



**UNIVERSITY OF ECONOMICS
IN BRATISLAVA**

INTERNAL REGULATION
OF THE UNIVERSITY OF ECONOMICS IN BRATISLAVA

No. A/3/2023

**Rules of Procedure of Disciplinary Board of University of
Economics in Bratislava and of Faculty Disciplinary Boards at
University of Economics in Bratislava**

2023

The University of Economics in Bratislava (hereinafter also referred to as "EUBA") is issuing, in accordance with Section 15(1)(m) of Act No. 131/2002 on higher education institutions and on amendments and supplements of certain laws as amended (hereinafter also referred to as "the Act"), and following an approval by the Academic Senate of the University of Economics in Bratislava, dated 24 May 2023, these Rules of Procedure of Disciplinary Board of the University of Economics in Bratislava and of Faculty Disciplinary Boards at University of Economics in Bratislava (hereinafter also referred to as "the Rules of Procedure").

Article 1

Introductory Provisions

- (1) These Rules of Procedure govern operations of the EUBA Disciplinary Board and Disciplinary Boards of EUBA Faculties (hereinafter "the relevant Disciplinary Board"), as well as deliberations and decision-making of the Disciplinary Boards above in matters of students' disciplinary offences.
- (2) The Rules of Procedure follow the EUBA Disciplinary Code for Students (hereinafter "the Disciplinary Code").

Article 2

Convocation of Disciplinary Board Meeting

- (1) The Chair of the relevant Disciplinary Board or a Disciplinary Board member authorised by the Chair convenes Disciplinary Board meetings without undue delay.
- (2) Furthermore, the Chair of the relevant Disciplinary Board summons the student suspected of committing a disciplinary offence (hereinafter also referred to as "the Student") to attend the Disciplinary Board meeting. The student must be hand delivered the summons to attend the Disciplinary Board meeting at least two weeks in advance of the set date of the meeting. The summons may be delivered to the student directly at EUBA or as a mail delivery into their hands. The summons is considered delivered on the date of reception thereof, on the date when the student refused to receive the delivery or upon expiration of the period of three days from the day the summons was deposited at the post office. If the summons could not be delivered by any of the methods above, it will be posted on EUBA's official notice board or on the notice board of the appropriate EUBA Faculty. The date of posting thereof is considered to be the date of delivery.

Article 3

Disciplinary Board Deliberations

- (1) The proposal to commence disciplinary proceedings is discussed by the relevant Disciplinary Board at its meeting. The Disciplinary Board meeting is conducted by the Disciplinary Board Chair or by his/her Deputy.

- (2) The proceedings on the disciplinary offence before the Disciplinary Board is oral and is held in the presence of the student suspected of committing a disciplinary offence. The Disciplinary Board meeting is non-public.
- (3) The Disciplinary Board constitutes a quorum, if at least a simple majority of its members are present. Procedural issues are decided by a resolution. For a resolution to be valid, the consent of a simple majority of the members present is required.
- (4) At its meeting, the Disciplinary Board ascertains the actual state of affairs and for this purpose ensures background documents required for the Rector's decision or decision of the relevant Faculty's Dean (depending on the Disciplinary Board's jurisdiction) imposing a disciplinary measure. In doing so, the Disciplinary Board is not bound by the proposal to commence the disciplinary proceedings under Article 6(3) of the Disciplinary Code. The Disciplinary Board is entitled to perform particularly the following actions:
 - a) to summon the student suspected of committing a disciplinary offence, invite witnesses and any other persons to attend the meeting and inquire them or request them to provide a written statement concerning the disciplinary offence under consideration,
 - b) take evidence,
 - c) process the evidence submitted.
- (5) The student has particularly the following rights:
 - a) right to be present at the Disciplinary Board meeting,
 - b) right to be heard,
 - c) right to submit evidence and to comment on the evidence,
 - d) right to inquire witnesses, and
 - e) right to choose their representative.
- (6) If the student fails to appear in the proceedings before the relevant Disciplinary Board and fails to excuse themselves in writing in advance, the Disciplinary Board Chair sets a new/alternative date for the meeting, which must not be later than one month of the regular meeting date. The excuse must be delivered to the Chair of the relevant Disciplinary Board no later than the Disciplinary Board meeting is held and must be supported by stating serious circumstances. The relevant Disciplinary Board may decide in a resolution that such excuse is not justified, also specifying the reasons for its decision in the resolution.
- (7) Should the student fail to excuse themselves from the meeting in writing in advance, or if their excuse is not justified, the relevant Disciplinary Board will discuss the disciplinary offence even in the student's absence.
- (8) Should the student fail even to attend the Disciplinary Board meeting held on a new/alternative date (with or without an excuse), the meeting will be held in their absence.
- (9) If so required for the sake of completing the evidence or for any other reason, the Chair of the relevant Disciplinary Board may adjourn the Disciplinary Board deliberations; the student will be informed of the adjourned date for the Disciplinary Board meeting at the Disciplinary Board meeting or in any other appropriate manner.

- (10) The disciplinary proceedings should above all have an educational role and must not degrade the student's human dignity.

