



Kolegji AAB
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REGULATION ON DISCIPLINARY MEASURES AND PROCEDURES

Under the legal provisions of Article 33 of the Statute of AAB College and Article 4 of the Steering Committee rules of procedures, the Steering Committee in its meeting held on 15.12.2021 adopted the following:

REGULATION ON DISCIPLINARY MEASURES AND PROCEDURES

Article 1

Aim

1. The aim of this Regulation is to define:
 - 1.1.The disciplinary procedures of the academic staff, non-academic staff and students.
 - 1.2.Appointment of the Disciplinary Committee;
 - 1.3.Disciplinary measures;
 - 1.4.Complaint procedure.

Article 2

The scope

The regulation applies to academic staff, non-academic staff, and students.

Article 3

Disciplinary procedure

1. Any individual who identifies an alleged disciplinary violation (misconduct) or is a party of the alleged disciplinary violation (misconduct), has the right to submit it to the Disciplinary Committee, at the level of the institution or at the level of the faculty.
2. The filing of the alleged disciplinary violation (misconduct) can only be made in writing and documented by evidence.
3. The Disciplinary Committee upon receiving the written complaint makes an early review of the case and necessitates further evidence from all parties involved in the suspected violation (misconduct);
4. Upon receipt of sufficient documentation, the Disciplinary Committee investigates the case; interviews the suspected violator; and the person reporting it; analyzes the given



statements; and decides based on the assessment on the nature of the violation (misconduct) and the appropriate disciplinary measures.

5. To reach a decision for specific cases, the Disciplinary Committee may organize a hearing with all the parties all together that are involved in the case to confront the evidence and data presented.

Article 4

Disciplinary Committee for Academic and Non-Academic Staff

1. Any suspected or alleged disciplinary violation (misconduct) of academic staff and non-academic staff is presented to and handled by the Disciplinary Committee at institutional level;
2. The Disciplinary Committee at the institutional level is a permanent body which is established by the Steering Committee, and it is comprised of three (3) members;
3. The members of the Disciplinary Committee are appointed for a three-year term., with a possibility of reappointment for another term;
4. The members of the Disciplinary Committee are appointed from the levels of academic staff, management, and administrative staff.

Article 5

Disciplinary Committee for Students

1. Any disciplinary violation (misconduct), alleged or suspended of students is reported and handled by the Disciplinary Committee at the faculty level;
2. The Disciplinary Committee at the Faculty level is a permanent body which is established by the Faculty Teaching Council, and it is comprised of three (3) members;
3. The members of the Disciplinary Committee are appointed for a four-year term., without the possibility of reappointment for another term;
4. The members of the Disciplinary Committee are appointed from the levels of full-time academic staff.



Article 6

Disciplinary violations (misconduct) for academic and non-academic staff

1. Consistent with this Regulation, the violations are categorized into minor violations and major violations;
2. The academic and non-academic staff are obliged to comply with the obligations that derive from the institutional general acts and from this Regulation;
3. The academic and non-academic staff shall carefully utilize the property that is used during work and protect it from damage;
4. The academic and non-academic staff may be liable to disciplinary violations in cases of violating the institutional legal rules.

Article 7

Minor disciplinary violations

1. Minor disciplinary violations (misconduct) are considered but are not limited to:
 - 1.1. Unexplained/unjustified absence from work;
 - 1.2. Minor careless mistakes or repeated mistakes;
 - 1.3. Unethical and/or inappropriate behavior/conduct in the workplace (institution)
 - 1.4. Unintended damage of property within the institution;
 - 1.5. Organizing meetings and gathering without institutional prior consent.

Article 8

Major Disciplinary Violations

1. Major disciplinary violation (misconduct) is considered but not limited to:
 - 1.1. Unexplained/unjustified opposition to the work performance, neglect of duties and decisions given and taken by the employer;
 - 1.2 Theft, fraud, forgery and damage or unauthorized use of institutional property;
 - 1.3. Unexplained/unjustified absence from work;
 - 1.4. Non-compliance with working hours;
 - 1.5. Recurrent faults which disarrange the standard course of work;



