



❖ **Firstly: Accountability Mechanisms for Faculty Members:**

● **Article (105) of the Universities Organization Law stipulates that:**“The University President shall assign a faculty member from the Faculty of Law at the university, or from one of the Faculties of Law at another university if the university does not have a Faculty of Law, to conduct an investigation into the allegations made against a faculty member. The academic rank of the person assigned to conduct the investigation shall not be lower than that of the faculty member under investigation. The investigator shall submit a report on the investigation to the University President. The Minister of Higher Education may request that the report be submitted to him.” After reviewing the report, the University President may close the investigation, refer the faculty member under investigation to the Disciplinary Council if there are grounds for doing so, or impose a disciplinary penalty within the limits prescribed by Article (112).

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member's salary, effective from the date of suspension, unless the Disciplinary Council decides to pay the full salary. If the matter is not referred to the Disciplinary Council within one month from the date of suspension, the faculty member shall receive the full salary until the Council decides otherwise. If the investigation is closed, the faculty member is acquitted, or a penalty of warning or reprimand is imposed, any portion of the salary withheld shall be paid. If a more severe penalty is imposed, the treatment of the withheld portion of the salary shall be determined in accordance with the decision of the authority that imposed the penalty."

● **Article (107) of the Universities Organization Law stipulates that:**

"The University President shall notify the faculty member referred to the Disciplinary Council of the charges brought against him/her and provide him/her with a copy of the investigation report by registered mail with acknowledgment of receipt, at least twenty days before the date set for the hearing."

● **Article (108) of the Universities Organization Law stipulates that:**

"A faculty member referred to the Disciplinary Council shall have the right to review the investigations conducted, on the days designated for this purpose by the University President."

● **Article (109) of the Universities Organization Law stipulates that:**

"All faculty members shall be subject to disciplinary proceedings before a Disciplinary Council composed of:

- ✓ One of the Vice Presidents of the University, appointed annually by the University Council.
- ✓ A professor from the Faculty of Law, or one of the professors of Faculties of Law at other universities if the university does not have a Faculty of Law, appointed annually by the University Council.

✓ A Counselor from the State Council, delegated annually.

In the event of the absence or inability of the Chairperson to perform his/her duties, the other Vice President of the University, followed by the most senior Dean, and then the next Dean in terms of seniority, shall act in place of the Chairperson. Subject to the provisions of Article (105) concerning investigation and referral to the Disciplinary Council, the rules governing proceedings before the administrative disciplinary courts, as stipulated in the State Council Law, shall apply to disciplinary proceedings before the Disciplinary Council.”

● **Article (110) of the Universities Organization Law stipulates that:**

“The disciplinary penalties that may be imposed on faculty members are:

- ✓ Warning.
- ✓ Reprimand.
- ✓ Reprimand with deferment of the due increment for one period, or deferment of appointment to the higher position or its equivalent for a period not exceeding two years.
- ✓ Dismissal from office while retaining the right to a pension or gratuity.”
- ✓ Dismissal with deprivation of pension or gratuity, within a limit of one-quarter. Any act that brings dishonor upon a faculty member, compromises his/her integrity, or constitutes a violation of the provisions of Article (103) shall be punishable by dismissal. In all cases, a faculty member may not be dismissed except by a judgment of the Disciplinary Council.

● **Article (111) of the Universities Organization Law stipulates that:**

Disciplinary proceedings shall be terminated upon the resignation of a faculty member and the acceptance of such resignation by the University Council, except in cases provided for by laws and regulations concerning

financial violations. Disciplinary proceedings shall have no effect on criminal or civil proceedings arising from the same incident.”

● **Article (112) of the Universities Organization Law stipulates that:**

“The University President may impose the penalties of warning and reprimand stipulated in Article (110) on faculty members who fail to fulfill their duties or the requirements of their positions, after hearing their statements and investigating their defense. The decision shall be reasoned and final.

The Dean of each faculty or institute shall notify the University President of any violations committed by faculty members or any failure to fulfill their duties or the requirements of their positions.”

● **Article (112 bis) of the Universities Organization Law stipulates that:** During their tenure, the University President, Vice Presidents, and the Secretary of the Supreme Council of Universities shall remain professors in their respective original faculties and shall retain all the rights of professors. As an exception to the provisions of Article (109), they shall be subject to accountability only as follows:

✓ The Supreme Council of Universities shall, upon the proposal of its Chairperson, form a three-member committee from among its members to investigate the allegations made against a university president, vice president, or the Secretary of the Supreme Council of Universities. The committee may seek the assistance of any professors from Faculties of Law or technical experts whom it considers necessary to complete the investigation.

