of Decision: _____

Decision of the Competent Authority

(Disciplinary Commission, Ethics Committee, Senate, or Steering Committee)

Dear Mr./Ms., _____

After reviewing your case by (specify the competent authority) on _____, and evaluating all the evidence presented, the competent authority has made the following decision:

Measures Taken in Cases of Serious Violations:

If it has been determined that you committed a serious violation, the disciplinary measures imposed are as follows:

Right to Appeal:

If you do not agree with this decision, you may exercise your right to appeal in accordance with the relevant article of the College Regulation.

II. Signatures and Date

• Date of the Decision: _____

Signature of the Supervisor: _____

Note :

A copy of this decision will be delivered to the concerned parties and filed in the employee's personal file by the College's Central Administration for future reference.

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GUIDELINES FOR CONDUCTING A DISCIPLINARY HEARING AT THE COLLEGE

2.1. Key Points

- Before conducting the disciplinary hearing, the Commission/Ethics Committee must prepare carefully, ensuring that all relevant facts and documents are collected and accessible.
- The alleged subject must be clearly informed of the type of alleged violation and made aware of all their rights in accordance with the disciplinary procedures.
- The subject must be given sufficient time to prepare their defense and the opportunity to provide a full explanation of the case.
- Investigations must be thorough and impartial, including detailed interviews with the alleged subject, the reporter of the violation, and any possible witnesses.
- Every statement and piece of evidence must be carefully examined to ensure a fair assessment of the case.
- In cases where additional time is required for a full analysis, the hearing may be postponed to another date.

2.2. Preparation for the Hearing

- Prepare a file with all relevant documents, including:
 - o Personal information of the subject;
 - o Disciplinary data;
 - o Additional documentation, such as previous warnings or notes on absences;
 - o Witness statements, where applicable.

- Inform the alleged subject about the scheduled procedure and ensure they are aware of the details of the hearing.
- Verify if there are any circumstances that could affect the evaluation of the case and take them into account.

Allow sufficient time for the subject to prepare and review the case materials.

- Schedule a date and time for the hearing and notify the subject at least two working days in advance.
- Review previous decisions in similar cases to ensure fairness and consistency in disciplinary measures.

2.3. Conducting the Hearing

The Chairperson of the Disciplinary Commission or Ethics Committee should:

- Introduce the members of the Commission and the administrative representative documenting the process.
- Invite the alleged subject to present themselves.
- Explain the purpose of the hearing and how the procedure will be conducted to reach a fair and fact-based decision.

2.4. Statement of the Alleged Subject

The Chairperson should:

- Clearly present the charges and provide a brief summary of the evidence collected.
- Ensure that the subject has access to statements and evidence submitted by witnesses.
- Invite the subject to make a statement regarding the charges and provide detailed clarifications about the events.

2.5. Response of the Alleged Subject

The Commission should:

- Give the subject the opportunity to explain their case and respond to all allegations made.
- Allow the subject to ask questions and summon witnesses who may help clarify the matter.

2.6. Discussion and Analysis

The Commission should:

- Use clear and structured questions to ensure accurate and complete information about the facts.
- Maintain a professional approach and avoid personal remarks or behavior that could be interpreted as unfair.
- Suspend the procedure if it becomes evident that there is insufficient evidence to support the allegation.

2.7. Summary of Discussions

The Chairperson should:

- Objectively summarize the key points of the discussion and ensure that every aspect of the case has been addressed.
- Ask the subject whether they feel they have been treated fairly and given the opportunity to fully express their views.

2.8. Adjournment and Decision

The Commission may:

- Adjourn the hearing to allow further reflection on the evidence or to gather additional information.
- Schedule a second session if further investigation is deemed necessary.

2.9. Guidelines for Decision-Making

The Commission should consider:

- The subject's disciplinary history and professional performance.
- Mitigating or aggravating factors that may influence the disciplinary measure.
- The importance of maintaining consistency and fairness in decisions for similar cases.

2.10. Decision of the Commission/Committee

The decision should:

- Include a summary of the facts and evidence.

- Explain the conclusions based on these facts.
- Specify the disciplinary measures taken, the reasoning behind them, and guidance for improvement.
- Outline the deadlines and procedures for appeal.

2.11. Filing and Confidentiality

All relevant documents and decisions must be securely maintained and treated as confidential information by the College's Central Administration.

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Complaint Registration Form

Filing the Complaint

- Full Name of the Complainant: _____
- Department/Program: _____
- Academic/Administrative Position: _____
- Address: _____
- Phone Number: _____

Brief Description of the Complaint:

Note: Please attach copies of supporting documents, including a copy of the disciplinary decision (if the complaint is related to a disciplinary decision).

Declaration and Signature

- Date of Filing the Complaint: _____
- Signature of the Complainant: _____

Acknowledgment of Complaint Receipt

Your complaint dated _____ has been received by:

- Full Name of the Recipient: _____
- Date of Receipt: _____

Note:

You will be informed about the review of the complaint and, if necessary, the date, time, and location of the review hearing.

Copies:

- A copy of the form will be provided to the complainant.
- A copy will be filed by the recipient of the complaint in the relevant College administration.

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Form for Acceptance or Rejection of a Complaint

I. Complaint Details

- Full Name of the Complainant: _____
- Address of the Complainant: _____
- Date of Filing the Complaint: _____

Complaint Against: _____

II. Decision of the Competent Authority

1. If the Complaint is Accepted:

Your complaint dated _____ will be reviewed by (specify the competent authority).

You will be contacted regarding the date, time, and location of the hearing for the complaint review.

