

**DANUBIUS COLLEGE**



**DISCIPLINARY REGULATIONS  
OF DANUBIUS COLLEGE**

**SLÁDKOVIČOVO 2014**

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The Disciplinary Regulations of Danubius College for Students were approved by the Academic Senate of Danubius College in accordance with Section 9(1)(b) of Act No. 131/2002 Coll. on Higher Education and on Amendments and Additions to Certain Acts, as amended (hereinafter referred to as the "Act on Higher Education") on 16 June 2014.

## **PART ONE GENERAL PROVISIONS**

### **Art. 1**

#### **Subject matter**

The Disciplinary Regulations of the Danubius College for Students (hereinafter referred to as the "Disciplinary Regulations of the Higher Education Institution") shall regulate the status and activities of the Disciplinary Committee of the Danubius College for Students (hereinafter referred to as the "Disciplinary Committee of the Higher Education Institution"), the Disciplinary Committee of the Faculty for Students (hereinafter referred to as the "Disciplinary Committee of the Faculty"), the types of disciplinary offences, the manner of their hearing, the procedure for the imposition of disciplinary measures, the review, the finality and the implementation of disciplinary measures.

### **Art. 2**

#### **The Disciplinary Board of the Faculty of Science**

- (1) The Disciplinary Board of the College shall hear disciplinary offences committed by students of Danubius College (hereinafter referred to as "the College") who are not enrolled in any study programme conducted at the faculty and shall submit a proposal for a decision to the Chancellor.
- (2) The Disciplinary Committee of the College shall be composed of eight members. The chairperson and other members of the Disciplinary Board of the DANUBIUS COLLEGE shall be appointed and dismissed by the Chancellor with the prior approval of the Academic Senate of the DANUBIUS COLLEGE from among the members of the academic community of the DANUBIUS COLLEGE. Half of the members of the DANUBIUS COLLEGE Disciplinary Board shall be students. The Associate-Chancellor, who has responsibility for the first and second cycle of studies, is the Chairperson of the DANUBIUS COLLEGE Disciplinary Board.

(3) Membership of the DANUBIUS COLLEGE Disciplinary Board shall cease for the members:

(a) On expiry of the term of office,

(b) by resignation in writing,

(c) on the date of termination of membership of the academic community,

(d) by removal,

e) death of the member.

(4) The term of office of the members of the Disciplinary Committee of the Academic Employees Disciplinary Board shall be three years. The same person may be reappointed as a member of the Disciplinary Board of the Academic Employees Disciplinary Committee.

(5) The activities of the Disciplinary Board of the Danubius College and the procedure for the hearing of a disciplinary offence shall be laid down in the Rules of Procedure of the Disciplinary Board of the Danubius College and Higher Education, which shall be approved by the Academic Senate of the Danubius College and Higher Education on the proposal of the Chancellor.

### **Art. 3**

#### **Faculty Disciplinary Committee**

(1) The Faculty Disciplinary Committee shall hear disciplinary offences of students enrolled in study programmes conducted at the Faculty. The Faculty Disciplinary Board shall submit a proposal for a decision to the Dean.

(2) The members of the Faculty Disciplinary Board and its chairperson shall be appointed by the Dean of the Faculty from among the members of the Faculty's academic community after approval by the Academic Senate of the Faculty. Half of the members of this committee shall be students. The Commission shall be composed of at least four members. As a rule, the chair of the committee shall be the vice-dean, who shall have responsibility for the first and second cycle of studies.

(3) Membership of the Faculty Disciplinary Board shall cease:

(a) Upon expiration of the term of office,

(b) by resignation in writing,

(c) on the date of termination of membership

(d) by removal,

(e) death of the member.

(4) The term of office of members of the Faculty Disciplinary Committee shall be three years, unless the Faculty Disciplinary Regulations provide otherwise. The same person may be reappointed as a member of the Faculty Disciplinary Board.

(5) The provisions of these Disciplinary Regulations shall apply to disciplinary proceedings concerning students enrolled in study programmes conducted at the faculty, unless the faculty issues its own disciplinary regulations for students in accordance with the law, which must be in accordance with the Disciplinary Regulations of the College.

(6) The provisions of the Rules of Procedure of the Disciplinary Committee of the Higher Education Disciplinary Board shall apply to the activities of the Faculty Disciplinary Committee, unless the Faculty issues its own Rules of Procedure for the Faculty Disciplinary Committee in accordance with the Higher Education Act.

#### **Art. 4**

##### **Disciplinary offence**

(1) A disciplinary offence is a culpable violation of generally binding legal regulations, the internal regulations of the COLLEGE or its components, or public order.

