Code of Ethics - Faculty

From the Statute of American Northwest University Senate at its session held on 6/05/2014

PART ONE - GENERAL PROVISIONS

Article 1

The Code of Ethics of American Northwest University (hereinafter University) is the basic ethical principles in higher education, publishing research results, relative to intellectual property, the relationship between the teachers and staff, other employees and students of the University, with the public and the media and at the occurrence of the University, teachers and staff, other staff and students in the legal system.

Article 2

The aim of the Code of Ethics of the University is based on respect for moral principles and the principles of professional ethics, which in their professional and public activities should comply with the teachers, staff, scholars, researchers, artists, and all other employees of the University, which is appropriately applied to students and other persons who are not employees of the University, if they participate in the work and activities of the University and if the behavior and actions of these people can directly connect with the University.

Article 3

(1) For the purposes of the Code of Ethics, certain terms should be interpreted in the following way:
   a) The term "members of the university community" means all persons who study, teach, engage in research work, cooperate in carrying out research and teaching programs, and act within the joint and support services, regardless of the type and duration of the contract under which the exercise rights and liabilities of the University;
   b) The term "university community" means the totality of the members of the university community;
   c) The term "members of the academic community" means all persons involved in teaching, artistic work, scientific research and mentoring activities at the University;
   d) The term "academic community" means the totality of the members of the academic community;
   e) the term "teacher and associate" includes all persons who participate in teaching (lectures and exercises) at the University, regardless of the type and duration of the contract under which they teach;
   f) The term "student" includes all persons who follow a program of education at the University, regardless of their status and cycles attending.

(2) If any of the terms used in this Code of Ethics applies to natural persons, all terms in the masculine gender shall be construed to include female persons and vice versa.
PART TWO - BASIC PRINCIPLES AND RULES
CHAPTER I. PRINCIPLES OF ETHICAL CONDUCT

Article 4
(The principle of peaceful enjoyment of rights)
(1) Every member of the university community must ensure the enjoyment and respect of all human rights, which are realized within the university community, and respect for the rights guaranteed by the Constitution and laws of Bosnia and Herzegovina.

(2) The rights of members of the university community may be restricted only for the purpose of exercising the rights of other members of the university community and the public, in accordance with the objectives of the University and to the extent absolutely necessary.

Article 5
(The principle of respect for the integrity and dignity of persons)
(1) All members of the university community should be respected as a person in accordance with the guaranteed rights to life, integrity and dignity.

(2) All members of the university community must be given the right to privacy.

Article 6
(Principle of autonomy)
(1) All members of the university community have the right to act autonomously from the University within the limits of their status in accordance with the objectives of the University.

(2) All members of the university community should be entitled to unrestricted professional development and training in accordance with their personal capabilities and plans, to the extent that at the same time does not violate the same right to others.

(3) All members of the university community have obligations and responsibilities to others in terms of fair, honest and impartial conduct and acceptance criteria of quality in all areas in order to achieve the common good of the university community.

Article 7
(The principle of equality and fairness)
(1) Each member of the university community should act in accordance with the principle of equality and justice in a way that excludes any discrimination, abuse, harassment and exploitation.

(2) The members of the university community must not misuse their authority and must not allow personal interests and relationships resulting in situations that may affect objective judgment, and ethical and professional conduct of their work duties.

(3) All members of the university community are to ensure equal conditions of the professional obligations of expressing intellectual abilities and progress.

Article 8
(The right to academic freedom)

(1) Academic Freedom at the University is the freedom of every teacher, staff and students to conduct their academic activities in accordance with the Constitution and the law.

(2) The members of the academic community in their research should be guided by the idea of freedom of scientific and artistic creativity, and perform their traditional right to question and criticize social values and the spirit of responsible, objective and honest search for truth, and the acquisition and distribution of knowledge.

(3) The University supports and encourages freedom of thought and expression of opinion as a core value in all aspects of university life and work.

Article 9

(Principle of professionalism)

(1) Members of the academic community are expected to act responsibly, diligently, professionally and ethically impeccable to meet all obligations to students, colleagues and other employees of the University, which in its activities means following the principles of objectivity, impartiality, prudence, fairness, dialogue and tolerance.

(2) The liability of the members of the academic community respect the criteria of competence and quality, and in accordance with the continuous professional development within chosen professional area, and laying the foundations of professional and ethical assessment of available evidence, excluding the bias of any kind.

