

General Provisions

Aim and Scope

ARTICLE 1 – (1) The aim of this Regulation is to define and regulate the disciplinary offences, the criteria for disciplinary sanctions and disciplinary investigations that shall be applied to EPOKA University students.

(2) This Regulation applies to all students attending EPOKA University.

Legal Basis

ARTICLE 2 – This Regulation is drafted based and pursuant to the Law No. 80/2015 “On Higher Education and Scientific Research in Higher Education Institutions in the Republic of Albania”, the Statute and Basic Regulation of EPOKA University.

Definitions of Terms

ARTICLE 3 – Wherever in this Regulation the below terms appear, they shall be taken to refer to the following:

- a) **Student:** All those who are currently enrolled in the associate, undergraduate, masters or doctoral degree programs at EPOKA a University;
- b) **University/units:** EPOKA University, Faculty, Institute, Department, Research Centers and all facilities and infrastructure under the ownership of EPOKA University;
- c) **Suspension from the University:** A written notice to the student that prohibits her/him to enter the classes and/or exams and/or the campus of EPOKA University for e definite period of time;
- d) **Expulsion from the University:** A formal written notification to the student to confirm that she/he is expelled from the University so that she/he will not be readmitted to the same University;
- e) **Plagiarism** - the presentation of another person’s work as the student’s own, without proper acknowledgement of the source, with or without the creator’s permission, intentionally or unintentionally;
- f) **Falsification** is an attempt to present fictitious or distorted data, evidence, references, citations, or experimental results, and/or to knowingly make use of such material;
- g) **Cheating** is any attempt to obtain or to give assistance in an examination or an assessment without due acknowledgement. This includes submitting work which is not one's own;
- h) **Deceit** is dishonesty in order to achieve advantage. For example, by resubmitting one’s own previously assessed work;
- i) **Personation** is the assumption of the identity of another person with intent to deceive or gain unfair advantage.

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Disciplinary Sanctions and Disciplinary Offences

Disciplinary Sanctions

ARTICLE 4 - The disciplinary sanctions to be applied in case of a disciplinary offence are as follows:

- a) **Warning:** A written notice to the student warning her/him that s/he is required to be more careful with her/his actions within her/his area of responsibility;
- b) **Reprimand:** A written notification to the student indicating that s/he has been reprimanded for an act of misconduct within her/his area of responsibility;
- c) **Suspension from the University for one or two weeks:** A formal written notification to the student to confirm that s/he is suspended from the University for one or two weeks, and shall not be able to attend classes and exams during the period of suspension;
- d) **Suspension from the University for one or two semesters:** A formal written notification to the student to confirm that s/he is suspended from the University for one or two semesters, and shall not benefit from her/his rights as a student during the period of suspension;
- e) **Expulsion from the University:** A formal written notification to the student to confirm that s/he is expelled from the University so that s/he will not be readmitted to the same University.

Disciplinary Offences that Require the Imposition of Disciplinary Sanctions

ARTICLE 5 – Actions that require the imposition of a warning are as follows;


- a) Involving in improper attitudes and behaviors against student dignity;
- b) Behaving people disrespectfully, yelling, singing, playing an instrument, making noise in such a way to disturb others, and pollute his environment;
- c) Providing incorrect, incomplete, or misleading information to the authorities in the University;
- d) Carrying out plagiarism, misrepresentation, falsification and fabrication of data as well as related acts in homeworks, assignments and other related academic work;
- e) Disrupting, or interfering with any academic, administrative, sporting, social or other University activities.

Disciplinary Offences that Require the Imposition of a Reprimand

ARTICLE 6 – Actions that require the imposition of a reprimand are as follows;

- a) Behaving improperly as a student in terms of esteem and trust;
- b) Drawing pictures and figures on walls and movable properties at EPOKA University;
- c) Submitting incomplete or wrong documents to higher education authorities or not

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submitting at all;

- d) Hanging posters or bills in places apart from those determined by higher education authorities;
- e) Interrupting academic activities such as lectures, seminars, practice, labs, workshops and conferences;
- f) Attending such activities stated above as drunk or gambling;
- g) Distributing leaflets or hanging banners or posters at EPOKA University without the proper permission;
- h) Cheating or allowing someone to cheat in exams;
- i) Carrying out plagiarism, misrepresentation, falsification and fabrication of data as well as related acts in bachelor theses;
- j) Participating in political activities at University premises.