2. If the Complaint is Rejected:

Your complaint dated _____ has been rejected for the following reasons:

Legal Advice:

If you are not satisfied with this decision, you may exercise your right to appeal to the competent court in Prishtina.

III. Signatures and Date

- Date of the Decision: _____
- Head of the Competent Authority: _____

Signature of the Head:

Note:

A copy of this form will be provided to the complainant, and another copy will be filed by the competent authority for further review.

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Form for Appealing a First-Level Decision

I. Complaint Details

- Date of Filing the Appeal: _____
- Appeal Against Decision: _____

II. Decision of the Competent Authority on the Appeal

1. If the Appeal is Accepted:

The competent authority reviewing the appeal (specify authority) has accepted the appeal and decided as follows:

2. If the Appeal is Rejected:

The competent authority reviewing the appeal (specify authority) has rejected the appeal for the following reasons:

Legal Advice:

If you are not satisfied with this decision, you have the right to appeal to the competent court in Prishtina.

III. Signatures and Date

- Date of Decision: _____
- Head of the Competent Authority: _____
- Signature of the Head: _____

Note:

A copy of this form will be provided to the complainant, and another copy will be filed by the competent authority for further documentation.

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GUIDELINES FOR CONDUCTING A COMPLAINT REVIEW HEARING

4.1. Key Points

1. Session Preparation

- The competent authorities must ensure that all relevant facts, documents, and evidence are collected and accessible to all involved parties.

2. Information on Procedures

- The complainant must be clearly informed about the procedures and their rights.

3. Time for Preparation

- The complainant should be given sufficient time to prepare the case, including the opportunity to collect and submit supporting documents.

4. Hearing and Recording

- Statements from all parties must be carefully heard and recorded in the minutes to ensure accurate documentation for decision-making.

4.2. Preparation for the Review Hearing

1. Provision of Facts

- All relevant facts and documents, including written witness statements, must be available.

2. **Notification of Procedures**

- Inform the complainant about the process and their rights to representation and accompaniment during the hearing.

3. **Special Circumstances**

- Identify any mitigating or aggravating circumstances that may influence the case and take them into account.

4. **Anonymous Informants**

- If witnesses request anonymity, ensure that their statements are supported by verifiable evidence and genuine intent.

5. **Transparency**

- The complainant must be provided with all relevant documents and evidence at least five (5) working days before the hearing.

6. **Session Organization**

- Set the date, time, and location of the hearing and inform the complainant at least two (2) working days in advance.

7. **Consistency with Previous Cases**

- Review similar cases to ensure consistency and fairness in treatment.

8. **Evidence from Outside the College**

- If witnesses cannot attend in person, try to obtain written statements from them.

9. **Hearing Planning**

- Prepare a clear session structure and a list of key issues to be discussed.

4.3. Conducting the Review Hearing

1. **Introduction of Parties**

- The chairperson should introduce the members of the competent authority.

2. **Purpose of the Hearing**

- The chairperson should clarify the purpose of the session and the importance of an objective review of the facts.

3. Hearing Procedure

- Explain how the hearing will proceed and ensure all parties are informed about the process.

4.4. Statement of the Complainant

1. Presentation of the Case

- The complainant should be invited to present their case clearly and provide supporting evidence and witnesses.

2. Respect for Time

- The complainant must be given sufficient time to provide a full explanation of the case.

4.5. Responses and Discussions

- All parties should be given the opportunity to respond to statements and evidence presented.
- Discussions should be conducted professionally, ensuring fairness and impartiality.
- Questions should be structured clearly to gather complete and accurate information regarding the facts.

4.5. Responses from the Parties

1. Responses from the Parties

- All involved parties must have the opportunity to provide explanations and respond to the complainant's statements.

2. Clarification of Facts

- Members of the competent authority should ask questions to clarify and verify the facts.

4.6. Questions and General Discussions

1. **Review of Facts**

- All circumstances should be examined, and a thorough analysis of the evidence must be conducted.

2. **Formulation of Questions**

- Use open-ended questions to obtain detailed information and closed-ended questions to clarify specific facts.

4.7. **Summary of the Hearing**

1. **Summary of the Case**

- The chairperson must summarize the key points and ensure that all parties understand every aspect discussed.

2. **Confirmation by the Parties**

- The complainant should be asked to confirm whether they feel they have been treated fairly and whether they have anything further to add.

4.8. **Postponement of the Hearing**

- If necessary, the hearing may be postponed to gather additional evidence or to allow for deeper consideration of the case.

4.9. **Decision on the Complaint**

1. **Types of Decisions**

- Rejection due to insufficient evidence.
- Full approval and annulment of the first-instance decision.
- Partial approval with relevant modifications.
- Modification or improvement of disciplinary measures.

2. **Factors to Consider**

- Consistency with similar cases and the impact of the decision on the complainant's professional relationships and career.

4.10. Final Decision

- The final decision must be clearly documented, including reasoning, evidence considered, and instructions for any appeals or follow-up actions.

1. Content of the Final Decision

The final decision must include a summary of the case, the statements, the evidence, and the conclusions of the competent authority.

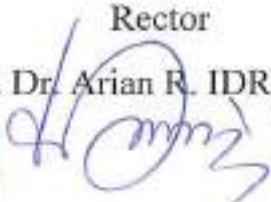
2. Format of the Decision

The decision must be clear, fact-based, and well-reasoned, including all measures taken and deadlines for appeals.

Note:

The final decision must be delivered in writing and filed confidentially for future reference.

Rector
Acad. Prof. Dr. Arian R. IDRIZAJ MD



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