

INTERNATIONAL UNIVERSITY OF SARAJEVO

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BOOK OF RULES

**On Disciplinary and Material Accountability of Students at
International University of Sarajevo**

May 2017

Pursuant to Article 84 of the Law on Higher Education ("Official Gazette of Sarajevo Canton", No. 42/13 – Consolidated text) and Article 43 and 108 (3) of the Statute of the International University of Sarajevo, No. IUS-SENAT-11-2255/2013 of September 12, 2013, the Senate of the International University of Sarajevo, at the meeting held on May 31, 2017 adopts

BOOK OF RULES
On Disciplinary and Material Accountability of Students at
International University of Sarajevo

I GENERAL PROVISIONS

Article 1

This Book of Rules regulates the disciplinary and financial liability (accountability) of students at the International University of Sarajevo (hereinafter "University"), and in particular: violations of duties (in disciplinary matters) by students, disciplinary measures and damage compensation, initiation of the disciplinary procedure and its course, deadlines, records, and other relevant issues.

Article 2

Accountability under this Book of Rules may be:

1. Disciplinary, due to breach of duty (in disciplinary matters) by the students, and
2. Financial liability (compensation for damages), when damage is caused.

Responsibility under paragraph 1 of this article is based on responsibility of the offender (culpability).

Article 3

For all alleged violation by student, dean has discretion to either conduct full disciplinary procedure (in compliance with this Book of Rules) or to issue direct measure against student based on clear and indisputable evidences for a specific violation.

In the case when measure is issued directly against student, student can submit appeal to the dean within eight days from the receipt of decision in which he/she can request formal procedure to be carried out, and in that case dean has to initiate disciplinary procedure against the student.

If disciplinary procedure is initiated per the request of the student, any measures issued against student will not be enforced until the final decision has been reached.

Decision issued at the end of disciplinary procedure is the final and it can uphold original decision by the dean or it can declare original decision void and resolve the matter differently.

Article 4

For all tasks related to the implementation of this Book of Rules, Legal Department provides professional assistance and Student Center provides technical and administrative assistance.

II IMPLEMENTATION OF THE BOOK OF RULES

1. Person with the student status

Article 5

This Book of Rules applies to a person who has the following status at the Faculty:

1. Student enrolled in undergraduate study program (I cycle);
2. Student enrolled in postgraduate, master degree, study program (II cycle);
3. Student enrolled in postgraduate, doctoral degree, study program (cycle III);
4. Student enrolled in the English Language School program (hereinafter "ELS");
5. Person enrolled in one of non-cyclical forms of education, organized and run by the University and
6. Student from other higher education institutions who are attending one or more courses at the University.

Student status is proven by the student identification card issued by the University and by relevant records kept by the University Student Services.

III BREACH OF DUTY (IN DISCIPLINARY MATTERS) BY STUDENTS

1. The possibility of initiating procedures

Article 6

Disciplinary proceedings against the student, as prescribed under this Book of Rules, can be initiated in the case of violation of rules laid down by the law, University regulations, and the student study contract, only if the offense constitutes a minor or serious breach of duty (in disciplinary matters) and the responsibility of the students is stipulated.

2. Minor and severe breaches of duty (in disciplinary matters) by students

2.1. Minor breaches of duty (in disciplinary matters) are defined as any of the following

Article 7

Minor breach of duty (in disciplinary matters) is defined as any of the following:

1. Being late for the lectures, exercises and other forms of compulsory activities or unexcused leave before a specified time;
2. Failing to submit required document to University (e.g. proof of residency permit, medical certificate, etc.);
3. Misconduct at the University premises or inappropriate conduct with students, teachers, associates and other employees of the University;
4. Causing minor damage on the University or property of property of the third parties within the University campus;
5. Behavior that may cause damage to the reputation of the University, to students, to teachers, to assistants and to other employees of the University;
6. Wearing clothing at the University campus which is inappropriate for an academic institution;
7. Disruption of classes, exams, meetings, ceremonies and other events, i.e. disruption of regular operation of the University;
8. Registration for exam for himself/herself or for another student in examination period for which University regulation do not give right to student to take that exam;
9. Writing, drawing or placing posters and banners on campus at places which are not designed for it, and without the approval of the competent authorities of the University
10. Other aspects of student behavior contrary to the principles of academic conduct, that can be classified as minor violations (in disciplinary matters), i.e. which are classified as misdemeanor or criminal offence under the law.

