

International Balkan University

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Based on Article 28 of the Law on Higher Education (Official Gazette of the Republic of N. Macedonia No. 82/2018 and No. 178/21) and Article 162 of the Statute of the International Balkan University Skopje, the Senate of the University, at the session held on 29.11. 2022, brought the following:

R U L E B O O K

ON DISCIPLINARY LIABILITY OF STUDENTS

AT THE INTERNATIONAL BALKAN UNIVERSITY Skopje

General Terms

Article 1

This Rulebook regulates the manner and procedure for determining the disciplinary responsibility of the students of the International Balkan University Skopje, the types of disciplinary offenses, the types of disciplinary measures, and the conditions under which they can be enforced.

Article 2

A student of the International Balkan University Skopje (hereinafter referred to as the University) in the sense of this Rulebook, is a natural person enrolled in the first, second, or third cycle of studies at a unit (Faculty/Vocational school) within the University.

A student from paragraph 1 of this article is also considered a student - guest and visitor of a continuous improvement program that is implemented at a faculty within the University.

Obligations of the student

Article 3

The student of the University is obliged to:

- to comply with the provisions established by the Law on Higher Education, the Statute, and the internal acts of the University and of the corresponding faculty where he studies within the University,
- to protect the reputation and respect the rights of the University, employees, and other University students,
- to respect the prescribed discipline and the usual rules of behavior within the university community and properly perform the obligations arising from the status of a student.

Relationship between disciplinary offense and crime

Article 4

Responsibility determined by the disciplinary authorities of the University for an action that has the characteristics of a crime or misdemeanor does not exclude the possibility of criminal or misdemeanor proceedings.

The disciplinary authorities of the University can stop the disciplinary procedure until the completion of the criminal or misdemeanor procedure for the action from paragraph 1 of this article.

Disciplinary offenses

Article 5

A disciplinary offense is an action that represents a violation of the obligations arising from the status of a student and which was committed intentionally or out of gross negligence.

Article 6

Disciplinary offenses are categorized as minor or major.

Article 7

Lighter disciplinary offenses are:

- violation of the order of lectures, exercises, exams and other forms of teaching, which is not considered a serious disciplinary offense;
- intentionally causing material damage to the University's funds, if the damage does not exceed a monetary value of 30,000 denars;
- insulting other students at the University;
- non-compliance with the regulations for protection during studying.

Article 8

More serious disciplinary offenses are:

- the student coming to classes, exercises or taking exams or colloquiums in an alcoholic state or under the influence of narcotic drugs;
- using illegal means in an exam and taking an exam contrary to the established rules for studying;
- taking an exam for another person;
- falsifying and entering data in a public document issued by the University or using it;
- falsifying or writing data in the records maintained by the University or its use;
- theft of University property or property of employees and students;
- causing a fight or participating in a fight in the premises or in the yard of the University, as well as causing disturbances in these places;
- spreading national, religious, racial or other type of intolerance;
- intentional jeopardy of safety by non-compliance with safety regulations at work;

- insulting teachers, colleagues, and other employees, as well as guests of the University;
- indicating the use of alcohol or narcotic drugs or giving or assisting in the use of alcohol or narcotic drugs or using them on the premises of the University;
- party and religious organization and action in the premises of the University;
- forcible disruption of teaching at the University;
- unauthorized use of the name, logo, of the university or units, including unauthorized opening of accounts on social networks in the name of IBU bodies;
- unauthorized reactions on social networks on behalf of IBU authorities, including unauthorized reactions on behalf of student representatives;
- writing and reacting on social networks or different applications (viber, whatsapp, etc.) in a way that violates the integrity and privacy of the academic, administrative or student staff;
- hiding and helping other students in committing a disciplinary violation;
- unauthorized reproduction of exam preparation materials (photocopying of textbooks and other copyrighted material) with the aim of placing them on the market and gaining material benefit;
- unauthorized use of technical means in the laboratories and other premises of the University;
- three legally issued warnings or two reprimands for disciplinary offenses committed during the previous studies.

Disciplinary measures

Article 9

The perpetrator of a disciplinary offense may be subject to the following disciplinary measures:

- 1) warning;
- 2) public warning;
- 3) loss of the right to a scholarship in whole or in part;
- 4) compensation for material damage;
- 5) suspension of studies for one semester or one academic year;
- 6) expulsion from the University.

