



AKADEMIA • ACADEMY TEMPULLI

REGULATION ON DISCIPLINARY MEASURES AND PROCEDURES OF ACADEMIC, NON-ACADEMIC STAFF AND ACADEMY STUDENTS

Article 1

This regulation determines the conditions for guaranteeing a climate in which all stakeholders must respect it in particular in promoting the preservation and appreciation of the integrity of the person, the institution and especially the student.

Based on this spirit, this regulation determines the responsibilities of the administrative staff of the Tempulli Academy (hereinafter the Academy) in fulfilling the duties assigned by law, statute, regulations and instructions within the Academy and to determine the manner of implementation of the practice. principles, norms and requirements in the field of discipline, in order to respect human rights and implement legal provisions.

This regulation determines the provisions on disciplinary violations, punitive measures, disciplinary investigation, appeal and methods and procedures of animation.

Article 2

1. Submission and identification of disciplinary violation

Any suspected or alleged violations must be reported to the Secretary General of the Academy or the Program Coordinator.

Article 3

The disciplinary commission immediately after receiving the report in verbal or written form for alleged disciplinary violation, must:

- Investigate the case;
- Interview the alleged offender and the person who reported;

- Analyze the details given in the statement, and at its discretion will decide on the nature of the minor or serious violation.

- The chairman of the commission appoints one of the members in the status of rapporteur. The reporting member reviews the file and completes it within three days and then submits the prepared report to the chairman of the Disciplinary Commission.

In making its decision, the Ethics Committee shall rely on the provisions of this Regulation.

Article 4

2. Disciplinary violations

Minor disciplinary violation is considered:

a) Unreasonable absence from work,

b) minor careless mistakes or

c) Repeated mistakes that will not be the subject of disciplinary proceedings will be taken as a minor disciplinary violation.

The relevant ethics committee will collect and review: any documents or evidence relevant to the case; will interrogate the alleged offender; his statement; the person who filed the alleged case and anyone who has information about the case.

The interview should be held as soon as possible, in order to determine the nature of the offender.

Article 5

If the relevant Ethics Committee finds that:

1. a minor offense was committed and it is the first time,

2. a verbal warning is appropriate,

3. and for repeated violations a written warning is appropriate.

The warning report in verbal and written form must be placed in the personal file of the person.

Article 6

Determination of serious disciplinary violation

If the Ethics Committee finds that a serious violation has been committed, it will submit the case to the Disciplinary Commission of the relevant body of the Academy.

The Ethics Committee will interview the alleged offender within 5 days of being referred to the Disciplinary Committee and will clarify:

1. the nature of the alleged violation,
2. that the alleged violation be treated as serious and referred to the Disciplinary Commission,
3. when and where the session of the disciplinary commission will be held.

Article 7

When there is evidence of violence against other people or danger to property, the relevant Ethics Committee may propose to the Director to suspend (suspend) the alleged offender from work and pay him for the time while investigations and disciplinary proceedings are ongoing.

Article 8

The following are considered as serious disciplinary violations:

- Unreasonable objection to the performance of duties specified in the employment contract;
- Theft, fraud, forgery, (plagiarism) damage or unauthorized use of Academy property.
- Breaking the code of conduct in the Academy,
- Unreasonable absence from work for more than 5 consecutive days without any reason and without notifying the absence;
- Repeated mistakes which with their frequency and severity disrupt the normal course of work;
- Direct or indirect discrimination or ill-treatment against another person of the Academy, based on gender, race, color, language, religion, residence, political opinion, social origin, and other cases protected by law;
- Treatment of any physical or verbal behavior of a sexual nature, violation of the dignity of the person at work that is undesirable or offensive which creates hostility, threatening or intimidating that person;

- Misconduct outside the workplace that does not correspond to the status of staff or student in the Academy, and which may bring the Academy into discredit, will bring the Academy a bad name.
- Intentional damage to property.
- Disclosure of business secrets.
- Serious incapacity for work caused by alcohol or drugs.
- Giving a false statement regarding the conflict of interest.
- Aggressive, threatening or insulting behavior in the workplace, and similar violations provided by law and other acts of the Academy.

