

Pursuant to the Statute of the Algebra University College, at its 110<sup>th</sup> session held on 26th April 2023, the Academic Council of Algebra University College enacted the following:

## **BOOK OF REGULATIONS ON DISCIPLINARY AND MATERIAL RESPONSIBILITY OF STUDENTS, TEACHING AND NON-TEACHING STAFF OF ALGEBRA UNIVERSITY COLLEGE**

### **1. GENERAL PROVISIONS**

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#### **Article 1**

- (1) The Book of Regulations on Disciplinary and Material Responsibility of Students, Teaching and Non-teaching Staff regulates the issues of responsibility of students and teaching and non-teaching staff (hereinafter: employee) at Algebra University College for nonfulfillment of study obligations, as well as for serious damage to the reputation of Algebra University College, i.e., the liability for non-compliance with legal and other regulations and decisions, competencies for initiating and conducting proceedings, as well as conducting disciplinary proceedings.

#### **Article 2**

- (1) By enrolling in a study programme, module or other types of educational programme, the student takes on study obligations determined by law, the Statute of Algebra University College, the Book of Regulations on Study Programme and Studying, the Study Agreement, the Code of Ethics of Algebra University College, the Code of Conduct, as well as individual acts of Algebra University College, which relate to the study programme or programme that the student is enrolled in or attends.
- (2) By taking up employment or contractual relation, the employee takes up obligations related to the study determined by law, by law, the Statute of Algebra University College, the Book of Regulations on Study Programme and Studying, the Study Agreement, the Code of Ethics of Algebra University College, the Code of Conduct, and individual acts of Algebra University College and other general and individual acts of Algebra University of College.
- (3) Students and staff are responsible for any breach of duty or non-compliance with regulations, as well as for the damage caused to Algebra University College or to its students or staff. If a particular breach of duty is of such nature that it also constitutes a criminal offense, the criminal liability does not preclude the proceedings and the imposition of measures under the provisions of this Book of Regulations.

### **Article 3**

- (1) Students and staff at Algebra University College are liable only for those offenses determined by law, the Statute, this Book of Regulations, the Code of Ethics, the Code of Conduct, as well as other rules and general or individual acts of Algebra University College.
- (2) For disciplinary offences, the Disciplinary Board carries out the disciplinary proceedings and imposes measures, whereas for employees the Disciplinary Board determines the responsibility in disciplinary proceedings, and measures are imposed by the Dean of Algebra University College.

## **2. DETERMINATION OF RESPONSIBILITY**

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### **Article 4**

- (1) All students enrolled at Algebra University College can become liable to disciplinary penalties, regardless of the form of education undertaken or the student status.
- (2) All employees can become liable to disciplinary penalties on any basis at Algebra University College from the moment of entering into employment or collaboration agreements.

### **Article 5**

- (1) Students and staff may be held liable for severe or minor disciplinary offences.
- (2) The following acts and proceedings shall be considered a serious disciplinary offence:
  - a. all actions defined by law as criminal offenses,
  - b. forging grades and signatures of teachers, as well as forging signatures of other employees of Algebra University College,
  - c. alienation of or damage to the property of Algebra University College, its employees or its students,
  - d. serious violation of order and discipline (for instance, fights, shouting and using impolite and offensive expressions etc.) in classes, at exams and anywhere in the premises of Algebra University College,
  - e. serious violations of conduct and decency committed against other students or staff of Algebra University College,
  - f. giving false information or taking actions on the basis of which the student exercises a right that does not belong to him/her,
  - g. plagiarism of essays, seminar papers, and especially final theses, graduation these and other written works whose content is the work of another student or a third party,
  - h. unauthorized use and infringement of intellectual property rights in any form (presenting someone else's idea as one's own, using someone else's intellectual property or design without the owner's consent, using content without stating the actual author of the idea, design or cognition, etc.),

