

UNIVERSITY OF BANJA LUKA
THE SENATE OF THE UNIVERSITY

**THE RULE BOOK
ON DISCIPLINARY RESPONSIBILITY OF
STUDENTS OF THE UNIVERSITY OF BANJA LUKA**

Banja Luka, 22 December 2022

Based on Article 54 and Article 71 of the Law on Higher Education ('Official Gazette of the Republic of Srpska', no. 67/20) and Article 126 of the Statute of the University of Banja Luka, the Senate of the University of Banja Luka, at their 88th session, held on 22 December 2022, adopted the

RULEBOOK ON DISCIPLINARY RESPONSIBILITY OF STUDENTS OF THE UNIVERSITY IN BANJA LUKA

I GENERAL PROVISIONS

Article 1

The Rulebook on Disciplinary Responsibility of Students of the University of Banja Luka (hereinafter: the Rulebook) defines minor and major disciplinary violations of student obligations, disciplinary measures, the competent disciplinary authorities and the rules of disciplinary procedure in which decisions are made on the existence of disciplinary violation of student obligations, defining the responsibility and imposing disciplinary measure to the students of the University of Banja Luka.

Article 2

A student of the University in Banja Luka (hereinafter: the University), in the sense of this Rulebook, is a natural person who has enrolled one of the accredited study programmes of the University and has signed the Contract on studying with the University.

Article 3

Students of the University shall fulfill their obligations defined by the Law on Higher Education, the Statute of the University and the Code of Professional Ethics of the University of Banja Luka.

II DISCIPLINARY VIOLATIONS OF STUDENT OBLIGATIONS

Article 4

Disciplinary violation is the activity of a student that is defined by this Rulebook as such, representing the violation of relevant provisions on student obligations and which has been committed intentionally or by extreme carelessness.

Article 5

Disciplinary violation of student obligations may be minor or major.

Article 6

Minor violations of student obligations are the following:

- 1) disobeying house rules at the University, or at a University member;
- 2) disrupting classes, practicals, exams and other activities during the teaching process;
- 3) causing material damage to the means that belong to the University and whose monetary value is up to BAM 1,000.00;
- 4) insulting teaching staff, associates and employees of the University, students and guests of the University;

- 5) non-compliance with regulations on occupational safety and
- 6) other activities that cause damage to the reputation of the University and its employees to a lesser extent.

Article 7

Major violations of student obligations are the following:

- 1) using means and instruments that are not allowed for taking an exam or during other forms of knowledge check used against the defined rules of study;
- 2) taking an exam instead of another person or impersonation;
- 3) modifying and adding information to public documents and records issued and kept by the University or a University member;
- 4) forging documents, signatures, and documents for realizing students' rights at University members (student's booklet, application, certificate, etc.);
- 5) forging scientific papers, graduation theses, and other scientific and expert papers during studies;
- 6) providing false information to the competent persons and authorities of the University or University members, or the realization of certain right that does not belong to a student according to the regulations in force;
- 7) stealing the property of the University or the property of the employees and students;
- 8) participating in a fight and violent behaviour on the premises of the University;
- 9) spreading ethnic, religious, racial or any other type of intolerance;
- 10) intentional threatening to the security by not complying to the regulations on occupational safety;
- 11) student attending classes or taking an exam while being visibly intoxicated or under the influence of narcotic drugs;
- 12) political and party organizing and activities within on the premises of the University;
- 13) causing the material damage to the means of the University, should the damage exceed the monetary value of BAM 1,000;
- 14) unauthorised duplication of materials for exam preparation (photocopying of textbooks, etc.) for the purpose of sale and obtaining material gain;
- 15) other activities that cause significant damage to the reputation of the University and its employees.

III DISCIPLINARY MEASURES

Article 8

- (1) The following disciplinary measures may be imposed to the perpetrator of the violation of student obligations:
 - 1) public admonition;
 - 2) reprehension;
 - 3) temporary suspension from the University;
 - 4) prohibition of taking exams for the following three exam periods;
 - 5) expulsion from the University.
- (2) Public reprehension and admonition may be imposed to the perpetrator of minor violation of disciplinary student obligations, whereas the measures of temporary suspension from the University, prohibition of taking exams and expulsion from the University to the perpetrator of a major disciplinary violation.

- (3) Public admonition, reprehension and the prohibition of taking exams for the following three exam periods may be imposed only once.
- (4) In case of repeating the same or similar minor disciplinary violation of student obligation, it shall be considered that major disciplinary violation has been committed.

Article 9

- (1) A temporary suspension from the University may last no longer than until the end of the current or the following semester.
- (2) A temporary suspension from the University shall start on the first work day of the teaching week following the adoption of the final decision on imposing this disciplinary measure.

Article 10

On the occasion of imposition of this disciplinary measure, all the mitigating and aggravating circumstances shall be taken into account.

IV DISCIPLINARY AUTHORITIES

Article 11

The disciplinary commission is an authority leading the disciplinary procedure in case of disciplinary violation of student obligation.

