

## **STUDENT DISCIPLINARY CODE (STANDARDS OF CONDUCT) SLOVAK MEDICAL UNIVERSITY**

Issued in accordance with § 9 Sec. 1, point j) of the Law 131/2002 Coll. on Higher Education and on Changes and Supplements to Some Laws. The document was approved by Academic Senate SMU, in Bratislava on November 10<sup>th</sup>, 2011.

### **Part 1 Preamble**

Student Code of conduct of SMU, Bratislava in accordance to the Law 131/2002 Coll. on Higher Education and on Changes and Supplements to Some Laws, regulates the standards of the University Disciplinary rules:

- a) Scope of the Disciplinary Committee Activities
- b) Compliance issues and concerns
- c) Operation and management of disciplinary measures and proceedings

### **Part 2 The University Discipline Committee**

- (1) The University standing Discipline Committee oversees the complaints, develops a process to solicit, evaluate and respond to the problem of the students enrolled at any of the University programs. It precedes its outcomes and intended proceedings for evaluation and approval to the Rector<sup>1</sup> of SMU.
- (2) The Discipline Committee has six members. It consists of three faculty and three student representatives. The Committee Chair is a nonvoting member represented by Pro Rector of the University, other members are appointed by Academic Senate and authorized by the Rector of SMU<sup>2</sup>.
- (3) Members remain on the committee until
  - a) The end of their term
  - b) Resignation (written)
  - c) Removal from office
  - d) Their replacement (by a new member appointed by the Rector of SMU and authorized by Academic Senate)
- (4) The committee is appointed for a term of 4 years. The senate may reappoint a member of the committee for more than one consecutive term.
- (5) The Discipline committee policies and procedures handling complaints of misconduct shall comply with the University guidelines<sup>3</sup>, developed by the Rector of SMU and approved by Academic Senate<sup>4</sup>.
- (6) The Office of student affairs/Student services provides administrative and technical support to the Committee procedures. Chair of the Office participates in all internal and external audits with no

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<sup>1</sup> § 13 Sec. 1 Law on Higher Education

<sup>2</sup> § 13 Sec. 2 Law on Higher Education

<sup>3</sup> § 13 Sec. 3 Law on Higher Education

<sup>4</sup> § 9 Sec. 1, Point b) Law on Higher Education

voting rights.

### **Part 3**

#### **The School/Faculty Discipline Committee**

- (1) The Discipline committee of the individual School/Faculty examines misconduct of the students enrolled in its programs. It constructs a broad plan of actions, which are proposed and approved by the School/Faculty Dean.
- (2) Members including the Chair of the committee are faculty members of the specific School/Faculty. They are appointed by Academic Senate of the University and authorized by the School/Faculty Dean. The Committee consists of minimum of four members, two students and two faculty representatives<sup>5</sup>. Appointed Vice-Dean for education of the School/Faculty normally takes the position of the Committee Chair.
- (3) The University's Schools/Faculties adopt and administer the University Code of conduct unless in accordance with Law they have developed their own Code<sup>6</sup>, which must follow principles of the University guidelines.
- (4) The Schools/Faculties' Disciplinary Committee policies and procedures handling violations of the Code of conduct comply with the University Rules and Regulations except when, according to Law<sup>7</sup>, they have developed their own Rules of Procedures.

### **Part 4**

#### **Violation of Code of Conduct and University's Disciplinary process/sanctions**

- (1) Violation of the disciplinary Code is committed by violating the Law (Federal and Local), internal University Rules or Public Policy<sup>8</sup>.
- (2) Violations of disciplinary regulations include:
  - a) Violation of regulations, and policies of the University and its bodies.
  - b) Disrespect or harm to any member of Academia or the University employee.
  - c) Damage to the good name and reputation of the University and/or its bodies.
  - d) Academic dishonesty, forgery and/or fraud in teaching, learning, research or other academic activities.
  - e) Offensive behavior within the University, the University owned specialized facilities, Clinics and other teaching workplaces.
  - f) Violent behavior, including, but not limited to, physical abuse, sexual assault, and hazing of the student(s), faculty or the University visitor(s).
  - g) Theft of and/or damage to property of the University, or property the University is renting, or property of a member of the University community (student(s), faculty, stuff, visitor(s) or others) on or off campus.
  - h) Conduct/incident violating the Law
  - i) Violations of the policies for use of the University-owned computers or networks.
  - j) Accepting and/or living at dormitories without a prior approval of the Director of University Student Housing.
- (3) Disciplinary sanctions:
  - a) Disciplinary warning

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<sup>5</sup> § 31 Sec. 2, Law on Higher Education

