

St. Elizabeth University of Health and Social Work in Bratislava, n. o.

DISCIPLINARY REGULATIONS

St. Elizabeth University of Health and Social Work in Bratislava, n. o.

April 2008

Art. 1

General provisions

1. The Disciplinary Regulations of the College of Health and Social Work of St. Elizabeth University of Health and Social Work, n. o. Bratislava (hereinafter referred to as the "Disciplinary Regulations") are based on generally binding legal regulations, the Statute of the St. Elizabeth University of Health and Social Work, Bratislava (hereinafter referred to as the "Statute") and other internal regulations of the St. Elizabeth University of Health and Social Work (hereinafter referred to as the "SEU") and regulate the disciplinary procedure at the SEU.
2. The Disciplinary Regulations regulate the status, powers and proceedings of the Disciplinary Committee at the SEU (hereinafter referred to as the "Disciplinary Committee"), as a body of academic self-government for the hearing of disciplinary offences of students of the SEU. The Disciplinary Regulations also regulate the procedure for the imposition of disciplinary measures and the procedure for the review of the Rector's decisions imposing disciplinary measures.

Art. 2

Disciplinary Commission

1. The Disciplinary Board has five members including the chairperson, two of whom are from the student part of the academic community of the SEU and two from the staff part of the academic community of the College. The Vice-Chancellor for Teaching and Social Affairs shall be the Chairperson of the Disciplinary Board.
2. The Rector appoints and removes the Chairperson and members of the Disciplinary Committee from among the members of the academic community of the College after prior approval by the Academic Senate of the SEU.
3. Membership of the Disciplinary Board is incompatible with the office of Chairman of the Board of Trustees and Rector.
4. The term of office of the Disciplinary Board shall be two years.
5. Membership of the Disciplinary Board shall cease:
 - a) at the end of the member's term of office,
 - b) by resigning as a member,
 - c) by removal of the member from office by the Rector with the prior approval of the Academic Senate of the SEU,
 - d) death of a member.

Art. 3

Disciplinary offence and disciplinary measure

1. A disciplinary offence is a culpable violation of generally binding legal regulations or internal regulations of the college or its component parts, or of public order.
2. A student may be subject to any of the following disciplinary measures for a disciplinary infraction:
 - a) admonition,
 - b) conditional exclusion from studies, specifying the time limit and conditions under which the conditional exclusion from studies will be lifted,
 - c) expulsion from studies.
3. Disciplinary action shall be imposed by the Rector within 14 days of receipt of the proposal of the Disciplinary Board. The Rector may not impose a more severe disciplinary measure than that proposed by the Disciplinary Board.
4. In imposing a disciplinary measure, consideration shall be given to the manner of conduct that led to the disciplinary offence, the circumstances under which the disciplinary offence occurred, the consequences to which the disciplinary offence led, the efforts made by the student to remedy the consequences, and the previous conduct of the student who committed the disciplinary offence.
5. The Rector may impose the disciplinary measure of expulsion from studies on a student only if it is proven that he/she has committed:
 - a) disciplinary offence intentionally,
 - b) disciplinary offence repeatedly,
 - c) a criminal offence, having been finally convicted of that offence.
6. The Rector may refrain from imposing a disciplinary measure if he or she reasonably expects that the hearing of the disciplinary offence alone will be sufficient to remedy the situation.
7. The decision on the disciplinary measure shall be in writing and shall state the grounds on which it is based and the possibility of requesting a review.
8. The decision to impose a disciplinary measure must be hand-delivered to the student.

Art. 4

Disciplinary proceedings

1. Disciplinary proceedings before the Disciplinary Board shall be conducted on the proposal of the Rector, who shall submit the proposal to the Chairperson of the Disciplinary Board. Members of the academic community of the College, members of the Board of Trustees of the SEU and other employees of the SEU may submit motions to the Rector for disciplinary proceedings.

2. The Disciplinary Board is obliged to initiate disciplinary proceedings within 14 days of receipt of the petition.
3. The Disciplinary Board shall be convened by its Chairperson as required.
4. A quorum of the Disciplinary Board shall be present if a majority of all members is present.
5. The vote on the proposal to impose a disciplinary measure shall be public, unless the Disciplinary Board decides otherwise. The decision of the Disciplinary Board shall require the affirmative vote of a majority of the members present. In the event of an equality of votes, the chairman of the Disciplinary Board shall have the casting vote.
6. The Disciplinary Board is obliged to establish the facts of the case and, on the basis of these findings, to make an accurate and objective description of the disciplinary offence.
7. In order to properly investigate the merits of a disciplinary offence, the Disciplinary Committee is entitled to invite any member of staff and student of the College to attend the hearing.
8. The disciplinary hearing shall be 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 in his/her absence.
9. Disciplinary proceedings shall be discontinued by the Disciplinary Board if:
 - a) it becomes apparent that no disciplinary offence has been committed,
 - b) it is not proven that the disciplinary offence was committed by the student against whom the disciplinary proceedings are being conducted,
 - c) the person against whom disciplinary proceedings are being taken has ceased to be a student of the college,
 - d) a period of one year has elapsed since the commission of the disciplinary offence or the final conviction in a criminal case.An application for review of a decision shall always have suspensive effect.
10. The proposal for the imposition of a disciplinary measure shall be submitted by the Disciplinary Board to the Rector with a written justification of the proposal, signed by the Chairperson of the Disciplinary Board.

Art. 5

Review of the decision

1. A request for a review of the decision shall be submitted to the rector who issued the decision within eight days of the date of its delivery.
2. The Rector shall forward the decision to the Chair of the Board of Trustees, who shall have it reviewed by the College's legal department to determine whether the decision is in conflict with generally binding legislation or the internal regulations of the SEU. On the basis of the opinion of the legal department, the chair of the board of trustees shall either confirm, amend or annul the rector's decision.

3. The Chair of the Board of Trustees shall issue a written decision, which shall be final and not subject to appeal, no later than 30 days after receipt of the request for review of the Rector's decision.
4. The decision of the Chair of the Board of Trustees must be hand-delivered to the student.

Art. 6

Final provisions

1. The Disciplinary Regulations were approved by the Academic Senate of the SEU on 19 December 2008.
2. These Disciplinary Regulations shall enter into force on the date of approval by the Academic Senate of the SEU and shall take effect on the first day following the date on which they enter into force.

Done at Bratislava, 19 December 2008.

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President of the Academic Senate of the SEU