



Guarantor: Dean's Office, UPJŠ FM

LEK000376/2022-101420
Košice, dated 17/06/2022

**Disciplinary Rules of Procedure
at Pavol Jozef Šafárik University in Košice, Faculty of Medicine**



Elaborated by:	
Discussed at: UPJŠ FM management	Date: 31/05/2022
Approved by: UPJŠ FM Academic Senate	Date: 15/06/2022
Number of copies: 3	1 copy for the Dean's Office 1 copy for the Department of Study Affairs 1 copy for the UPJŠ FM AS
Valid as of: 01/09/2022	Effective as of: 01/09/2022

Pursuant to Section 33 paragraph 3 subparagraph d) Law Act No. 131/2002 Coll. on Higher Education Institutions and on Amendments to Certain Law Acts (hereinafter "LAHEI") in the wording effective until 24/04/2022, these Disciplinary Rules of Procedure (hereinafter (hereinafter "the Disciplinary Rules of Procedure") are hereby issued by the Faculty of Medicine at Pavol Jozef Šafárik University in Košice, the "Faculty" of "UPJŠ FM)) after having been approved by the Faculty of Medicine at Pavol Jozef Šafárik University Academic Senate in Košice.

Article 1 Scope of Application

- 1) These Faculty Disciplinary Rules of Procedure shall regulate the status and activities of the Disciplinary Board of the Faculty for its students (hereinafter the "Disciplinary Board of the Faculty"), disciplinary offenses committed by the Faculty students, enforcing the disciplinary measures and possibilities of reviewing the disciplinary measure.

Article 2 Disciplinary Board

- 1) The Disciplinary Board of the Faculty shall discuss disciplinary offences committed at the Faculty by the students enrolled in the study programmes. The Commission shall submit a draft decision to the Dean of the Faculty (hereinafter "the Dean").
- 2) The Disciplinary Board of the Faculty shall consist of twelve members, half of whom shall be students.
- 3) The members of the Disciplinary Board of the Faculty and its Chairperson shall be appointed by the Dean from among the members of the academic community after the approval by the Faculty Academic Senate. The same person may be appointed member of the Disciplinary Board repeatedly. Membership in the Disciplinary Board of the Faculty shall expire:
 - (a) by the completion of the four-year term of office,
 - (b) upon the delivery of a written statement by a member of the Disciplinary Board of the Faculty to the Dean on resigning from their membership in that body,
 - (c) on the date on which a member of the Disciplinary Board ceased to be a member of the academic community of the Faculty or staff,
 - (d) by removing from office,
 - (e) by the death of a member.
- 4) The Dean may remove from office even on his own decision any member of the Disciplinary Board of the Faculty against whom disciplinary proceedings have been instituted under Article 3.
- 5) The activity of the Disciplinary Board of the Faculty shall be governed by the Rules of Procedure of the Disciplinary Board of the relevant Faculty.

Article 3 Disciplinary Offense

- 1) Under disciplinary offense one shall understand a culpable violation of the generally binding legal regulations, internal regulations of the relevant Faculty or its parts, or of public order.
- 2) Under the student's disciplinary offense one shall mainly understand the following:
 - a) violation of obligations arising from the decisions of the academic self-government bodies of the Faculty and the University, from generally binding legal regulations, internal regulations, unless the internal regulation provides for such action or inaction to be expelled from studies for failure to meet the conditions of the study programme,
 - b) defamation of the good reputation or goodwill of the University or the Faculty,
 - c) unauthorised interference with the right to protect the personality of a member of the Faculty academic community,
 - d) violent act against a student, staff of or visitor to the Faculty,
 - e) theft, permanent or temporary appropriation or serious damage to property owned, managed or used by the Faculty, property of students, staff of or visitors to the Faculty or property of third parties,
 - f) consumption of alcoholic beverages, narcotic or psychotropic substances during participation in educational or scientific research activities or participation under their influence in educational or scientific research activities,
 - g) 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 verbatim use of a part of someone else's work without citing the original author,
- h) any form of copying or illegal cooperation or hinting during the written or oral assessment of study results (knowledge check) or during preparation for it within the study course, or the use of technical devices or any information carriers in a way other than permitted during the written or oral assessment of study results (knowledge check) or during preparation for it within the study course, especially if
- the student has a device with him/her that allows a hidden form of communication with another person, receiving or sending messages during the knowledge check; a switched-off mobile phone is not considered such a device;
 - the student uses a device that allows communication with another person, receiving or sending messages during the knowledge check;
 - the student has any information carrier with him/her or has access to any information carrier that contains, even partially, information or other materials that may be the subject of the knowledge check from the given study course during the knowledge check;
 - the student uses any information carrier or has access to any information carrier during the knowledge check.
- 3) A disciplinary offence is time-barred if more than one year has passed since its commission. The statute of limitations shall not run during proceedings on a disciplinary offence or during the interruption of studies. After this period, it shall not be possible to initiate disciplinary proceedings.
- 4) In addition to a student who commits a disciplinary offence on their own, a student who organised the commission of a disciplinary offence, ordered an action that constitutes a disciplinary offence or assisted in the commission of a disciplinary offence shall also be punished for this disciplinary offence