Article 8

2.2 Severe breaches of duty (in disciplinary matters) are defined as any of the following:

1. Falsification of documents in general, especially falsification of the public documents issued by the University or its organizational unit;
2. Modification or addition of data into the records of the University or its organizational units;
3. Giving false statements to the University officials and to University bodies in general, and especially for the purpose of acquiring rights which cannot be acquired under existing regulations;
4. Spreading false information on the activities and operations of the University,

5. Unauthorized duplication of copyrighted texts, plagiarism, direct quoting, paraphrasing or summarizing from a source without proper referencing of the author and work;
6. Theft;
7. Inciting riots or fights, participation in a fight or a soliciting fights at the University campus,
8. Expression of ethnic, religious, racial or other animosities on the University campus;
9. Failure to comply with safety rules and regulations of the University, entering the premises of the University campus where access is prohibited;
10. Causing serious damage to the University property or property of others, within the University campus;
11. Entering the University campus under the influence of alcohol or narcotics and/or use of alcohol or narcotics within the campus of the University;
12. Establishing informal or formal organization or any legal entity within the campus of the University, or under the name of the University, without prior consent from the competent body of the University, participating in the activities thereof;
13. Inciting or abetting students in using alcohol or illicit drugs, trafficking, dispensing, and possessing them on the University campus;
14. Writing or drawing inappropriate messages on walls or other surfaces within the University campus, destruction of the signs, banners or announcements;
15. Cheating or attempted cheating on the exam (taking exams for another student, use of prohibited equipment, acting contrary to the instructions given by University staff responsible for examination, copying other students work, etc.), or any exam activity against the study rules of first, second or third study cycle;
16. Carrying weapon or bringing explosive devices on the University campus;
17. Verbal or any other assault to the teacher, associate or employee of the University or any other person on the University campus.
18. Irregular attendance on the lectures, especially if it interfere with the proper team work of the other students, and absence from the officially prescribed rehearsals and duties without valid justification;
19. Participation in projects outside the University, without prior consent by the competent University authorities or its organizational units, if University regulations require such approval;
20. Failure to pay compensation for damages ordered by disciplinary decision;
21. Repeating minor breach of duty (in disciplinary matters) after being reprimanded or being publicly reprimanded for previous minor or serious breach of duty (in disciplinary matters);
22. Other aspects of student behavior contrary to the principles of academic conduct, that may be classified as serious violations of student duties (in disciplinary matters), i.e. which are classified as misdemeanor or criminal offence under the law.

3. Role in perpetrating breach of duty (in disciplinary matters)

Article 9

Breach of duty (in disciplinary matters) student can do as:

1. Perpetrator or co-perpetrator (more than one person);
2. Instigators;
3. Accomplice and
4. Concealed

Role and the degree of responsibility in committing the breach of duty (in disciplinary matters) are determined in the procedure established by this Book of Rules.

4. Location of breach of duty (in disciplinary matters)

Article 10

Breach of duty (in disciplinary matters) can be made:

1. anywhere within the University campus;
2. at the premises where the dislocated lectures are held or in front of those premises;
3. in any other place, if the activity undermines the reputation of the University, another student or students, teachers, associates or non-academic staff of the University (e.g. misrepresentation);
4. in any other place, if the purpose of the activity is to illegally acquire a right or material gain (e.g., falsification of public documents issued by the University).

5. Time of breach of duty (in disciplinary matters)

Article 11

Initiation of the procedure to establish responsibility for the breach of duty (in disciplinary matters) can be brought only against a person who, at the time the commission, had student status.

6. Application of the rules on causing damage

Article 12

Rules set in Article 6 to 11 of this Book of Rules also apply to all damage compensation cases.

IV DISCIPLINARY MEASURES AND COMPENSATION

1. Disciplinary measures

Article 13

Disciplinary measures for breach of duty (in disciplinary matters) are:

1. Warning (reprimand), which can be imposed for minor or severe breach of duty (in disciplinary matters) as set in articles 7 and 8 of this Book of Rules;
2. Public reprimand, which can be imposed to a student who commits multiple minor breach of duty at the same time or within a short time period or severe breach of duty (in disciplinary matters);
3. Exclusion from the examination for up to three examination periods or temporary suspension, which leads to assigning grade "N/A" for particular course in semester when the breach was committed;
4. Expulsion from the University permanently or temporarily, which is imposed for severe breach of duty (in disciplinary matters) as set in Article 8 this Book of Rules;
5. Removal from the exam.

Disciplinary measure of Expulsion from the University may be imposed only for severe breach of duty.