- 1.6. Borrowing and/or giving record keeping time (work) tracking card in the workplace;
- 1.7. Direct or indirect discrimination and misbehavior towards other individual on grounds of gender, race, color, language, religion, rural vs urban residence, thought, political, social, sexual orientation and other cases protected by law;
- 1.8. Harassment is any verbal or physical conduct designed to threaten, intimidate, violate the dignity or coerce an employee, co-worker, or any person working for or on behalf of the institution;
- 1.9. Misconduct outside the workplace that does not match with the staff's and student's status that may affect negatively or dishonor the institution;
- 1.10. Willful property damage;
- 1.11. Disclosure of business secrets;
- 1.12. Disclosure and distribution of confidential internal documents;
- 1.13. Disclosure of personal data;
- 1.14. Use of alcohol or drugs in the workplace which affects job performance with obtaining and using while at work, interfering with attention and concentration;
- 1.15. Giving a false information vis-à-vis the conflict of interest;
- 1.16. Aggressive, intimidating or offensive behavior in the workplace;
- 1.17. Integrity and image violation of the institution, faculty, academic staff, non-academic staff and students;

Article 9

Student disciplinary violation

1. Consistent with this Regulation, the violations are categorized into minor violations and major violations;
2. Students are obliged to comply with the obligations that derive from the institutional general acts, study contract, and from this Regulation;
3. Students shall carefully utilize the property that is used during work and protect it from damage;
4. Students may be liable to disciplinary violations in cases of violating the institutional legal rules.



Article 10
Minor disciplinary violations

1. Minor disciplinary violations are considered but are not limited to:
 - 1.1. Inappropriate behavior in the premises of the institution;
 - 1.2. Disturbing the order and tranquility during lectures and exercises as well as hindering the work of teachers and students;
 - 1.3. Unintended institutional property damage: teaching equipment, laboratories, computers, library and other property;
 - 1.4. Performing other activities that damage and violate the institutional, academic staff's, non-academic staff's and other employees' authority;

Article 11
Major Disciplinary Violations

1. Major disciplinary violation is considered but not limited to:
 - 1.1. Falsification, data forgery in the certificates and other documents issues by the institution;
 - 1.2. Giving inaccurate information to institutional bodies for certain purposes;
 - 1.3. Impersonating or being impersonated and false authorship during course evaluations using the name and the account of another student;
 - 1.4. Cheating during exams and being involved in other academic fraud;
 - 1.5. Using phones and/or other devices during lectures and exams;
 - 1.6. Test, assignment or theft and its unauthorized distribution;
 - 1.7. Borrowing and/or giving student's record keeping card for class attendance or evaluation;
 - 1.8. Unauthorized recording, photographing and its distribution of teaching materials;
 - 1.9. Willful property damage;
 - 1.10. Disrespect and disobedience towards Professors and instructions given by them, offence and other actions that hinder the learning/teaching process;
 - 1.11. Use of alcohol or drugs in the in the institution;
 - 1.12. Violating other people's integrity;



- 1.13. Conducting actions that are contrary to the institutional rules;
- 1.14. Disguising, helping and not reporting disciplinary violation;
- 1.15. Direct or indirect discrimination and misbehavior towards other individual on grounds of gender, race, color, language, religion, rural vs urban residence, thought, political, social, sexual orientation and other cases protected by law;
- 1.16. Harassment is any verbal or physical conduct designed to threaten, intimidate, violate the dignity or coerce any person within the institution;
- 1.17. Causing, organizing and assisting in incidents within institution;
- 1.18. Integrity and image violation of the institution, faculty, academic staff, non-academic staff and students;
- 1.19. Any conduct which constitutes elements of criminal offence;
- 1.20. Endangering health or safety of students, academic staff and non-academic staff;
- 1.21. Non-compliance with the obligations arising from the institutional general acts, and with this Regulation;
- 1.22. Unauthorized use of institutional name, logo and documents;
- 1.23. Unauthorized account creation in social media and network on behalf of the institution.

Article 12

Disciplinary measures for academic staff and nonacademic staff

1. The Disciplinary Committee may enact one of the following measures depending on the type of the alleged disciplinary violation;
 - 1.1. Verbal notice;
 - 1.2. Written warning;
 - 1.3. Position downgrading;
 - 1.4. Compensation for damage;
 - 1.5. Financial Penalty;
 - 1.6. Unpaid suspension from work for maximum three (3) months;
 - 1.7. Termination of employment;



2. The Disciplinary Committee might enact more than one measure by combining the above-mentioned measures subject to the nature of the disciplinary violation;
3. The disciplinary procedure shall not exceed 30 days of time period from the time of receipt of the case by the Disciplinary Commission, to reviewing the case, classifying the misconduct (violation), reviewing the documentation, organizing the hearing, and reaching the decision by the first instance of the Disciplinary Committee.
4. Disciplinary proceedings shall not be initiated against academic and non-academic staff after the expiration of three-month period from the day of report on the violation for minor disciplinary violation, and six-month period for serious disciplinary violations.
5. The decision taken by the Disciplinary Committee shall be recorded in person's folder and it shall be subject to performance assessment process.
6. In cases of disciplinary violation being against other people, and/or property risk, the Disciplinary Committee or the Supervisor might decide to suspend the alleged offender from work for the time the investigation and the disciplinary proceedings are underway.

