



UNIVERSITETI I PRISHTINES
"HASAN PRISHTINA"
UNIVERSITY OF PRISHTINA

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On the basis of the competencies defined under Article 23, paragraph 1, line 1.6 and 1.6.1, in respect of Article 153 of the Statute of the University of Prishtina, the Steering Council, in the continuation of the meeting of 11.03.2021 held on 19.03.2021, adopted:

**RULES ON PROCEDURE AND DISCIPLINARY MEASURES FOR STUDENTS OF
THE UNIVERSITY OF PRISHTINA.**

**CHAPTER
GENERAL PROVISIONS**

ARTICLE 1

Purpose

This regulation defines the procedure of disciplinary responsibility, the review bodies of disciplinary violations, the categorization of disciplinary violations as well as the disciplinary measures and punishments against students.

ARTICLE 2

Scope

This regulation applies to regular students, correspondence students, visiting students, as well as to any student enrolled in any of the study levels offered by University of Prishtina.

ARTICLE 3

General principles

1. The University of Prishtina (hereinafter the university) aims to provide a suitable environment for academic development, as well as equal, correct and dignified treatment for all students, staff and every visitor gravitates to the university space.

2. In order to fulfill the goal reflected in the principles of this regulation, the university has the duty and obligation to take responsibility for protecting the university community from harm, damage and violation of integrity and dignity in the personal, academic and institutional ranks.

3. The University considers that in addition to the regulations that sanction academic and university activity, the need to adopt rules for the ethical behavior of students is an emancipatory necessity, with the aim of achieving the protection of integrity and creating an academic environment, which enables equal, correct and dignified treatment of students and academic and non-academic personnel.

4. This regulation describes the procedure and disciplinary liability of students, through which the university will take disciplinary measures, when the same rules are violated by students, it is drafted on the basis of the authority that the university exercises with the legislation in force and by statute.

5. The basic principles embodied in this regulation are: non-discrimination, its protection fundamental rights and freedoms, access to education, ethics and public academic morality, as well as other procedural principles defined in the current Law on General Administrative Procedure.

6. The University is committed to creating efficient mechanisms for the implementation of principles and provisions of this regulation, where through these mechanisms, it is intended to achieve the effective realization of the authority of the university in the service of the public

interest and guaranteeing at the same time the protection of the rights and legal interests of the students.

ARTICLE 4

Obligations of students

1. The students of the University of Prishtina are obliged to adhere to the rules defined by the Law on Higher Education, the statute and regulations of the university and the academic unit where they are registered, to preserve the image of the university, to respect the rights of the personnel and other students, to respect the disciplinary rules and the general rules of etiquette, as well as fulfill the obligations stipulated in the study program.

2. Among other things, students must act in such a way as to demand the protection of their rights and the public interest as well as the image and the best interest of the university.

CHAPTER II

DISCIPLINARY VIOLATION REVIEW BODIES

ARTICLE 5

Deliberating bodies for the disciplinary violation

1. The bodies for the review of disciplinary actions, which develop the disciplinary procedure are:

1.1. The faculty council, which is advised by the disciplinary commission of the academic unit, as a first level body.

1.2. The complaints committee at the level of the academic unit, as a second level body.

ARTICLE 6

The composition of the bodies for the review of disciplinary responsibility

1. The disciplinary commission as an advisory body of the academic unit consists of 3 members, two of whom must have at least the title of assistant professor in the respective academic unit.
2. The complaints committee at the level of the academic unit consists of 3 members, two of whom must have at least the title of assistant professor in the relevant academic unit.

ARTICLE 7

Mandate of bodies for reviewing disciplinary actions

1. The disciplinary committee and the complaints committee are appointed for a four-year term according to regular voting procedure by the council of the academic unit.
2. The mandate of the commission members is linked to the mandate of the body that elected them.
3. The mandate of the members of the relevant commissions may end prematurely in case of:
 - 1.1. Resignation;
 - 1.2. discharge;
 - 1.3. Health reasons;
 - 1.4. Conviction for a criminal offense;
 - 1.5. Retirement;
 - 1.6. Death.