(3) All members of the academic community should maintain and encourage cooperation in professional relationships and seek the effective use of university resources, seeking to enhance the benefits of science and the university community reducing losses whenever possible.

(4) All members of the academic community are expected to act in the spirit of common goals without participation in out-of-university activities, which will be in conflict of their professional obligations to the University or harm these obligations, as well as the reputation of the University.

(5) Verbal and nonverbal communication of members of the academic community should be in accordance with their functions and role in the community.

Article 10

(The principle of respect for the law and legal procedures)

(1) All members of the university community are expected to respect all legal provisions and legal proceedings related to their duties as members of the university community.

(2) The University has an obligation to provide the conditions necessary to meet the members of the university community with all relevant regulations relating to their duties.

(3) In all proceedings relating to the realization of the principles of the Code of Ethics or in connection with it, members of the university community involved with the rights and interests concerned should provide the opportunity to participate in the proceedings, with the right to vote on
the relevant allegations
to present their case, and equal status in the proceedings in relation to other participants who are in
the same or a similar position.

(4) Any case in which there is disagreement as to the interpretation and application of the code of
ethics, members of the university community are required to ensure that the issue is resolved first
within the environment in which the injury occurred or when the competent authorities of the
University, in accordance with the provisions of the Code of Ethics. Appeal to bodies outside the
University is restricted only to cases where it is appropriate and necessary.

(5) The competent authorities of the University are obliged to act in a timely manner in order to
prevent and suppress violations of the Code of Ethics and to that end initiate proceedings and take
other actions within its jurisdiction, and previously explored all the signed application in which is
suspected of ethics conduct of members of the university community.

CHAPTER II. UNACCEPTABLE BEHAVIOR

Article 11

(Discrimination)

(1) In accordance with the principles set out in Article 4 and 10 of the Code of Ethics, it is
unacceptable to in any form to directly or indirectly discriminate based on religion, ethnic or national
origin, marital status, pregnancy, family responsibilities, age, disability, physical appearance, political
orientation and health.

(2) The sole criteria for evaluation and promotion can be expertise, skills, and professional merit,
competence and results in the performance of certain types of activities, tasks and assignments.

Article 12

(Government harassment)

(1) The University prohibits any type of harassment between members of the university community.

(2) Harassment is any inappropriate behavior toward another person that aims to breach their
personal dignity and hampering the performance of tasks or reducing the quality of their life,
particularly as any act, single or repeated verbal, non-verbal or physical, that creates or contributes
to the creation of unpleasant and hostile working and learning conditions or any other form of
intimidation, offense or humiliation.

(3) It is unacceptable for any sexual harassment that is characterized by the absence of consent or
refusal on the other hand, including making repeated unwanted verbal and physical suggestions of a
sexual nature to another person, physical assault, repeated unwanted use of jokes and remarks
which are sexually colored, including reference to gender and sexual orientation, mockery and
ridicule that is sexually colored, exposure to sexually offensive and disturbing material, and
requesting sexual favors in exchange for a specific act or omission from a position of authority.

(4) Regular communication, well-meaning jokes and criticism, as well as concerns of sexual and other
intimate nature between members of the academic community, which is based on mutual consent
and respect shall be considered an area of privacy, and are not in themselves a violation of the Code
of Ethics, but to avoid situations in which such relationships between members of the academic
community can lead to a violation of the Code of Ethics: Objectivity and impartiality and conflict of interest, especially in relationships between members of the academic community which are in direct hierarchical relationship that involves assessing someone else's work and achievements and/or decision on the status, professional advancement, benefits and rewards.

(5) Every person has the right to report any harassment committed by a member of the university community.

Article 13

(Prejudice)

(1) All members of the university community should be objective and not be allowed to prejudice of any kind influencing their objectivity in academic, research, administrative, business and management activities.

(2) Evaluation of activities and professional competence of any member of the university community must be based on criteria that are not directly relevant to the conduct of business or professional duties.

