

REPUBLIC OF KOSOVO
ISPE COLLEGE



REGULATION OF ISPE COLLEGE

On the Disciplinary Procedure

Approved on 03.10.2011 by the decision of the Council of College

PRISHTINA 2011

Based on the provisions of the Statute of ISPE College, the Council of this institution has issued and approved the following regulation:

REGULATION

ON THE DISCIPLINARY PROCEDURE

GENERAL PROVISIONS

Article 1

By this regulation is intended to be regulated the:

1. Disciplinary procedure for the academic and administrative personnel of the ISPE and the students of ISPE College;
2. Presentation and identification of identified violations;
3. Disciplinary violations;
4. Appointment of disciplinary commission;
5. Measures related to disciplinary violations and other issues;
6. Determination of disciplinary responsibility of students of ISPE College and;
7. The appeal procedure, the right to appeal, the appointment of Board of Appeals.

DISCIPLINARY MEASURES ON THE ACADEMIC AND ADMINISTRATIVE PERSONNEL OF THE COLLEGE

Article 2

Submission of disciplinary violations

1. Any alleged or assumed violation of the academic personnel, engaged with work at the College, should be submitted to the Director of ISPE College;

2. Violations committed by professors shall be presented to the head of the relevant department and/or to the Director of the relevant Faculty;
3. Disciplinary violations of the administrative personnel should be submitted to the Head of the Administration, respectively to the Secretary of the ISPE College.

Article 3

Identification of the disciplinary violations

1. Bodies referred to in Article 2, (hereinafter: the College Bodies) immediately after receiving the report in oral or in writing of the alleged disciplinary violation, should investigate the case, interview the alleged offender and the person who reported the case, analyze the statements given, and according to their evaluation to decide on the nature of the violation (minor or severe (serious)).
2. Upon the issuance of the decision, the College Bodies must rely on the provisions of this Regulation.

Article 4

Disciplinary violations

1. Minor disciplinary violation shall be considered:
 - 1.1 unreasonable absence from work, disrespect of working schedule, small careless mistakes or repeated lapses that are subject of the disciplinary proceedings, shall be taken as a minor disciplinary violation.
2. Serious-severe disciplinary violation shall be considered:
 - 2.1 unreasonable objection to carry out the duties specified in the employment contract;
 - 2.2 thefts, fraud, forgery, damage or unauthorized use of College property;
 - 2.3 violation of the provision of the Code of Conduct;
 - 2.4 unreasonable absences at work more than 3 consecutive days without notifying the absence;
 - 2.5 repeated mistakes that disrupt the normal work process;

- 2.6 direct or indirect discrimination or harassment against another person of the College, based on gender, race, colour, language, religion, housing, political opinions, social origin and other cases protected by law;
 - 2.7 verbal harassment of another person, characterized as physical or verbal conduct of sexual nature, the violation of personal dignity at work that is undesirable or offensive, or which creates animosity, by threatening or intimidating that person;
 - 2.8 misconduct outside the workplace that does not coincide with the status of personnel or student at College, which can affect the discrediting and defilement of the reputation of the College;
 - 2.9 wilful damage of property;
 - 2.10 reveal of commercial confidentiality;
 - 2.11 use of alcohol or drugs during work hours and conduct themselves in serious disability as a result of their use;
 - 2.12 aggressive behaviour, threatening or abuse in the workplace etc;
 - 2.13 providing and dissemination of false statements and inaccurate information damaging the image of the College;
 - 2.14 any other form of working against the interests of the College;
3. The bodies of the College will collect and examine any document or evidence relating to the case, will interviews the alleged violator, his statements, the person who submitted the alleged case and anyone who has information about the case.
 4. Interviews should be done as soon as possible.

Article 5

Conclusion of the College body

1. If the College Body concludes that a minor violation is committed, for the first time enough should be considered a verbal warning, while for the repeated violations must be notified in writing.
2. If the College Body concludes that serious offense was committed, the case should be submitted to the Disciplinary Commission. The College Body will interview the alleged offender within 7 (seven) days from the date when the case is referred to the Disciplinary Committee and shall clarify:

- 2.1 the nature of the alleged violation;
 - 2.2 the alleged violation to be treated as serious;
 - 2.3 time and place to be held the hearing session of the disciplinary Commission;
 - 2.4 whether he/she may or may not be accompanied at the hearing session by another employee;
 - 2.5 the proposal for the measures to be imposed.
3. In case when as a result of disciplinary violation is exercised violence or/ and risk against other persons and/or to property, the Body of the College may decide to suspend the alleged offender from the work until the investigations and disciplinary proceedings and the case is clarified.
 - 4 The report of the verbally and writing warning and the decision for suspension or exclusion shall be placed in the personal dossier of the person concerned.