Article 9

Disciplinary Commission

The Academic Council, according to the regulation of Ethics, forms a disciplinary Commission which will decide on cases that have to do with alleged serious violations. The disciplinary commission consists of four (4) members: two (2) from the academic staff, with mandates of four (4) years, one (1) member from the administrative staff with mandates of four (4) years, one (1) student delegated by Student Parliament with a mandate of one (1) year. The mandate of the members of the disciplinary commission will last as long as the mandate of the body that has appointed this commission.

In cases of conflict of interest when the objectivity of the member will be questioned, the member of the commission will be replaced and a deputy will be appointed for that special session and in the following cases:

- where the member of the commission is in the position of leader towards the alleged offender and has a family connection with the offender.
- where the commission member has been a victim of the alleged offender or has a family relationship with the victim.

Article 10

Support of the disciplinary commission

The professional service of the Academy, and other organizational units, will provide the Disciplinary Commission:

- providing advice and guidance to committee members,

- collection of documented evidence,
- preparation of the session schedule,
- notification of the persons required to be present for the details of the meeting place, date and time of the hearing,
- keeping the minutes for the disciplinary session and placing it in the candidate's file, and other issues required for the development of the procedure.

Article 11

Measures for serious disciplinary violations

The disciplinary commission after a detailed review of the case proposes to the relevant body to apply the following measures:

- Remarks (Addresses the academic or administrative staff in writing or verbally and asks them to perform their duties due to their unethical behavior).
- written remarks (Addresses the academic or administrative staff in writing and asks them to be more careful in carrying out their duties and work as well as to correct their behavior). Or
- last warning

For serious violations:

- Warning before exception
- Maintaining a part of the monthly salary: (Maintaining from 1/8 to 1/3 of the full monthly salary).
- Suspension: (Notification of the academic or administrative staff that he / she has been suspended from the function of the Director, Coordinator, Chairman of the Council and the relevant academic or administrative function in which he / she is located).
- Exclusion from the Academy for a certain period of time, and
- Permanent expulsion from the Academy (Notification in writing of the academic or administrative staff that it has been proposed for dismissal to be no longer admitted to the Academy).

Article 12
Repetition of disciplinary violations

If the action or conditions for which a disciplinary measure has been imposed is repeated during the period of deletion of the sentence in the disciplinary register, then the disciplinary measure is given a more severe degree.

Article 13
Positive status assessment

If the academic or administrative staff during the past period has performed positive services and in the register has been evaluated with "good" or "very good" grades, then disciplinary action can be given a lighter degree.

Article 14
Meeting and voting procedure

In the Commission: after the rapporteur is heard, the case is considered. After the issue is clarified and when it is reached that the reasoning and negotiations are sufficient, it is passed to the vote and the result of the vote is declared by the chairman of the Commission.

Each member of the Disciplinary Commission has the obligation to cast his vote for or against. Abstention is not allowed. Decisions in the Disciplinary Commission are taken by a simple majority of those present at the meeting. The chairman votes last. In case we have equal votes, the vote of the chairman of the Disciplinary Commission is decisive. The result of the voting is reflected in a record and signed by those present.

Article 15
Deadline for issuing a decision by the Disciplinary Commission

For the measures "reprimand" and "written warning", he is obliged to make a decision within seven days from the end of the interrogation.

For the measures "withholding a part of the monthly salary" and "suspension from the management position" the file is immediately submitted to the Disciplinary Commission.

The Disciplinary Commission is obliged to take a decision within one month from the receipt of the file by the members of the Disciplinary Commission.

Article 16

Manner of issuing the decision by the Disciplinary Commission and Publication of decisions

The Disciplinary Commission reviews the personal data file of the personnel in question, collects information from relevant institutions or evidence about the personnel in question, hears witnesses or may consult an expert if it deems it necessary.

Decisions starting from the date taken are clarified within 5 days by the rapporteurs through a record. The quorum of their receipt is also determined. Signed by the Chairman and other members. Members who share a dissenting opinion state the reasons for their opinions and sign the minutes. Notification of the decision to the personnel in question The disciplinary measure taken is communicated to the personnel in question after being signed by all members of the Disciplinary commission. Along with the communication of the decision through a letter, the personnel in question are informed about the procedure and deadlines of the appeal.

Article 17

PRESCRIPTION

Actions and behaviors that are considered disciplinary violations in this Regulation within one month after being learned by the Disciplinary Commission should start the disciplinary investigation, in case it does not start then the power to take disciplinary action for the personnel in question is terminated.