(2) Depending on the degree of culpability, a disciplinary offence may be committed negligently or intentionally.

(3) A disciplinary offence is committed recklessly if a student:

- knew that by his or her conduct he or she might cause a violation of a regulation referred to in paragraph (a), but without reasonable grounds relied on the fact that he or she would not do so;

- he did not know that he might by his conduct cause an infringement of the regulation referred to in paragraph 1, although he should and could have known that, having regard to the circumstances and his personal circumstances.

(4) A disciplinary offence is committed intentionally if the student:

- intended by his or her conduct to cause a breach of a regulation referred to in paragraph 1;

- he knew that by his conduct he was likely to contravene a regulation referred to in paragraph (1) and, in the event of his doing so, he was aware of that fact.

(5) In particular, a student's disciplinary offence is:

- (a) violation of obligations arising from the decisions of the bodies of the academic self-government of the College or its faculty, from generally binding regulations, internal

regulations of the College and its constituent parts,

(b) refusal to provide information and facts decisive for the determination of the payment of tuition fees and study-related fees pursuant to Section 71(3)(b) of the Higher Education Act or the provision of false or incomplete information,

(c) disparagement or other harm caused to a member of the academic community or an employee of the HEI or its faculty,

(d) bringing the reputation or name of the COLLEGE or its faculty into disrepute,

e) acting contrary to good manners in connection with the performance of academic duties, in particular:

- publishing someone else's work as one's own, using someone else's work or part of it in one's own work without appropriate reference to the original work, or using part of someone else's work verbatim without citing the original author;

- resubmission of the same or slightly modified work that has already been submitted by the student in a course or programme of study

for the purpose of fulfilling study obligations, without the prior consent of the course tutor or programme supervisor within the framework of which the work is repeatedly submitted and assessed;

- any form of write-off or unlawful collaboration or suggestion in the course of written or oral testing of students' knowledge,

(f) causing public outrage or behaviour contrary to good manners,

g) an act of violence against a student, employee, or visitor to the VSC,

(h) theft or serious damage to property owned, managed or leased by the DANUBIUS COLLEGE, property of students, employees or visitors of the DANUBIUS COLLEGE or property of third parties,

(i) a deliberate criminal offence for which the student has been validly convicted,

j) violation of the provisions of the General Rules of Conduct for Computer Network Users,

k) the transfer of accommodation in a College dormitory to another person without the consent of the Director of the College dormitory,

l) use of alcoholic beverages, other narcotic and addictive substances or violation of Act No. 377/2004 Coll. on the Protection of Non-Smokers and on Amendments and Additions to Certain Acts, as amended, on the campus of the College,

m) retaining multiple accommodations in College dormitories when simultaneously

- studying at several faculties of the DANUBIUS COLLEGE or universities,
- n) falsifying documents related to studies; falsifying cards, documents or papers submitted by the student on the basis of the internal regulations of the DANUBIUS COLLEGE and its components,
  - o) violation of the rules (hereinafter referred to as "fraudulent conduct") which the applicant is obliged to observe during the admission examination, and as a result of this fraudulent conduct the applicant has been admitted to study,
  - (p) the use of social support services under the Higher Education Act for a purpose other than that for which they are intended, or if he or she has used them despite not being entitled to them, or if he or she has otherwise misused such support,
  - (r) other serious breaches of the internal regulations of the Higher Education Institution.

## **Art. 5**

### **Disciplinary measures**

- (1) A student may be subject to any of the following disciplinary measures for a disciplinary offence, depending on the seriousness of the offence and the degree of culpability:
  - (a) reprimand,
  - (b) suspension from studies,
  - (c) expulsion from studies.
- (2) In imposing a disciplinary measure, the nature and seriousness of the disciplinary offence, the circumstances under which the disciplinary offence occurred, the degree of culpability, the consequences of the disciplinary offence, as well as the student's previous behaviour shall be taken into account. The seriousness of the disciplinary offence and the degree of culpability shall be assessed by the relevant Disciplinary Board in the course of the disciplinary proceedings.
- (3) As a rule, the disciplinary measure referred to in paragraph 1 (a) (reprimand) may be imposed on a student for a minor disciplinary offence or a disciplinary offence committed negligently.
- (4) In imposing a disciplinary measure under paragraph (1)(b) (conditional exclusion from studies), the decision shall specify the time limit and the conditions under which the conditional exclusion will be lifted. The seriousness of the disciplinary offence shall be taken into account. The period of suspension shall be at least six months and not more than one year (hereinafter referred to as 'the probationary period'). The probationary period shall begin on the day following the date on which the decision imposing the disciplinary measure becomes final.