CHAPTER III. ETHICAL RULES IN EDUCATIONAL, SCIENTIFIC AND ARTISTIC WORK

Article 14

(Professional duties in teaching)

Teachers and assistants at the University shall have the following duties:

a) seek to achieve and transmitting high level of scientific knowledge in their subject;

b) ensure accuracy, precision, representativeness of the subject content and appropriate position of the subject within the program of study, lifestyle, financial status, origin, family to students as effectively achieve the goals of the case;

d) offer equivalent opportunities for improving knowledge for all students ensuring equal progress;

e) process all topics in an open, honest and positive way, especially topics that students have any reason to be regarded as particularly sensitive;

f) contribute to the intellectual development of students within the area in which the teaching is done and avoid all activities that could impede the development;

g) ensure that the students of their work, which is valid, open, fair, objective and completed in a timely manner;

h) to ensure transparency for public examinations, as well as the objectivity of the evaluation;

i) respect the dignity of their colleagues and collaborate with them in order to work in the interest of the progress of students;

j) comply with the educational objectives, strategies and standards of the institution where teaching is taking place, in the interest of development of students;

k) to refrain from any conditioning of the exam requirements that are not contained in the provisions of the curriculum, particularly the imposition of conditions that the teacher makes personal economic and other gains;

l) take into account the opinions and assessments of students about their teaching competence in order to improve the quality of teaching.
Article 15

(Unacceptable practices in the classroom)

(1) Students are required to refrain from cheating, regardless of the form of evaluation of student work.

(2) Transcription is considered unauthorized; taking and giving assistance that aims to affect the fairness of grading exams and other forms of evaluation activities and results of members of the academic community.

(3) The members of the university community should not be encouraged to transcribe, and enable its toleration.

(4) Members of the academic community engaged in teaching or practice with children should be handled with respect to the relevant standards and the rights of children.

Article 16

(Fabrication of results)

(1) Fabrication of results is unacceptable in scientific and research work.

(2) Fabrication is the intentional presentation, dissemination and publication of the alleged results of scientific and research work, despite the knowledge that scientific work and research referred to is in reality not implemented.

Article 17

(Forgery)

(1) Counterfeiting/falsification of any scientific and research work is unacceptable.

(2) Forgery includes any action which is contrary to the principles of scientific integrity by manipulating objects, equipment or process research with the purpose of intentionally set or tendentious interpretation of the results of scientific research.

Article 18

(Plagiarism)

(1) Any form of plagiarism of works and ideas is considered a violation of the Code of Ethics.

(2) All members of the academic community involved in scientific research and artistic work must guarantee authenticity of published scientific papers and artwork, as well as the authorship of which is attributed to them, and the accuracy and fairness of the presentation, and the disclosure of information about the origin of ideas and statements which are the paper used.

(3) Members of the university community are expected to be listed as authors of all their works and only those participants in the creation of a given scientific work, which contributed to the intellectual process.
(4) It is necessary to protect the intellectual property rights of the results of research and collected data of all members of the university community.

(5) During the election or re-election in scientific teaching candidates, they should submit a statement of authenticity which will confirm that all their work and achievement referred to was in the original result of their work, and that this work does not contain any sources other than those listed in the paper.

(6) In the election or re-election of candidates for scientific and teaching, University Senate may decide to establish the text of the statement referred to in paragraph (5) of this Article.

Article 19

(Fabrication and falsification of recommendations)

Fabrication and falsification of recommendations and misrepresentation of academic achievement is not permitted and constitutes a serious violation of the principles of ethical behavior.

Article 20

(Acceptance of gifts and other goods)

(1) Members of the university community from among the teaching and non-teaching staff should not ask for gifts, encourage donation or receive any gifts, either for himself or for another person for whom there is a reasonable presumption that directly or indirectly affect their objectivity, fulfilling professional obligations and respect the professional rights and responsibilities of all parties.

(2) Liability lies with the members of the university community to attempt eliminate all sources of corruption.

Article 21

(Conflict of Interest)

(1) All members of the university community are required to avoid conflicts of interest, which may be caused by family relationships, close friendships, intimate relationships, antagonisms, etc.

(2) Nepotism is unacceptable in any form; specific person(s) placed in a privileged position in relation to other people who have equal or better ability.

Article 22

(Transparency and confidentiality)

(1) The University encourages and promotes transparency in regulations and actions, while maintaining relative confidentiality.

(2) All members of the academic community should take into account the value of transparency and accessibility criteria and procedures for evaluating the fulfillment of professional obligations (exams, enrollment, professional advancement and the like).
(3) All members of the academic community, who by virtue of their position at the University, have the data as to an individual’s status are obligated to maintain confidentiality and should protect the confidentiality of such information.

**Article 23**

*(The right and duty of continuing education and lifelong learning)*

(1) All members of the university community have the right and duty to continually improve and persevere to improve the quality and level of their knowledge and expertise within the selected areas.

