

UNIVERSITY OF PRESOV in Presov

DISCIPLINARY REGULATIONS
of the University of Presov for Students



2024

Disciplinary Regulations of the University of Presov for Students

Pursuant to § 15 section 1, letter l) of Act No. 131/2002 Coll. on Higher Education and on Amendments and Additions to Certain Acts, as amended and after approval by the Academic Senate of the University of Presov, I hereby issue the following

D i s c i p l i n a r y R e g u l a t i o n s

Art. 1

Introductory Provisions

1. Disciplinary Regulations of the University of Presov for Students (hereinafter referred to as "Disciplinary Regulations") shall regulate the status and competence of the Disciplinary Committee of the University of Presov (hereinafter referred to as "the University"), as a body of academic self-government for the hearing of disciplinary offences of those students who are not enrolled in any study programme carried out at the faculty. The Disciplinary Regulations also regulate the procedure for imposing disciplinary measures.
2. Disciplinary Regulations shall also be binding for the faculties of the University which establish disciplinary committees to hear disciplinary offences committed by students enrolled in a study programme carried out at the faculty.
3. If a faculty decides that it needs to modify Disciplinary Regulations in more detail on its own terms, it shall issue the Faculty Disciplinary Regulations for Students (hereinafter referred to as the "Faculty Disciplinary Regulations") as its internal regulation. The Faculty Regulations shall not conflict with these Disciplinary Regulations.

Art. 2

Disciplinary Committee

1. The Disciplinary Committee shall have four members, half of whom shall be students.
2. The Chairman and members of the Disciplinary Committee shall be appointed by the Rector from among the members of the academic community of the University, no later than 14 days after approval by the Academic Senate of the University. At the faculty, the Dean shall appoint the Chairman and members of the faculty disciplinary committee, after approval by the Academic Senate of the Faculty.
3. The date of appointment of the members of the Disciplinary Committee shall be the end of the term of office of the Disciplinary Committee operating under the existing regulations.

The appointment, withdrawal and termination of the term of their office shall be notified to the members of the Disciplinary Committee in writing.

4. The term of office of the Disciplinary Committee shall be four years. During the term of office, the Rector (Dean) may, in justified cases, release or withdraw a member of the committee or cancel the membership in the committee and appoint new members. The Rector (Dean) shall notify the members of the committee of the termination of their membership in writing, stating the reason.
5. Membership in the Disciplinary Committee shall cease:
 - a) at the end of the term of office,
 - b) by resignation,
 - c) by withdrawal by the Rector with the prior consent of the AS UP,
 - d) by termination of membership in the UP academic community.

Art. 3 **Disciplinary Offence**

1. A disciplinary offence is a culpable violation of legal regulations or internal regulations of the University or its units, or public order.
2. Depending on the degree of culpability, a disciplinary offence may be committed negligently or intentionally.
3. Negligent fault is sufficient for liability for a disciplinary offence, unless generally binding legal regulations or the internal regulations of the University or its units expressly stipulate that intentional fault is required.
4. A disciplinary offence is committed negligently if the student
 - a) knew that his or her conduct might breach a regulation referred to in par. 1 or public order, but without reasonable grounds relied on the fact that this would not occur; or
 - b) did not know that he or she might by his or her conduct breach a regulation referred to in par. 1 or a public order, although, considering the circumstances and his or her personal situation, he or she was aware of that fact.
5. A disciplinary offence is committed intentionally if the student
 - a) intended by his or her conduct to breach a regulation referred to in par. 1 or public order, or
 - b) knew that by his or her conduct he or she was likely to breach a regulation referred to in par. 1 or public order and, provided that he or she did so, he or she was aware of that fact.
6. A disciplinary offence committed by a student is
 - a) intentional serious violation of obligations arising from decisions of the academic self-government bodies of the University or its units, from generally binding legal regulations, from internal regulations of the University or its units, unless an internal regulation of the University or its faculty imposes exclusion from studies for non-compliance with the conditions of the study programme for such action or inaction,
 - b) defamation damage or disrepute of the University or its unit,

