
	<b>STUDENT REQUIREMENTS</b> <b>6. PART</b>	Version number: 00 Effective from: 10. 07. 2022 Reference number: JISZ-SZ/9/2022.
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**Student Disciplinary and Compensation Regulation**

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## **Student Disciplinary and Compensation Regulation**

### **CHAPTER I**

#### **General provisions**

#### **THE PURPOSE OF THE REGULATION**


##### **1.§**

- (1) The purpose of the Student Disciplinary and Compensation Regulation (hereinafter: 'SDCR' or Regulation) is to determine the disciplinary and compensation rules applicable to students, the scope of disciplinary offences, the disciplinary sanctions applicable, the rules of procedure in disciplinary and compensation cases against students, and the rules of division of powers between the persons and bodies acting in these cases, based on the authorisation of Act CCIV of 2011 on National Higher Education.

#### **SCOPE OF THE REGULATION**

##### **2.§**

- (1) The material scope of the SDCR covers disciplinary and compensation proceedings initiated against students, as well as disciplinary proceedings against students at second instance.
- (2) The SDCR applies to all persons covered by the scope of the Admission Regulations, the Study and Examination Regulations, the Regulations on Student Fees and Benefits, the Regulations ensuring equal academic opportunities for students with disabilities and the Regulations on courses taken at a higher education institution abroad. In respect of pending proceeding, the personal scope of the SDCR shall extend to persons whose student status was terminated if the act giving rise to the disciplinary proceedings was committed during the period of student status and the disciplinary proceedings were ordered before the termination of student status.
- (3) The personal scope of the SDCR also covers persons involved in the doctoral degree procedure.
- (4) The personal scope of the SDCR covers all persons, organisational units and bodies involved in student disciplinary and examination matters, as well as all lecturers, external lecturers, researchers, teachers and other staff involved in teaching and educational administration in any capacity in disciplinary and/or compensation proceedings.
- (5) The scope of the SDCR does not cover programmes delivered within the framework of adult education subject to Act LXXVII of 2013 on Act LXXVII of 2013 on Adult Education.
- (6) The territorial scope of this Regulation extends to all the places of delivery where the University offers programmes.
- (7) The higher education at which the student has student status is responsible for disciplinary and/or compensation proceedings. If the student has student status at more than one higher education institution, the institution responsible for disciplinary and/or compensation proceedings is the one where the student has breached his/her obligations and/or the one where the offence was committed. In such a case, the disciplinary

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committee of the institution in question shall notify the other institution of the initiation of the proceedings and then of the definitive decision.

### **RELATED DOCUMENTS**

#### **3.§**

- (1) Enabling legislation for formulating the Regulation: Act CCIV of 2011 on National Higher Education (hereinafter referred to as Nftv).
- (2) Related legal rules and internal regulatory documents:
  - a) Act CCIV of 2011 on National Higher Education (hereinafter: Nftv),
  - b) Act CL of 2016 on General Public Administration Procedures (hereinafter: Ákr.),
  - c) Act C of 2012 on the Criminal Code (hereinafter: Btk.),
  - d) Act V of 2013 on the Civil Code (Ptk.),
  - e) Procedure for the Assessment of First Instance Applications and Legal Remedy Requests in Relation to Student Status (hereinafter: 'SSP'),
  - f) Student Disciplinary Committee, for second instance proceedings the Student Disciplinary Appeals Committee:

### **DEFINITIONS**

#### **4.§**

- (1) Within the meaning of the SDCR:
  - a) disciplinary/compensation case file: all documents that have been filed in the logbook of the committee in charge of the disciplinary/compensation case and placed in its temporary registry, such as the document initiating the disciplinary/compensation case, the document initiating the disciplinary/compensation procedure and the documents sent as annexes thereto, the submissions of the student subject to the procedure, the minutes taken at the meeting, the request for expert, the request for witness, the testimony of the witness, the expert statement, documentary evidence;
  - b) damage caused by negligence: negligent damage is when the student foresees the possible consequences of his/her actions but heedlessly relies on their absence, or fails to foresee the possible consequences of his/her actions because he/she fails to exercise due care and attention;
  - c) identification data of a natural person: the person's first name and surname, first name and surname at birth, place of birth, date of birth and mother's first name and surname at birth;
  - d) expert: a person who, in the course of disciplinary and/or compensation proceedings, is called upon by the disciplinary and/or compensation committee to give a professional opinion on a matter raised in the course of obtaining evidence, on the basis of his/her education, professional qualifications or other expertise, irrespective of whether he/she is employed by the University;

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- e) damage caused intentionally: damage is intentional if the student wants the consequences of his/her actions or acquiesces in them;
  - f) decision taken by absolute majority: a decision taken with the support of more than half of all members.
- (2) With regard to terms not defined in SDCR, the rules of the Btk. shall apply with respect to disciplinary matters and the rules of the Ptk. in compensation matters.

**THE RULES OF THE DISCIPLINARY PROCEDURE****DISCIPLINARY OFFENCE****5.§**

- (1) A student commits a disciplinary offence if he/she negligently and materially breaches the obligations arising from his/her student status.
- (2) The student's obligations arising from his/her student status are defined by law, the University's internal regulatory documents, in particular the Organisational and Operational Procedures and the Student Requirements, the Statutes of the University's Student Union (hereinafter: HÖK) and the PhD Student Union (hereinafter: DÖK) as well as the student's training contract. Obligations may also be set by the University's programme of study, by an individual decision issued in respect of the student, or by the student's lecturer.
- (3) The SDCR also applies if the student is guilty of a material breach of the obligations arising from his/her dormitory membership (dormitory disciplinary offence).
- (4) Misconduct can take the form of both active conduct and omission (together referred to as conduct).
- (5) In particular, the student commits serious misconduct:
  - a) if the misconduct harms or endangers the lawful functioning of the University;
  - b) in the case of serious plagiarism;
  - c) substitutes another person or is being substituted by another person during the evaluation of the student's performance; or uses an unauthorised aid or method, or otherwise breaches the rules governing the evaluation of student performance;
  - d) if he/she does not comply with the norms of social coexistence, his/her behaviour is contrary to the rules of community coexistence, e.g. if he/behaves in a manner that violates the health, physical integrity or human dignity of a lecturer, researcher - including external lecturers and researchers engaged under a contract -, other employees or students of the University, in particular harasses others, uses direct or indirect discrimination, unlawful segregation or retaliation;
  - e) breaches his/her duty of cooperation or engages in other misconduct that could restrict or obstruct the University's core activities, other activities specified in the Founding Charter or other normal activities or operations, or damages or endangers the University's economic interests;