- i. unauthorized recording of classes, consultations or other forms of activities at Algebra University College and recording without the consent of all participants in the activity,
- j. violation of security and integrity of the information system of Algebra University College and data stored or transmitted by the information system, as well as violation of the right to privacy of other users of the information system and misuse of other people's resources within the information system,
- k. use of information resources of Algebra University College to endanger other information systems and privacy of other persons as well as non-compliance with the prescribed measures and means of protection of the information system of Algebra University College,
- l. making corrections to documents and individual acts issued by Algebra University College, on the basis of which the student exercises a right that does not belong to the student,
- m. repetition of minor disciplinary offences more than twice,
- n. an attempt to bribe or offer incentives to another person in order to exercise a right that does not belong to the student,
- o. false representation in examinations, i.e. taking exams, seminars or graduation theses or performing other obligations for another student, i.e. knowingly participating in any capacity in these activities,
- p. engaging another person or persons to perform a task, which is then handed over as their own work,
- q. alienation or unauthorized copying or use of computer programs of Algebra University College,
- r. organizing money games in the premises of Algebra University College,
- s. deliberate destruction of the property of Algebra University College,
- t. intoxication with alcohol, drugs, or other substances on the campus of Algebra University College
- u. other acts that greatly damage the reputation of Algebra University College.

## **Article 6**

(1) The following actions shall be considered minor disciplinary offences:

- a. obstructing the teaching process and work of teachers in lectures, seminars and laboratory exercises,
- b. collaboration with colleagues or cheating at exams,
- c. copying material in such a way that the same material is submitted for assessment in different subjects or modules and receiving two grades for it,
- d. copying answers from other people,
- e. taking exam materials from the exam (such as transcribed questions from the exam, copies of the exam, etc.),
- f. inappropriate behavior and clothing for a particular occasion,
- g. smoking cigarettes, cigars and pipes in all closed spaces of Algebra University College,

- h. placing various advertisements and messages in places where it is not allowed to do so or removing official notices from official noticeboards of Algebra University College,
- i. failure to return borrowed books of Algebra University College or damage, alienation or loss of borrowed books,
- j. playing money games in the premises of Algebra University College,
- k. violating the provisions of the decision on the rules for conducting the exams at Algebra University College, unless a different measure has been prescribed by this book of regulations;
- l. other unacceptable behavior that damage the reputation of Algebra University College.

### **Article 7**

- (1) For more serious students' disciplinary offences, one of the following disciplinary penalties may be implemented:
  - a. if a serious disciplinary offence has been committed for the first time, a warning before expulsion shall be issued,
  - b. if the same type of serious disciplinary offence or another type of serious disciplinary offence has been committed for the second time since first enrollment on Algebra University College, the expulsion from Algebra University College is imposed for the period of:
    - 1. up to two years
    - 2. permanently
  - c. if plagiarism of the Final thesis has been established, academic title shall be taken away,
- (2) For serious disciplinary offences, an action shall be imposed on the basis of the decision of the Disciplinary Board.
- (3) For serious disciplinary offences against employees, the measure shall be imposed by the Dean of Algebra University College.

### **Article 8**

- (1) One of the following actions may be imposed for minor students' disciplinary offences:
  - a. if a minor disciplinary offence has been committed for the first time, a warning shall be issued,
  - b. if the same type of a minor disciplinary offence or another type of minor disciplinary offence has been committed for the second time since first enrollment on Algebra University College, a public reprimand shall be issued.
- (2) For minor disciplinary offences, a measure shall be imposed on the basis of a decision of the Disciplinary Board.
- (3) For minor disciplinary offences against employees, the measure shall be imposed by the Dean of Algebra University College.

#### **Article 9**

- (1) If in disciplinary proceedings it is determined that the student has alienated property or caused damage to Algebra University College, in addition to the disciplinary penalty, the amount of damage and the time and manner of compensation shall also be determined.
- (2) If the damage was done to an individual, the student or employee of Algebra University College shall appear in disciplinary proceedings, and the individual shall obtain compensation for the damage by a private lawsuit.

#### **Article 10**

- (1) Disciplinary penalties referred to in Article 7 of this Book of Regulations shall be published in the digital student service. If the student to whom the measures from Article 7 of this Book of Regulations apply is also a student of another higher education institution, the higher education institution will also be informed about the penalty imposed by Algebra University College.
- (2) Disciplinary penalties defined in Article 8 of this Book of Regulations shall be imposed as follows:
  - a. a warning is issued to the student at the disciplinary proceedings,
  - b. a public reprimand is published in the digital student service system.

#### **Article 11**

- (1) Each of the imposed measures is recorded in the student's file after the expiration of the appeal period and is also recorded in a separate record kept in the Student Office.
- (2) Measures for serious disciplinary offences shall be stated in the diploma supplement.

