

MATEJ BEL UNIVERSITY IN BANSKÁ BYSTRICA



**DISCIPLINARY REGULATIONS OF MATEJ BEL UNIVERSITY
IN BANSKÁ BYSTRICA FOR STUDENTS AND
RULES OF PROCEDURE OF THE DISCIPLINARY COMMITTEE OF
MATEJ BEL UNIVERSITY IN BANSKÁ BYSTRICA**

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DISCIPLINARY REGULATIONS OF MATEJ BEL UNIVERSITY IN BANSKÁ BYSTRICA FOR STUDENTS AND RULES OF PROCEDURE OF THE DISCIPLINARY COMMITTEE OF MATEJ BEL UNIVERSITY IN BANSKÁ BYSTRICA

Matej Bel University in Banská Bystrica (hereinafter referred to as "MBU"), after approval by the Academic Senate of MBU on the proposal of the Rector of MBU pursuant to Section 9 (1) (a) (1) of Act No. 131/2002 Coll. on Higher Education and on Amendments and Additions to Certain Acts, as amended (hereinafter referred to as the "Higher Education Act"), on 16 October 2023, issues, in accordance with Section 15 (1) (l) and (m) of the Act, the following Disciplinary Regulations of MBU for Students and the Rules of Procedure of the Disciplinary Committee of MBU:

PART I

BASIC PROVISIONS*

Article 1

The subject of modification

1. Disciplinary Regulations of MBU for Students and Rules of Procedure of the Disciplinary Committee of MBU, in accordance with the Higher Education Act and the Statute of MBU, regulate the status, composition, negotiations and decision-making of the Disciplinary Committee of Matej Bel University for Students (hereinafter referred to as the "Disciplinary Committee of MBU") in matters of disciplinary offences committed by MBU students, their disciplinary responsibility, disciplinary proceedings, types of disciplinary measures and the procedure for their imposing, as well as details regarding legal validity and enforceability of decisions issued in disciplinary proceedings, including their review.

2. Disciplinary Regulations of MBU for Students and Rules of Procedure of the Disciplinary Committee of MBU (hereinafter also referred to as "Disciplinary Regulations of MBU") apply to MBU students at all levels and forms of study (hereinafter also referred to as the "student").

Article 2

The Disciplinary Committee of MBU

1. The Disciplinary Committee of MBU is a body of academic self-government of MBU. The Disciplinary Committee of MBU shall hear disciplinary offences committed by students and submit a proposal for decision to the Rector of MBU (hereinafter referred to as the "Rector") or the Dean of MBU Faculty (hereinafter referred to as the "Dean"). Disciplinary measures pursuant to Disciplinary Regulations of MBU are imposed on students by the Rector or the Dean of MBU on the proposal of the Disciplinary Committee of MBU; students enrolled in study programmes carried out at the Faculty are subject to disciplinary measures on the proposal of the Disciplinary Committee of MBU by the Dean in accordance with Article 37 (2), the second sentence, of the Statute of MBU.

2. The Disciplinary Committee of MBU has eight members appointed by the Rector from among the members of the MBU academic community, approved by the Academic Senate of MBU. The Rector shall submit to the Academic Senate of MBU for approval a proposal of four members from among members of employees and four members from among members of the student part of the MBU academic community. The Rector shall submit the proposal of members of the student part to the Academic Senate of MBU on the proposal of the student part of the Academic Senate of MBU.

* For the sake of clarity, consistency and balance of the text, the masculine nouns used throughout the text of Disciplinary Regulations of MBU and Rules of Procedure of the Disciplinary Committee of MBU are used in the generic masculine and include all genders.

3. Membership in the Disciplinary Committee of MBU is honorary and the performance of this function is irreplaceable. The term of office of members of the Disciplinary Committee of MBU shall be four years. The same person may be reappointed as a member of the Disciplinary Committee of MBU. The Chairperson of the Disciplinary Committee of MBU shall be appointed by the Rector with the consent of the Academic Senate of MBU. Members of the Disciplinary Committee of MBU shall elect a Vice-Chairperson from among employee members the Disciplinary Committee of MBU.

4. Membership in the Disciplinary Committee of MBU shall cease:

- a) on expiry of the term of office,
- b) by resignation in writing; membership shall cease on the date of delivery of a written notice to the Rector,
- c) the date of termination of membership in the MBU academic community,
- d) on dismissal of a member by the Rector,
- e) by limitation of legal capacity,
- f) the death of a member or his/her declaration of death.