ARTICLE 8

Disciplinary violations

1. Disciplinary violation is considered the action or omission committed in opposition (non-compliance) with this regulation and other legal and by-law acts of the UP, which include actions that violate the following principles:
 - a) Violation of personal integrity;
 - b) Denial of freedom of expression;
 - c) Violation of privacy;

- d) Violation of the integrity of the university;
- e) Violation of the integrity of academic and non-academic personnel; intolerance;
- g) Infringement of intellectual property;
- b) Misuse of financial goodwill;
- i) Violation of library and laboratory rules;
- j) Encroachment on the university infrastructure;
- k) Improper and unprofessional behavior in academic processes: lesson, exam, practice professional and similar.

ARTICLE 9

Categorization of disciplinary violation

1. The violations defined in this regulation are categorized into:
 - a) light disciplinary violations and;
 - b) serious disciplinary violations.

ARTICLE 10

Light disciplinary violations

2. Actions or inactions that violate the rules, ethics, values and standards of the University of Prishtina are considered minor disciplinary violations, which are subject to the disciplinary measures provided for in Article 12 of this regulation.

3. Light disciplinary violations are considered, but not limited to:

- a) bad and inappropriate behavior in university/faculty facilities, where lectures, exercises, exams, administrative work and other activities are held;
- b) disruption of the order and stability of the lectures, in which the normal work of the professors and students is hindered;

c) illegitimate scattering of teaching equipment, laboratories, computers, book fund in libraries and life property in the university; participating in gatherings in university facilities or spaces, for which there is no permit; carrying out activities that cause harm and violate the authority of the university, teachers, co-workers, female workers and university students.

ARTICLE 11

Serious disciplinary violation

1. Serious disciplinary violations are considered actions or omissions, which seriously offend the rules, ethics, values and standards of the University of Prishtina, to which the disciplinary measures provided in Article 13 of this regulation are applied.

2. Serious disciplinary violations are considered, but not limited to:

a) giving incorrect notes to the university bodies, with the intention of their appropriation certain rights of students;

b) altering and/or improving notes in documents issued by the university;

c) inciting and/or participating in incidents in university facilities, where the development of academic, administrative and other processes is hindered;

d) destruction and serious damage to the property of the university, including the infrastructure, equipment and inventory;

e) encouraging and engaging in abusive behavior towards academic and administrative personnel, students and other parties involved in the university. Abusive behavior is any form or attempt to exercise physical violence against others, threats, comments and insults about sexual orientation, age, special needs (disability), religion, ethnicity;

f) the use and/or possession of alcohol, drugs and other illegal substances in university facilities, as well as attending the university in a drunken or drugged state, manifested by aggressive behavior;

g) stopping or hindering the organization of the educational process (lectures, exercises, colloquiums, exams and other types of teaching and evaluation);

h) disruption, interference or obstruction of academic, administrative, sports, social activities, cultural or other university activities:

- i) the use or possession of unauthorized tools in exams, tests or other forms of assessment, such as, for example, the unauthorized use of telephones, calculators, books, different and similar copies;
- j) copying or attempting to copy exams, quizzes, tests or forms other assessment;
- k) virtual misuse of the exam and distribution of tests in social networks;
- l) entering exams, tests or other forms of assessment, on behalf of someone else, as well as preparing the thesis, seminars and assignments for other students;
- m) lending or providing ID cards, university email passwords and other means of identification to students or other natural persons;
- n) unauthorized use of university tools and resources;
- o) unauthorized photocopying, photographing, recording and distribution of the lesson, material for exam preparation and the deadline for exams, tests, etc.;
- p) submitting plagiarized papers, seminars, projects and assignments for assessment;
- q) submission of papers, presentations, research projects with results falsified/fabricated;
- r) concealing and assisting other students in committing a disciplinary violation;
- s) any action or inaction that brings or has the potential to bring the university or partners in disrespect or harm or has the potential to harm the relations of the university with its communities;
- t) any violation of agreements, codes, contracts, decisions, policies and procedures others at the university;
- u) any behavior that affects a criminal investigation or constitutes a criminal offense;
- v) failure to comply with any requirement or penalty previously imposed hereunder regulations:
- w) actions or omissions that threaten the health or safety of students and staff;
- x) other activities, which are not mentioned in this regulation, but are considered as violations with other acts approved at the faculty and university level;
- y) each action seriously offends the integrity of the faculty/university, the academic staff and not academic;
- z) photographing, recording or casting votes in student elections or elections other bodies within the faculty/university;