(2) The members of the academic community plan, implement and report on their scientific research and educational activities in accordance with accepted standards of scientific and teaching competence.

**Article 24**

*(Professional development)*

(1) Performance evaluation exercise of professional misconduct and professional competence of any member of the university community should be objective and impartial, and based on pre-defined and transparent criteria.

(2) Any form of direct or indirect discrimination in the process of evaluating the conditions of professional advancement and progress in the procedure is considered to be unacceptable.

(3) All members of the university community must ensure equal opportunities of progress on the fulfillment of professional obligations, and to create conditions for the rejuvenation of the scientific and educational communities.

**Article 25**

*(Public appearances)*

(1) The University is aware of its social responsibility and encourages the right of members of the university community on public participation and freedom of expression, which includes performances before audience on radio and television, to express their views in newspapers, books and magazines, as well as other forms of action for the benefit of the community.

(2) The members of the academic community with a higher academic degree or professional status shall not prohibit or limit the personal public speaking members of the community with lower academic degree or professional status, or the performance of which was conditional.

(3) The members of the university community authorized for public appearances on behalf of the University are required to clearly display and exhibit attitudes of the University, where it is expected that they are acting in accordance with the highest ethical and professional standards.
Article 26

*(Responsibility to the university community)*

(1) The professional activities of members of the university community should contribute to the realization of the tasks of the University.

(2) The members of the university community should take care of the property and interests of the University in the spirit of academic freedom - testing, argumentative debate, criticism, tolerance, and the responsible and honest search for the optimal solution.

(3) The members of the university community shall be granted:
   a) intentional interference with activities carried out by the University or encouraged to achieve the tasks set through a free and reasoned debate;
   b) any type of action (lobbying, abuse of position of authority and so on.), which seeks to create a privileged position of individuals and groups at the expense of objective professional criteria;
   c) lack of relationship to the assets of the University, and disabling or impeding other members of the university community to use property;
   d) the use of university property or benefits for personal, commercial, political, religious, social and other out-of-university purposes without special permission;
   e) encouraging other members of the university community in contempt of university rules, which are aimed at meeting the generally accepted tasks of University;
   f) intentionally presenting personal opinions as the official opinion of the University in order to gain personal benefits;
   g) the use of the name or logo of the University for private activities, in order to create an unjustified impression of the university authorities.

PART THREE - BODY AND PROCEDURES FOR IMPLEMENTATION OF THE CODE OF ETHICS

CHAPTER I. IMPLEMENTATION OF THE CODE OF ETHICS

Article 27

*(General duty)*

All the bodies of the University and its organizational units shall, each within its jurisdiction, care for the realization and promotion of ethical standards of the University and the implementation of this Code of Ethics.

Article 28

*(Liability for violations of the Code of Ethics)*

(1) Failure to comply with the principles of this Code, or their violation represents a violation of the honor and obligation of teachers, staff, students and other employees of the university community, which must bear responsibility.

(2) Applications for violations of the Code of Ethics addressed to the body for the implementation of the Code of Ethics of the University.

(3) Disciplinary ad-hoc committee is a body that is appointed by the Rector of the University, and
Dean of the University organizational unit, which is responsible for carrying out procedures in the event of violations of the Code of Ethics by employees from among the academic staff of the University, or organizational unit of University.

CHAPTER II. PROCEDURE FOR DETERMINING INJURIES

Article 29

(Initiation of Proceedings)

(1) The procedure for the determination of a violation of the code of ethics of the University shall be initiated by filing of the infringement bodies for the implementation of the Code of Ethics of the University under Article 29 of this Code of Ethics, in writing, explaining all necessary information and evidence about individuals, time, place and any witnesses to the violation and signed by the submittee.

(2) The bodies for the implementation of the Code of Ethics of the University under Article 29 of this Code of Ethics will not be considered as an anonymous report.

(3) Notification of a violation of the code of ethics of the University can be made by:
   a) Rector and Dean/organizational unit of the University of violations by teachers and staff of the University,
   b) The Dean of the organizational units of the University for violations by students,
   c) immediate supervisor (Rector, Dean) for violations by employees from among the academic staff of the University.

   (4) The notification of the infringement shall be filed no later than three (3) days of learning of the infringement.

   (5) The application of the infringement, which was submitted to authorities for the implementation of the Code of Ethics of the University beyond the established time limit referred to in paragraph (2) of this Article shall be rejected as untimely conclusion.