- (5) The dean of the faculty shall supervise the fulfilment of the conditions laid down in the decision on conditional exclusion, upon compliance with which the conditional exclusion from studies shall be revoked. Conditions may consist, for example, of an agreement to make restitution for damage caused during the probationary period, to apologize personally or publicly to the victim, to undergo substance abuse treatment, to refrain from certain actions, etc.
- (6) If the student has complied with the conditions of the probationary suspension decision throughout the entire probationary period and has proved his or her worth, the dean shall revoke the probationary suspension by decision. If the student has not complied with the conditions, the dean shall issue a decision revoking the conditional exclusion and at the same time deciding on the exclusion from studies. If the dean does not make a decision within 30 days of the expiry of the probationary period, the student shall be deemed to have proved his or her worth and the conditional exclusion shall be lifted.
- (7) If a student commits a further disciplinary offence before the expiry of the probationary period, a disciplinary measure under paragraph (1)(c) shall normally be imposed if the Disciplinary Committee so proposes. The decision to impose a disciplinary measure pursuant to paragraph 1(c) shall at the same time include the revocation of the decision to impose a conditional exclusion from studies.
- (8) A disciplinary measure pursuant to paragraph (1)(c) (exclusion from studies) may be imposed on a student in particular if:
- (a) he has intentionally committed a serious disciplinary offence,
  - (b) has repeatedly committed a disciplinary offence for which one of the disciplinary measures has been imposed within one calendar year,
  - (c) has committed a further disciplinary offence during the period of suspension,
  - (d) has committed a disciplinary offence under Article 4(5)(b), (k), (m), (o) and (ap),
  - (e) has been finally convicted of a deliberate criminal offence.
- (9) A disciplinary offence shall be time-barred if more than one year has elapsed since its commission. No disciplinary proceedings may be instituted after the expiry of that period.
- (10) The provisions of this Article shall apply to divinity faculties *mutatis mutandis* as provided by law.

## **PART TWO DISCIPLINARY PROCEEDINGS**

### **Art. 6**

#### **Application for disciplinary proceedings**

- (1) The Disciplinary Board of the College or the Disciplinary Board of the Faculty (hereinafter also referred to as the "Disciplinary Board") shall initiate disciplinary proceedings on a proposal submitted by the Chancellor or the Dean (hereinafter also referred to as "the petitioner"). On receipt of the proposal to initiate disciplinary proceedings by the Chairperson of the of the Disciplinary Board, the disciplinary proceedings shall be initiated.
- (2) As a rule, the petition for the initiation of disciplinary proceedings is submitted by the



head of the department or another senior member of staff of the faculty or of the Higher Education Institution through the dean of the faculty, in the case of disciplinary proceedings at the faculty, or through the Chancellor, in the case of disciplinary proceedings at the Higher Education Institution. Anyone who becomes aware of a student's conduct that may be in the nature of a disciplinary offence may initiate the proceedings.

(3) The complaint or petition to initiate disciplinary proceedings shall include:

- (a) A precise description of the student's conduct that is deemed to constitute a disciplinary offense, identifying the relevant provisions of the regulations that were violated, including the time and place where the disciplinary offense was alleged to have been committed,
- (b) the evidence on which the application is based,
- (c) a statement of the reasons why the conduct constitutes a disciplinary offence,
- (d) identification of the student who should have committed the disciplinary offence,
- (e) the student's statement, if any, submitted within the time limit,
- (f) a proposal as to what disciplinary measure should be imposed on the student.

#### **Art. 7**

##### **Rejection of an application for disciplinary proceedings**

- (1) The chairman of the Disciplinary Board shall reject a proposal for disciplinary proceedings if the proposal does not comply with the requirements of Article 6(3).
- (2) The chairman of the Disciplinary Board shall immediately inform the applicant of the rejection.

#### **Art. 8**

##### **Proceedings before the Disciplinary Board**

- (1) On receipt of a petition for the initiation of proceedings, the Disciplinary Board shall discuss the disciplinary offence at its meeting, except in the case referred to in Article 7. The hearing of a disciplinary offence before the Disciplinary Board shall be public and oral in the presence of the student who has committed the disciplinary offence.
- (2) More detailed regulations on the proceedings of the Disciplinary Board are contained in the Rules of Procedure of the Disciplinary Board of the College or the Faculty.
- (3) After hearing the disciplinary offence, the Disciplinary Board shall, by resolution, approve a proposal for a decision on the imposition of a disciplinary measure, which it shall

submit through its chairperson to the Chancellor, in the case of proceedings at the DANUBIUS COLLEGE, or to the Dean, in the case of proceedings at the faculty. The proposal shall be accompanied by written minutes of the proceedings of the committee at which the offence was discussed.