A warning, loss of the right to a scholarship and a public warning are issued to the perpetrator of a minor disciplinary offense, and suspension and temporary removal or exclusion from the University are issued in case of a more serious disciplinary offense.

In any case, if during the causing of an offense the student caused damage to the University, the measures provided for in points 3 and 4, paragraph 1 of this article may be imposed independently or together with some of the measures provided for in the warning, as a measure is imposed for minor disciplinary offense like:

- violation of the order of lectures, exercises, exams and other forms of teaching, which is not provided as a serious disciplinary offense in which case the warning is pronounced at least two but not more than three times, depending on the circumstances in which it was pronounced ;
- intentionally inflicting material damage on the University's, if the damage does not exceed a monetary value of 30,000 denars, in which case the warning is imposed no more than twice, depending on the circumstances in which it was imposed;
- insulting other students of the University, in which case the warning is imposed no more than twice, depending on the circumstances in which it was imposed;
- non-compliance with the regulations for protection during the study, in which case the warning is pronounced no more than twice, depending on the circumstances in which it was pronounced.

In conditions of more minor disciplinary offenses of a different nature, the strictest criterion is taken as the maximum number of opportunities for repeating the warning measure, i.e. no more than twice.

A public warning is issued when:

- Multiple repetition of minor disciplinary offenses in conditions where the maximum allowed number of reprimands specified in paragraph (4) is exceeded
- In the case of more serious disciplinary offences, namely:
 - the student coming to classes, exercises or taking exams or colloquiums in an alcoholic state or under the influence of narcotic drugs, in which case the measure of public warning for repeating the act is pronounced no more than twice, depending on the circumstances in which it was pronounced;
 - using illegal means in an exam and taking an exam in violation of the established study rules, in which case the measure of public warning for repeating the offense is imposed no more than twice, depending on the circumstances in which it was imposed;
 - taking an exam for another person, in which case the measure of public warning for repeating the crime is imposed no more than twice, depending on the circumstances in which it was imposed;
 - spreading national, religious, racial or other type of intolerance, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which it is imposed;
 - spreading national, religious, racial or other type of intolerance, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which it was imposed;
 - intentional jeopardy of safety by non-compliance with the regulations for protection at work, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the

circumstances in which it was imposed;

- insulting teachers, colleagues and other employees, as well as guests of the University, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which it was imposed;
- stating the use of alcohol or narcotic drugs or giving or assisting in the use of alcohol or narcotic drugs or using them on the premises of the University, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which it is imposed;
- party and religious organization and action in the premises of the University, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which it was imposed;
- violent disruption of teaching at the University, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which it is imposed;
- unauthorized use of the name, logo, of the university or units, including unauthorized opening of accounts on social networks in the name of IBU bodies;
- unauthorized reactions on social networks on behalf of IBU bodies, including unauthorized reactions on behalf of student representatives;
- writing and reacting on social networks or different applications (viber, whatsapp, etc.) in a way that violates the integrity and privacy of academic, administrative or student staff;
- hiding and helping other students in committing a disciplinary violation;
- unauthorized dissemination of materials for exam preparation (photocopying textbooks and other copyrighted material) with the aim of placing them on the market and acquiring material benefit, in which case the measure of public warning for repeating the act is imposed no more than twice, depending on the circumstances in which is imposed;
- unauthorized use of technical means in the laboratories and in other premises of the University, in which case the measure of public reprimand for repeating the act is pronounced no more than twice, depending on the circumstances in which it was pronounced;

In the conditions of more serious disciplinary offenses than the above of a different character, the strictest criterion, ie two times, is taken as the maximum number of opportunities for repeating the measure of public warning.

For more serious disciplinary offenses for which additional actions can be taken, i.e. for which it is possible to initiate criminal or misdemeanor proceedings before the

competent authorities of the Republic of North Macedonia, the measure of public warning can be issued for:

- falsifying and entering data in a public document issued by the University or its use, in which case the measure of public reprimand can be issued at most once, except in the cases defined by paragraph (5), depending on the circumstances in which it is issued and the outcome the possible criminal or misdemeanor procedure;
- falsifying or writing data in the records kept by the University or using them, in which case the measure of public warning can be imposed at most once, except in the cases defined by paragraph (5), depending on the circumstances in which it is imposed and the outcome of the possible criminal prosecution that is, misdemeanor procedure;
- theft of property of the University or property of employees and students, in which case the measure of public warning may be imposed once in case of repetition of the act, except in the cases defined by paragraph (5) and depending on the circumstances in which it is imposed, the outcome of the possible criminal or misdemeanor proceedings;
- causing a fight or participating in a fight in the premises or in the yard of the University, as well as causing disturbances in these places, in which case the measure of public warning for repeating the act is pronounced no more than twice, except in the cases defined by paragraph (5) and depending on the circumstances in which it was imposed and the outcome of the possible criminal or misdemeanor procedure
- Suspension of studies from the University is imposed in the following cases:
 - Multiple imposition of a disciplinary measure of public admonition in conditions where the maximum allowed number of impositions of the measure of public admonition specified in paragraph (5) is exceeded.
 - In the case of more serious disciplinary offenses for which additional actions can be taken, i.e. for which it is possible to initiate criminal or misdemeanor proceedings before the competent authorities of the Republic of North Macedonia, the measure of temporary removal from the University can be adopted immediately if:
 - falsifying and entering data in a public document issued by the University or its use is an act that the student has also performed as a service to other students, as a result of which the student has acquired less material or non-material benefit. If the crime is of a larger scale, during which the student acquired a greater material benefit, over MKD 30,000 determined in criminal proceedings, and which may result in a multi-year prison sentence, depending on the mitigating and aggravating circumstances, the student may be sentenced immediate expulsion from the University;
 - falsifying or writing data in the records maintained by the University or using them in the event that the student committed the crime for several persons or

- changed a part of more than 10% of the records that refer to him. If the offense is of a larger scale, during which the student has acquired a material or non-material benefit, established in criminal proceedings, and which may result in a multi-year prison sentence, depending on the extenuating and aggravating circumstances, the student may be immediately expelled from the University;
- theft of University property or property of employees and students in case of aggravating circumstances, primarily the social status of the student, absence of effective remorse on the part of the student, etc. If the crime is of a larger scale, where the student obtained a greater material benefit, over 30,000 denars, determined in criminal proceedings, and which may result in a prison sentence of several years, depending on the aggravating circumstances, the student may be immediately imposed a measure expulsion from the University;
 - causing a fight or participating in a fight in the premises or in the yard of the University, as well as causing disturbances in these places in cases where it is determined that the student was the direct initiator of the fight, i.e. the disturbances, he caused them consciously and with intent, without any additional provocation . In the event that the fight or disturbance resulted in more serious physical injuries to one of the persons involved, especially when the injuries were caused by the accused, and which resulted in criminal proceedings and the possibility of a multi-year prison sentence, the student may immediately be sentenced to exclusion from The university.

The student may be expelled from the university in cases where:

- After the imposition of a measure of suspension from the University, he commits one more serious disciplinary offense, according to paragraph (4) or a maximum of three lighter disciplinary offenses from paragraph (3).
- In the case of more serious disciplinary offenses for which additional actions can be taken, i.e. for which it is possible to initiate criminal or misdemeanor proceedings before the competent authorities of the Republic of North Macedonia in accordance with the conditions defined in paragraph 2 of paragraph (5).

Article 10

Suspension of studies from the University cannot be shorter than one semester or longer than one academic year.

Suspension of studies starts from the first working day of the teaching week that follows the adoption of the final decision on the imposition of this disciplinary measure.

During the duration of the disciplinary measure from paragraph 1 of this article, the student's status at the University is suspended.

Article 11

Two legally issued public warnings or one suspension of studies by the University, for disciplinary offenses committed during the studies, entail the disciplinary measure of

exclusion from the University for the next serious disciplinary offense.

Facilitating and aggravating circumstances

Article 12

When imposing disciplinary measures, mitigating and aggravating circumstances are taken into account, and in particular:

- the gravity of the offense and its consequences;
- the degree of responsibility of the student;
- the conditions under which the offense was committed;
- the previous behavior of the student;
- the behavior of the student during the procedure;
- the social status of the student;
- the position of the injured party;
- other relevant circumstances.

Disciplinary authorities

Член 13

Disciplinary bodies that lead disciplinary proceedings are established at each of the faculties(units) within the International Balkan University:

- 1) disciplinary committee of the faculty as a first-level authority (in the following text: first-level committee)
- 2) disciplinary committee of the University as a secondary authority (hereinafter: secondary committee).

A special disciplinary committee of three members appointed by the rector, one member of which is a student delegated by the University Student Assembly, decides on a disciplinary offense committed by a student at two or more faculties within the University.