Article 6

Disciplinary Commission

1. The Bodies of the College may establish a Disciplinary Committee who will decide on cases dealing with serious alleged violations;
2. As per cases in point 2 of Article 2, the Commission always consists of the Director and two other members of the department concerned;
3. As per cases in point 3 of Article 2, the Commission consists of the head of the relevant department/ Director and one another member of the relevant department;
4. Director of the College may establish a separate Disciplinary Commission which will examine various cases, composition of this Commission may be different from the one foreseen in the preceding article.

Article 7

Session and the decision of the Disciplinary Commission

1. Disciplinary hearing session should be held and a decision must be given in a timeframe as short as possible;
2. Disciplinary Commission reviews the evidences, and based on the data determines whether the violation was committed and finally imposes the appropriate disciplinary measures.
3. The decision of the Disciplinary Committee shall be placed in the dossier of the person.

Article 8

Measures for serious disciplinary violations

1. Disciplinary Commission after receiving the case may impose the following measures:
 - 1.1 oral warning;
 - 1.2 written warning;
 - 1.3 final warning;
 - 1.4 decrease the work position;
 - 1.5 financial penalties and;
 - 1.6 termination of employment relation.
2. Disciplinary measures provided in paragraph 1.1 and 1.2 of this Article may be imposed by the College Bodies, and disciplinary measures as provided in paragraph 1.3 and 1.6 of this Article may be imposed by the Disciplinary Commission.

DETERMINATION OF THE DISCIPLINARY RESPONSIBILTY OF STUDENTS

Article 9

1. Students shall be obliged to comply with obligations arising from the general acts of the College and by this Regulation;

2. Students must be careful while using the property that was offered to them for use during studies, as well as to preserve the property from destruction.
3. For violation of internal rules of operation of the College, the student may be responsible for the disciplinary violations.

Article 10

Disciplinary violations

1. Minor disciplinary violation shall be considered:
 - 1.1 incorrect behaviour in College facilities;
 - 1.2 breach of order and peace during the lectures by hindering the normal procedure of the professor and students;
 - 1.3 damage and destruction of teaching equipments, laboratories, computers, books in libraries, and other property in College;
 - 1.4 performing other activities that damage and violate the authority of the College, professor, associates, personnel and students of the College;
2. Serious disciplinary violation shall be considered:
 - 2.1 falsification of data such as Certificates, Statements and any other document issued or administered by the ISPE College;
 - 2.2 falsifying grades or different data related to the learning process;
 - 2.3 giving inaccurate records to the College authorities for certain purposes;
 - 2.4 presence on the exam on the name and account of other student;
 - 2.5 wilful destruction of College property;
 - 2.6 failure to respect the teacher and his orders, offences and other actions which hinder the learning process;
 - 2.7 use of Alcohol and other prohibited means at the College premises;
 - 2.8 violating the physical integrity of others;

- 2.9 performing other actions that are inconsistent with the rules of the College;
 - 2.10 provision and dissemination of false statements and/or inaccurate information that damage the image of College;
 - 2.11 any other form of work against the interests of the College;
3. Disciplinary procedures for students cannot be initiated after the expiration of the deadline of 3 (three) months after receiving the notification for the violations committed in minor disciplinary violations cases. As for serious violations the deadline shall be 6 (six) months.

Article 11

Measures for disciplinary violations

1. The Bodies of the College after investigation and reviewing the case may take the following measures:
 - 1.1 oral warning;
 - 1.2 written warning;
 - 1.3 warning for disqualification;
 - 1.4 disqualification;
2. The College may also impose any other measure not provided above that contributes to students discipline.
3. In urgent cases, for various reasons, the Disciplinary Commission may impose disciplinary measures up to the final decision.
4. The measures, set out in paragraphs 1.1 and 1.2 of this Article, may be imposed by the relevant head of department - Dean of the relevant Faculty, while the measures provided in paragraphs 1.3, 1.4 and 3 shall be imposed by the Disciplinary Commission.

COMPLAINTS PROCEDURE

Article 12

1. The appeal procedure is intended to protect the person and students from unfair decisions.

2. The person unsatisfied with the decision of the Disciplinary Commission, by which a disciplinary measure was imposed, shall have the right to appeal. The complain should be addressed to the Secretary of College.
3. The Secretary may form a Council for Review of Appeals.
4. The decision of the Council shall be final, and the party has no right to appeal against that decision to any College body, but that the right to appeal to the ordinary courts is untouched by this regulation.

Article 13

1. The person submitting the complaint must present facts, arguments and new evidences by summarizing briefly the grounds for appeal.
2. The session to review complaints should be held as soon as possible and in any case not later than 30 (thirty) days from the date when the complaint is addressed to the College.

Article 14

This regulation enters into force on the date of approval.

Prishtina, 03.10.2011

Chairman of the Council of ISPE College

Prof. Dr. Dr hc Hagen Lichtenberg