Article 4

Disciplinary Board Consultation and Voting

- (1) After the disciplinary offence has been discussed, the Disciplinary Board will consult to decide about the substance of the case. The Disciplinary Board consultation and voting may only be attended by the Disciplinary Board Chair, Disciplinary Board members and Administrative Clerk.
- (2) When holding the consultation, the Disciplinary Board will particularly assess whether:
- a) the act designated as a disciplinary offence has actually happened,
 - b) the act bears the hallmarks of any of the disciplinary offences under the Disciplinary Code, and if so, which disciplinary offence is involved,
 - c) the act has been committed by the student stated in the proposal to commence the disciplinary proceedings,
 - d) the disciplinary offence is statute-limited and whether the student who has committed the offence has meanwhile ceased to be a student,
 - e) there are circumstances aggravating or mitigating the gravity of the disciplinary offence committed,
 - f) the student should be punished with a disciplinary measure, and if so, what disciplinary measure is to be imposed.
- (3) Based on the consultation outcome, the Chair of the relevant Disciplinary Board or at least two members thereof will put to the vote the proposal for a resolution on closure of the disciplinary proceedings, or the proposal for a resolution on filing a motion to impose a disciplinary measure.
- (4) The voting of the Disciplinary Board is conducted by open ballot, in the absence of the student whose disciplinary offence is under consideration. Each Disciplinary Board member must vote either for the proposal or against it. For the resolution to be adopted, a simple majority of the votes of the Disciplinary Board members present is required. In the event of a tied vote, the Disciplinary Board Chair has the casting vote and in his/her absence, the Deputy delegated with the authority to conduct the Disciplinary Board meeting.
- (5) Should any of the Disciplinary Board members request voting by secret ballot, the request will be granted and the vote on the proposal to impose a disciplinary measure will be taken by secret ballot. In the event of a tied vote in the secret-ballot voting on the proposal to impose a disciplinary measure, the Disciplinary Board Chair has the casting vote and in his/her absence, the Deputy delegated with the authority to conduct the Disciplinary Board meeting.

Article 5

Proposal to Impose Disciplinary Measure

- (1) The Disciplinary Board may decide, by way of a resolution, on filing a proposal to impose a disciplinary measure to the Rector, or Dean of the relevant Faculty (depending on the Disciplinary Board's jurisdiction) in accordance with the Disciplinary Code.
- (2) When deciding on the proposed disciplinary measure, the Disciplinary Board assesses the gravity of the disciplinary offence committed, damage, if any, caused by the disciplinary offence, previous conduct of the student who has committed the disciplinary offence as well as any other circumstances as defined by the Disciplinary Code.
- (3) The following factors, in particular, form the basis for the Disciplinary Board when deciding on the proposal to impose a disciplinary measure:
 - a) motions and proposals to commence disciplinary proceedings,
 - b) proposals and representations of parties to the disciplinary proceedings,
 - c) evidence, self-declarations and
 - d) generally known facts or facts of which the Disciplinary Board is aware from its own activities.
- (4) The written form of the proposal to impose a disciplinary measure usually contains the verdict sought and a reasoning. The proposal to impose a disciplinary measure also includes written minutes of the proceedings held before the Disciplinary Board (hereinafter "the Minutes").

Article 6

Minutes of Disciplinary Board Meeting

- (1) The Disciplinary Board meeting is recorded into minutes, which must contain particularly the following items:
 - a) identification of the Disciplinary Board,
 - b) place and date of holding the Disciplinary Board meeting,
 - c) persons who attended the Disciplinary Board meeting (a list of the Disciplinary Board members present, list of students suspected of committing a disciplinary offence, who were summoned to the meeting, including the information about which students attended the proceedings before the Disciplinary Board in person),
 - d) subject-matter of the disciplinary proceedings,
 - e) testimony of the student suspected of committing a disciplinary offence, if the student gave testimony,
 - f) evidence taken,
 - g) outcome of the vote of the Disciplinary Board.
- (2) The minutes are signed by all members of the appropriate Disciplinary Board who attended the Disciplinary Board meeting. Any refusal to sign the minutes, reasons for such refusal and objections against the content of the minutes are recorded in the minutes.

- (3) The minutes will be made available to the student against whom the proceedings are brought at his/her request. The student may take extracts from the minutes, make partial hand-written copies of it and also has the right to receive a copy of the entire minutes.
- (4) The minutes of the Disciplinary Board meeting are delivered by the Disciplinary Board Chair or his/her Deputy to the EUBA Rector, or Dean of the appropriate EUBA Faculty (depending on the Disciplinary Board's jurisdiction).

Article 7

Final Provisions

- (1) Disciplinary Board meetings are usually held as face-to-face meetings. In exceptional and justified cases, the Disciplinary Board meeting may also be held via a videoconference or by any other means of information and communication technology, with no physical presence of Disciplinary Board members and other parties to the disciplinary proceedings, including voting by secret ballot, should technical circumstances so permit. The Disciplinary Board meeting may also be held in hybrid mode (combination of physical presence and attendance via a videoconference or by any other means of information and communication technology). Whether a Disciplinary Board meeting is to be held online or in hybrid mode is decided by the Chair of the relevant Disciplinary Board at the written request of the summoned student suspected of committing a disciplinary offence, or at the written request of a member of the relevant Disciplinary Board.
- (2) Disciplinary proceedings started before these Rules of Procedure became effective will be completed in accordance with these Rules of Procedure.
- (3) These Rules of Procedure were discussed and approved by the EUBA Academic Senate on 24 May 2023.
- (4) These Rules of Procedure become valid and effective on the date of approval thereof by the EUBA Academic Senate.
- (5) On the date of entry hereof into force and effect, the Rules of Procedure of the Disciplinary Board of the University of Economics in Bratislava and of Faculty Disciplinary Boards at the University of Economics in Bratislava approved by the EUBA Academic Senate on 10 March 2016 shall expire and cease to have effect.

prof. Ing. Helena Majdúchová, CSc.

EUBA AS Chair

prof. Ing. Ferdinand Daňo, PhD.

EUBA Rector