<sup>6</sup> § 33 Sec. 1, Point d), Law on Higher Education

<sup>7</sup> § 33 Sec. 1, Point e), Law on Higher Education

<sup>8</sup> § 72 Sec. 1, Law on Higher Education

- b) Suspension
- c) Expulsion

- (4) Disciplinary sanctions listed in section (3a) are feasible only if the violation of the disciplinary Code was not illegal and/or was non-intentional.
- (5) When the sanctions listed in section (3b) are imposed, a specified period of time is given after which the suspension is reinstated, given all the requirements of the disciplinary proceedings are fulfilled. The suspension time period depends on the severity of the Code violation. The time period of the academic suspension is minimum of 6 months and maximum of 2 years from the date the penalties take action. In order the suspension to be reinstated, the student has to be free of any additional violations. In case the student continues in misconduct (3c) sanctions apply.
- (6) The University will take measures for permanent expulsion listed in section (3c) for:
  - a) An intentional extremely serious misconduct
  - b) Frequent misconduct
  - c) If the student was charged or is convicted of a Criminal Act
- (7) The sanctions described above may be enhanced or modified, depending on the severity of the disciplinary violation, the circumstances under which the rules have been violated, the degree of fault and the student's academic performance.
- (8) The Code of conduct violations older than one calendar year are disregarded.

## **Part 5**

### **Disciplinary proceedings**

- (1) The disciplinary hearing is not a public hearing. It is an act where the student charged with violation meet with the Disciplinary Committee. Only the accused student and the Disciplinary Committee members may be present. In cases where a student charged does not appear and does not provide justifiable reason for non-appearance, the hearing will take place as scheduled and a decision will be made in his absence<sup>9</sup>. The Chair of the Committee may invite other people in question to attend the hearing.
- (2) The accused student has right to defend himself, take stand to all the accusations against him, and access the evidence and all the records from the Committee proceedings.
- (3) The Chair proposes the Disciplinary Committee's plan of action to the University Rector for the University matters, or to the specific School/Faculty Dean in which the student is enrolled. Depending on the level of implication, either the Rector or the Dean makes the final decision.
- (4) The Rector or the Dean authorizes the disciplinary sanctions stated in Part 4 section (3) for the student's activities that violated the Code, usually no later than 2 weeks after the date he received the proposal from the Disciplinary Committee Chair.
- (5) Rector's and Dean's final decision cannot imply more severe disciplinary sanctions than those that are proposed to them by the University or the School/Faculty standing Disciplinary Committee.
- (6) Rector or the University Deans may modify or dismiss the sanctions proposed by the Disciplinary Committee, especially if the violations of the Code of conduct had no consequences or there is a chance the student accused of misconduct will recover and improve his/her actions following

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<sup>9</sup> § 72 Sec. 5, Law on Higher Education

the disciplinary hearing.

- (7) Student accused of the Code violation will be notified about the final decision and the disciplinary sanctions in writing. The decision should include justification of the sanctions and information for how the student can Appeal against the decision. The decision should be sent via certified mail.
- (8) Students, who complete their disciplinary requirements will have their Student Code charges nulled and the incident will not be recorded in the behavioral conduct record of the student, provided the student performs well academically and commits no additional violations within a twelve month period.

## **Part 6 Appeals**

- (1) All the disciplinary decisions may be Appealed to the Rector or designated Dean of the School/Faculty in which the student is enrolled. Such Appeals must be filed in writing and within 8 days of receipt of the notice. The Appeal should be sent to the academic body, which issued the original notice. Filing for an Appeal postpones the disciplinary decision until a new decision is made.
- (2) Dean of the University School/Faculty at which the student is enrolled, and who had issued the decision initially may modify or dismiss the sanctions referring to the primary disciplinary hearing. In case the Dean is not in support of the Appeal, he directs this Appeal to the Rector of the University.
- (3) Rector reinvestigates and reevaluates the primary decision and makes the final statement. The final statement must be issued within 30 days from the date of filing the Appeal.
- (4) The statement of the University Rector is final.
- (5) The disciplinary action is documented in the University or the School/Faculty behavioral conduct record of the student.

## **Part 7 Conclusions**

- (6) Student Housing Code regulates the housing rules. Any violations within are referred to the Student Housing Authorities.
- (7) This Code of Conduct replaces the (previous) Code established on December 4<sup>th</sup>, 2008<sup>th</sup>.
- (8) These Regulations come into effect on the first day following their approval by the Academic Senate of the Slovak Medical University.

Bratislava, on November 10<sup>th</sup>, 2011