- c) unauthorised interference with the right to the protection of the personality of a member of the academic community of the University or of a member of the staff of the University; in particular, where it involves cases of diminution of the dignity of a member of the academic community of the University or of a member of the staff of the University or of the esteem in which they are held in society.
- d) intentional act of violence against a student, employee, or visitor of the University,
- e) consumption of alcoholic beverages, narcotic drugs or psychotropic substances while participating in educational or scientific research activities of the University, or being under their influence in educational or scientific research activities of the University,
- f) public encouragement of violence, hatred or restriction of the rights and freedoms of a group of persons or an individual on account of their actual or supposed belonging to a race, nation, nationality, ethnic group, on account of their actual or supposed origin, skin colour, sexual orientation, political opinion, religious belief, or because they are non-religious, or a physical or verbal attack on a group of persons or an individual on these grounds,
- g) public defamation of any nation, nationality, their language, any race, ethnic group, religious group, or sexual orientation,
- h) establishment, support or promotion of a group, movement or ideology which aims at the suppression of the fundamental rights and freedoms of persons, or which advocates racial, ethnic, national, or religious hatred or hatred towards another group of persons, or which were in the past directed towards a similar suppression of the fundamental rights and freedoms of persons,
- i) passing off someone else's work as one's own, using someone else's work or part of it in one's own work without an appropriate reference to the original work, or using part of someone else's work verbatim without citing the original author,
- j) resubmitting the same or slightly modified work that has already been submitted by the student within a course or programme of study to fulfil study requirements, without the prior consent of the course instructor or study programme supervisor, in which the work is being repeatedly submitted and assessed,
- k) any form of copying or unauthorised cooperation or cheating during, or in preparation for, a written or oral assessment of learning outcomes (assessment of knowledge) within the subject, or the use of technical devices or any information carriers in a manner other than permitted during, or in a preparation for, a written or oral assessment of learning outcomes (assessment of knowledge) within the subject, specifically if:
 - 1. the student has a device that enables a hidden form of communication with another person, receiving or sending messages; a switched-off mobile phone is not considered to be such a device;
 - 2. the student is using a device that allows communication with another person, receiving or sending messages, during the knowledge assessment;
 - 3. the student carries or has access to any medium of information that contains, even in part, information or other supporting material that may be the content of the knowledge assessment of the subject;
 - 4. the student uses or has access to any medium of information during the assessment of knowledge,

- l) falsification or intentional unauthorized alteration of study-related; falsification or intentional unauthorised alteration of ID cards, documents or reports which the student presents based on the internal regulations of the University and its units or based on a generally binding legal regulation, or the use of false or unauthorised altered study-related documents or the use of false or unauthorised altered ID cards, documents or reports which the student presents based on the internal regulations of the University and its units or based on a generally binding legal regulation, as genuine and unaltered,
 - m) non-payment of tuition fees or fees associated with studies in the amount and within the due date according to a specific internal regulation of the University; refusal to provide information and facts decisive for their determination pursuant to Section 71 par. 3 letter b) of the Higher Education Act, or the provision of false or incomplete information,
 - n) riotous or gross indecency, or behaviour which is in serious violation of good manners.
7. A student may be subject to some of the following disciplinary measures for a disciplinary offence:
- a) reprimand
 - b) conditional exclusion from studies specifying the time limit and conditions under which the exclusion will be cancelled
 - c) exclusion from studies.
8. A disciplinary offence is time-barred if more than one year has elapsed since its commission. The limitation period shall not run during the disciplinary offence proceedings or during the interruption of studies.