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- f) if, in his or her capacity as a student or beyond that, he or she engages in conduct which is not a specific misconduct but which is particularly unbecoming of a student, or seriously or repeatedly damages or endangers the reputation of the University by his/her conduct.
- (6) In addition to the provisions of paragraph (5), a student holding an office in HÖK or DÖK (hereinafter referred to as a "student union office holder") commits a serious misconduct if he/she:
- breaches the duty of confidentiality relating to his/her office or membership;
  - violates the conflict of interest rules set forth in the Nftv. and/or the statutes of HÖK, DÖK, and does not eliminate the conflict of interest within the time limit set forth in the Rector's notice of termination;
  - does not immediately report serious misconduct of which he/she becomes aware to the person entitled to initiate disciplinary proceedings;
  - exceeds the powers of his/her office or otherwise abuses his/her position, if the Supervisory Committee of HÖK or DÖK did not initiate a procedure within the relevant time limit or if such procedure is not suitable to penalise the act that was committed.
- (7) Under the SDCR an office-holder of the student union abuses his/ her office for the purpose of obtaining an undue advantage or causing an undue disadvantage if he/she:
- exceeds the powers conferred on him by his office, or
  - otherwise abuses his/her position.
- (8) A student is guilty of breaching his/her obligations if the misconduct is committed intentionally or negligently.
- (9) Under the SDCR, regardless of how the post is filled, the nature of the mandate (e.g. election, delegation, co-option) and the duration of the mandate, every person shall be regarded as a student union office-holder who:
- is defined as such in the statutes of HÖK or DÖK,
  - replaces a student union office-holder in that capacity, and
  - even without being referenced in paragraph a), any mandate in the context of which the student acts to protect student interests at the request of anybody or leader of HÖK or DÖK.
- (10) Any misconduct that is subject to adverse consequences under the Student Requirements (absence from compulsory sessions, absence from student performance evaluation, etc.) is not considered a disciplinary offence.

### DISCIPLINARY SANCTIONS, MEASURES

#### 6.§

- In the case of disciplinary offences, disciplinary sanctions may be imposed on students by way of a adopted under a disciplinary procedure.
- The following disciplinary sanctions may be imposed:

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- a) reprimand,
  - b) stern reprimand,
  - c) reduction or withdrawal of the allowances and benefits specified in the Regulations on Student Fees and Benefits (hereinafter: 'RSFB'), for a period that shall not exceed six months,
  - d) temporary prohibition from the continuation of studies, the period of which shall not exceed two semesters,
  - e) exclusion from the University.
- (3) The disciplinary decision shall lay down the duration of the disciplinary sanction provided for in paragraph 2(c) and (d) as well as the amount of the reduction of the benefit or allowance.
- (4) The duration of prohibition provided for in paragraph 2(d) shall be defined by precisely indicating the academic semesters concerned.
- (5) The social aid provided for in the RSFB may not be withdrawn as a disciplinary sanction.
- (6) If the student pursues studies in more than one programme, the disciplinary sanctions provided for in paragraph 2(d) and (e) shall apply to all programmes.
- (7) The application of the disciplinary sanctions provided for in subparagraphs (d) and (e) of paragraph (2) shall entail the permanent or temporary withdrawal of the benefits and allowances associated with the student status. The student's status shall be suspended during the period of application of the disciplinary sanction provided for in paragraph 2(d).
- (8) Disciplinary sanctions shall be imposed by taking into account all circumstances of the act, in particular the injured, the consequences, recurrence of the offence, and the gravity of the act committed in such a manner that the imposed sanction should be aligned with the gravity of the act committed, the degree of the offence as well as any mitigating or aggravating circumstances.
- (9) The disciplinary sanction is not influenced by the student's academic performance.
- (10) If a disciplinary offence referred to in subparagraph c) of Section 4(5) is definitively established, the result of the examination affected by the offence must be marked 'invalid' and the entry must state that the reason for the grade is a definitive ethical or disciplinary offence. Examination papers may not be marked with a fail grade due to a disciplinary offence.
- (11) In the case of a disciplinary offence committed in a dormitory, the disciplinary sanctions provided for in paragraph 2 are extended to include the following possibilities:
- a) suspension from residence for a limited period of time, up to a maximum of one academic semester, it being understood that the duration of the suspension is to be determined in weeks and the student may not be expelled from the dormitory for the weeks of the examination period;
  - b) exclusion from the dormitory.




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- (12) In the case of applying the disciplinary sanctions pursuant to paragraph (11)(b), the student may be admitted to the University's dormitory at the earliest after one academic year from the last day of the academic year in which the sanction was imposed.
- (13) Instead of imposing a disciplinary sanction, a warning may be used – and the proceedings terminated – if the misconduct is of minor gravity in view of all the circumstances of the case, in particular the student's person, the motive for the act and the manner in which it was committed, and if the protection of academic order and discipline and the deterrence of the student concerned and others from misconduct can be achieved through a warning. A warning is an expression of the University's disapproval and a reminder to the student concerned to refrain from any future action that may give rise to disciplinary proceedings.

**EXEMPTING STUDENTS FROM THE ADVERSE CONSEQUENCES OF THE SANCTION****7.§**


- (1) The student is exempt from the adverse legal consequences of the disciplinary sanction:
- in the case of the application of subparagraphs (a) to (b) of paragraph (2) of Section 5, on the date on which the decision becomes definitive;
  - in the case of the application of subparagraphs c) to d) of paragraph (2) of Article 5 and subparagraph a) of paragraph (11) of Section 5, after the expiry of the period specified in the decision;
  - in case of the application of subparagraph e) of Section 5 (2) and subparagraph (b) of Section 5(11), two (2) years after the date on which the decision becomes definitive.
- (2) The student may, taking into account circumstances deserving consideration, apply for early exemption from the adverse consequences of the disciplinary sanction specified in the decision, in the cases referred to in subparagraph (b) of Section (1), from the date on which the decision becomes final, or, in the case of a judicial challenge, from the date of the resolution declaring the decision enforceable.
- (3) The student may, taking into account circumstances deserving consideration, apply for exemption from the adverse consequences of the disciplinary sanction in cases referred to in Section (1)(c) after one (1) year from the date on which the decision becomes definitive, or, in the case of a judicial challenge, after the date of the decision declaring the decision enforceable.
- (4) The discharge procedure is the responsibility of the SDC. The provisions of the SDCR shall apply mutatis mutandis to the proceedings of the SDC.
- (5) An appeal against the rejection of a request for exemption on the grounds of equity may be lodged with the Vice-Rector for Education within fifteen (15) days of receipt of the decision. The request must be submitted to Chairperson of the SDC. The provisions of paragraph 24 shall apply to examining legal remedy requests.
- (6) In the event of discharge, the disciplinary decision must be removed from the register. The deletion is done by noting the fact and date of the discharge on the decision placed in the filing books.