For actions and behaviors that constitute disciplinary violations if 6 months have passed from the time they were committed and no disciplinary measure has been taken then no disciplinary measure can be given to the personnel in question.

During the inspection process of the economic-financial activities of the Academy, if violations occur during the exercise of the duty, disciplinary measures for these violations must be taken within 1 year after the violations in question have occurred.

Article 18

Procedure for initiating disciplinary investigation and deadlines for disciplinary investigation

The disciplinary inquiry into administrative staff begins with a request for redress to the Secretary-General, who shall refer the matter to the Governing Council. The disciplinary investigation of the academic staff begins with a grievance request addressed to the relevant Program Coordinator who sends this grievance request to the Disciplinary Commission.

The disciplinary investigation begins immediately on the day of notification of actions that are in violation of this Regulation. The disciplinary investigation must be completed within 1 month from the day the investigation begins.

If the disciplinary process cannot be completed then the Disciplinary Commission in case it deems reasonable may extend the period of the disciplinary investigation, but not more than 15 days above the deadline.

Article 19

Manner of conducting the investigation The Disciplinary Commission hears witnesses, may conduct a study or consult with an expert if necessary. Every investigation and procedure is verified through a record.

The minutes describe: The place where the report is kept, the time, the purpose, who participates, the questions and answers, and at the end it is signed by the one conducting the investigation, the person being questioned and everyone present. This record also reflects the identity of witnesses, addresses and similar information. The staff of the Academy is obliged to submit to the Board of Directors any document, file or evidence, without creating delays and to provide them with any assistance required.

Article 20

The right to protection

No disciplinary action can be taken without hearing the protection of the personnel in question. The Disciplinary Commission determines the day of protection, the personnel in question must be notified in writing at least three days before the start of the procedure. This letter reflects the disciplinary violation, which is alleged to have been committed by him, the day, time and place where the procedure will take place and he is given time in order to prepare his defense. Personnel who on the day set to present defense without reasonable cause do not appear during the proceedings shall be deemed to have waived the right to defense.

Article 21

Investigation report

A report is drafted at the end of the investigation.

The report reflects: prior approval of the investigation, date of commencement of the investigation, identity of the person under investigation, violation, stages of the investigation and defense.

Each violation is analyzed separately, guilt is discussed, and a disciplinary measure is proposed that is deemed reasonable to enforce. If there are documents that are related to the case, they are attached to the report and sent to the Disciplinary Commission.

Article 22

If the Disciplinary Commission does not set another date for the entry into force of the disciplinary measure, then it enters into force on the day of its issuance.

The disciplinary measure "withholding a part of the monthly salary" is applied at the beginning of the following month after the date of the decision by the Disciplinary Commission.

The disciplinary measures given are reported to the respective superiors.

Article 23

Appeal

For disciplinary measures: reprimands and written warnings, academic staff may file a complaint with the Council while administrative staff may file a complaint with the Secretary General of the Academy. The decision to be made by the Academic Council or the Secretary General is final.

These decisions can be appealed administratively.

Article 24

Appeal deadlines

Against the measures given by the Disciplinary Commission, the deadline for appeal is 7 days after the personnel in question have been notified. Disciplinary measures that are not appealed within this deadline become final.

In cases of appeal the Academic Council analyzes the decisions given by the Disciplinary Commission and may take a lighter, heavier measure or may accept it as it is.

The Academic Council from the day it received the request for appeal, along with decisions and appendices of decisions within 7 days must give its decision.

Disciplinary measures that are annulled are deleted from the relevant Register.

Article 25

Reconciliation of disciplinary measures

Disciplinary measures are written in the register.

The personnel in question two years after the disciplinary measure has been applied with a request addressed to the competent incumbent may request the termination of the disciplinary measure.

If the personnel in question during this period has not committed another disciplinary offense and his conduct has been regular, then the disciplinary measure is terminated.

Article 26

Data retention and file submission.

The disciplinary proceeding file, appendices and page numbers are kept in a register approved by the Program Coordinator. All stages of disciplinary proceedings are recorded in this register.