Disciplinary offences that require the imposition of a suspension of one or two weeks

ARTICLE 7 – Actions that require the imposition of a suspension of one or two weeks are as follows;

- a) Disturbing study, peace and welfare in EPOKA University, restricting the right of learning and teaching directly and indirectly;
- b) Involving in behaviors violating order and program of ceremonies;
- c) Organizing political activities at EPOKA University;
- d) Preventing executions of disciplinary investigations in a reliable environment;
- e) Allowing someone to use a document taken from the EPOKA University providing rights to him/her or using a document which belongs to someone else;
- f) Misusing or making unauthorized use of University premises or items of property, including IT facilities or safety equipment;
- g) Inscribing unethical writings, drawing or sticking amoral pictures on walls, doors, fixtures and etc. in EPOKA University;
- h) Tearing out, ripping, changing, scratching or staining the announcements, programs etc handed by institution or by authorization of it.

Disciplinary offences that require the imposition of a suspension of one or two semester


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ARTICLE 8 – Actions that require the imposition of a suspension of one or two Semester are as follows:

- a) Threatening administrators, academicians or other staff of EPOKA University, attacking their honor and self-esteem in a written or oral way, or insulting them;
- b) Talking offensively against personalities or decisions of administrators in EPOKA University individually or collectively, making publications as such and provoking students against them or attempting to do such activities;
- c) Except for political or ideological purposes, attempting to activities such as boycott, invasion, obstruction or involving in such activities hindering services in higher education;
- d) Involving in activities which lead to discrimination in terms of age, gender, disability, race, ethnic or national origin, religion or beliefs, sexual orientation, pregnancy, maternity, marriage color or socio-economic background;
- e) Assaulting students and EPOKA University staff;
- f) Writing ideological or political words, drawing such pictures, emblems or etc, and sticking them on fixtures, walls doors or etc, in the EPOKA University;
- g) Damaging, defacing, stealing or misappropriating University property or the property of any person;
- h) Possessing and drinking alcoholic beverages in EPOKA University;
- i) Provoking students or other people for an activity hindering work in EPOKA University;
- j) Organizing or attending meetings at open or closed places belong to EPOKA University without any permission, making statements as if a student representative, attending meetings or ceremonies in such a way;
- k) Entering into building of the EPOKA University although it is prohibited, violating this decision or entering into buildings closed by authorities, and damaging or harming them;
- l) Keeping, copying or distributing all kinds of publications which are prohibited in EPOKA University;
- m) Carrying out plagiarism, misrepresentation, falsification and fabrication of data as well as related acts in thesis and dissertations at the graduate study programs and other

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related work.

Disciplinary offences that require the imposition of expulsion from the University

ARTICLE 9 – Actions that require the imposition of expulsion from the University are as follows;

- a) Removing students and officials out of the EPOKA University by use of force and violence, preventing work or forcing students to behave as such;
- b) Disturbing peace and working order for political and ideological purposes in EPOKA University, or attending activities such as boycott, invasion, hindering, slowing down work of personnel and provoking such kind of activities;
- c) Keeping, copying and distributing political and ideological leaflets, posters, banners, tapes in EPOKA University, and writing and exhibiting these on walls and furniture of buildings, making verbal or written propaganda;
- d) Forcing someone by threatening, to organize an activity regarded as a violation or to attend such an activity or to make a false statement or to make a false declaration or to take the blame;
- e) Becoming a member of illegal organizations, organizing activities or affording assistance on behalf of these organizations;
- f) Using, carrying, keeping or dealing narcotic drugs,
- g) Being punished for the offenses against the government;
- h) Carrying arms, knives, explosive substances and other instruments designed especially for attacking and defending, keeping them in EPOKA University or being sentenced for these offenses, through violating the law on “Firearms and knives or other materials”;
- i) Founding open or secret clubs, societies and etc, in the buildings or annexes of EPOKA University without any permission;
- j) Cheating in an exam by threatening, preventing removal of cheating students out of the class, making someone to enter an examination instead of her/him or entering for an examination instead of someone;
- k) Preventing work related to disciplinary Investigations or work of disciplinary board by using force or threatening;
- l) Raping;

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- m) Sheltering or hiding somebody wanted by security forces;
- n) Preventing lessons or entering examinations in any way, moving students out of the class, and involving in activities provoking or forcing to do so;
- o) Torturing or making someone to torture someone else or a group for whatever reason it is.

Unforeseen disciplinary offences

ARTICLE 10 – Unforeseen actions which are similar in nature and severity to those which entail a sanction of warning or reprimand, excluding the aforementioned disciplinary actions entailing a sanction of suspension or expulsion from the University, incur corresponding disciplinary sanctions.