Article 4 Disciplinary Measures

- 1) Some of the following disciplinary measures may be imposed on a student for committing a disciplinary offence:
 - a) reprimand,
 - b) conditional exclusion from the study,
 - c) exclusion from the study.
- 2) When imposing a disciplinary measure, the nature and severeness of the disciplinary offence shall be taken into account, in particular the circumstances under which it was committed, the degree of culpability, the consequences of the disciplinary offence, the student's previous behaviour and his/her academic performance, whether he/she has regretted the disciplinary offence committed, or whether he/she has made an effort to make amends. The severeness of the disciplinary offence and the degree of culpability shall be considered by the relevant Disciplinary Board in the course of the disciplinary proceedings. The Disciplinary Board shall bear in mind that, as regards the degree of culpability, intentional culpability is more severe than negligent culpability.
- 3) Disciplinary action under paragraph 1(a) may be imposed on a student only for a minor disciplinary offence or a disciplinary offence committed by negligence.
- 4) In imposing a disciplinary measure under paragraph 1(b), a time limit shall be set and conditions shall be laid down under which the suspension shall be lifted. The severity of the disciplinary offence shall be taken into account. The duration of the conditional exclusion from studies shall be at least six months and not more than two years from the date on which the disciplinary measure was imposed. If the student commits a further disciplinary offence before the expiry of the time limit, the disciplinary measure pursuant to paragraph 1 (c) shall normally be imposed.
- 5) A disciplinary measure pursuant to paragraph 1 (c) may be imposed on a student if the student:
 - (a) has deliberately committed a severe disciplinary offence,
 - (b) has repeatedly committed a disciplinary offence,
 - (c) has committed a further disciplinary offence during the period of suspension; or
 - (d) has been legally convicted of a criminal offence.
- 6) The Dean of the Faculty, in cooperation with the Department of Study Affairs, shall supervise the observance of the conditions laid down in the decision on conditional exclusion from study, under which the conditional exclusion from study shall be revoked (e.g. compensation for the damage caused, personal or public apology to the aggrieved party, payment of tuition fees, etc.).
- 7) If the student has complied with the conditions of the decision on conditional exclusion from studies

during the entire probationary period, the Dean of the Faculty shall revoke the conditional exclusion from study by issuing a decision. If the student has not complied with the conditions, the Dean of the Faculty shall decide to expel the student from study without the need for a special meeting of the Faculty Disciplinary Committee. If the Dean of the Faculty does not make a decision within 30 days of the expiry of the probationary period, the conditional exclusion from studies shall be deemed to have been lifted.

- 8) In the case of a disciplinary measure in the form of expulsion from study, the date of termination of the studies shall be the date on which the decision on expulsion from study has become final.
- 9) The Disciplinary Committee of the Faculty may abandon the motion to impose a disciplinary measure if:
 - (a) it is reasonable to assume that the hearing of the disciplinary offence by the Faculty Disciplinary Board will in itself bring about a correction of the student's behaviour,
 - b) there has been a change in the decisive facts giving rise to the disciplinary offence.

Article 5 Disciplinary Proceedings

- 1) The proceedings of the Faculty Disciplinary Board shall be governed by the Rules of Procedure of the Faculty Disciplinary Board.
- 2) Disciplinary action for the commission of a disciplinary offence pursuant to Article 4, paragraph 1 shall be imposed by the Dean. As a rule, the disciplinary measure shall be imposed within two weeks of the receipt of the motion for the imposition of the disciplinary measure by the Faculty Disciplinary Board.
- 3) The Dean may not impose a more severe disciplinary measure than that proposed by the Faculty Disciplinary Board.
- 4) The decision to impose a disciplinary measure shall be in writing, shall contain a statement of the reasons for the decision, and shall contain an indication of the possibility of applying for a review. It shall be hand-delivered to the student. The request for review shall be submitted by the student to the Dean who issued the decision within 8 days from the date of its service. The Dean may, after reviewing the request, grant the request and modify or reverse the decision himself/herself. If he/she does not grant the request, he/she shall refer it to the Rector. The Rector shall review the decision of the Dean and, if it is contrary to the law, an internal regulation of the public university or its components, shall amend or annul the decision. The Rector shall issue a decision no later than 30 days after receipt of the request for review of the Dean's decision.
- 5) The imposition of the disciplinary action shall be noted in the documentation maintained by the Faculty on the student.
- 6) If the student on whom the disciplinary measure has been imposed duly fulfils his/her study obligations and presents himself/herself in the manner expected of a student of the Faculty, he/she may apply to the Dean of the Faculty for the disciplinary measure to be lifted. If the Dean grants the request, the student shall be treated as if the disciplinary measure had not been imposed. At the same time, the imposition of the disciplinary measure shall be deleted from the documentation maintained by the Faculty on the student.

Article 6 Transitional and Final Provisions

- 1) On the date of entry into force of these Disciplinary Regulations of the UPJŠ in Košice, Faculty of Medicine, the Disciplinary Regulations approved by the Academic Senate of the UPJŠ Faculty of Medicine on 16 March 2016 shall be repealed.
- 2) These Disciplinary Regulations of the Faculty shall come into force and effect on 01/09/2022.

Assoc. Prof. Ing. Jaroslav Majerník, PhD.
Chairperson of the Academic Senat UPJŠ FM

Prof. MUDr. Daniel Pella, PhD.
Dean of the faculty