Responsible for measuring this register The disciplinary proceeding file is submitted to the relevant officer against the firm on the basis of confidentiality

PART THREE ON THE DISCIPLINARY PROCEDURE FOR STUDENTS

Based on the Labor Law, no. 03 / L-212, as well as based on article 124 of the Statute of the Academy”.

Disciplinary proceedings for students of this institution, filing - identification of violations of disciplinary proceedings, disciplinary violations, appointment of the disciplinary commission, support of the disciplinary commission, measures related to disciplinary violations and other issues.

Determining the disciplinary responsibility of the students of the Academy and the appeal procedure, the right to appeal and the appointment of the appeals commission.

DETERMINATION OF STUDENTS 'DISCIPLINARY RESPONSIBILITY

Article 2

Disciplinary measures remarks:

The disciplinary measure "reprimand" is given in case of confirmation of the following actions and conditions:

- In cases when without reasonable reasons the student does not answer in time the questions addressed by the competent bodies of the Academy,
- To place notices outside the places authorized by the competent bodies of the Academy
Removing, tearing, polluting, changing or scribbling the notices, programs or materials placed with the permission of the Academy,
- To behave badly and unethically towards the competent bodies of the Academy or towards the competent bodies of the subordinate institutions of the Academy,
- Distribute without authorization notices, posters and place banners on the premises of the Academy.

Article 3

Disciplinary measure written warning Disciplinary measure "written warning" is given in case of confirmation of the following actions and conditions:

- a. To conceal information, to provide false or incomplete information in case information is requested from the competent bodies of the Academy,
- b. Disruption of order in lectures, seminars, internships, scientific meetings and conferences.

Students are obliged to adhere to the obligations arising from the general acts of the Academy and this Regulation. Students must carefully and fairly use the property entrusted to them during their studies, to protect it from destruction.

For violation of the obligations and legal rules of the Academy, the student can be held responsible for disciplinary violations.

Article 4

Minor disciplinary violation

- bad behavior in the working premises of the Academy where lectures, exercises and exams are held;
- disturbing the order and calm during the lectures in which the normal work of the teacher and students is hindered;
- destruction of teaching equipment, laboratories, computers, library stock in libraries, and other property in the Academy;
- In cases when without reasonable reasons the student does not answer in time the questions addressed by the competent bodies of the Academy;
- To place notices outside the places authorized by the competent bodies of the Academy;
- participation in rallies of a political nature in the facilities of the Academy for which there is no permit;
- performing other activities which cause damage and violate the authority of the Academy, teachers, associates, other employees and students of the Academy.

Article 5

2. Serious disciplinary violation

The following are considered as serious and disciplinary violations:

- Falsification, improvement of data in Index, Certificate, Certification, SEMS and other documents issued by the Academy; falsifying a teacher's grade or signature;
- Removing, deleting, polluting, altering or scribbling notices, programs or materials placed with the permission of the Academy;
- To hide information, to provide false or incomplete information in case information is requested from the competent bodies of the Academy;
- Behaviors which restrict the freedom of learning and teaching;
- providing inaccurate information to the bodies of the Academy, in order to acquire certain rights of students;

- falsely presenting for the purpose of passing the exam or performing other obligations in the name and account of another student;
- incitement of a serious incident in the working premises of the Academy where the teaching (lectures, exercises and exams) is greatly hindered or made more difficult;
- great destruction of the property of the Academy;
- incitement to hatred, beatings, serious insults against teachers, workers, students;
- the use of alcohol and drugs in the facilities of the Academy and other cases provided by Law, Statute and this Regulation;
- Directly or indirectly threatening the staff or students of the Academy;
- Verbal sexual harassment inside the premises of the Academy;
- Abuse by plagiarizing the topic and publications issued on behalf of our institution;
- To have been convicted of a criminal offense of any kind by the Court with a final decision.

Article 6

Course prescription

The beginning of the disciplinary procedure for minor violations for students becomes obsolete after the expiration of the period of 6 months from the day of becoming aware of the commission of the offense,

The beginning of the disciplinary procedure for serious violations for students becomes obsolete after the expiration of the period of 12 months from the day of being informed of the commission of the offense.

Article 7

3. Taking measures in relation to the disciplinary violation

The disciplinary commission after a detailed review of the case proposes that the following measures be taken:

- written remarks,
- expulsion from the Academy for six months,

- expulsion from the Academy for one year,
- expulsion from the Academy for two years,
- permanent expulsion from the Academy.