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## PERSONS AND BODIES ACTING IN THE DISCIPLINARY CASE

### 8.§

- (1) Persons and bodies involved in disciplinary proceedings:
  - a) the person authorised to order disciplinary proceedings, i.e. the Vice-Rector for Education,
  - b) the disciplinary body of first instance, the Student Disciplinary Committee (hereinafter: SDC),
  - c) the disciplinary body of second instance, the Student Disciplinary Appeals Committee (hereinafter: SDAC),
  - d) the keeper of the minutes.
- (2) The official e-mail address of the SDC and the SDAC shall be the official e-mail address of Legal, Administrative and Regulatory Services designated for student affairs.
- (3) Disciplinary authority at first instance is exercised by the Student Disciplinary Committee (hereinafter: SDC) . The SDC shall consist of six (6) members (including the Chairperson), four (4) of whom shall be employees of the University and two (2) of whom shall be representatives of HÖK. In the event of disciplinary proceedings against a student pursuing doctoral studies, one (1) student member shall be a delegate of the DÖK. At least two (2) of its employee-members shall be lawyers by education [of which one (1) is employed as a lecturer/researcher/teacher], the other two members being employed as lecturers/researchers/teachers. Employee-members shall be appointed by the Vice-Rector for Education. The student members shall be appointed in accordance with the Statutes of HÖK. The chairperson is appointed by the Vice-Rector for Education from among the elected members. The President of HÖK shall notify the Vice-Rector for Education of the delegated student members.
- (4) Disciplinary authority at second instance is exercised by the Student Disciplinary Appeals Committee (hereinafter SDAC). The SDAC is composed of six (6) members (including the Chairperson), four (4) of whom are employees of the University and two (2) of whom are representatives of the HÖK. In the event of disciplinary proceedings against a student pursuing doctoral studies, one (1) student member shall be a delegate of the DÖK. At least two (2) of its employee-members shall be lawyers by education [of which one (1) is employed as a lecturer/researcher/teacher], the other two members being employed as lecturers/researchers/teachers. Employee-members shall be appointed by the Vice-Rector for Education. The student members shall be appointed in accordance with the Statutes of HÖK. The chairperson is appointed by the Vice-Rector for Education from among the elected members. The President of HÖK shall notify the Vice-Rector for Education of the delegated student members.
- (5) The minutes of the SDC and the SDAC (hereinafter referred to as the Committees) shall be kept by the designated staff member of Legal, Administrative and Regulatory Services (hereinafter referred to as the: LARS) in agreement with the chairperson of the committees. The minute-taker is not a member of the committees. The minute-taker is

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responsible for the administrative and document management tasks related to the operation of student disciplinary committees.

- (6) The following persons may not participate in committees on grounds of bias:
- a) whose rights or legitimate interests are affected by the case, a person who initiated the procedure, the student's representative, a person who testified in the case or acted as an expert;
  - b) a relative of the person subject to disciplinary proceedings (a direct line relative, his or her spouse or domestic partner, adopted, step or foster child, adoptive, step or foster parent, sibling, spouse or domestic partner of a sibling, a spouse or domestic partner, spouse's or domestic partner's direct relative or sibling);
  - c) who cannot be expected to give an objective assessment of the case for other reasons.
- (7) The student subject to the procedure may raise an objection of bias. The Vice-Rector for Education shall take a decision in the matter of bias.
- (8) The committees shall adopt their own rules of procedure in the framework of the SDCR, the Rules for the Assessment of First Instance Applications and Legal Remedy Requests in Relation to Student Status, it being understood that the language of the procedure shall be Hungarian, except if the student subject to the procedure requests it to be conducted in the language of the training programme.

## **ORDERING A DISCIPLINARY PROCEDURE**

### **9.§**

- (1) Disciplinary proceedings may also be initiated on the basis of a notification or if the Vice-Rector for Education becomes aware of a case.
- (2) Any person may report a reasonable suspicion of offence misconduct, in paper or electronic form, to the Disciplinary Board, except in the case of suspected plagiarism, in which only the Ethics Committee may initiate proceedings. The notification is expected primarily from the person who has directly noticed the suspected disciplinary offence (e.g. the lecturer in the case of cheating at an exam or behaviour during a class or during a break that constitutes a disciplinary offence) or, in the case of suspected disciplinary offences committed by several persons (e.g. mass examination cheating), from the study programme leader or, in the case of suspected disciplinary offences committed in a dormitory, from the dormitory coordinator.
- (3) An original signature or at least an electronic signature with enhanced security shall be affixed to the notification. The notification must be accompanied by all available evidence of the disciplinary offence and must be sent to the office e-mail address of the Vice-Rector for Education ([oktatr@uni-corvinus.hu](mailto:oktatr@uni-corvinus.hu)). The original copy of the notification shall be filed with the Vice-Rector for Education and placed in the Vice-Rector for Education's file registry.
- (4) If the Vice Rector for Education has reasonable grounds to suspect that a disciplinary offence has been committed, the disciplinary procedure shall be ordered by the Vice Rector for Education within fifteen (15) days of the date of becoming aware of it.

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- (5) The date of becoming aware of the offence shall be the date on which the original signed paper-based or electronically signed document is received at the office address/e-mail address of the Vice Rector for Education.
- (6) Disciplinary proceedings may not be ordered if five (5) months have elapsed since the disciplinary offence was committed and/or fifteen (15) days have elapsed since the date of becoming aware of the offence.
- (7) Disciplinary proceedings must be ordered if they are initiated by the student against him/herself. In this case, paragraph 6 shall not apply.
- (8) There is no need to order the procedure if it is repeated on the basis of a decision by the SDAC or a court. In this case, paragraph 6 shall not apply.
- (9) The procedure must be ordered in a document bearing an original signature or at least an electronic signature with enhanced security and filed with the Vice Rector for Education. The original of the ordering document, together with the available evidence, must be sent to the SDC and a copy must be deposited in the file registry of the Vice-Rector for Education. In the case of an electronic document, the notification must be sent from the office e-mail address of the Vice-Rector for Education.
- (10) The initiation of disciplinary proceedings is not affected by the student's academic performance.
- (11) If the Vice-Rector for Education considers that there is no reasonable suspicion of a disciplinary offence (e.g. because there is no evidence or the act is not in his/her view a disciplinary offence) or that the offence is of such minor gravity that a warning under these Regulations is most probably appropriate, he/she shall refuse to impose disciplinary proceedings.
- (12) The person entitled to order the disciplinary proceedings shall not notify the student of the disciplinary procedure, the student shall be informed of the procedure from the invitation to the hearing sent by the SDC.
- (13) The decision on the notification shall be communicated to the SDC by sending the document ordering the proceedings or refusing to order them. In the case of an electronic document, the notification must be sent from the office e-mail address of the Vice-Rector for Education.
- (14) The SDC shall be responsible for students' disciplinary cases at first instance.

## **DEADLINES**

### **10.§**

- (1) The disciplinary proceedings, including the delivery of the disciplinary decision to the student subject to the proceedings, shall be completed within sixty (60) days, if all the circumstances of the case, in particular the facts of the case, the scope, number and nature of the evidence so permit, it being understood that the disciplinary proceedings may not exceed ninety (90) days. If the SDAC or a court decides that the procedure should be repeated, that procedure shall be considered a new procedure, with the time limit starting again.

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- (2) The time limit starts on the day following the date of receipt by the SDC of the decision of the Vice-Rector for Education ordering disciplinary proceedings.
- (3) The period of suspension pursuant to paragraph 10 and the period of adjournment pursuant to Section 17 (12) shall not be counted towards the time limit prescribed for administration.
- (4) The time limit for administration does not include the period between the date of sending any notice or decision to the student with regard to the disciplinary hearing and the day on which delivery was attempted, if, in the case of a proper notification, the student subject to proceedings does not receive the document for any reason other than refusal to accept it.