Recurrence of a Disciplinary Offence

ARTICLE 11 – (1) The recurrence of an action or circumstance previously penalized incurs a sanction one degree higher in severity than the previous sanction.

(2) In case of the recurrence of a disciplinary action, the sanction of expulsion from the University cannot be imposed.

Disciplinary Investigation

Authorized Officials

ARTICLE 12 – (1) Rector of the university regarding students’ actions in collective or common places;

Dean due to disciplinary violations of faculty students are authorized to launch disciplinary investigations at EPOKA University.

(2) Officials authorized to launch investigations may choose to conduct them personally or they may appoint an investigator/investigators.

Investigation Period and Lapse

ARTICLE 13 – (1) A preliminary disciplinary investigation must be launched immediately after the offence has been reported. The investigation must be concluded within ten working days from the official approval of the investigation. If the investigation cannot be concluded within the allotted time, the investigator may ask for an extension stating his/her reasons for it. The extension will be granted only with the approval of the authorized investigation official.

(2) By the time the authorized officials decide that actions requiring investigation have been committed, for the students who have committed these actions referred to in this Regulation, the time limitations for commencing the investigation are as follows:

- a) One month, for the sanctions of warning, reprimand, suspension from the University with duration of one week to one month.
- b) Three months, for the sanctions of suspension from the University for one or two

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semesters and expulsion.

Unless the disciplinary investigation has started within the aforementioned periods, the authority of disciplinary punishment lapses.

(3) The authority of disciplinary punishment lapses unless the disciplinary sanction is imposed within two years from when the action entailing a disciplinary sanction has been committed. In the case of actions that pose discontinuity in respect of their consequences, the authority of disciplinary punishment lapses unless the disciplinary sanction is imposed within two years from when the action that caused the offence has been reported. However, in a case when the disciplinary superior or board requires a judiciary decision, the duration of the time-out commences from the day when the judiciary decision is finalized. This requirement is determined through the decision made by the authorized official or board.

Conduct of the Investigation

ARTICLE 14 – (1) Confidentiality of the investigation is fundamental.

(2) The investigator may hear the witnesses, collect facts and consult experts. A record of the proceedings is produced and it includes the following information: the time, place and nature of the investigation, the identity of those present, and the questions put and responses. The record thus produced is then signed by the investigator and those that were present during the fact finding process. The witnesses` and any experts` identity and address, and other relevant details are clearly stated.

(3) All the members of staff of the University are to promptly provide all the information, records, documents, and assistance that the investigator may require.

(4) The investigator conducts and finalizes the investigation on condition that it is confined to the person and the actions for which the investigation was launched. The investigator who identifies other disciplinary actions committed apart from the one that is being investigated or other people involved in the investigation within the scope of the same action, reports this information to the authorities.

(5) In the event of students changing places within the University, changing the institution or leaving the University, regardless of the reason, the process of launching the investigation, its conduct and taking the necessary decisions is not impeded.

(6) When the investigators deem it necessary, they may require the officials who are authorized to launch an investigation to determine whether to ban the students who are the subject of the disciplinary investigation from entering the University.

The Right to Defense

ARTICLE 15 – (1) A student who is the subject of a disciplinary investigation is informed, in writing, of the nature of his/her alleged offence at least seven days prior to the date. In the letter sent to him/her, the student is instructed to appear to conduct his/her defense at the date, time, and place specified.

(2) If the accused requests to submit a written defense, s/he may be given time of not less than

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three days. The investigator may pose additional questions after the presentation of the written defense.

(3) In the summons sent to the student, it is clearly stated that if she/he ignores the summons without a valid excuse, or fails to inform the authorities of his/her excuse in time, she/he will be deemed to have waived his/her right to a defense and that a decision related to him/her will be made on the basis of other evidence.

(4) If the student provides a valid excuse for his/her failure to appear, or proves that the failure was due to “force majeure”, s/he is allowed a reasonable period of grace. Arrested students are informed that they can send their defense in written form.

(5) The conduct of the investigation should allow the student to use his/her right to a defense fully.

Investigation Report

ARTICLE 16 – A final report is produced at the conclusion of the investigation. The report summarizes the dates on which approval was given for the investigation, and on which the investigation was launched; it also states the identity of the student who is the subject of the investigation, the particulars of the alleged offences, the different stages of the investigation process, evidence and the obtained defense. Whether or not the student is guilty or not guilty of the offence is discussed and if found guilty, the necessary disciplinary sanction is recommended. The originals or copies of existing documents, accompanied by a list of contents, are enclosed with the report. The investigation report is submitted to the authorized official, together with the file.