Art. 4

Disciplinary Offence Proceedings

1. Proceedings on a disciplinary offence before the Disciplinary Committee shall be held on the proposal of the Rector (Dean), who shall submit the proposal to the Chairman of the Disciplinary Committee. Any member of the academic community of the University (Faculty) may submit a proposal to the Rector (Dean) for disciplinary offence proceedings.
2. The Disciplinary Committee is obliged to initiate disciplinary proceedings within 14 days of receiving the proposal.
3. The Disciplinary Committee shall be convened by its Chairman.
4. The Disciplinary Committee has a quorum if a majority of the members are present.
5. A supermajority of the votes of the present members is required to approve the decision of the Disciplinary Committee.
6. The Disciplinary Committee is entitled to invite any university employee or university student to attend the hearing, in order to properly investigate the facts of a disciplinary offence.

7. The proceedings on a disciplinary offence before the Disciplinary Committee shall be closed and oral in the presence of the student who has committed the disciplinary offence. If the student fails to appear without proper excuse, the hearing may be held without his or her presence.
8. If the student who has committed the disciplinary offence has submitted a written apology by the date of the committee meeting, the Chairman of the Disciplinary Committee shall set a new date for the meeting of the committee. A student may apologise only once. The apology must be delivered to the Chairman of the Disciplinary Committee no later than on the day of the committee meeting.
9. The Chairman of the Committee, its members and invited persons are obliged to maintain confidentiality of the facts they learned about in the disciplinary proceedings in connection with the case under discussion. The parties to the proceedings shall be so informed by the Chairman of the Committee.
10. The Disciplinary Committee shall submit a proposal to impose a disciplinary measure to the Rector (Dean) with a written justification of the proposal.

Art. 5 **Decision on the Imposition of a Disciplinary Measure**

1. Disciplinary measures shall be imposed by the Rector; students enrolled in study programmes carried out at the Faculty shall be subject to disciplinary measures by the Dean. Neither the Rector nor the Dean may impose a more severe disciplinary measure than the one proposed by the Disciplinary Committee.
2. The Rector (Dean) shall issue a decision on the imposition of a disciplinary measure no later than two months from the date on which the written proposal for disciplinary proceedings was delivered to him or her.
3. The decision to impose a disciplinary measure shall be issued by the Rector (Dean) in writing. The decision must contain a justification and an instruction on the possibility of submitting a request for its review.
4. The decision to impose a disciplinary measure must be delivered to a student by hand.

Art. 6 **Review of a Decision**

1. The request for a review of the decision shall be submitted to the Rector (Dean) who issued the decision within a period of eight days from the date of its delivery.
2. If the decision was made by the Dean, he or she may himself or herself grant the request and change or cancel the decision. If he or she does not comply with the request, he or she shall refer it to the Rector.
3. The Rector shall refer the Dean's decision to the HR and Legal Unit of the university for a review to ensure that the decision is not contrary to the law, internal regulations of the

University or its units. Based on the statement of the HR and Legal Unit, the Rector shall either confirm, change or cancel the Dean's decision.

4. The Rector shall issue a written decision, which shall be final and not subject to appeal, no later than 30 days after receiving the request for a review of the Dean's decision.
5. The Rector's decision must be delivered to a student by hand.

Art. 7 **Transitional Provisions**

1. The activities of the Disciplinary Committee shall be governed by the Rules of Procedure of the Disciplinary Committee of the University of Presov, which shall be approved by the Academic Senate of the University of Presov.
2. The activities of the Disciplinary Committee of the Faculty shall be governed by the Rules of Procedure of the Disciplinary Committee of the Faculty, which shall be approved by the Academic Senate of the Faculty.

Art. 8 **Final provisions**

1. These Disciplinary Regulations were approved by the Academic Senate of the University of Presov on April 15, 2024.
2. These Disciplinary Regulations shall enter into force and take effect on April 16, 2024.

In Prešov, April 15, 2024

PaedDr. Mgr. Helena Galdunová, PhD.
Chairman of the Academic Senate

Dr. h. c. prof. PhDr. Peter Kónya, PhD.
Rector