- aa) pressure on academic personnel with the intention of influencing the verification procedures and false presentation (denunciation) of facts to academic or administrative personnel;
- bb) unauthorized use of the name, logo of the faculty or university, including the opening of unauthorized access to accounts in social networks on behalf of UP-Sê bodies;
- ci) unauthorized reactions on social networks on behalf of Ur bodies, including unauthorized response on behalf of student representatives;
- dd) writing and reacting on social networks or different applications (viber, whatsapp and similar) in a way that violates the integrity and privacy of the academic staff, administrative or students.

DISCIPLINARY MEASURES

ARTICLE 12

Disciplinary measures for minor violations

1. For minor disciplinary violations, only one of these disciplinary measures is imposed:
 - a) verbal warning from the staff of the University of Prishtina, the purpose of which is to advise and warn the student for other disciplinary measures in case of repetition of the violation;
 - b) request to present a written apology for those affected by the violation;
 - c) decision to pay damages or fees for material damage caused;
 - d) written notice.

ARTICLE 13

Disciplinary measures for serious violations

1. For serious disciplinary violations, only one of these disciplinary measures shall be imposed:
 - a) decision to pay any damages or fees for material damage caused;
 - b) decision to carry out work in the community, such as engagement in the organization of various educational activities by the university and its partners;
 - c) ban on entering the exams, in one or more exam periods;

- d) temporary ban (suspension) from the faculty for 6 months.
- e) temporary ban (suspension) from the faculty for 1 year;
- f) permanent exclusion from the faculty and university, including the right to re-register at the university;
- g) loss of the right to enjoy financial support from the university, such as a university scholarship or various grants obtained on behalf of the university.

ARTICLE 14

The validity and appropriateness of the disciplinary measure

1. Disciplinary measures are pronounced in proportion to the consequences and damage caused.
2. When assigning a disciplinary measure, all extenuating circumstances must be taken into account or aggravating, such as:
 - a) the seriousness of the disciplinary violation;
 - b) the degree of responsibility of the student;
 - c) the circumstances in which the offense was committed;
 - d) the consequences caused;
 - e) the behavior of the student before committing the violation and during the disciplinary procedure;
 - f) if the student suspected of violation has taken previous disciplinary measures, which did not have been deleted from the evidence of the student's file.

ARTICLE 15

Criminal proceedings

1. The University does not have investigative powers of a criminal nature. These procedures are related to the fact that the regulation for disciplinary punishment has been violated and cannot be considered as a substitute for an investigation or prosecution.
2. When the disciplinary violations include or may include violations requiring criminal proceedings, the secretary of the faculty, in coordination with the dean, forwards the case to the competent bodies, while the disciplinary commission must not suspend the internal procedures for handling the disciplinary case.