Article 12

- (1) The disciplinary commission (hereinafter: the Commission) consists of three members in total, as follows:
 - one member from the group of teaching staff of the University member where the student is attending their studies,
 - one member from the group of teaching staff from a different University member,
 - one student member.
- (2) the President of the Commission and one member shall be appointed by the council of a University member (hereinafter: the Council), whereas one member of the Commission shall be appointed by the Student Parliament.

Article 13

The mandate of the members appointed among the teaching staff shall last for four years, whereas the mandate of the student member of the Commission shall last for one year, with the possibility of them being re-elected

V DISCIPLINARY PROCEDURE

Article 14

- (1) A disciplinary report may be submitted by a member of teaching staff, by an associate, by an employee of the University, by a student, or by any other interested person.
- (2) A report is to be submitted in written form to the dean of the University member where the student, suspected of committing disciplinary violation of student obligation, is studying.

Article 15

Before adopting a decision on disciplinary report, a dean shall obtain a written statement from the student related to the disciplinary violation of student obligations the student is suspected of.

Article 16

- (1) A dean shall dismiss a disciplinary report in a decision in the following situations:
 - 1) the described violation does not represent a disciplinary violation defined by this Rulebook;
 - 2) statute of limitations for initiating disciplinary procedure has expired.
- (2) In case the dean finds that the allegations in the disciplinary report provide basics for implementing a disciplinary procedure, they shall submit a request to the Council to initiate a disciplinary procedure.

Article 17

The request for initiating disciplinary procedure shall contain the following information:

- 1) name and surname of the student against whom the procedure has been initiated;
 - 2) description of disciplinary violation of student obligations;
 - 3) the proposed evidence.
- (2) A request for initiating a disciplinary procedure shall be submitted to disciplinary Commission within three days from submitting the request.

Article 18

The student against whom the disciplinary procedure has been initiated cannot drop out of the University until the disciplinary procedure has been finalised.

Article 19

- (1) Upon the reception of the request for initiating disciplinary procedure, the president of the Commission shall schedule a hearing, where the student, their legal counsellor if one is selected, the person who submitted the report, witnesses and other relevant persons are invited.
- (2) In the Call for hearing, the student will be informed that they have the right to engage a legal counsellor who can attend the hearing.
- (3) In addition to the Call, the request from Article 17 of this Rulebook shall be delivered to the student not less than five days before the hearing.

Article 20

- (1) The hearing before the Commission is oral and public.
- (2) If the student is a person with special needs, the hearing will be held with the support of appropriate professional.

Article 21

- (1) After the hearing has been held, the Commission shall determine the proposal of the decision by the majority of votes and send it to the dean.
- (2) The dean shall adopt a decision with which they can:
 - 1) Stop the disciplinary procedure,
 - 2) Release the student from disciplinary responsibility,
 - 3) Declare the student as responsible for the committed disciplinary violation and impose the appropriate disciplinary measure.

Article 22

- (1) The dean's decision shall be delivered to the student and their legal counsellor within eight days from the day of being adopted.
- (2) One copy of the decision shall also be delivered to the Council and the Rector of the University.

Article 23

- (1) Against the dean's decision, the student and their defense attorney may submit a complaint within eight days from the day of its reception.
- (2) The complaint from paragraph 1 of this Article shall be submitted to the Council.

Article 24

The Council may confirm, modify or return the first instance decision to the Commission so they deliberate again.

Article 25

The Council's Decision shall enter into force in the following situations:

- 1) when the deadline for submitting a complaint expires if the complaint has not been submitted, or
 - 2) on the date of when the second instance decision is delivered.
- (2) The final decision shall be published on the bulletin board of the University member, and if the measure of expulsion from the University is the one that has been imposed, the information on it shall be entered into the student's booklet, into the registry book, and into the document on dropping out of the University.
 - (3) In case the student has been declared responsible for violation of disciplinary measures, they shall reimburse the material damage that has been caused by this violation and confirmed by the commission appointed by the dean of the University member.

Article 26

The implementation of the final decision is the responsibility of the dean of the University member.

V STATUTE OF LIMITATIONS

Article 27

- (1) The statute of limitation for initiation of disciplinary procedure for determining responsibility of a student shall expire within six months from the commission of violation, or from the date one becomes aware of the violation, not more than 12 months from the day of violation commission.
- (2) The statute of limitation for leading the procedure shall expire six months from initiating the procedure for determining the responsibility of a student.

VI FINAL PROVISIONS

Article 28

- (1) Disciplinary procedures initiated before the entering into force of this Rulebook shall be finalised in accordance with the regulations that were in force when these procedures were initiated.
- (2) A disciplinary procedure is considered as initiated if a request for its initiation has been submitted in a regulated manner.

Article 29

By entering into force of this Rulebook, the Rulebook on Disciplinary Responsibility of Students of the University of Banja Luka, no: 02/04-3.1472-45/12 from 21 June 2012, shall cease to be valid.

Article 30

This Rulebook shall enter into force on the eighth day from being published on the webpage of the University of Banja Luka.

Number: 02/04-3.2657-2/22

Date: 22 December 2022

**CHAIR OF THE SENATE
R E C T O R**

Prof. Radoslav Gajanin, PhD