5. The competences of the Disciplinary Committee of MBU includes:

- (a) to hear disciplinary offences of students who are not enrolled in any study programme conducted at the Faculty and to submit a proposal for decision to the Rector,
- b) to hear disciplinary offences of students who are enrolled in the study programme conducted at the Faculty and to submit a proposal for decision to the Dean,
- c) to hear disciplinary offences of students who are enrolled in the study programme conducted at the Faculty and to submit a proposal for decision to the Rector in the procedure for reviewing a student's request against the Dean's decision under b), if the Dean does not grant the student's request for review of the decision himself pursuant to Article 10 (3) of Disciplinary Regulations of MBU.

6. Activities of the Disciplinary Committee of MBU shall be governed by these Disciplinary Regulations of MBU for Students and Rules of Procedure of the Disciplinary Committee of MBU.

7. Organisational and administrative tasks related to activities of the Disciplinary Committee of MBU and archiving of documents of the Disciplinary Committee of MBU shall be carried out by the Secretary of the Disciplinary Committee of MBU, who shall be appointed by the Chairperson of the Disciplinary Committee of MBU from among members of the UMB academic community. The Secretary of the Disciplinary Committee of MBU attends meetings of the Disciplinary Committee of MBU without the right to vote.

Article 3 **The disciplinary offense**

1. The disciplinary offence is a intentional violation of legal regulations or internal regulations of MBU or its components, or of public order.¹
2. Depending on the form of fault, the disciplinary offence may be committed negligently or intentionally.
3. Liability for the disciplinary offence shall not be attributable to negligence, unless generally binding legal regulations, internal regulations of MBU or its components expressly stipulate that intentional culpability is required.

¹ § 72 (1) of the Higher Education Act.

4. The disciplinary offence is committed negligently if the student:
- a) knew that s/he might by his/her conduct contravene a regulation referred to in §1 or public order, but without reasonable grounds relied on the fact that s/he would not do so; or
 - b) did not know that his/her conduct was likely to infringe a regulation referred to in §1 or public order, although s/he should and could have known that, having regard to the circumstances and his/her personal circumstances.
5. The disciplinary offence is committed intentionally if a student:
- a) intended by his/her conduct to violate a regulation referred to in §1 or public order; or
 - b) knew that by his/her conduct s/he was likely to contravene a regulation referred to in § 1 or public order and, in the event of his/her doing so, s/he was aware of that fact.
6. The student's disciplinary offence includes:
- a) a violation of obligations arising from decisions of the Rector, the Dean or head of MBU component,
 - b) a violation of obligations arising from generally binding legal regulations, internal regulations of MBU or its components, unless an internal regulation of MBU or its components associates the student with such an act, or this does not apply if the offence² or misdemeanour was committed on the MBU grounds or the offence or misdemeanour was committed against a person who is a member of the MBU academic community or MBU employee and the offence or misdemeanour was committed in connection with his/her status as a member of the MBU academic community or MBU employee;
 - c) a refusal to provide information on facts relevant to determination of tuition fees and study-related fees or the provision of false or incomplete information on those facts,³
 - d) a failure to pay tuition fees or fees associated with studies at MBU in accordance with conditions determined in accordance with internal regulations of MBU,
 - e) an unjustified interference with the right to protection of the personality of a member of the MBU academic community or MBU employee, in particular if such interference causes that person suffers a diminution of his/her dignity or esteem in society or other serious harm,
 - f) a public damage to or threat to the reputation of MBU or good name of MBU or any part thereof,
 - g) a fraudulent conduct or conduct contrary to good morals in connection with the performance of academic duties and studies, in particular:
 1. submitting another person's work as one's own, or using another person's work or part of it in one's own work without giving appropriate reference to the original work, or using part of another person's work without quoting original author (plagiarism); this is without prejudice to the provisions of the Higher Education Act governing academic fraud by a student,
 2. by resubmitting the same or slightly modified work which has already been submitted by the student in the course or in the study programme in order to fulfil his/her study obligations, without the prior consent of the course instructor or the university teacher who guarantees or is involved in guaranteeing the quality and development of the course or study programme information in a manner other than that permitted in the course of, or in preparation for, a written or oral assessment of learning outcomes in the course, in particular if:
 3. dishonest conduct in the form of writing-off, illicit cooperation, cheating or prediction in the course of, or in preparation for, a written or oral assessment of learning outcomes (assessment of a student's knowledge) in the course, or the use of technical equipment or any medium of information other than in a permitted manner in the course of, or in preparation for, a written or oral assessment of learning outcomes in the course, in particular if:

² §8 of Act No. 300/2005 Coll. of the Criminal Code as amended.