Article 30

(Procedure Ethics Committee by the timely application)

(1) Upon timely submitted report about violation of a Code of Ethics, professors and staff of the University Ethics Committee carries out the procedure for determining the existence of a violation of the principles within 7 (seven) days.

(2) If the Ethics Committee determines the absence of a violation of the Code of Ethics of the University, the same conclusion rejecting the application as unfounded.

(3) If the Ethics Committee finds a violation of a Code of Ethics, professors and staff of the University are in compliance, suggesting the University Senate imposition of the following measures: written warning or public reprimand.

   (4) If the Ethics Committee determines that a violation of a Code of Ethics, and professors and staff of the University are both a violation of the provisions of the Labor Law of FBiH, the University Statutes and the employment contract Ethics Committee proposes to initiate proceedings in accordance with the provisions of the rules of work of the University; its delivery to the first instance of management.
bodies defined to decide in the first instance on individual rights, obligations and responsibilities of the employee from employment or related to employment law on higher education SBK/KSB.

**Article 31**

Proceedings of the Disciplinary Commission Scientific Council of the organizational unit of the University is carried out in accordance with the provisions of the Statute of the University.

**CHAPTER III. LIABILITY FOR VIOLATION OF STUDENTS' OBLIGATIONS**

**Article 32**

(Disciplinary procedure ad-hoc committee on the timely application)

(1) Upon timely submitted report about violation of a Code of Ethics, University and the employees from the ranks of non-teaching staff of the University, or organizational unit of the University appointed disciplinary ad-hoc committee carries out the procedure for determining the existence of a violation of the code of ethics of the University within 7 (seven) days.

(2) If the disciplinary ad-hoc committee established the absence of a violation of the Code of Ethics of University, the same conclusion rejecting the application as unfounded.

(3) If disciplinary ad-hoc committee finds a violation of a Code of Ethics, University and the employees from the ranks of non-teaching staff of the University, the same conclusion suggests Rector and Dean imposition of measures per written warning or public reprimand.

(4) If disciplinary ad-hoc committee determines that a violation of a Code of Ethics is in effect, University and the employees from the ranks of non-teaching staff of the University are both a violation of the provisions of the Labor Law of FBiH, the University Statutes and the employment contract disciplinary ad-hoc committee proposes initiating proceedings in accordance with the provisions of the Rules of Procedure of the University, its delivery to the first instance of management bodies defined to decide in the first instance on individual rights, obligations and responsibilities of the employee from employment or related to employment pursuant to the Law on Higher Education.

**Article 33**

(Decision of the Senate, the Rector and Dean)

(1) The decision of the Senate of the University, submitted for conclusion by the Ethics Committee on the proposed measures referred to in Article 31 paragraph (3) of this Code of Ethics shall be final.

(2) The decision of the Rector and Deans, submitted for conclusion by the disciplinary ad-hoc committee on the proposed measures referred to in Article 33 paragraph (3) of this Code of Ethics shall be final.

**Article 34**

(1) The Ethics Committee is a permanent organ of the Senate with the following responsibilities:
   a) monitor the implementation/compliance with the principles established in the Code of Ethics (hereinafter the Code);
   b) carries out the procedures for determining the existence of a violation of the principles of the Code;
   c) impose appropriate measures (personal admonition or public reprimand) after determining that
there has been a violation of the ethical principles of the Code;
d) submit proposals to the Rector for the imposition of other sanctions/measures if the violation of the principles contained in the Code is a violation of a duty;
e) review the content and substance of the Code which has been applied in accordance with identified needs, propose an amendment and;
f) perform other duties that are consistent with this Statute and the Code.

(2) The Ethics Committee is composed of one representative from each organizational unit and two representatives from among the students, who are appointed by the Senate, the proposal LSC/EU students for a period of two (2) years.

(3) The Ethics Committee shall exercise its jurisdiction at the meetings convened by the President, who is elected by its members from their ranks, and provisions in more detail the issues of scheduling, operation and decision making to determine the Rules of Procedure.

PART FOUR - FINAL PROVISIONS

Article 35

(Supervision of implementation)
Supervision of the implementation and interpretation of this Code of Ethics is performed by the University Senate.

Article 36

(Amendments)
Amendments to this Code of Ethics shall be made in the manner and procedure of its adoption.

Article 37

(Entry into force)
The Code of Ethics of the University shall enter into force upon its adoption.

Chairman of the Senate of the University
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V.d Rector, Prof. Dr. Marinko Markić