Article 14

The first instance commission has three members.

The president of the first-level committee and one of its members are elected by the Teaching-Scientific Council of the faculty from among the teachers, and one member is elected by the Student Assembly of the faculty from among the students.

The secondary commission has five members.

The president of the secondary commission and two of its members are elected by the Senate of the University from among the teachers of the University, and two members are elected by the University Student Assembly from among the students.

The Secretary general or his representative attends both commissions ex officio.

Article 15

The term of the members of the first and second-level commissions from among the academic staff lasts three years, and the mandate of the members from among the students lasts one year.

The mandate of the members of the commissions from paragraph 1 of this article can be repeated only once consecutively.

First-degree disciplinary procedure

Article 16

A disciplinary complaint (Appendix 1) against a student at the University can be filed by a professor, associate(assistant, demonstrator), person employed at the University, a student or another interested person.

The disciplinary report must contain the following elements:

- name and surname of the student,
- time, place and method of committing the disciplinary offence,
- evidence and signature of the applicant,
- data on the damage if it occurred.

The application must be submitted in a written form, by post or email.

An application submitted via e-mail must be confirmed by the applicant's handwritten signature no later than seven days from the day of submission.

Article 17

The disciplinary report is submitted to the dean of the faculty where the student is studying who is reasonably suspected of having committed a disciplinary offense.

Before making a decision on further action regarding a disciplinary report, the dean will instruct the legal service of the University to request a written statement from the student regarding the reported disciplinary offense and to declare the legal merits of the disciplinary report. After receiving an opinion from the legal service at the University, the dean will bring a decision.

Article 18

The dean will reject the disciplinary report with decision if it is established:

- that the violation does not constitute a disciplinary offense provided for by this Rulebook;
- that the statute of limitations has expired for conducting disciplinary proceedings.

Article 19

If the dean considers that the allegations in the disciplinary report have a basis for conducting disciplinary proceedings, he will submit a request for initiation of disciplinary proceedings.

The request for initiation of disciplinary proceedings is submitted to the first instance committee, within 48 hours from the receipt of the disciplinary report.

The request for initiation of disciplinary proceedings (Appendix 2) contains:

- name and surname of the student against whom the procedure is initiated;
- description of the disciplinary violation and the provision of the Rulebook in which it is provided for;
- the circumstances that give rise to the suspicion that the student has committed a disciplinary offense;
- evidence.

Disciplinary proceedings in the sense of Article 13 paragraph 2 of these Regulations are initiated by the Rector of the University, after receiving an opinion from the Rector's Board, within 8 days after receiving the request.

Article 20

A student against whom a disciplinary procedure has been initiated (hereinafter: accused) cannot be dismissed from the faculty until the disciplinary procedure has been resolved with a final verdict.

Article 21

If, after receiving the request, the first instance commission considers that the disciplinary offense has characteristics of a criminal offense, it will submit a report to the competent public prosecutor.

In the case of paragraph 1 of this article, the first-instance commission will decide whether to schedule a hearing or interrupt the disciplinary procedure until a decision is made regarding the submitted criminal complaint.

Article 22

After receiving the request for initiation of disciplinary proceedings, the president of the first instance commission schedules a hearing to which he invites the accused and the applicant, and if necessary, witnesses, experts, and other persons.

In the summons, the defendant will be informed that he has the right to hire a defense attorney who can attend the hearing. With the summons, the request from paragraph 1 of this article is delivered to the defendant.

The summons is delivered to the defendant no later than five days before the hearing.

Article 23

In case of absence from the hearing of the duly summoned defendant or his representative, the hearing will be postponed.

If the person from paragraph 1 of this article do not respond to the next properly delivered invitation, and they have not justified their absence, the hearing will be held in their absence.

Article 24

Minutes are kept for the sessions of the committee.

The minutes are kept by a person employed in the service of the Rectorate, who will be determined by the Rector.

The name of the committee, the names and surnames of the members of the committee present, the place, day and time of the session, the subject of the procedure, the names and surnames of the participants in the procedure, witnesses and other persons attending the session are entered in the minutes. Information on which of the invited persons are not present and whether they have been duly summoned to the session are also entered in the minutes.

The minutes should contain data on all activities undertaken at the session, especially whether it was public or the public was excluded, the content of the allegations of the participants, their proposals, the evidence that was presented and the evidence that was offered, the content of the statements of the witnesses, as well as the decisions made at the session.