(4) The proposal for a decision to impose disciplinary action shall include:

- (a) A finding that a disciplinary offence has been committed, specifying the relevant provisions of the regulations that have been violated by the commission of the disciplinary offence,
- (b) a finding as to whether the disciplinary offence was committed negligently or intentionally,
- (c) identification of the student who committed the disciplinary offence,
- (d) a proposal as to whether and what disciplinary measure should be imposed on the student who committed the disciplinary offence; and
- (e) if it is proposed to impose a conditional exclusion from studies, also a proposal of the conditions under which the conditional exclusion from studies will be lifted and the time limits for compliance with those conditions.

(5) If the Disciplinary Board does not, on the basis of a vote, approve the proposal for the imposition of a disciplinary measure, it shall, by resolution, reject the proposal. The chairperson of the Disciplinary Board shall immediately inform the petitioner thereof.

## **Art. 9**

### **Discontinuance of disciplinary proceedings**

(1) The Disciplinary Board shall, by order, discontinue the disciplinary proceedings if it is established that:

- (a) the disciplinary offence has not occurred, or the student's conduct under discussion does not constitute an offence,
- (b) the disciplinary offence was not committed by the student; or
- (c) the person who committed the disciplinary offence has ceased to be a student.

(2) The Chair of the Disciplinary Committee shall immediately inform the complainant of the termination of the disciplinary proceedings.

## **Art.10**

### **Decision on the imposition of a disciplinary measure**

(1) The Chancellor or the Dean shall impose a disciplinary measure for the commission of a disciplinary offence pursuant to Article 5 (1) by decision. The disciplinary measure shall be imposed, as a rule, within 2 weeks of receipt of the proposal for the imposition of a

disciplinary measure by the Disciplinary Committee of the College or the Disciplinary Committee of the Faculty.

- (2) The Chancellor or the Dean may not impose a more severe disciplinary measure than that proposed by the Disciplinary Committee of the Higher School Disciplinary Board or the Disciplinary Committee of the Faculty.
- (3) If the offence is of a less serious nature and it can be assumed that the hearing of the offence by the Disciplinary Board of the College Disciplinary Board or the Faculty Disciplinary Board alone will lead to a remedy, the Chancellor or the Dean of the Faculty may decide not to impose a disciplinary measure or to impose a more lenient disciplinary measure than the one proposed by the relevant Disciplinary Board.
- (4) The decision to impose a disciplinary measure shall be in writing and shall contain a statement of the reasons for the decision and an indication of the possibility of applying for a review of the decision.
- (5) The statement of reasons shall state which facts formed the basis for the decision, how the evidence was evaluated and which rules were applied in reaching the decision.
- (6) The indication of the possibility of applying for a review of the decision shall include an indication of the time limit within which and to which authority the application may be made, and which authority shall decide on the application.
- (7) The decision to impose a disciplinary measure shall be delivered to the student by hand.

## **Art.11**

### **Review of the decision to impose a disciplinary measure**

- (1) A student on whom a disciplinary measure has been imposed may apply in writing for a review of the decision to impose a disciplinary measure (hereinafter referred to as "the decision") within 8 days from the date of receipt of the decision. The request shall be submitted to the authority which issued the decision. A timely request for review of a decision shall have suspensive effect.
- (2) If the decision to impose a disciplinary measure was made by the Chancellor or the dean of the faculty in the first instance, the Chancellor or the dean of the faculty may grant the request and amend or annul the decision himself. An application for review may be made again against the decision which has changed the original decision.
- (3) If the dean of the faculty does not grant the request; he or she shall refer it to the Chancellor for a decision within seven working days. With the request for reconsideration, he or she shall forward to the Chancellor the entire file together with the report referred to in paragraph (4), including his or her own opinion on the request for reconsideration.
- (4) The report shall contain the comprehensive results of the proceedings to date, i.e. details of all actions, evidence and investigations carried out, an opinion on the timeliness of the application, compliance with the prescribed formalities of the application. The dean of the faculty shall state in the report his/her opinion on all the applicant's objections, together with the relevant evidence, and his/her view as to the completeness and correctness of the findings of fact and the legal opinion on which the contested decision is based.
- (5) The Chancellor, as a secondary authority, shall review the decision of the Dean and if he finds that it is contrary to law, the internal regulations of the College or any part thereof, he shall modify or reverse the decision, otherwise he shall reject the application and uphold the decision. The Chancellor may, in justified cases, reverse the decision of the Dean and impose a less severe disciplinary measure. The Chancellor must issue a decision no later

than 30 days after receipt of the request for review of the Dean's decision.