³ §71 (3) (b) of the Higher Education Act.

- the student carries a device that allows a covert form of communication with another person, receiving or sending messages; a mobile phone that is switched off is not considered to be such a device,
 - the student uses a device that allows communication with another person, receiving or sending messages, while the knowledge is being tested,
 - the student carries any medium of information or has access to any medium of information that contains, even in part, information or other material that may be the subject of assessment of knowledge in the subject,
 - the student uses/has access to any medium of information during the assessment of knowledge.
- h) the use of a service of social support system under the Higher Education Act for a purpose other than that for which it is intended, or if the student has made use of it despite not being entitled to it, or has otherwise misused the support,⁴
 - i) conduct contrary to good morals if it occurred in MBU premises, unless the act is a criminal offence or misdemeanour,
 - j) committing a criminal offence for which the student has been validly convicted and sentenced to an unconditional prison sentence,
 - k) violation of the rules and guidelines for working on MBU computer network,
 - l) trading in rights, i.e. transferring a right acquired in connection with studies to another person or remuneration, consideration, counter-payment or other advantage,
 - m) attending MBU educational activities or MBU research, development, artistic or other creative activities under the influence of alcohol, narcotic drugs or psychotropic substances, or consuming alcoholic beverages, narcotic drugs or psychotropic substances during the performance of such activities,
 - n) falsifying or deliberately tampering with documents related to studies; forgery or deliberate unauthorised alteration of cards, documents or documents submitted by a student on the basis of the internal regulations of MBU and its components or on the basis of a generally binding legal regulation, or the use of false or unauthorised alteration of documents related to studies or of false or unauthorised alteration of cards, documents or documents submitted by a student on the basis of internal regulations of MBU and its components or on the basis of generally binding legal regulation, as genuine and unaltered documents.

7. The disciplinary offence is committed in public if it is committed:

- b) by the contents of printed material or by the distribution of a file, film, radio, television, the use of a computer network, social communication platforms or other similarly effective means; or
- c) in front of more than two persons present at the same time.

8. The disciplinary offence is time barred if more than one year has elapsed since the offence was committed. The limitation period shall not run during the disciplinary offence proceedings or during the interruption of studies.⁵

9. Provisions of these Disciplinary Regulations of MBU shall apply to the disciplinary liability of the student who has organised committing the disciplinary offence, incited committing a disciplinary offence or assisted in committing the disciplinary offence as if the student had committed the disciplinary offence himself/herself.

10. The student's conduct under paragraph 6 (g) (3), indentation 4, shall not give rise to disciplinary liability if the student proves that the information medium did not contain even partially information related to tested and assessed knowledge.

⁴ §94 (6) of the Higher Education Act.

⁵ §72 (3) of the Higher Education Act

Article 4

The disciplinary measure

1. The student may be subject to any of the following disciplinary measures for the disciplinary offence:
 - a) reprimand,
 - b) conditional suspension from studies, with the specification of the time limit and the conditions under which the suspension will be lifted (hereinafter referred to as " conditional suspension from studies"),
 - c) expulsion from studies.

2. When imposing the disciplinary measure, the nature and seriousness of the disciplinary offence, the circumstances under which it was committed, the form of the fault, the consequences of the disciplinary offence, the student's previous behaviour and academic performance, as well as whether the student has regretted committing the disciplinary offence or has made an effort to make amends shall be taken into account. Seriousness of the disciplinary offence and the form of culpability shall be assessed by the Disciplinary Committee of MBU during the disciplinary proceedings. The Disciplinary Committee of MBU shall bear in mind that intentional fault is more serious than negligent fault.

3. The reprimand shall be imposed on the student for the disciplinary offence committed negligently.

4. Conditional exclusion from studies under §1 (b) shall normally be imposed on the student who has committed the disciplinary offence during his/her studies at MBU in a previous period, but taking into account seriousness, circumstances of the disciplinary offence, the form of fault and consequences of the disciplinary offence, there is no reason to impose the disciplinary measure of exclusion from studies.