The minutes must be kept properly and nothing must be deleted, added or changed in it.

The participants in the procedure have the right to read the minutes, and the persons who gave statements also have that right, but only in the part of the minutes that refers to the content of their statements.

Participants have the right to request copies of the minutes.

The minutes are signed by the president of the commission and the recorder. If the defendant is a person with special needs, the hearing will be conducted with the help of an appropriate expert.

Article 25

After the conclusion of the hearing, the first instance commission can cease the disciplinary procedure release the accused from allegations or declare him guilty. The first-level committee conducts secret voting, and acts on the basis of the absolute majority, that is, on the basis of a minimum of 3 votes. In order to conduct the secret ballot, all members of the committee must be present.

Article 26

The decision to cease the disciplinary procedure is made by the first-instance commission when the statute of limitations for conducting the disciplinary proceedings has occurred.

Article 27

The decision to release the accused from responsibility, the first-instance commission makes:

- if he ascertains that the violation does not constitute a disciplinary offense provided for by this Rulebook;
- if there are circumstances that exclude liability;

- if it is not proven that the accused committed the disciplinary offense.

If, when making the decision from paragraph 1 of this article, the commission determines that the proposer submitted the proposal maliciously, then the commission can initiate a procedure against the proposer to determine a violation of the moral principles and standards prescribed by the Code of Ethics of the International Balkan University Skopje.

Article 28

The decision (Appendix 3) contains an introduction, dispositive, explanation, pronounced disciplinary measure and legal instruction.

If the student caused the material damage with the offense, the solution will oblige him to compensate it.

The decision is signed by the president of the first instance disciplinary commission.

The decision is delivered to the student in person or by registered mail, within eight days from the day of adoption.

One copy of the decision is submitted to the dean.

Secondary disciplinary procedure

Article 29

An appeal against the decision of the first instance commission may be filed by:

- the student who is a party to the first-degree disciplinary procedure;
- the applicant (of the disciplinary report).

Article 30

The appeal is submitted within eight days from the day of receipt of the first-instance decision.

The appeal is submitted to the first instance commission, which forwards it to the second instance commission together with the rest of the case files within eight days from the day of receipt of the appeal.

Article 31

The preliminary examination of the timeliness and admissibility of the appeal is carried out by the president of the second-level commission, who rejects it with a decision (Appendix 4) if it is untimely or inadmissible. This decision is delivered to the parties in the procedure. The decision is final and cannot be appealed.

The appeal is untimely if it is filed after the deadline of paragraph 1 of Article 30 of this Rulebook.

The appeal is inadmissible if it is submitted by a person who is not a party to the procedure, in accordance with Article 29 of this Rulebook.

Article 32

Grounds for submitting a complaint are:

- violation of the rules of the procedure prescribed by this Rulebook,
- wrongly or incompletely established factual situations and
- wrong application of the provisions of the Regulations.

Article 33

The second-level committee decides on the appeal at a session to which invites the accused and his lawyer.

The unjustified absence of the accused or the defense attorney is not a reason for postponing the session.

The second-instance commission can confirm the decision of the first-instance commission, change the decision or return it for reconsideration.

Article 34

The dean of the faculty where the student studies, i.e., the rector, if the student studies at two or more faculties within the University, is responsible for the enforcement of the final decision of the disciplinary authorities.

Register of imposed disciplinary measures

Article 35

A person authorized by the Rector's Board keeps a Register of imposed disciplinary measures (Annex 5). Before making the decision, the committee must request from the authorized person information about previously imposed disciplinary measures for the same student.

Obsolescence

Article 36

The statute of limitations for initiating disciplinary proceedings begins after the expiration of 3 (three) months from the day of learning about the disciplinary offense and the perpetrator, and no later than 6 (six) months from the day when the offense was committed.

The statute of limitations for the execution of the disciplinary measure begins after the expiration of two months from the day of the final decision by which the measure was imposed.

Transitional and final provisions

Article 37

The disciplinary procedures that were initiated before the entry into force of this Rulebook will end according to the regulations by which they were initiated.

A disciplinary procedure is considered to have started if a request for its initiation is submitted in the prescribed manner.

Article 38

The first-level disciplinary commissions and the second-level disciplinary commission will be established within 30 days from the entry into force of this Rulebook.

Article 39

This Rulebook enters into force on the day of its adoption.

Skopje, 29.11.2022

**President of the
University Senate**

Prof. Dr. Kire Sharlamanov