

INTERNATIONAL UNIVERSITY OF SARAJEVO  
INTERNACIONALNI UNIVERZITET U SARAJEVU

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**PART EIGHT - SECTION EIGHT OF  
THE STATUTE OF INTERNATIONAL UNIVERSITY OF SARAJEVO  
STUDENTS' DISCIPLINARY REGULATIONS**

## **SECTION EIGHT - STUDENTS' DISCIPLINARY REGULATIONS**

### **I. GENERAL PROVISIONS**

#### **Article 138**

##### **(Accountability of student)**

- 1) Accountability of student may be:
  - a) Disciplinary, due to breach of duty (in disciplinary matters) by student, and
  - b) Financial liability (compensation for damages), when damage is caused.
- 2) Responsibility under paragraph 1 of this article is based on responsibility of the offender (culpability).

#### **Article 139**

##### **(Initiation of disciplinary procedure)**

- 1) For all alleged violation by student, Dean has discretion to either conduct full disciplinary procedure (in compliance with the Statute) or to issue direct measure against student based on clear and indisputable evidences for a specific violation.
- 2) In the case 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.

#### **Article 140**

- 1) 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.
- 2) 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 141**

##### **(Supporting services)**

For all tasks related to the implementation of Statute clauses related to student disciplinary issues, Legal Department provides professional assistance and Student Affairs Office provides technical and administrative assistance.

### **II. IMPLEMENTATON OF DISCIPLINARY REGULATIONS**

#### **Article 142**

##### **(Subject of disciplinary regulations)**

- 1) Disciplinary regulations apply to a person who has the following status at the Faculty:
  - a) Student enrolled in undergraduate study program (I cycle);

- b) Student enrolled in integrated study program
  - c) Student enrolled in postgraduate, master degree, study program (II cycle);
  - d) Student enrolled in postgraduate, doctoral degree, study program (cycle III);
  - e) Student enrolled in the English Language School program (hereinafter "ELS");
  - f) Person enrolled in one of non-cyclical forms of education, organized and run by the University and
  - g) Student from other higher education institutions who are attending one or more courses at the University.
- 2) Student status is proven by the student identification card issued by the University and by relevant records kept in the Student Affairs Office.

### III. BREACH OF DUTY (IN DISCIPLINARY MATTERS) BY STUDENTS

#### Article 143

##### (Governing principles)

- 1) Disciplinary proceedings against student can only be initiated when such violation of rules is laid down by the law, University regulations, or study contract as minor or serious breach of duty (in disciplinary matters) for which student can be held responsible.
- 2) Students are considered innocent for breaches of duty (in disciplinary matters) until the final decision of the disciplinary proceedings establishes their responsibility.
- 3) Any reasonable doubts about the existence of facts which constitute the elements of breach of duties (in disciplinary matters) or which determine the application of certain disciplinary provisions of this Statute, relevant body resolves in a way that is favorable to the accused student.
- 4) 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 144

##### (Minor breaches of duty)

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

- a) Being late for lectures, tutorials and other forms of compulsory learning activities or leaving such activities before specified time without excuse;
- b) Failing to submit required document to University (e.g. proof of residency permit, medical certificate, etc.);
- c) Misbehavior at the University premises or inappropriate attitude towards students, teachers, associates and other employees of the University;

- d) Causing minor damage to the University property or property of the third parties at the University campus;
- e) Behavior that may damage reputation of the University, University students, teachers, associates and other University employees;
- f) Disruption of lectures, exams, meetings, ceremonies and other events, i.e. disruption of regular University operations;
- g) Registration of exam for himself/herself or for another student in examination period for which University regulations does not allow such student to take exam;
- h) Writing, drawing or placing posters and banners on University campus in places which are not designed for it, or without approval of the relevant University authorities;
- i) 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 145

##### (Severe breaches of duty)

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

- a) Falsification of documents in general, especially falsification of the public documents issued by the University or its organizational unit;
- b) Alteration or addition of data into records kept by University or its organizational units;
- c) Giving false statements to University officials and to University bodies in general, and especially for the purpose of acquiring rights which cannot be acquired under existing regulations;
- d) Spreading false information on the activities and operations of the University,
- e) Unauthorized duplication of copyrighted texts, plagiarism, direct quoting, paraphrasing or summarizing from a source without proper referencing of the author and work;
- f) Theft;
- g) Inciting riots or fights, participation in a fight or a soliciting fights at the University campus,
- h) Expression of ethnic, religious, racial or other animosities on the University campus;
- i) Failure to comply with safety rules and regulations of the University, entering the premises of the University campus where access is prohibited;
- j) Causing serious damage to the University property or property of others, at the University campus;
- k) Entering University campus under the influence of alcohol or narcotics and/or use of alcohol or narcotics within the campus of the University;
- l) 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;