Imposed measure of Warning is executed so that the final decision is handed to the student.

Imposed measure of Public reprimand is executed by posting a final decision on the notice board of the respective Faculty/ELS.

2. Special measures

2.1. Cheating on the exam and Plagiarism

Article 14

In the event that teacher, or any other person who officially supervises examination of the student, establishes beyond reasonable doubt that student was cheating on the exam, or attempted to cheat, or committed plagiarism in any of his/her assignments, which constitutes a severe breach of duty (in disciplinary matters) as set in Article 8, items 5 and 15 of this Book of Rules, he/she has an obligation to remove student from the exam, to cancel specific exam paper and to submit a report to the Dean's Office for possible disciplinary proceedings.

Students who received N/A because of cheating, cheating attempt or plagiarism cannot drop or withdraw from the course.

2.2. The measures prescribed in other general acts

Article 15

Other general acts of the University or its organizational units may prescribe specific measures for certain violations of student commitments related to the specific type of study (e.g. English Language School) which are imposed through processes set in those respective general acts.

This Book of Rules applies on all matters which are not regulated by the other general acts.

3. Compensation for damages

Article 16

Student is responsible for the damage caused to the University property or to the property of the other persons within the campus of the University.

Compensation for damages includes direct (actual) damages plus any reasonable expenses.

4. Cumulation of sanctions

Article 17

The decision on imposing disciplinary measure will also determine the amount of damages, if the damage is caused.

5. Damage done to another person

Article 18

If student causes damage to someone's property or the person, the University is not responsible for the same.

V PROCEDURE FOR ESTABLISHING BREACHES OF DUTY (IN DISCIPLINARY MATTERS) AND/OR DAMAGES

1. Principles

Article 19

Students are considered innocent for breaches of duty (in disciplinary matters) until the final decision of the disciplinary proceedings establishes their responsibility.

Article 20

Any doubts about the existence of facts which constitute the elements of breach of duties (in disciplinary matters) or which determine the application of certain provisions of this Book of Rules, the disciplinary body resolves in a way that is favorable to the accused student.

Article 21

The procedure for determining disciplinary responsibility of the student and/or damages has to be carried out without delay, but in such a way to present all of the evidence required for the proper determination of the facts and for reaching lawful and proper decision.

Article 22

In order to impose disciplinary measures the following elements are taken into account: motives which led to the breach of duties (in disciplinary matters), consequences caused by the breach of duties, method by which the breach of duties is done, previous conduct of students, as well as his conduct after the violation.

2. Reporting breach of duties

Article 23

Report on committed breach of duties (in disciplinary matters), and/or on caused damage, have to submit:

1. Each student;
2. Each employee;
3. Any person engaged by the University.

Report can be submitted in writing or orally, containing in particular:

1. Name and surname of the student or students who have done breach of duties (in disciplinary matters), or caused damage, and if possibly, additional information about them for their accurate identification;
2. Description of the actions by which the breach of duties (in disciplinary matters) was done and/or damage caused, along with the information specifying the place, time and manner of execution, and
3. Evidence (public documents, witnesses, and other evidence).

The report shall be submitted to the dean of the University whose program student attends.

3. Initiation of proceedings

Article 24

Procedure for determining student' disciplinary responsibility is initiated by dean.

Decision on initiating disciplinary procedure includes names of Disciplinary Committee which has to conduct procedure in accordance with the provisions stipulated in this Book of Rules.

Disciplinary Committee consists of three or five members chosen amongst the University employees.

4. Hearings

Article 25

Chairperson of the Disciplinary Committee schedules a hearing to determine responsibility for the breach of duties (in disciplinary matters) and/or for damages caused.

The hearing is normally scheduled at the University premises, during the regular business hours at the University.

Calls to attend the hearing are delivered to student against whom the proceedings is taking place, and to all other persons whose presence at the hearing is necessary.

If the student does not appear at the hearing, Disciplinary Committee will carry out disciplinary proceedings in the absence of the student.

5. Progress (flow) of the hearing

Article 26

Hearing is chaired by the Disciplinary Committee's chairperson.

The hearing cannot take place if the student, against whom the proceeding is taking place, is not duly invited.

Hearing is carried out in the following order:

1. Determining the presence of invited persons and their function (person against whom the proceedings is held, witness, expert witness - if it is necessary in case of severe injury, minutes taker, etc.);
2. Reading the decision referred to in Article 24 this Book of Rules;
3. Receiving the statement from the student against whom the proceedings is held;
4. Presentation of the evidences: review of official documents, interviewing witnesses and experts witnesses, examining the relevant records kept at that university, etc;
5. Closing arguments of the student against whom the proceedings are conducted and of his/her representative, if applicable.