ARTICLE 16

Reporting the alleged disciplinary violation

1. The disciplinary action procedure begins with the reporting of the violation of the rules and principles provided for in this regulation.
2. In the framework of this procedure, any student, university staff or involved party, who claims that his, the university's or the academic culture's rights have been violated and are sanctioned by this regulation, has the right and is encouraged to report the violation to the disciplinary commission at the faculty level, as a first-level body.
3. When a reporting party reports a violation, he/she will be kept informed of the timelines related to the investigation and any disciplinary process and will be notified of the completion of the process.
The notification will be specific for each case and will be determined taking into account the privacy rights of all parties and the principles of justice.
4. Testimonies of witnesses will be taken into account through written statements, statements electronic form.
5. The University will also enable electronic reporting.
6. The University will not tolerate frivolous, defamatory or malicious reports

ARTICLE 17

The procedure and time limits for the initiation of the disciplinary procedure

1. Disciplinary violation can be reported by academic, administrative staff, third parties or students.
2. If it is established that there are sufficient facts for the initiation of the disciplinary procedure, the secretary of the faculty notifies the disciplinary committee that within (5) five working days, after the presentation of the suspected violation, it must initiate the disciplinary procedure.
3. The procedure must be completed within five (5), respectively 15 working days, undertaking the following steps:

- a) notifies in writing the person/student suspected of a violation that it has been initiated against him disciplinary procedure;
 - b) the suspect for a disciplinary violation is given the right to testify;
 - c) contacts the person who committed the suspected violation, notifying him of the initiation of the case and giving him the opportunity to declare it;
 - d) contact and receive written evidence from the person who can provide evidence in relation to the case:
 - e) the disciplinary commission must decide within 30 days, from the day when the case was presented;
 - f) due to the complexity of the disciplinary case, the disciplinary commission in the first instance may postpone the deadline for the completion of the disciplinary procedure, but not longer than 30 days from the day of the end of the initial deadline.
3. Upon initiation of the disciplinary procedure, the commission is obliged to handle the case competently, reliably, impartially and in full compliance with its basic principles justice.

ARTICLE 18

Prescription of disciplinary offense

1. Disciplinary procedures cannot be initiated after the passage of these time periods:
 - a) two (2) months from the date when the light disciplinary violation is discovered;
 - b) four (4) months from the date when the serious disciplinary violation is discovered;
 - c) with the exception of paragraphs 1 and 2 of this article, for reasonable and well-founded reasons, the opportunity to conduct disciplinary procedures expires within three (3) months after the date when the light violation was committed and (6) for serious violations.

ARTICLE 19

Review of the violation will be disciplinary action by the disciplinary commission

1. On the occasion of the presentation of the alleged disciplinary violation, the disciplinary commission will meet to review the case, verify the data, ascertain the objective compatibility of

the case with the norms determined by this regulation, as well as start the development of the procedure against the parties will be sued for disciplinary violations.

2. The procedure of disciplinary proceedings is organized in sessions, respectively in the following actions:

a) in the event of establishing a false basis for violation;

b) on the occasion of the session to the parties and the recommendation of the final decision for the council faculty;

c) in the sessions defined as in points a and b of this article, more than one case.

3. Every case presented will be handled competently, reliably, impartially and in accordance complete with the basic principles of justice and which are proclaimed in the applicable legislation and in this regulation, taking into consideration the reporting party and the reported party, as well as third parties related to the reported case.

4. When a possible violation involves many students, the disciplinary commissions reviewing the case can determine whether the students will be considered as individual or collective parties.

5. Students included as parties in a disciplinary session are expected to speak for themselves and be ready to present their arguments. However, a student has the right to be represented in the disciplinary procedure by an authorized representative.

6. The University does not have the right to determine the legal expression in relation to any of its elements procedures under this regulation.

7. Failure to participate in the session will not stop the proceedings of the session. Disciplinary violations can be dealt with and ascertained even in the absence of the parties.

8. Leaving the student from the university during the time when he is in the process of review for violation disciplinary action will not necessarily stop proceedings under this regulation.

9. After reporting a case of disciplinary violation, when it is established that there is no evidence sufficient, the disciplinary commission reserves the right to propose to the faculty council the closure of the disciplinary procedure, in the absence of evidence.

ARTICLE 20

The proposal of the disciplinary measure by the disciplinary commission and the taking of the decision by the faculty council.