II. DISCIPLINARY INVESTIGATION

Article 8

The Disciplinary Commission and the disciplinary investigation procedure, as well as the Members of the Disciplinary Commission are elected by the Academic Council of the Academy for a period of four years. The disciplinary investigation is conducted by members selected by the Disciplinary Commission.

Article 9

Procedure for initiating disciplinary investigation and deadlines for disciplinary investigation

The disciplinary investigation begins with a COMPLAINT REQUEST addressed to the Secretary of the relevant Academy or program coordinator. The Secretary sends this request for complaint to the Director of Academy. The program coordinator forwards the event to the Disciplinary Commission. The disciplinary investigation begins immediately on the day of notification of actions that are in violation of this Regulation.

The disciplinary investigation must be completed within fifteen days from the day the investigation begins. If the disciplinary process cannot be completed then the Disciplinary Commission in case it deems reasonable may extend the period of the disciplinary investigation, but not more than 15 days above the deadline.

Article 10

Manner of conducting the investigation by the Disciplinary Commission

Listens to witnesses in the first place, may conduct a study or consult an expert if necessary. Every investigation and procedure is verified through a record. The minutes describe: The place where the report is kept, the time, the purpose, who participates, the questions and answers, and at the end it is signed by the one conducting the investigation, the person being questioned and everyone present. This record also reflects the identity of witnesses, addresses and similar information. The staff of the Academy is obliged to submit any document, file or evidence to the

Disciplinary Commission, without creating delays and to provide them with any assistance required.

Article 11

The right to protection

- The student against whom a disciplinary procedure will be initiated, must be notified in writing at least three days before the beginning of the procedure.
- This letter reflects the day, time and place where the procedure will take place and is given time in order to prepare his defense.

- In the notification letter sent to the student, it should be clearly stated that in case without reasonable reasons he does not appear during the proceedings it will be considered as if he has waived the right of defense and in case for reasonable reasons or force majeure he does not may be granted him additional time to present his defense.

Investigation, the student is given the opportunity to defend himself but the defense, cannot be used as a reason to extend the investigation deadlines.

Article 12

Investigation report

At the end of the investigation, a report is drafted, which reflects:

- prior approval of the investigation,
- date of commencement of the investigation,
- the identity of the person under investigation,
- violation, stages of investigation and defense.

Each violation is discussed separately with the student and the disciplinary measure that will be applied is notified. If there are documents that are related to the issue they are attached to the report.

Article 13

Measures during the disciplinary investigation The Disciplinary Commission, if it deems necessary, also takes preliminary measures, by which the student under investigation can be deprived of the right to enter the building of the Academy. In this case, the decision of the Disciplinary Commission applies. In the event that after committing a disciplinary violation the student changes the department within the Academy or leaves the Academy for any reason he will continue to be subject to disciplinary proceedings until a final decision is made.

Article 14

Completion of the investigation

The investigation report and the file after review and evaluation as regular they are immediately submitted to the Disciplinary Commission. The Disciplinary Commission reviews the case no later than three days. If after reviewing the file the Disciplinary Commission finds it reasonable to obtain further information it may request the completion of the investigation by another member of the Disciplinary Commission.

Article 15

Meeting of the Disciplinary Commission and preparation of the work of the Disciplinary Commission

The Disciplinary Commission convenes at the request of its chairman, at the place, day and time appointed by him. The meeting plan, announcements, progress of work in the Disciplinary Commission are in the competence of its chairman.

Article 16

Meeting Quorum and Reporting

The meeting of the council is valid when more than half of its members participate in it. The Chairman of the Disciplinary Commission appoints one of the members to the status of rapporteur. The reporting member reviews the file and completes it within two days and then submits the prepared report to the chairman of the Disciplinary Commission.

Article 17
Meeting and voting procedure

In the commission: after the rapporteur is heard, the case is considered. Once the issue is clarified and when it is reached that the reasoning and negotiations are sufficient, it is passed to the vote and the result of the vote is declared by the chairman of the Disciplinary Commission. Each member of the Disciplinary Commission has the obligation to vote for or against it. Abstinance is not allowed. Decisions in the Disciplinary Commission are taken by a simple majority of those present at the meeting. In case we have equal votes, the vote of the chairman of the Disciplinary Commission is decisive. The result of the voting is reflected in a record and signed by those present.