### **3. DISCIPLINARY PROCEEDINGS**

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#### **Article 12**

- (1) The Disciplinary Board consists of three members, one of which is a student.
- (2) Two members of the Disciplinary Board shall be appointed by the Academic Council on proposal of the Dean. The third member of the Disciplinary Board is the Student Ombudsman. The President of the Board may appoint a deputy if s/he is unable to attend the hearings regularly and approve the deputies and other members of the Board.
- (3) The Disciplinary Board shall be appointed for a period of 2 years.

#### **Article 13**

- (1) Disciplinary proceedings are initiated by the President of the Disciplinary Board following a written incident report about a disciplinary offence.
- (2) The written incident report must contain:

- a. the information about the student,
  - b. a description of the disciplinary offence containing the information about the place and time of the offense,
  - c. available evidence of the offense committed.
- (3) Disciplinary proceedings must be carried out for serious disciplinary offences.
- (4) For minor disciplinary offences, short disciplinary proceedings may be conducted (without scheduling a hearing).
- (5) Disciplinary proceedings may not be initiated when two years have elapsed from the day when the offense was committed, unless in case of a serious disciplinary offence of plagiarism of final or graduation thesis, in which case there is no time limit for initiating disciplinary proceedings. If a criminal offense has been committed, the period of limitation occurs at the same time as the limitation period for the criminal offense.

#### **Article 14**

- (1) Based on the incident report submission, the President of the Disciplinary Board shall determine the date and time of the session of the Board (disciplinary hearing) by announcing it in the digital student service, indicating the names of the persons invited. An invitation to a disciplinary hearing must be published at least three days before the hearing.
- (2) The Disciplinary Board shall meet within a maximum period of three months from the day of submitting the request for initiating disciplinary proceedings.

#### **Article 15**

- (1) The Disciplinary Board shall conduct the proceedings in the form of a hearing.
- (2) The hearing before the Disciplinary Board is public, but in certain cases when the Board deems it justified, the hearing may be closed for public. The decision is made by the Board before the start of the hearing.

#### **Article 16**

- (1) Before the start of the hearing, the President of the Disciplinary Board shall determine who is present or absent and whether all the necessary preconditions for holding the hearing have been fulfilled, as well as, whether the hearing will be public or not.
- (2) If the student or employee against whom the disciplinary proceedings are conducted does not come to the hearing even though the summons has been duly delivered to the student, and the student has not requested a postponement in writing, the hearing may be held in the absence of the student.

- (3) If the student or employee is not duly summoned, the hearing must be postponed and it shall be possible for the student or employee to be heard in the next hearing or to initiate the disciplinary action in writing.

#### **Article 17**

- (1) After the President of the Disciplinary Board has opened the discussion and determined the elements from the previous article, the President is obliged to read the request for initiating the disciplinary proceedings. After the request is read, the word is given to the student or employee against whom the proceedings are being conducted, and then, if necessary, to other participants in the proceedings, or the evidence is presented to establish the facts relevant to the decision in the proceedings.

#### **Article 18**

- (1) Minutes of the hearing before the Disciplinary Board shall be kept. The minutes shall be kept by an expert of Algebra University College or any member of the Board who is in charge of making record and appointed by the President of the Board.
- (2) The minutes shall contain in particular: the list of members of the Disciplinary Board, the name of the minute's taker, the name of the student or employee against whom the proceedings are conducted and the names of other present members invited to the hearing, or summoned and absent, as well as a summary of questions and statements made during the hearing.
- (3) The minutes shall be signed by the members of the Disciplinary Board and the minutes taker.
- (4) As an exception to paragraph 3 of this article, the minutes of the hearing on which serious disciplinary offense has been determined shall be signed by the members of the Disciplinary Board, the minutes taker, and all persons whose serious disciplinary offence has been determined.

#### **Article 19**

- (1) The administrative work of the Board is performed by the Student Office of Algebra University College. Experts can also be invited to join the Board in order to present evidence or establish facts. The experts involved do not have the right to vote in the Board's decision-making process.

#### **Article 20**

- (1) After the hearing is concluded, the participants leave the room where the hearing was held, in order for the Disciplinary Board to decide on a possible disciplinary penalty.

#### **Article 21**

- (1) After the Disciplinary Board has decided on the disciplinary penalty, it may invite all participants in the proceedings and publicly announce the decision on the imposed penalty. The Board may also announce the decision in writing without oral announcement at the hearing.