Filing disciplinary charges

ARTICLE 17 - Upon the evaluation of the investigation report, together with the file, the authorized official decides whether to file or not the disciplinary charges against the concerned student and proposes the disciplinary sanction to the respective board.

Concurrent Conduct of Criminal and Disciplinary Proceedings

ARTICLE 18 – The commencement of criminal proceedings involving the same student and incident will not delay the launch of disciplinary proceedings. A disciplinary sanction can be imposed whether or not the accused is convicted of the same offence through criminal proceedings.

Conclusion of the Disciplinary Investigation

ARTICLE 19 – (1) The Decanate is authorized to impose a warning, reprimand and suspension from the University for periods of one or two weeks.

(2) The Rectorate is authorized to impose a suspension of one or two semesters or expulsion from the University.

Operation Procedures of the Authorities

ARTICLE 20 – The composition and decision-making of the Rectorate and Decanate are regulated by the Statute and Basic Regulation of EPOKA University.

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Period of Decision

ARTICLE 21 – (1) The authorized board must decide on the imposition of a warning, reprimand or suspension from the University for periods of one or two weeks within ten working days of the completion of the investigation at the latest.

(2) For offences incurring other forms of disciplinary sanctions, the file is promptly handed to the Rectorate, which reviews the case at the earliest meeting with priority.

Considerations before Imposing a Disciplinary Sanction

ARTICLE 22 – The Official authorized to launch disciplinary investigations and the Rectorate/Decanate are to take into account the severity of the acts and behavior incurring the disciplinary sanction, whether or not the defendant has received a disciplinary sanction previously, his/her behavior, acts and attitudes and whether or not s/he feels remorse for the acts s/he has committed, when considering the judgment and sanctions to be imposed.

Implementation and Appeal

Reporting of Sanctions

ARTICLE 23 – The sanction given at the end of a disciplinary investigation is to be reported by the respective board;

- to the student who is subject to a disciplinary investigation;
- Dean of Students Office;
- Registrar’s Office;
- Respective Faculty and Department;
- Any other unit that needs to be informed in cases that the students cannot benefit from his/her rights due to the disciplinary sanction given to him/her.

Implementation of Disciplinary Sanctions

ARTICLE 24 – In decisions of the Board, unless the date to be applied is stated, the disciplinary sanctions are to be imposed from the date they are issued.

Appeals against Sanctions

ARTICLE 25 – (1) The decision of disciplinary sanctions imposed by the Decanate can be appealed within 10 working days of notification of the decision.

(2) In the case of an appeal against a sanction imposed by the Decanate, the appeal authority is the Rectorate. The Rectorate finalizes the decision within a ten working days period. The Rectorate may either uphold or refuse the decision as it is after examining the decision. In case of refusal, the Rectorate finalizes the decision.

The Decision of the Rectorate is final.

Miscellaneous Guidelines and Ultimate Provisions

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Official Document and Address Notification

ARTICLE 26 – (1) All miscellaneous notifications due to disciplinary proceedings are submitted in person upon signature of the relevant document, or sent to the address notified by the student to the University in writing, or sent electronically to the person who has submitted an electronic address that is convenient for notification. In situations where notification is not possible through the aforementioned ways, it is deemed complete via announcement of the notification document at the relevant University.

(2) A notification sent to a student address, which is currently available at the University, is deemed to be valid in cases when the student fails to notify the University of the change of his/her address, or provides a wrong/incomplete address.

Delivery of Investigation Files

ARTICLE 27 – Any investigation file is delivered and received, together with the list of contents. The signatures of the deliverer and the recipient are placed below the list of contents.

Mode of Correspondence

ARTICLE 28 – (1) In addition to the notification options referred to in Article 26 and 27, in cases when a one-to-one correspondence is in question, the notification document is submitted to the relevant recipient in person. In case of refusal to sign the document, the deliverer puts his/her name and surname at the bottom of the document, and signs the document as a proof of the delivery.

(2) In the case of receiving the document in person, the signed document is kept in the investigation file.

Ongoing Disciplinary Investigations

ARTICLE 29 – The provisions of this Regulation shall apply to any disciplinary investigations that have commenced and have not yet been finalized before this Regulation came into effect.

ARTICLE 30 – The Regulation “On Student Discipline”, dated 14.09.2007, as amended, has been repealed.

Enactment

ARTICLE 31 - This Regulation shall take effect from and after the date on which it is approved by the Academic Senate of EPOKA University.

Enforcement

ARTICLE 32 – The enforcement of this Regulation is ensured by the Rector of EPOKA University.

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