



Guarantor: UPJŠ FM Dean's Office

Brief No. LEK000719/2023-101420

Košice, dated 28/06/2023



**RULES OF PROCEDURE
OF THE DISCIPLINARY BOARD**
Pavol Jozef Šafárik University in Košice
Faculty of Medicine

June 2023

The Academic Senate of Pavol Jozef Šafárik University in Košice, Faculty of Medicine (hereinafter referred to as the UPJŠ FM AS) in accordance with Article 30(8)(l) and Article 37(4)(k) of the Statute of Pavol Jozef Šafárik University in Košice (hereinafter referred to as the "UPJŠ Statute") and in accordance with Article 13(1)(l) and Article 23(4)(l) of the Statute of Pavol Jozef Šafárik University in Košice, Faculty of Medicine (hereinafter referred to as the "UPJŠ FM Statute"), approved on 28 June 2023, based on the motion of the Dean of the Faculty, the following

**RULES OF PROCEDURE OF THE DISCIPLINARY BOARD
of Pavol Jozef Šafárik University in Košice, Faculty of Medicine**

Article 1

Introductory Provision

1. The Disciplinary Board of Pavol Jozef Šafárik University in Košice, Faculty of Medicine (hereinafter referred to as the "Disciplinary Board of the Faculty") discusses disciplinary offences committed by students of the Faculty and the imposition of disciplinary measures.

Article 2

Disciplinary Proceedings

1. Disciplinary proceedings shall be instituted by the Disciplinary Board of the Faculty based on a written motion of the Dean of the Faculty.
2. Any person who has become aware of such conduct of a student which may constitute the commission of a disciplinary offence may submit a written motion to institute disciplinary proceedings to the Dean of the Faculty. Anonymous motions shall not be considered. The identity of the person making the complaint shall be withheld at the request of the person making the complaint in the disciplinary proceedings. The complaint shall contain a description of the act committed and the evidence on which it is based. The complaint shall be submitted to the Dean of the Faculty and shall include a justification as to why the action is considered to be a disciplinary offence.
3. Based on the motion to institute disciplinary proceedings, the Chairperson of the Disciplinary Board of the Faculty shall convene a meeting of the Disciplinary Board no later than 10 working days from the date of receipt of the motion. The Chairperson of the Faculty Disciplinary Board shall notify its members and the student whose offence is to be discussed of the date of the meeting of the Faculty Disciplinary Board at least 5 working days in advance, in writing. The Chairperson of the Faculty Disciplinary Board shall summon in writing the student whose offence is to be discussed to the disciplinary hearing at least 5 working days before the scheduled meeting of the Faculty Disciplinary Board.
4. If the student whose disciplinary offence is to be discussed excuses himself/herself in writing by the date of the meeting of the Faculty Disciplinary Board, the Chairperson of the Faculty Disciplinary Board shall set a new date for the meeting, no later than 2 weeks from the regular date of the meeting. A student may excuse himself/herself only once. The excuse shall be delivered to the Chairperson of the Faculty Disciplinary Board no later than the day before the date of the meeting of the Board. In the case of a second excuse, or if the student fails to excuse himself/herself in advance, the hearing of the disciplinary offence may be held without the presence of the student.
5. The meeting of the Faculty Disciplinary Board shall be chaired by its chairperson. Proceedings on a disciplinary offence before the Faculty Disciplinary Board shall not be public. The student whose disciplinary offence is being heard shall have the right to comment on all the documents, to examine the written materials and to consult the record of the hearing, with the exception of the record of the result of the vote.

6. To clarify the circumstances of the case, the Chairperson of the Faculty Disciplinary Board may, with the consent of the Board, invite other persons to attend the meeting or part of the meeting, as appropriate, or may request a written statement from them on the disciplinary offence under discussion.
7. In deciding on the proposed disciplinary measure, the Faculty Disciplinary Board shall consider the severity of the offence committed by the student, the potential damage caused by the offence, and the student's previous behaviour. A written record of the proceedings of the Faculty Disciplinary Board shall be made.
8. The record of the meeting of the Faculty Disciplinary Board shall be made from the course of discussion, which shall be signed by the Chairperson of the Faculty Disciplinary Board. The Chairperson of the Faculty Disciplinary Board shall delegate the taking of the record to one of the members of the Faculty Disciplinary Board present at the meeting. The list of attendance at the meeting of the Faculty Disciplinary Board shall be an annex to the record.
9. A quorum of the Faculty Disciplinary Board shall be reached if an absolute majority of its members is present. A valid resolution of the Board shall require the consent of a supermajority of its members present. If there is a tie vote, the Chairperson's vote shall be decisive.
10. The Faculty Disciplinary Board shall decide by resolution. After hearing the disciplinary offence, the Faculty Disciplinary Board shall, on the basis of a vote:
 - (a) by resolution, approve a proposal for the imposition of disciplinary action,
 - (b) by resolution, discontinue the disciplinary proceedings.

Article 3 Suspension of Disciplinary Proceedings

1. The Disciplinary Board of the Faculty shall terminate the disciplinary proceedings by a resolution if it is proved that:
 - (a) no disciplinary offence has been committed,
 - (b) the student's conduct does not amount to a disciplinary offence,
 - (c) there are grounds for waiving the imposition of a disciplinary measure,
 - (d) the student named in the proposal for disciplinary proceedings has not committed a disciplinary offence,
 - (e) the person who committed the offence is no longer a student,
 - (f) the disciplinary offence is time-barred.

Article 4 Imposition of a Disciplinary Measure

1. After discussing the disciplinary offence, the Disciplinary Board of the Faculty shall submit a motion to the Dean of the Faculty for a decision on whether to impose a disciplinary measure. The motion shall be accompanied by the written record of the meeting of the Faculty Disciplinary Committee at which the offence was discussed.
2. The Dean of the Faculty shall decide whether or not to impose a disciplinary measure within two weeks of receipt of the proposal.
3. The Dean of the Faculty may not impose a more severe disciplinary measure than that proposed by the Faculty Disciplinary Board.

Article 5
Transitional, Repealing and Final Provisions

1. The Rules of Procedure of the Disciplinary Board of the UPJŠ FM was approved by the UPJŠ FM AS on 28/06/2023.
2. These Rules of Procedure shall enter into force and effect as of the date of its approval by the UPJŠ FM AS.
3. Upon the entry into force and effect of these Rules of Procedure, the Rules of Procedure of the Disciplinary Board of the UPJŠ FM Disciplinary Board No. 2/2016 dated 16/03/2016 shall be repealed.
4. Disciplinary proceedings instituted prior to the entry into force of this regulation shall be governed by the provisions of the Rules of Procedure of the Disciplinary Board of the UPJŠ FM Disciplinary Board No. 2/2016 of 16/03/2016.

Assoc. Prof. Ing. Jaroslav Majerník,
Chairman of the AS UPJŠ FM

Prof. MUDr. Peter Jarčuška, PhD.
Dean of the UPJŠ FM