If the hearing cannot be completed in one session, a new hearing is scheduled in 15 days, the latest.

6. Minutes

Article 27

During the hearing, the minutes are taken so that relevant information related to the flow of the discussion is fully recorded.

Minutes are taken by a person designated by the Disciplinary Committee chairperson.

7. Decision-making

Article 28

Upon completion of the disciplinary proceedings, the Disciplinary Commission submits its proposal to the dean. Within 15 days from the day he/she received the proposal, dean has to issue formal written decision in which it will either:

1. Find student responsible for the breach of duties and impose a measure against the student and/or establish obligation to the student for compensation for caused damages for which the student is responsible;
2. Find student not responsible for the breach of duties, or that there are circumstances which exclude student liability or that there is no evidence of the misconduct and/or damages, or
3. Suspend the proceedings, when he/she determines that there are no conditions for their continuation.

Along with the proposal, the Disciplinary Committee submits to the dean all records and documents pertaining to the case.

Dean is not required to adhere to the proposal by the Disciplinary Committee in reaching his/her decision, but that ruling has to include detailed explanation for any decision he/she make.

The decision referred to in paragraph 1 shall include in particular:

1. Name of the student against whom it imposes the measures and information about his/her identification;
2. Description of the breach of duties, with the place, time and the method how it was committed;
3. Type of disciplinary action and/or the amount of damages, if the student is found responsible;

4. Explanation of the decision;
5. Legal remedies with the deadline for appealing the decision; and
6. The signature of the dean and the seal of the University, with the reference number and date of issuance.

8. Appeal

Article 29

Student may submit to the faculty council of its organizational units, as second instance, the appeal against the decision from the previous article of this Book of Rules. Appeal can be submitted in person or by mail.

Appeals are submitted in no later than eight days from the date of the receipt of the decision issued in the first instance.

Faculty Council of the organizational units can uphold, modify or revoke, in whole or in part the decision issued in the first instance.

Faculty Council decision on expulsion from the University is final after obtaining Rector's consent.

If deemed appropriate, Rector may decide to send decision back to faculty council for second deliberation i.e. to instruct faculty council on how to amend its decisions.

In latter case, faculty council will issue its final decision based on the written justification given in Rector's instruction.

9. Documents delivery

Article 30

All procedural documents which need to be delivered to the student (decision on initiating the proceedings, summon for the hearing, decisions in the first instance and in second instance, etc.) are delivered to the student against whom the proceedings are conducted in person, through the Student Center, or by other authorized persons. If the document cannot be delivered to the student in person, it is deemed to be delivered to the student at the end of fifth day after it was posted on the notice board of the respective organizational units of the University.

10. Deadlines

Article 31

Procedure for determining student's responsibility for the breach of duties (in disciplinary matters) and/or for the damages cannot be initiated or conducted after six (6) months it was known to the University officials.

The procedure for determining the student's responsibility for the breach of duties (in disciplinary matters) and/or for the damages cannot be initiated or conducted after twelve (12) months from the date on which it was caused.

11. Records

Article 32

Disciplinary measures are recorded and shown on student's transcript.

For bachelor student who has 120 or less ECTS and who receives disciplinary measure, disciplinary record on the transcript will remain until his/her graduation but will be removed from the transcript after graduation.

For the bachelor student who has more than 120 ECTS as well as for master and PhD students, disciplinary record will not be removed from the transcript.

Student Affairs Office maintains separate records on imposed disciplinary measures and on ordered compensations for damages.

VI FINAL PROVISIONS

Article 33

By this Book of Rules shall be put out of force Book of Rules, No. IUS SENATE 11-1188-1-1/14.

This Book of Rules enters into force on the eighth day after its publication on the notice board of the University.

Amendments to the Book of Rules will be made in the same manner and in accordance to same procedure as provided for its adoption.

Senate of the University can interpret this Book of Rules and its individual provisions.

SENATE CHAIRMAN

Prof. Dr. Tahsin Erkan Türe

CERTIFICATE OF PUBLICATION

Copy of this Book of Rules is published on the notice board of International University of Sarajevo _____ .2017. , at _____ o'clock;

Copy of this Book of Rules was published putting the same text on the website of International University of Sarajevo _____ 2017, at _____ o'clock.

SENATE CHAIRMAN

Prof. Dr. Tahsin Erkan Türe