- m) Inciting or abetting students to use illicit drugs or alcohol, trafficking, dispensing, or selling drugs or possessing drugs or alcohol on University campus;
- n) Writing or drawing inappropriate messages on walls or other surfaces at University campus or destruction of posted signs, banners or announcements;
- o) Cheating on 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 contrary to study rules of first, second or third study cycle;
- p) Bringing weapon or explosive devices on the University campus;
- q) Verbal or any other assault against teacher, associate or employee of the University or any other person at University campus.
- r) Irregular attendance to lectures, especially if it interferes with proper group work of other students, and absence from official rehearsals and duties without valid justification;
- s) Participation in projects outside the University, without prior consent by the relevant University authorities or its organizational units, when such approval is required by University regulations;
- t) Failure to pay compensation for damages ordered by disciplinary decision;
- u) 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);
- v) 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.

#### Article 146

(Role in perpetrating breach of duty)

- 1) Breach of duty (in disciplinary matters) student can do as:
  - a) Perpetrator or co-perpetrator (more than one person);
  - b) Instigators;
  - c) Accomplice; and
  - d) By concealing breach of duty by others.
- 2) Role and degree of responsibility in committing breach of duty (in disciplinary matters) are determined in the procedure established in this Statute.

#### Article 147

(Location of breach of duty)

- 1) Breach of duty (in disciplinary matters) can be made:
  - a) anywhere within the University campus;

- b) at the premises where the out-of-campus lectures are held or in front of those premises;
- c) in any other place, when such activity damages reputation of the University, another student or students, teachers, associates or non-academic staff of the University (e.g. spreading false news or information);
- d) in any other place, if the intent of the activity is to illegally acquire a right or material gain (e.g., falsification of public documents issued by the University).

#### Article 148

##### (Time of breach of duty)

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

#### Article 149

##### (Application of the rules on causing damage)

Rules listed in this section of Statute also apply to all cases for establishing compensation for damages.

### IV. DISCIPLINARY MEASURES AND COMPENSATION

#### Article 150

##### (Disciplinary measures)

- 1) Disciplinary measures for breach of duty (in disciplinary matters) are:
  - a) Warning (reprimand), which can be imposed for minor or severe breach of duty (in disciplinary matters) as set in article 144 of this Statute;
  - b) Public reprimand, which can be imposed to 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);
  - c) 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;
  - d) Expulsion from the University permanently or temporarily, which is imposed for severe breach of duty (in disciplinary matters) as set in Article 145 of this Statute;
  - e) Removal from the exam.

#### Article 151

##### (Application of disciplinary measure)

- 1) Disciplinary measure of Expulsion from the University may be imposed only for severe breach of duty.
- 2) Imposed measure of Warning is implemented by delivering final decision on warning to the student.

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

#### Article 152

(Cheating on the exam and plagiarism)

- 1) In the event that teacher, or any other person who officially supervises examination of the student, establishes beyond reasonable doubt that student cheated 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 145, items e) and o) of this Statute, 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.
- 2) Students who received N/A because of cheating, cheating attempt or plagiarism cannot withdraw ("W") from the course.

#### Article 153

(The measures prescribed in other general acts)

- 1) 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.
- 2) For any issues which are not regulated by other general acts, this section of Statute on students' disciplinary regulation applies will apply.

#### Article 154

(Compensation for damages)

- 1) Student is responsible for the damage caused to the University property or to the property of the other persons within the University campus.
- 2) Compensation for damages includes direct (actual) damages plus any reasonable expenses.

#### Article 155

(Accumulation of sanctions)

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

#### Article 156

(Damage done to another person)

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

### V. DISCIPLINARY PROCEDURE

#### Article 157

(Reporting breach of duties)

- 1) Report on committed breach of duties (in disciplinary matters), and/or on caused damage, can submit:
  - a) Each student;
  - b) Each employee;
  - c) Any person engaged by the University.
- 2) Report can be submitted in writing or orally, containing in particular:
  - a) Name and surname of the student or students who did breach of duties (in disciplinary matters), or caused damage, or if possible, additional information about them for their accurate identification;
  - b) Description of 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 by which the breach is done, and
  - c) Evidence (public documents, witnesses, and other evidence).
- 3) The report shall be submitted to the dean of the University whose program student attends.