**SUSPENSION, LIMITATION PERIOD****11.§**

- (1) If there is reasonable suspicion of a criminal offence on the basis of the notification, the SDC shall hand over an original of any information, documents or other evidence at its disposal to LARS in order to file a complaint.
- (2) If, in the opinion of LARS, there are reasonable grounds for suspecting a criminal offence, it will contact the competent authority, otherwise it will refrain from reporting the offence and will immediately inform the SDC in order to decide whether to continue or suspend disciplinary proceedings.
- (3) If the student subject to disciplinary proceedings has been the subject of misdemeanour or criminal proceedings in the same case, the SDC may suspend the disciplinary proceedings until the misdemeanour or criminal proceedings have been finally concluded.
- (4) The suspension of disciplinary proceedings shall interrupt the limitation period.
- (5) It is not necessary to hand over the compliant and the suspension may be lifted if it becomes clear that the facts of the case can be clearly established.
- (6) The procedure shall also be suspended until the obstacle is removed at the most, if the student subject to the procedure cannot attend the hearing for reasons beyond his/her control and the student announces his/her intention to attend the hearing or is unable to do so for reasons beyond his/her control.
- (7) Nor shall the proceedings be suspended in the circumstances set out in Section (6) if the SDC believes that the conditions for the termination of the proceedings or for issuing a warning pursuant to paragraph (13) of Section 6 are met.
- (8) The period of suspension of disciplinary proceedings does not count towards the time limit for administration.
- (9) Suspension for misdemeanour or criminal proceedings shall end on the day following the date on which the SDC receives official notification of the final conclusion of the misdemeanour or criminal proceedings, and in case the student is prevented from attending, when the SDC receives official notification of the end of the student's incapacity to attend or when the student requests that the proceedings be conducted in absentia, and if it becomes clear subsequently that a warning or termination is appropriate.

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- (10) Within one working day, the SDC notifies the student concerned of the suspension and its termination by registered letter or personal delivery in the case of a paper-based decision, or via e-mail in the case of a decision issued in an electronic form, as well as informs Student Services and the person initiating the case thereof.
- (11) Any procedural action taken against the student by the SDC for a disciplinary offence (ordering disciplinary proceedings, summons, hearing, etc.) shall interrupt the limitation period. The limitation period recommences on the day of the interruption.

**MERGING PROCEDURES****12.§**

- (1) When a student is subject to more than one procedures, the SDC may decide to merge the cases if the facts are directly and closely related and it is not possible to separate them.
- (2) If the SDC determines from the case file that a merger is appropriate, it may notify the concerned student thereof in writing in the invitation to the hearing of the merged procedure. In this case, the first hearing can already be held as a joint hearing.
- (3) The student may submit a reasoned objection to the merger in his/her reply. The SDC will take a decision with regard to the objection. The rejection of an objection may not be challenged in a separate appeal, but may be challenged by an appeal against the decision closing the case.
- (4) In the event of merging procedures, all students subject to the merged procedure shall have the right to access the entire file of the merged procedure, to be present at all the procedural steps of the merged procedure, subject to the general limitations set out in this Regulation.

**INTERIM MEASURES****13.§**

- (1) In justified cases, and in particular with regard to the nature and seriousness of the disciplinary offence, the person entitled to order the disciplinary proceedings may, at the time of ordering the disciplinary proceedings, order the student to follow a special course of study as an interim measure, and may also ban the student from attending certain classes, from registering for examinations, from taking examinations, may suspend the evaluation of student performance, the recording of marks in Neptun and other means of communing them to the student, of which the student subject to the disciplinary proceedings, the initiator, the Head of Study Matters at Student Services and the SDC shall be informed.
- (2) Once the disciplinary proceedings have been ordered, the SDC is entitled to order interim measures until the disciplinary decision becomes definitive.
- (3) The Head of Study Matters at Student Services shall ensure that the interim measure is recorded in Neptun.
- (4) In justified cases, the interim measure may be lifted by the SDC in the course of the procedure.

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- (5) The interim measure cannot be challenged in a separate appeal, but may be challenged by filing a legal remedy request against the decision closing the case.
- (6) If the disciplinary proceedings do not end with expulsion or suspension from further studies, the student must be given the opportunity to make up for any examinations and other subjects missed as a result of the interim measure as soon as possible without suffering any disadvantage, and to make up for any examinations and subjects that the student was unable to complete due to the interim measure.

**RIGHTS OF THE STUDENT SUBJECT TO THE PROCEEDINGS****14.§**

- (1) During the disciplinary procedure, the student subject to the procedure is entitled to use the language of instruction, both orally and in writing, with the interpretation being provided by the University.
- (2) The student who is subject to a disciplinary hearing is entitled to:
  - a) to give an uninterrupted presentation of his/her position on the case in front of the SDC;
  - b) to inspect, take a copy of and take notes on the documents of the procedure at the place where the case-file is kept, at a time agreed in advance with the Chairperson;
  - c) to submit a request for evidence to the SDC;
  - d) to put questions to the victim, witnesses or experts at the hearing.
- (3) In disciplinary proceedings, the student may exercise his/her rights through a representative (including a legal representative). The representative's authorisation must be recorded in a public or private document of full probative force. If the student exercises his/her rights through a representative, the student may be present at the procedural acts, but the rights to which the student is entitled under this Regulation may be exercised by the representative, and the obligations of the Committee towards the student must be fulfilled towards the representative. This does not prevent the SDC from asking the student subject to the proceedings questions and the student from requesting the floor.

**APPLICATION FOR JUSTIFICATION****15.§**

- (1) If the student subject to disciplinary proceedings has missed a deadline or a delivery date set by the SDC through no fault of his/her own, an application for justification is required.
- (2) The application for justification may be submitted within eight (8) days of the last day of the missed deadline or the missed delivery date. If the omission comes to the knowledge of the defaulter later or the obstacle is removed later, the deadline for submitting the application for justification shall begin to run on the date that the defaulter becomes aware of the omission and/or the obstacle is removed, it being understood that the application for justification may be submitted within a maximum of forty-five (45) days.
- (3) The application for justification must state the reason for the omission and the circumstances that support the probability of being innocent in failure. The omitted act

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must also be made up at the time of submitting an application for justification. No further application for justification shall be allowed if the deadline of the procedural act repeated on the basis of the application for justification is missed.

- (4) The application for justification must be given equitable treatment.
- (5) The application for justification shall not have suspensory effect on the continuation of the proceedings and/or the enforcement of the decision. If the application for justification supports the probability of being innocent in failure and that the omitted act has been or will be remedied, the procedural act or the enforcement of the decision may be suspended.
- (6) The SDC shall take a decision on the application for justification. If the deadline for appeals is missed, the SDAC shall take a decision on the application for justification.
- (7) The application for justification shall be rejected without examining the merits if:
  - a) the application is late,
  - b) in the event of failure to comply with a deadline, the person applying for continuation has not remedied the omitted act when submitting the application, although this was possible.
- (8) If the SDC accepts the application for justification, the act remedied by the applicant shall be deemed to have been performed within the missed deadline, and the procedural act performed on the delivery date be repeated within the required framework. A decision on either the maintenance in force or the total or partial annulment of the previous procedural act or decision should also be taken in the light of the outcome of the repeated procedure.
- (9) The rejection of an application for justification may not be challenged in a separate appeal, but may be challenged by an appeal against the decision closing the case.