✓ The person concerned shall not be permitted to attend the Council session when the matter concerning him/her is being considered. The Chairperson of the Council shall submit the results of the investigation to

the competent appointing authority to take whatever action it deems appropriate.”

● **Article (113) of the Universities Organization Law stipulates that:**

The age of retirement for faculty members shall be sixty calendar years. However, if a faculty member reaches this age during the academic year, he/she shall remain in service until the end of that academic year, while retaining all his/her rights and positions.”The academic year shall end upon completion of the examination activities at the conclusion of the academic year. The period from the date on which the faculty member reaches the age of sixty until the end of the academic year shall not be counted for pension purposes.

● **Article (114) of the Universities Organization Law stipulates that:**

“A faculty member shall be referred to retirement by a decision of the University President if he/she is unable to perform his/her duties due to illness, or after the expiration of the leaves prescribed under Article (94), if it is established at any time that, for health reasons, he/she is unable to perform his/her duties properly.”

● **Article (115) of the Universities Organization Law stipulates that:**

“The University Council may, on an exceptional basis, increase the period of service counted for the pension or gratuity of a faculty member referred to retirement in accordance with the preceding Article by an additional period, provided that such additional period does not exceed the period of actual service or the period remaining until the prescribed retirement age. In all cases, the additional period shall not exceed eight years, nor shall it result in the faculty member becoming entitled to a pension exceeding four-fifths of the prescribed period, without prejudice to the provisions of

Article (1) of Law No. 93 of 1971 concerning the amendment of certain provisions of the Civil Pension Laws.”

● **Article (116) of the Universities Organization Law stipulates that:**

“The resignation of the University President, Vice President, Secretary of the Supreme Council of Universities, or a faculty member shall not result in the forfeiture of his/her right to a pension or gratuity. In such cases, the pension or gratuity shall be settled in accordance with the pension and gratuity rules applicable to employees whose service is terminated due to the abolition of their positions or workforce surplus.”

● **Article (117) of the Universities Organization Law stipulates that:**

“A faculty member shall be deemed to have resigned if he/she is absent from work for more than one month without permission, even if such absence occurs after the expiration of a period for which he/she was authorized to take leave, secondment, a scientific mission, a full-time scientific leave, leave to accompany a spouse, or any other type of leave, unless he/she returns to work within a maximum period of six months from the date of absence. The faculty member’s service shall be deemed terminated as of the date of absence. If he/she returns within the aforementioned six-month period and provides a compelling justification, which is accepted by the University Council after obtaining the opinions of the Faculty or Institute Council and the Department Council, the period of absence shall be considered special leave with pay for the first two months and without pay for the following four months. If the faculty member returns within the aforementioned six-month period but does not provide a justification, or provides a justification that is not accepted, the period of absence shall be considered an interruption of service and shall not be counted as part of the service period calculated for pension purposes, nor as part of the periods stipulated in Articles (69/First) and

(70/First), without prejudice to the applicable disciplinary rules. The faculty member may not thereafter be authorized for secondment, a scientific mission, scientific full-time leave, or leave to accompany a spouse until twice the periods stipulated in Articles (88/1) and (90) have elapsed.”

❖ **Secondly: Accountability Mechanisms for Faculty Members’ Assistants**

● **Article (154) of the Universities Organization Law stipulates that:**

“Teaching assistants and assistant lecturers shall be subject to disciplinary proceedings before a Disciplinary Council composed of:

- The Vice President of the University for Postgraduate Studies and Research — Chairperson.
- Two faculty members from the Faculty of Law, selected annually by the University President.
- An Assistant Counselor from the State Council, delegated annually.

In the event of the absence or inability of the Vice President of the University to perform his/her duties, the most senior Dean shall act in his/her place, followed by the next Dean in terms of seniority.”

Termination of Service

● **Article (155) of the Universities Organization Law stipulates that:**

A teaching assistant shall be transferred to another position if he/she does not obtain a Master’s degree or two postgraduate diplomas, as applicable, within a maximum period of five years from the date of appointment as a teaching assistant, or if he/she does not obtain a Doctoral degree or its equivalent within a maximum period of ten years from the date of appointment as a teaching assistant, in cases where obtaining the doctoral

degree does not require prior completion of a Master's degree or two postgraduate diplomas, as applicable."

- **Article (156) of the Universities Organization Law stipulates that:**
An assistant lecturer shall be transferred to another position if he/she does not obtain a Doctoral degree or its equivalent within a maximum period of five years from the date of appointment as an assistant lecturer."

Dean of the Faculty

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