- (6) If the decision to impose a disciplinary measure was made by the Chancellor in the first instance and the Chancellor has not made a decision on the request for review himself pursuant to paragraph (2), the Chancellor shall submit the request with the file material to the management of the Higher Education Institution for a decision. The provisions of paragraphs 3, 4 and 5 shall apply mutatis mutandis in this case. The decision on the application shall be taken by the DC management no later than 30 days after it has been received by the DC.

## **PART THREE**

### **VALIDITY AND ENFORCEABILITY OF DISCIPLINARY MEASURES**

#### **Article 12**

##### **Validity of the decision**

- (1) A decision against which no application for review can be made shall be final.
- (2) A first-instance decision of the Chancellor or the Dean imposing a disciplinary measure against which the student has not lodged an application for review shall become final on the date of the expiry of the eight-day period referred to in Article 11(1).
- (3) A second-instance decision of the Chancellor on a request for review shall become final on the date of delivery to the student.
- (4) If a student has been subject to a disciplinary measure of exclusion from studies, the date of termination of studies shall be the date on which the decision on exclusion from studies became final.

#### **Art.13**

##### **Delivery**

- (1) The decision on the imposition of a disciplinary measure and the decision on the request for a review of the decision on the imposition of a disciplinary measure must be delivered to the student by hand, as a rule by post to the student's permanent address. The decision may also be delivered to the student by hand.
- (2) The decision may be received by a person who presents a power of attorney to receive mail in place of the addressee, in accordance with the applicable postal regulations.
- (3) If the addressee refuses to take delivery of the decision, the day of refusal to take delivery shall be deemed to be the day of delivery.
- (4) If the addressee does not take delivery of the decision parcel even within the retention period of 18 days at the post office and the parcel is returned to the sender with the note "addressee not reached", the decision parcel shall be re-delivered to the student. If it cannot be delivered a second time, the day the mail is returned to the sender is considered the day

the decision is delivered.

- (5) If the addressee does not receive the decision parcel at the address given by the addressee, even within the 18-day retention period at the post office, and the parcel is returned to the sender with the notation "addressee unknown" or "addressee does not reside at the address given", the day the parcel is returned to the sender shall be deemed to be the day of delivery.

#### **Art.14**

#### **Implementation of the disciplinary measure imposed**

The disciplinary measure referred to in Article 5(1)(a) to (c) shall be implemented by:

- (a) the final decision imposing the disciplinary measure shall be posted on the official notice board of the Chancellor's Office of the College of Applied Sciences or the Dean's Office of the Faculty for a period of 15 days,
- (b) the study department shall make an entry in the student's personal file after the disciplinary measure has become final.

### **PART FOUR**

#### **COMMON, TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 15**

#### **Common provisions**

- (1) Offences by students against the accommodation regulations of College halls of residence (hereinafter referred to as "VI") shall be dealt with by the Director in accordance with the agreed terms and conditions in the accommodation contract and the relevant internal regulations of the VI, which shall be approved and signed by the Chancellor of the DANUBIUS COLLEGE. Director VI shall notify the Dean of the Faculty or the Deans of the Faculties in which the student is enrolled for studies of the withdrawal from the accommodation contract or the Director's notice to the student of the possibility of withdrawing from the accommodation contract for breach of the Accommodation Regulations. More serious infractions may be handled by the VI Director in collaboration with the Dean of the Faculty and the Disciplinary Committee of the Faculty in which the student is enrolled.
- (2) The Act No. 71/1967 Coll. on Administrative Proceedings (Administrative Procedure Code), as amended, does not apply to the decision on the imposition of disciplinary measures pursuant to these Disciplinary Regulations of the DANUBIUS COLLEGE.

**Article 16**  
**Transitional and final provisions**

- (1) The faculties of the College shall bring the disciplinary regulations they have issued into line with these Disciplinary Regulations of the College within three months from the date of its entry into force. Those parts of the disciplinary regulations of the faculties which are in conflict with the provisions of these Disciplinary Regulations of the Danubius College and Technology shall be null and void after the expiry of that period.
- (2) These Disciplinary Regulations were approved by the Academic Senate of the Higher School of Economics on 16 June 2014.
- (3) These Disciplinary Regulations shall come into force and effect from the beginning of the academic year 2014/2015.

In Sládkovičovo, the 20th of June 2014