1. Disciplinary measures are issued by the council of the academic unit at the proposal of the disciplinary commission, as a first-level body. The proposals of the disciplinary committee are approved by the faculty council.
2. The parties in the procedure have the right to complain to the complaints committee at the level of the academic unit, as a second level body.

ARTICLE 21

Administrative support

1. The responsible person for the conclusion of the meeting of the disciplinary committee and the complaints committee is the secretary of the academic unit, where the disciplinary procedure takes place, who is obliged to ensure:
 - a) the regulation for the procedure and disciplinary measures for UP students,
 - b) providing the evidence collected during the development of the procedure:
 - c) preparing the schedule for the end of the meeting of the disciplinary commission;
 - d) notification of the date, time and place of the meeting for the persons required to be present;
 - e) record keeping;
 - f) delivery and announcement of the decision to the competent persons

ARTICLE 22

The procedure for submitting a complaint to the complaints commission

1. The appeal against the decision of the first instance can be submitted:
 - a) the party convicted for violation;
 - b) the submitter of the disciplinary violation.
2. The complaint is submitted in writing within 10 working days from the date of acceptance of the decision.
3. In the complaint, it should be emphasized in a special way:
 - a) the decision against which the appeal is filed;
 - b) the reasons against which the complaint is presented;

c) relevant evidence that the complainant thinks the appeal authority should take into account

ARTICLE 23

Reasons for submission to the complaints commission

1. An appeal may be filed against the decision on the imposition of a disciplinary measure due to:

- 1.1. violation of the provisions of this regulation;
- 1.2. incomplete confirmation of facts and evidence and
- 1.3. the decision on the assignment of the disciplinary measure.

ARTICLE 24

Review of the disciplinary violation by the complaints committee

1. The complaints committee evaluates and considers carefully all the statements and evidence they have to do with the occasion and decide:

- a) to check if the complaint has been submitted within the previous deadline;
 - b) to check and verify the disputed part of the decision first, if there was any violations in procedure;
 - c) to verify if the disciplinary violation has been committed and to verify the appropriateness of the measure pronounced disciplinary.
2. The complaints committee must decide on the disciplinary case within 30 days from the date of receipt of the complaint.

ARTICLE 25

The competence of the complaints commission

1. The complaints committee can make the following decisions:

- a) to dismiss the complaint as untimely;
- b) reject the appeal as unfounded and confirm the preliminary decision;
- c) to partially accept the complaint and reduce the disciplinary measure;

d) to fully accept the complaint and cancel the given disciplinary measure.

2. The decision by the complaints commission is made based on the review and evaluation of the evidence writing, but, in certain cases, you can accept new evidence or allow an oral hearing if any of them are likely to help in making an objective decision.

ARTICLE 26

Decision making by the complaints commission

1. After reviewing the case, the complaints commission has the competence to:

a) reject the complaint, if it is inadmissible, or is unfounded, from the point of view of legality or suitability;

b) if he considers that the complaint is admissible and well-founded, he decides finally with a new act, through which he can cancel or change, in whole or in part, the act of complained;

c) the complaints commission in no case could aggravate the disciplinary measure given by disciplinary commission.

d) the decision of the complaints commission is formulated and submitted in writing to the secretariat, inside 5 days from the day of taking the decision, and it is in the form of a cut, but it can be submitted to judicial hearing.

ARTICLE 27

Execution and implementation of disciplinary measures

The execution of the disciplinary measure is done from the day the decision takes its final form.

ARTICLE 28

Final provisions

1. Procedures started before the entry into force of this Regulation, are implemented according to the provisions of the laws or regulations with which the procedure was started.

2. With this regulation taking effect, the Regulation on procedures and measures is repealed disciplinary no. 3/531, dt. 15.3.2005.

ARTICLE 29

Taking effect

This Regulation takes effect on the day of approval by the Governing Council of the University of Prishtina.

Governing Council of UP

Dr. Sc. Ujkan Bajra, The head