### **CLARIFYING THE FACTS**

#### **16.§**

- (1) If the student under investigation admits to the disciplinary offence at the hearing or in writing, the need for evidence or further evidence may be waived.
- (2) If the offence is not admitted, evidence must be obtained to clarify the facts.
- (3) The student subject to the procedure and the victim may both request evidence to be provided, and this may also be ordered by the SDC ex officio.
- (4) The following persons may not be heard as witnesses:
  - a) who cannot be expected to provide meaningful evidence;
  - b) in the case of facts constituting protected information, who has not received a waiver of confidentiality from the body or person entitled to grant it.
- (5) Testimony may be refused if:
  - a) the witness is a relative of the student being subject to the procedure;
  - b) the witness would accuse him/herself or a relative of committing a criminal offence.



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- (6) If the SDC considers it necessary to hear a witness and takes a decision to that effect, the person to be heard as a witness must comply with his/her obligation to give evidence. Failure to do so constitutes a breach of obligation.
- (7) Any person who is excluded from Committee membership, who is not allowed to be heard as a witness or who may refuse to give evidence may not act as an expert.
- (8) If the witness's testimony contradicts the statement of the student subject to disciplinary proceedings or the testimony of other witnesses, an attempt to clarify this should be made by confrontation, as may be necessary.

**RESTRICTED DATA HANDLING****17.§**


- (1) Upon a reasoned request to that effect, the SDC shall order the identification data and address of the witness, expert or person who initiated the proceedings to be handled in a restricted manner, if the person making the request for restricted data handling deems it likely that he/she will suffer serious adverse consequences as a result of his or her intervention in the proceedings. The decision shall be notified only to the applicant.
- (2) The SDC will keep the natural person's identification data and address separate and handle them in a restricted manner. The SDC shall ensure that the data handled in a restricted manner are not disclosed during the procedural steps.
- (3) Only the SDC, the keeper of the minutes, the Rector, the Vice-Rector for Education, as well as a SDAC and the court hearing the judicial review may have access to data handled in a restricted manner.
- (4) In order to ensure the right of access to the file, the SDC shall draw up an extract from the file generated in the course of the proceedings, in accordance with the content and form requirements laid down by law, in such a way that no conclusions may be drawn therefrom as to the identity of the person specified in paragraph (1).

**INVITATION TO THE DISCIPLINARY HEARING****18.§**

- (1) At least one session must be held during the disciplinary procedure.
- (2) The hearing of a student subject to disciplinary proceedings shall be held during the session if:
  - a) the student so requests or
  - b) the hearing of the student is deemed necessary by the SDC in order to clarify the facts.
- (3) If the student subject to the procedure requests a hearing and the hearing has been granted by the SDC, the student may request a further hearing up to a maximum of two (2) times.
- (4) The HFB SDC shall hear the witnesses and experts during the session.
- (5) In the invitation the student subject to disciplinary proceedings must be advised that he or she has the right to:
  - a) stay away from the session,

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- b) submit a signed and dated defence in writing by post or in person, or in the case of an electronic document, via the single digital gateway, or electronically in the form of an electronic copy of a paper document, from his/her e-mail address registered in Neptun, and to
- c) exercise his/her rights in the proceedings through a representative, on the basis of a duly completed power of attorney.
- (6) The SDC shall send the invitation to the student by registered post with acknowledgement of receipt or by personal delivery in the case of orders issued as paper-based documents, or by e-mail in the case of orders issued as electronic documents. The e-mail should be sent to the student's e-mail address registered in Neptun. In the case of an electronic document, the notification must be sent from the official e-mail address of the SDC.
- (7) An invitation sent by e-mail shall be deemed to have been delivered on the day following its dispatch.
- (8) If the delivery of an invitation sent by registered post fails because the student or his/her authorised representative declares that he/she will not accept the mail ("refused to accept") or refuses to sign the verbal declaration of acceptance, the invitation is deemed to have been delivered on the day of the attempted delivery.
- (9) If the invitation is returned marked "not collected", it shall be deemed to have been delivered on the fifth (5th) working day following the second attempt at postal delivery, unless proven otherwise.
- (10) If a registered post with acknowledgement of receipt is returned marked "addressee unknown", "addressee moved" or "address not identifiable", the Chair of the SDC will request the authority for personal data and address registration to communicate the student's address, postal address or other personal data necessary for forwarding the letter, and will newly attempt delivery with the new data. If the letter cannot be forwarded to the address provided by the authority for personal data and address registration, the SDC will not make any further inquiries. If the authority for personal data and address registration is unable to provide an address or if the registered post with acknowledgement of receipt is returned from the address(es) provided by the authority marked "not collected", "addressee unknown", "addressee moved" or "deficient address", the document is deemed to have been served on the date of the attempted service.
- (11) The student subjected to the procedure may lodge an objection to service within fifteen (15) days of becoming aware of the fact, but not later than forty-five (45) days of the notification, if he/she becomes aware that the document sent to him/her is considered as served by the SDC. The student has the right to lodge an objection to service if the delivery was not carried out properly, he/she was unable to receive the letter for reasons beyond his/her control or if the letter was accepted by another person. The objection must set out the facts and circumstances that prove the irregularity of the service or that support the probability of absence of own fault. If the SDC upholds the objection, the rules applicable to applications for continuation shall apply. The objection shall be considered by the Committee which issued the document to be delivered. There is no further right of appeal against the decision on the objection.

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- (12) Three (3) working days prior to the date of the session, the student subject to the procedure may request, in a reasoned request, to have the session postponed once (1) by a maximum of eight (8) working days. The period of adjournment does not count towards the time limit for the administration.

### **THE DISCIPLINARY HEARING**

#### **19.§**

- (1) If the student subject to disciplinary proceedings or the representative acting in his/her stead fails to appear despite having been duly notified, but has requested in a signed and dated request delivered by post or in person, or in the case of an electronic document, via the single digital gateway or, in the case of a paper document, in the form of an electronic copy of the document, electronically submitted from his/her e-mail address registered in Neptun, that the meeting be held in his/her absence, and the SDC decides that the meeting may be held in the absence of the student, the SDC shall hold the meeting, hear the witnesses and experts present and discuss the merits of the case. If the SDC decides that the student needs to be heard in person in order to decide on the merits of the case, it shall postpone the meeting and invite the student or the representative acting in his/her stead to the repeated meeting, and may hear the witness or expert at its own discretion or postpone their hearing as well.
- (2) If the student is absent despite proper notification, the SDC may decide to discuss the merits of the meeting or to postpone it. If the SDC decides that a personal hearing of the student is necessary for the merits of the case, it shall postpone the meeting and invite the student or the representative acting in his/her stead to the repeated meeting. If the student subject to disciplinary proceedings or the representative acting in his/her stead fails to appear despite due notification, and the SDC decides that the meeting may be held in the absence of the student, the SDC shall hold the meeting, hear the witnesses and experts present and discuss the merits of the case.
- (3) If the student subject to disciplinary proceedings or the representative acting in his/her stead cannot be duly notified before the start of the meeting, the SDC may decide that the meeting may be held in the absence of the student. In such a case, the SDC shall hold the meeting, hear the witnesses and experts present, and discuss the merits of the case. If the SDC has held the meeting and it is established, on the basis of the returned acknowledgement of receipt or otherwise, that the notification was not in order, the meeting shall be repeated within the necessary framework; a decision on either the maintenance in force or the total or partial annulment of the previous procedural act or decision should also be taken in the light of the outcome of the repeated procedure. If the SDC finds that the notification was in order, the provisions on omission shall apply. If the SDC decides to postpone the meeting, it shall set a new deadline for the postponed meeting, to which it may invite orally the witnesses and experts present.
- (4) In case of quorum, and if there are no obstacles to the holding of the meeting, the chairperson of the SDC shall, after taking stock of the student, his/her representative, witness and expert present, verify the identity of the persons present, and in case of representation, the appropriate proof of the right of representation. If the representative

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cannot prove his/her right of representation, he/she may not act. In this case, the consequences of absence despite proper notification will apply.