Article 13

Disciplinary measures for students

The Disciplinary Committee may enact one of the following measures depending on the type of the alleged disciplinary violation;

- 1.1. Verbal notice;
 - 1.2. Written warning;
 - 1.3. Pre-expulsion;
 - 1.4. Compensation for damage;
 - 1.5. Loss of scholarship or financial assistance;
 - 1.6. Exclusion from taking exams for a minimum one term or maximum two terms;
 - 1.7. Suspension from the Faculty for one year;
 - 1.8. Permanent expulsion from the Faculty.
2. The Disciplinary Committee might enact more than one measure by combining the above-mentioned measures subject to the nature of the disciplinary violation (misconduct);



3. The disciplinary procedure shall not exceed 30 days of time period from the time of receipt of the case by the Disciplinary Committee, to reviewing the case, classifying the misconduct (violation), reviewing the documentation, organizing the hearing, and reaching the decision by the first instance of the Disciplinary Committee.
4. Disciplinary proceedings shall not be initiated against students after the expiration of three-month period from the day of report on the violation for minor disciplinary violation, and six-month period for serious disciplinary violations.
5. The decision taken by the Disciplinary Committee shall be recorded in student's file.
6. In cases of disciplinary violation being against other people, and/or property risk, the Disciplinary Committee or the Supervisor might decide to suspend the alleged offender from work for the time the investigation and the disciplinary proceedings are underway.

Article 14

Disciplinary violations (misconduct) with elements of criminal offense

1. If the alleged misconduct has elements of a criminal offence, the Disciplinary Committee is limited to handling the case only withing the duties defined under this Regulation.
2. The Disciplinary Committee or the responsible person shall report cases that have elements of criminal offense to the responsible institutions according to the legislation in force,

Complaint Procedure

Article 15

1. The complaint procedure aims at protecting academic staff, nonacademic staff, and students from unfair decisions;
2. Any person dissatisfied with a decision by the Disciplinary Committee has the right to appeal against it;
3. Academic staff and non-academic staff have the right to appeal the case to the Steering Committee about the decision reached by Disciplinary Committee.



4. Students have the right to appeal the decision of Faculty level Disciplinary Committee to the Institutional Disciplinary Committee. Students may appeal the decision of the Institutional Disciplinary Committee to the Steering Committee.
5. The Steering Committee may create a special committee to review the complaint reported by the complainer,
6. The deadline for appeal in each case is 15 days from the receipt of the decision by the Disciplinary Committee.

Article 16

1. The complainer must present new facts, evidence and details by summarizing briefly the reasons for the complaint;
2. Complaint review sessions should be held as soon as possible and no later than 30 days upon receipt of complaint;
3. The reviewer of complaints may perform the following actions:
 - 3.1. Reviews the provided evidence;
 - 3.2. Determines if the complaint shall be accepted on the basis of the provided evidence.
 - 3.3. Provides reasoning either for approving decisions of first instance, or possible changes that might arise;
 - 3.4. The reviewer of complaints
4. The complaint reviewer may reach the following decisions:
 - 4.1. Approve an appeal and/or change a decision reached at the first instance;
 - 4.2. Approve an appeal and return it to reinstatement in the first instance;
 - 4.3. Approve partially an appeal and amend the decision of the first instance;
 - 4.4. Refuse a complaint;



Article 17
Other Provisions

1. Any person part of academic staff, non-academic staff, and/or students claiming that his/her rights have been violated by any other person, are encouraged to submit the alleged disciplinary violation (misconduct) to the Disciplinary Committee.
2. The Disciplinary Committee guarantees anonymity of person reporting the disciplinary violation (misconduct) at any stage of violation review process and its handling.
3. The Disciplinary Committee informs the person reporting the Disciplinary Violation (misconduct) on the final decision.

Article 18
Final Provisions

1. In cases when provisions of this Regulation are not aligned with the Statute provisions, priority shall be given to the Statute provisions.
2. The amendment and supplementation to this regulation shall be done in the same procedure as it has been approved.

Article 19
Entry in force

This regulation enters into force once it is approved by the Steering Committee and once it is signed by the Chairman of the Steering Committee.

Prishtinë, 2021