#### Article 158

##### (Initiation of proceedings)

- 1) Procedure for determining student' disciplinary responsibility is initiated by dean.
- 2) Decision on initiating disciplinary procedure includes names of Disciplinary Committee which has to conduct procedure in accordance with the provisions stipulated in this Statute.

#### Article 159

##### (Disciplinary hearing)

- 1) Chairperson of the Disciplinary Committee schedules a hearing to determine responsibility for the breach of duties (in disciplinary matters) and/or for damages caused.
- 2) The hearing is normally scheduled at the University premises, during the regular business hours at the University.
- 3) 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.
- 4) If student without just cause does not appear at the second hearing, Disciplinary Committee will carry out disciplinary proceedings in the absence of the student.

#### Article 160

##### (Progress flow of the hearing)

- 1) Hearing is chaired by the Disciplinary Committee's chairperson.
- 2) The hearing cannot take place if the student, against whom the proceeding is taking place, is not duly invited.
- 3) Hearing is carried out in the following order:

- a) 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.);
  - b) Reading the decision referred to in Article 158 of this Statute;
  - c) Taking the statement from the student against whom the proceedings is held;
  - d) Presentation of the evidences: review of official documents, interviewing witnesses and experts witnesses, examining the relevant records kept at that university, etc;
  - e) Closing arguments of the student against whom the proceedings are conducted and of his/her representative, if applicable.
- 4) If the hearing cannot be completed in one session, a new hearing is scheduled in 15 days, the latest.

#### Article 161

##### (Minutes from the hearing)

- 1) During the hearing, the minutes are taken so that relevant information related to the flow of the discussion is fully recorded.
- 2) Minutes are taken by a person designated by the Disciplinary Committee chairperson.

#### Article 162

##### (Elements to be taken into account)

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.

#### Article 163

##### (Decision-making)

- 1) 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:
  - a) Find student responsible for the breach of duties and impose a measure against the student and/or establish obligation of the student to pay for damages for which he/she is responsible;
  - b) 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
  - c) Suspend the proceedings, when he/she determines that there are no conditions for their continuation.
- 2) Along with the proposal, the Disciplinary Committee submits to the Dean all records and documents pertaining to the case.

- 3) 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.
- 4) The decision referred to in paragraph 1 shall include in particular:
  - a) Name of the student against whom it imposes the measures and information about his/her identification;
  - b) Description of the breach of duties, with the place, time and the method how it was committed;
  - c) Type of disciplinary action and/or the amount of damages, if the student is found responsible;
  - d) Explanation of the decision;
  - e) Legal remedies with the deadline for appealing the decision; and
- 5) Signature of the dean and the seal of the University, with the reference number and date of issuance.

#### Article 164

##### (Appeal)

- 1) Student may submit to the faculty council appeal against the decision referred in previous article. Appeal can be submitted in person or by mail.
- 2) Appeals are submitted in no later than eight days from the date of receipt of the decision issued in the first instance.
- 3) Faculty Council can uphold, modify or revoke, in whole or in part the decision issued in the first instance.
- 4) Faculty Council decision on expulsion from the University is final after obtaining Rector's consent.
- 5) 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.
- 6) In latter case, faculty council will issue its final decision based on the written justification given in Rector's instruction.

#### Article 165

##### (Documents delivery)

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 Affairs Office, or by other authorized persons. If the document cannot be delivered to the student in person, it is deemed to be delivered by posting on the notice board of the respective Faculty of the University.

#### Article 166

##### (Deadlines)

- 1) 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.
- 2) 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.

#### Article 167

##### (Records)

- 1) Disciplinary measures are recorded and shown on student's transcript.
- 2) 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.
- 3) 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.
- 4) Student Affairs Office maintains separate records on imposed disciplinary measures and on ordered compensations for damages.

#### Article 168

##### (Expulsion of disciplinary records)

- 1) Dean and Rector can decide to remove any disciplinary record from student's file or transcript if they believe that specificities of particular disciplinary offence no longer warrant continuation of keeping disciplinary record in student file or transcript.
- 2) Disciplinary record can be removed on the base of an appeal submitted by student/University graduate, or it can be removed directly by Dean or Rector, without such appeal.

#### Article 169

##### (Interpretation of Students' disciplinary regulations section of the Statute)

Senate of the University can issue official interpretation of any clause contained in this Section of the Statute.

**CHAIRMAN OF THE SENATE**

**Prof. Dr. Ahmet YILDIRIM**