- (5) In order to clarify the facts, the student should be heard first, followed by the victim, if relevant.
- (6) The hearing should continue by hearing witnesses and then experts.
- (7) When hearing witnesses and experts, the witness must be asked whether he or she is interested or biased in the case, and warned of his/her obligation to tell the truth as well as of the criminal consequences of perjury.
- (8) During the first hearing of the student subject to disciplinary proceedings, the victim may not be present, but the student subject to disciplinary proceedings may be present during the hearing of the victim. Witnesses and experts are not allowed to be present during the hearing of a student subject to disciplinary proceedings. During the hearing of witnesses and experts, the student subject to disciplinary proceedings may be present, no other witness or expert may be present. In a merged disciplinary procedure, the student who is the subject of the proceedings may be present during the hearing of the other parties to the proceedings. The student subject to the proceedings may be ordered to leave the meeting room at the request of a witness or by the chairperson of the SDC acting ex officio, while the victim, the witness or other students subject to the merged disciplinary proceedings are heard, if the behaviour or presence of the student subject to the proceedings interferes with or would interfere with the hearing of these persons.

**THE DISCIPLINARY DECISION****20.§**

- (1) The SDC shall take its decision during its session, in the presence of the members and the keeper of the minutes only, and shall record its decision in a resolution.
- (2) The SDC takes its decisions by an absolute majority.
- (3) The SDC may base its decision only on evidence directly examined at its meeting. Facts not proven beyond reasonable doubt cannot be assessed against the student subject to disciplinary proceedings. If a student's request for evidence is rejected, the reasons for the rejection must be stated in the disciplinary decision, unless it is established that the student has not committed a disciplinary offence.
- (4) The SDC's decision on the merits may be:
  - a) a decision ordering a disciplinary sanction,
  - b) a decision issuing a warning,
  - c) a decision terminating disciplinary proceedings.
- (5) A decision imposing a sanction shall be taken if the SDC finds that the student has committed a disciplinary offence and therefore considers it necessary to impose a disciplinary sanction.
- (6) The SDC will take a termination decision if:
  - a) the student's fault cannot be established,

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- b) the disciplinary offence cannot be proved,
  - c) the act committed is not a disciplinary offence or was not committed by the student subjected to the procedure,
  - d) the disciplinary offence has lapsed,
  - e) the act on which the proceedings are based has already been finally disposed of by disciplinary proceedings,
  - f) it applies a warning rather than a disciplinary sanction.
- (7) The introductory part of the decision must indicate the case number, the decision number, the name of the University and the committee, as well as the place and time of the disciplinary hearing.
- (8) The operative part of the decision imposing the sanction must include:
- a) the name of the student subject to disciplinary action, the programme of study (in case the student participated in more than one programme simultaneously, the programme concerned by the disciplinary offence), his/her Neptun code, permanent address and place of residence;
  - b) the name of the disciplinary offence committed;
  - c) the disciplinary sanction applied and other measures relating to it;
  - d) the provisions on legal remedies.
- (9) There is no need to refer to the possibility of an appeal if the right of appeal has been waived.
- (10) In the event of the application of interim measures, the disciplinary decision shall provide for the provisions of Section 15(6).
- (11) The reasons for the decision imposing the penalty must include concise information on:
- a) the facts established;
  - b) the indication and assessment of the evidence, with an indication of the reasons for which the SDC has not found a fact to be proved or has dismissed the evidence offered;
  - c) an explanation of what the offence is and to what extent the student is guilty of it;
  - d) the circumstances taken into account when imposing the sanction;
  - e) a reference to the provisions, regulations and legislation on which the SDC's decision is based.
- (12) The content of the termination decision is governed by the provisions on the content of the decision *mutatis mutandis*, it being understood that a request for evidence rejected by the SDC does not have to be reasoned.
- (13) The operative part of the termination decision must include:
- a) the name of the student subject to disciplinary action, the programme of study (in case the student participated in more than one programme simultaneously, the programme concerned by the disciplinary offence), his/her Neptun code, permanent address and place of residence;

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- b) an indication of the disciplinary offence for which disciplinary proceedings have been ordered;
  - c) a decision to terminate the disciplinary proceedings;
  - d) the application of a warning in case of a decision to that effect;
  - e) the provisions on legal remedies.
- (14) The reasons for the termination decision must briefly state the facts and evidence established as well as the reasons on which the termination is based.

### **NOTIFYING THE STUDENT OF THE DECISION**

#### **21.§**

- (1) The decision must be recorded in a paper-based document. One original copy must be sent to the student by registered post or by personal delivery as well as sent to the student's e-mail address.
- (2) The decision shall be deemed to have been notified on the date on which it is received by the student or, if the student has given a power of attorney, by the person authorised to receive the document, either in person or by post.
- (3) Otherwise, paragraphs (8) to (11) of Section 19 shall apply mutatis mutandis to service.

### **MINUTES AND AUDIO RECORDING**

#### **22.§**

- (1) The minutes of the disciplinary hearing shall be drawn up on the basis of an audio recording of the essential content of the hearing within fifteen (15) days, or within thirty (30) days in the case of English-language proceedings. In the case of a joint hearing, joint minutes are drawn up.
- (2) An electronic copy of the signed minutes must be sent to the student by the fifteenth (15th) day following the day of the hearing, or by the thirtieth (30th) day in the case of English-language proceedings. If the student requests it in writing or by email or at the hearing, the minutes will also be sent to him/her by post.
- (3) The student may request the supplementation or correction of the minutes within eight (8) days of their receipt.
- (4) If the student requests to correct or supplement the content of the minutes - in writing or by email or at the hearing - he/she may listen to the audio recording in person at the offices of the SDC.
- (5) The SDC takes a decision on the correction or supplementation of the minutes on the basis of the audio recording. The decision must be taken within eight (8) days of receiving the request. No legal remedy shall be available against such decision.

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### **CORRECTING A DECISION**

#### **23.§**

- (1) Errors not related to the merits of the decision (errors with respect to names, numbers, calculation or other similar errors) will be corrected by the SDC upon request or ex officio.
- (2) No correction is possible if an appeal has been lodged against the decision.
- (3) The correction of the decision must also be recorded in the corrected decision.
- (4) If the decision has already been served, the corrected decision must also be served.
- (5) There is no right of appeal against the correction.
- (6) In the case of a rectification, the time limit for appealing starts from the date of notification of the rectified decision.
- (7) The SDC may change its decision on the merits of the case under the review procedure set out in the SDCR.
- (8) The SDC may supplement the decision in accordance with the rules of Ákr.