- (2) The Disciplinary Board may make one of the following decisions:
- decision to release from liability,
  - decision to suspend further proceedings,
  - decision on any of the disciplinary penalties provided for in this Book of Regulations.
- (3) The Disciplinary Board shall make decisions by a majority vote on the basis of the presented evidence and the established factual situation. Minutes of the voting of the Disciplinary Board shall be kept and signed by the members of the Disciplinary Board and the minutes taker.

#### **Article 22**

- (1) The decision to suspend disciplinary proceedings shall be made by the Disciplinary Board in the following cases:
- in case that limitation period for conducting the proceedings has occurred, and the student or employee against whom the request for conducting the proceedings had been submitted plead the statutes of limitation,
  - when another circumstance occurs on the basis of which the further conduct of the proceedings becomes irrelevant.

#### **Article 23**

- (1) The decision on release from disciplinary liability may be made by the Disciplinary Board in the following cases:
- if the offense for which the proceedings were initiated is not an offense provided by law and/or regulations of the Republic of Croatia, this Book of Regulations or other general and individual acts of Algebra University College,
  - if it has not been proven that the offense was committed.

#### **Article 24**

- (1) The Disciplinary Board shall publish and submit its decision in writing within 30 days from the day of the hearing.
- (2) The decision imposing a disciplinary penalty must contain:
- an introduction indicating the information about the Disciplinary Board, the date of the hearing and a list of acts that the decision was made on,
  - a body of text indicating the basic information about the student, the student's responsibility, a brief description of the offense and the imposed disciplinary penalty,

c. an explanation stating the reasons for which the action was imposed, the facts established in the proceedings, as well as mitigating circumstances that influenced the decision on penalty, and the instruction on the legal remedy.

#### **Article 25**

- (1) An appeal to the Disciplinary Board may be filed by: the perpetrator of the disciplinary offence, his or her assignee, the individual who filed the incident report, the person authorized to initiate the disciplinary action, and the injured party within 8 days from the date of the receipt of the decision.
- (2) A timely appeal shall postpone the execution of the decision.
- (3) An appeal against the decision of the Disciplinary Board on a disciplinary offence shall be resolved and the final decision shall be made by the Academic Council of Algebra University College. The Academic Council is obliged to consider the appeal within a maximum of three months from its submission.
- (4) The Academic Council shall decide on the appeal on the basis of the received appeal and the report submitted by the President of the Disciplinary Board or a member of the Board appointed by the President.

#### **Article 26**

- (1) When resolving an appeal, the Academic Council may:
  - a. reject the appeal because it was not filed within the deadline,
  - b. accept the appeal and release from responsibility or mitigate the imposed measure,
  - c. accept the appeal and return the case to the Disciplinary Board for reconsideration,
  - d. reject the appeal and confirm the decision of the Disciplinary Board,
  - e. decide on the suspension of further proceedings (in case of expiring of a time limit or the occurrence of circumstances due to which there is no purpose for further proceedings).
- (2) No appeal shall be allowed against the decisions of the Academic Council that made the final decision on the pronounced disciplinary penalty.
- (3) The decision of the Academic Council must be published in the digital student service.

### **4. TRANSITIONAL AND FINAL PROVISIONS**

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#### **Article 27**

- (1) Upon the entry into force of the Book of Regulations, Algebra University College has to make the Book of Regulations available to every student and staff member.

- (2) Unless otherwise prescribed by this Book of Regulations, the provisions of the Criminal Code of the Republic of Croatia and the Criminal Procedure Code shall apply to disciplinary proceedings, except for the provisions on coercive measures.

#### **Article 28**

- (1) Each violation of the duties of the employees of Algebra University College, as well as the disciplinary penalties for the violation shall be regulated by a special individual act.

#### **Article 29**

- (1) The Academic Council of Algebra University College is responsible for the interpretation of the provisions of this Book of Regulations.
- (2) This Book of Regulations applies to all enrolled students, final year students, teachers, associates and employees and to all teaching and non-teaching staff of Algebra University College.

#### **Article 30**

- (1) All general provisions related to study matters must be aligned with this Book of Regulations no later than 6 months from the date of its entry into force.

#### **Article 31**

- (1) This Book of Regulations enters into force on the day of its adoption.
- (2) On the date of the entry into force of this Book of Regulations, the Book of Regulations on Disciplinary and Material Responsibility of Students, Teaching and Non-teaching Staff of 26 October 2021 ceases to have effect.

#### **Article 32**

- (1) The provisions of this Book of Regulations are applied from the academic year 2023/2024.

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