Article 18
Deadline and Decision of the Disciplinary Commission

Deadline for giving a decision to the Disciplinary Commission for disciplinary measures reprimand, written warning, suspension of the right to continue studies in the Disciplinary Commission for a period of one week to one month is obliged to make a decision within five days from the end of taking in question.

In those cases, when it is necessary to issue other disciplinary measures, the file is immediately submitted to the Disciplinary Commission. The Disciplinary Commission is obliged to make a decision within ten days from the receipt of the file by the members of the Disciplinary Commission

The Disciplinary Commission has the right to give or not the measure proposed in the investigation report, applying the rules, conditions and stating the reasons may give a different disciplinary measure.

Article 19

Criteria to be considered when issuing a disciplinary measure

a- The Disciplinary Commission, during the qualification and evaluation of the disciplinary measure, must take into account the importance of the violation, the intentions and motives of the accused person, if it is repetitive, the behavior, attitude towards the act committed and repentance.

b- In case he has committed a violation to the detriment of the Academy, in cooperation with a student of another institution, a disciplinary measure of a higher degree than that provided for the violation in question is given.

c- For disciplinary violations committed in cooperation, when the culprit does not plead guilty, each victim is given a measure deemed reasonable by the Disciplinary Commission.

Article 20

Notification and enforcement of disciplinary action and Enforcement

The measure given at the end of the disciplinary procedure is announced by the Disciplinary Commission:

- a- The student against whom a disciplinary measure has been taken,
- b- Parents (Mother or his father), and in the absence of the latter any relative,
- c- Disciplinary measures; if necessary, it can be sent in the form of a notification to the institution or its branches.

If the Disciplinary Commission does not set another date for the entry into force of the disciplinary measure, then it enters into force on the day of its issuance.

I. COMPLAINTS PROCEDURE

Article 21

The grievance procedure aims to protect the person and the student from unfair decisions. The person dissatisfied with the Decision with which the disciplinary measure was imposed has the right to appeal. The complaint is addressed to the second instance body.

2. Appointment of the complaints commission

Article 22

The Disciplinary Commission will appoint a grievance commission, which consists of: The Secretary General, the Director and the Student Representative.

The mandate of the members of the complaints commission will last as long as (2 years) the mandate of the body that appointed this commission. Members of the appeals commission may not even be members of the second instance disciplinary commission.

Article 23

In case of conflict of interest, the member of the complaints commission withdraws and is replaced for that special session, if:

- is in a management relationship with the complainant or is close to him / her on the family side.
- is implicated in the incident (event) that is the subject of the complaint.

Article 24

The professional service of the relevant body will be provided to the complaints commission:

- advice and instructions, gathering documentary evidence and distributing appropriate documents to all parties;
- preparation of the schedule of review sessions;
- keeping the minutes of the hearings and placing it in the personal disciplinary file

Article 25

The complainant must present new facts, arguments and evidence summarizing the reasons for the complaint.

The grievance hearing should be held as soon as possible and in any case no later than 30 days from the day the grievance is addressed to the grievance commission.

The Appeals Commission will:

- review the evidence,
- determine on the basis of evidence whether the complaint should be accepted,
- describes the disciplinary measure of improvement to be implemented.

The commission may request the presence of witnesses to testify in the case.

The purpose of the appeals commission is to consider the evidence in the appeal, taking additional evidence in finding the facts.

Article 26

The hearing must be completed as soon as possible and the commission must decide within 60 days from the day the case was presented to the commission.

The commission decides by a majority vote of the members.

The relevant body based on the proposal of the Commission takes a Decision which is notified to the complainant within 5 days from the day of receipt.

The minutes of the complaints commission should be placed in the complaint file.

II. FINAL PROVISIONS

Article 27

The Board of the Academy takes care of the implementation of this Regulation.

The interpretation of this Regulation is given by the Steering Council, based on the general principles of interpretation, always giving priority to constructive and positive choice.

Article 28

The regulation entered into force immediately after being signed by the Chairman of the Steering Council.

Amendment and supplementation of this Regulation can be done according to the same approval procedure.

Chairman of the Steering Council