### **LEGAL REMEDY**

#### **24.§**

- (1) An appeal against the present decision may be lodged within 15 days of its communication or failing that, within 15 days of the date on which it comes to the applicant's attention.
- (2) The right of appeal may be waived by the appellant.
- (3) Appeals must be submitted to the SDAC and addressed to the SDC's keeper of the minutes. The appeal shall be filed by the SDC and sent to the SDAC within five (5) days, along with with the original of the first instance documents and the referral.
- (4) The appeal has suspensory effect on the enforcement of the decision.
- (5) Students whose student status has been terminated in the meantime shall also have the right to complete the legal remedy procedure and the right to terminate the legal remedy once it has been initiated.

### **DISCIPLINARY PROCEEDINGS AT SECOND INSTANCE**

#### **25.§**

- (1) The legal remedy request shall be brought before the SDAC.
- (2) The provisions of paragraphs 1-24 of the present Regulation shall be applied, with the following derogations:
  - a) The appeal must be decided within thirty (30) days, which may be extended once by the Chairperson by thirty (30) days.
  - b) The time limit for administration starts on the day after all the documents of the case are received by the SDAC.
  - c) In addition to the cases defined in Section 8(6), anyone who took part in the procedure at first instance, or a close relative of such a person under Ptk. or anyone cannot be

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expected to judge the case objectively, may not be involved in the work of the SDAC, it being understood that bias should be proven by the person who refers to bias. This rule does not exclude the participation of the keeper of the minutes who took part in the proceedings at first instance to take part in the proceedings at second instance.

- d) If the appeal is late or is not submitted by the person entitled to do so, the SDAC may reject the appeal.
- e) The SDAC is also entitled to assess facts, data or other evidence that has not yet been examined at first instance and is relevant to taking a decision in the case.
- f) The SDAC may also alter the first instance decision to the student's disadvantage.
- g) For the clarification of the facts, the calculation of deadlines, the application for justification, the form, content and communication of the decision, its correction, supplementing, amendment or revocation upon request or ex officio, the provisions of the Ákr. shall apply mutatis mutandis.

**THE DISCIPLINARY DECISION AT SECOND INSTANCE AND APPEALING AGAINST IT****26.§**

- (1) The SDAC takes its decisions by absolute majority.
- (2) With respect to the first instance decision, the SDAC
  - a) upholds,
  - b) modifies,
  - c) annuls the decision and orders the first-instance disciplinary authority to initiate new proceedings,
  - d) annuls it if it was not adopted by the competent authority. In this case, it shall at the same time notify the party entitled to initiate the procedure.
- (3) The student may challenge the final decision on the legal remedy request in an administrative action. The application has suspensory effect.
- (4) The application must be filed in writing on paper with the keeper of the minutes of the SDC within thirty (30) days of the date of notification of the decision sought to be reviewed. Within five (5) days, the SDC shall submit the application together with the case file to the SDAC, which in turn shall forward it to the court within fifteen (15) days, along with its statement of claim. If the application also contains a request for the termination of enforcement procedures, the SDC shall submit the statement of claim and the case file to the SDAC within three (3) days, which in turn shall forward it to the court within eight (8) days.

**DEFINITIVENESS AND ENFORCEABILITY IN DISCIPLINARY PROCEEDINGS AT FIRST AND SECOND INSTANCE****27.§**

- (1) The first instance decision becomes definitive when:



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- a) it was not appealed and the time limit for appeal has expired,
  - b) the appeal has been waived or withdrawn,
  - c) the SDAC upheld the first instance decision.
- (2) In the case of paragraph 1(a), the decision shall become definitive on the day following the last day of the appeal period.
- (3) If the appeal is waived or withdrawn, the decision becomes definitive:
- a) upon notification of the first instance decision, if the student has waived the right of appeal before the decision is notified,
  - b) on the date of receipt of the waiver or withdrawal by the SDC, if the appellant waives or withdraws the appeal within the time limit for appeal.
- (4) In the case referred to in paragraph 1(c), the decision of the first instance shall become definitive upon notification of the decision of the second instance.
- (5) The decision of the second instance becomes definitive and enforceable upon notification, unless the student subject to the proceedings has requested a judicial review.
- (6) The decision can only be enforced after once it has become definitive.

**SPECIAL PROCEDURES****REPEATED PROCEDURE****28.§**

- (1) In the case of a repeated procedure, the time limit for the administration of the case starts on the day following the date of the decision to retry and the receipt of all the documents in the case by the SDC or the SDAC.

**AMENDMENT OR WITHDRAWAL OF THE DECISION IN THE REVIEW PROCEDURE****29.§**

- (1) If the SDC finds that a decision not assessed under the appeals procedure, nor challenged violates the law, it will amend or revoke its decision.
- (2) If the SDAC finds that a decision that has not been assessed under the judicial review appeal procedure violates the law, it will amend or revoke its decision.
- (3) If, the SDC or the SDAC becomes aware of facts, data or other evidence that existed prior to the decision and that have not yet been examined in the proceedings and are relevant to the adjudication of the case concerning a decision that was not assessed under the appeals procedure, nor challenged in the appeal procedure, it is entitled to review the decision that has not been assessed in the appeal proceedings ex officio within fifteen (15) days of becoming aware of the fact. The provisions of the SDCR shall apply to the review procedure.
- (4) The decision under paragraphs (1) to (3) shall be communicated to the person to whom the amended or revoked decision was communicated.

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- (5) The review provided for in paragraphs (1) to (3) shall not be possible if one (1) year has elapsed from the date of the decision.

## **RULES ON THE COMPENSATION PROCEDURE**


### **THE STUDENT'S LIABILITY FOR DAMAGES**

#### **30.§**

- (1) If the student wrongfully causes damage to the University and/or the practical training organiser in connection with the fulfilment of his/her academic obligations, he/she shall be liable according to the rules of the Ptk, with the exceptions specified in the Nftv.
- (2) Damage shall be defined as any depreciation (caused to) the University's assets or missing property, in particular:
  - a) depreciation (damage, loss, misuse or misappropriation of material, technical or financial assets) of the University's own property and property of third parties owned, managed or held in custody by the University due to improper use;
  - b) the loss or infringement of the University's property rights or enforceable claims,
  - c) damage caused wrongfully during educational, scientific, professional, social, cultural or sporting events organised by the University or while using services provided by the University.
- (3) The compensation for damages caused by negligence shall not exceed fifty (50) percent of the monthly amount of the mandatory lowest remuneration for work (minimum wage), as applicable on the day when the damage was caused.
- (4) In the case of damages caused intentionally, as well as damages resulting in loss of life, or harm to physical integrity or health, the total damage shall be compensated.
- (5) The student shall be fully liable for any loss of or damage to items supplied with a list or certificate of receipt, with an obligation to return or to account for, provided that he/she keeps them in his/her custody at all times and uses or handles them exclusively. He/she shall be exempted from liability if the shortage is due to an unavoidable cause.
- (6) In cases specified in paragraph (5) (including the loss of borrowed books), in the event of the loss of any items received, the head of the organisational unit shall request the student in writing to restore the lost item and/or pay the amount of compensation, setting a reasonable deadline. The student may submit his/her objections to the request within eight (8) days of becoming aware of it to the competent dean, or to the Head of Corvinus Doctoral Schools; CDS) if the student participates in a doctoral programme. An application for justification may be submitted within eight (8) days in case of failing to meet this deadline.
- (7) Except as provided for in paragraph (5), a damage report shall be drawn up at the site of the damage immediately after it has been discovered, in the presence of the student and two (2) witnesses not involved in the case. The report must be signed by the student who caused the damage and must also state whether he or she acknowledges the damage and agrees to pay compensation. His/her statement must be recorded in the report.

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- (8) The report shall be drawn up by the person appointed by the head of the organisational unit affected by the damage.
- (9) If the student refuses to sign the report, this must be recorded in the report. The report shall be authenticated by the signatures of the keeper of the minutes and the two (2) witnesses.
- (10) The damage report must be sent to the competent dean, or in the case of a student participating in a doctoral programme, to the Dean of the CDS. The report on the damage and on the hearing shall be sent to the Chancellor for his/her opinion.
- (11) If the damage does not constitute a disciplinary offence, the dean, or in the case of a student participating in a doctoral programme, the dean of the CDS, shall request the student in writing to pay compensation for the damage caused. The student may be required to pay compensation only for the damage which the University does not otherwise recover. If the student does not acknowledge his/her responsibility and refuses to pay compensation for the damage, the Dean, or in the case of a student participating in a doctoral programme, the Dean of the CDS, will order the SDC to initiate compensation proceedings. If the student partly admits his/her liability in writing, the procedure shall be initiated only in respect of the part that was not admitted.
- (12) In compensation cases, the compensation committee shall be the SDC at first instance and the SDAC at second instance.
- (13) If the student has been subject to disciplinary proceedings for breach of obligation, any liability for damages arising from such breach must also be assessed in the disciplinary proceedings.
- (14) In its decision, the SDC will order the student to pay compensation or exempt the student from liability for compensation.
- (15) The decision establishing liability for damages shall contain the provisions of paragraphs (8) to (13) of Section 21 of the SDCR, in particular:
  - a) the name of the person exercising the right to compensation,
  - b) the number and date of the decision,
  - c) in the operative part of the decision, in addition to the personal data of the student who caused the damage, the damage caused, the amount of compensation, the deadline for payment, any option for payment in instalments, any legal remedy of a suspensory effect and the legal consequences of non-payment must be specified,
  - d) the statement of reasons for the decision must describe in detail the damage caused, the grounds for determining the compensation, the circumstances taken into account and the provisions on which the decision is based.
- (16) Upon request, in view of their social situation, students may be granted an instalment plan or the claim may be waived in whole or in part by the competent Dean or the Dean of the CDS in the case of doctoral students.
- (17) The amount of compensation may be deducted from the student's university benefits up to fifty (50)% of the amount.

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- (18) If the student fails to comply with the compensation decision or the written request within the time limit, the Chairperson of the SDC shall initiate proceedings to recover the claim through legal action by sending the case file to the competent organisational unit. The rules for recovery are laid down in provisions issued by the Head of Finance.
- (19) If the person who has caused the damage makes full compensation, the compensation proceedings may be dropped or terminated.
- (20) If the student has concluded an employment contract in accordance with Article 44(1) of the Nftv, the provisions of Act I of 2012 on the Labour Code shall apply to the compensation of damages caused to practical training organiser and the student.
- (21) Otherwise, the rules of disciplinary proceedings shall apply mutatis mutandis to the compensation procedure.

#### **RULES APPLICABLE TO THE COMPENSATION PROCEDURE IN THE EVENT OF DAMAGE CAUSED IN THE UNIVERSITY'S DORMITORIES**


##### **31.§**

- (1) In the event of damage caused by a student who resides in a University's dormitory or a college for advanced studies, the rules governing the persons and bodies responsible and the procedure to be followed are laid down in the relevant dormitory's/college's Organisational and Operational Procedures and other regulations.
- (2) If the student also commits a disciplinary offence by his/her harmful behaviour, the disciplinary procedure shall be conducted in accordance with the SDCR.

#### **THE UNIVERSITY'S LIABILITY FOR DAMAGES**

##### **32.§**

- (1) The University, the practical training organiser, shall compensate the student for any damage caused to the student in connection with the student's legal relationship and practical training in accordance with the provisions of the Ptk. The University and practical training organiser shall be exempt from liability only if they prove that the damage was caused by an unforeseeable cause outside their control or by the unforeseeable conduct of the injured party.
- (2) Students may bring items (including cash) onto the University premises other than the normal personal equipment and clothing necessary for their studies and work only at their own risk. When not in use, students must store their personal equipment and clothing in the cloakroom, lockers and designated depositories (e.g. library lockers). If students breach this provision, the University and the employer are not liable.
- (3) In the event of damage to the student, the student must report the damage in writing to the relevant Dean or the Dean of the CDS within fifteen (15) days of becoming aware of the damage. The notification must detail the circumstances in which the damage occurred, as evidenced by witnesses and/or evidence, the extent of the damage caused and the method and amount of compensation requested. If necessary, the student who has suffered harm should also be heard and the organisational unit(s) concerned should be involved.

 <b>BUDAPESTI CORVINUS EGYETEM</b>	<b>STUDENT REQUIREMENTS 6. PART</b>	Version number: 00 Effective from: 10. 07. 2022 Reference number: JISZ-SZ/9/2022.
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- (4) The competent dean, or in the case of doctoral students, the dean of the CDS, shall decide on the legitimacy, method and amount of compensation within thirty (30) days of receipt of the notification, after hearing the preliminary opinion of the legal adviser. In the event of liability for damages, payment shall be made from the compensation fund provided for in the RSFB.
- (5) In the event of a total or partial rejection of a claim for compensation, the student may seek legal redress in court in accordance with the rules of civil law.
- (6) Any other matters shall be governed mutatis mutandis by the rules of the Ptk on compensation.

### **DATA MANAGEMENT**

#### **33.§**

- (1) The privacy notice of the University as data manager setting out the detailed conditions of its data processing activities within the scope of this Regulation pursuant to Articles 13 and 14 of the GDPR, is available on the NEPTUN student interface. By signing the enrolment form-training contract, the student acknowledges the contents of the notice.

### **CLOSING PROVISIONS**

#### **34.§**

- (1) The present Regulation was adopted by the Senate at its meeting of 21 June 2022. At the same time, the Student Disciplinary and Compensation Regulation adopted under Resolution No. SZ-81/2020/2021. (2021. VI. 22.) of the Board of Trustees shall be repealed.
- (2) The present Regulation shall enter into force on 10 July 2022.
- (3) Any procedures launched after its entry into force shall be governed by of the present Regulation.
- (4) Any matters pending at the time of its entry into force of shall be governed by the Regulation referred to in paragraph (1).
- (5) The present Regulation shall constitute Chapter 6 of the Student Requirements.