5. Exclusion from studies shall be imposed in particular if the student:
 - a) intentionally committed the disciplinary offence,
 - b) has repeatedly committed the disciplinary offence for which s/he has been subject to one of the disciplinary measures of reprimand or conditional exclusion from studies,
 - c) has committed another disciplinary offence during the period of suspension from studies (i.e. during the probationary period referred to in paragraph 6),
 - d) has committed the disciplinary offence under Article 3 (6)

6. In case of conditional exclusion from studies, the decision imposing the disciplinary measure shall specify the time limit and conditions under which conditional exclusion from studies shall be lifted, taking into account seriousness of the disciplinary offence. The length of the period during which the student must comply with conditions laid down in the decision imposing conditional exclusion from studies shall be at least six months and not more than one year and shall begin on the day following the date on which the decision imposing conditional exclusion from studies enters into force (hereinafter referred to as the 'probationary period'); this shall not apply if the condition imposed is an obligation to comply with the following performance, such as to pay compensation for damages, to pay tuition fees and fees associated with studies, to publicly apologise to the victim, etc., in which case the decision shall specify time limit for the payment of obligation, or time limit for fulfilment of obligation imposed.

7. The Rector or the Dean of the relevant Faculty or a person authorised by them shall supervise fulfilment of conditions laid down in the decision on conditional exclusion from studies, upon compliance with which conditional exclusion from studies will be lifted.

8. If the student has complied with conditions specified in the decision on conditional exclusion from studies throughout the probationary period and has proved his or her worth, the Rector or the Dean shall lift the conditional exclusion from studies by decision. If the student has not complied with the

conditions, the Rector or the Dean shall issue a decision revoking conditional exclusion from studies and at the same time deciding on the exclusion from studies. If the Rector or the Dean does not make a decision within 30 days of the expiry of the probationary period, the student shall be deemed to have proved his/her validity and conditional exclusion from studies shall be lifted.

9. If a student commits further disciplinary offence before the expiry of probationary period, s/he is normally suspended from studies if the Disciplinary Committee of MBU so proposes. The decision on imposing expulsion from studies shall simultaneously include revocation of the decision on imposing the disciplinary measure of conditional expulsion from studies.

10. The Disciplinary Committee of MBU may refrain from the proposal to impose the disciplinary measure if it can be assumed that the mere hearing of the disciplinary offence before the Disciplinary Committee of MBU will lead to the student's rehabilitation.

PART II DISCIPLINARY PROCEEDINGS

Article 5

The complaint and proposal to initiate disciplinary proceedings

1. The Disciplinary Committee of MBU shall initiate disciplinary proceedings against the student suspected of committing the disciplinary offence on a proposal submitted by the Rector or the Dean. Disciplinary proceedings shall be initiated by delivering the proposal for initiating disciplinary proceedings to the Chairperson of the Disciplinary Committee of MBU.

2. Any member of the MBU academic community or any other person who has become aware of the student's action which may be the disciplinary offence may initiate disciplinary proceedings by submitting a complaint to the Rector or the Dean, as appropriate. As a rule, the complaint to initiate disciplinary proceedings shall be submitted in writing in paper or electronic form by e-mail to the following e-mail address: disciplinarny.priestupok@umb.sk. If the complaint is justified, the Rector or the Dean shall submit a proposal to initiate disciplinary proceedings to the Chairman of the Disciplinary Committee of MBU. Anonymous complaints shall not be taken into account. At the request of the person who has lodged the complaint, his/her identity shall be kept secret.

3. The complaint for disciplinary proceedings must contain the facts and information necessary for the Rector or the Dean to be able to assess with reasonable diligence whether the complaint is justified, i.e. at least a precise description of the student's conduct that should have committed the disciplinary offence; the identification of the student who should have committed the disciplinary offence; the evidence on which the complaint is based; and the contact information of the person making the complaint. If necessary, the Rector or the Dean may invite the complainant in writing to complete the complaint within 10 calendar days. If the time limit cannot be met, the complainant may request in writing to the Rector or the Dean an extension of the time limit for a maximum of 10 calendar days. The Rector or the Dean shall inform the complainant in writing of the manner in which the complaint will be dealt with within 10 calendar days of the date of its handling.

4. The Rector's or Dean's proposal to initiate disciplinary proceedings must include:

- a) a precise description of the student's conduct by which the disciplinary offence should have been committed, indicating relevant provisions of generally binding legislation, internal regulations of MBU or its components that were to be violated, including the time and place where the disciplinary offence was committed,

- b) the evidence on which the proposal is based,
- c) the statement of the reasons why the conduct constitutes the disciplinary offence,
- d) identification of the student who should have committed the disciplinary offence,
- e) the statement from the student, if one has been submitted.

5. If the proposal to initiate disciplinary proceedings does not meet requirements under §4, the Chairperson of the Disciplinary Committee of MBU may request the Rector or the Dean to remedy the deficiencies of the proposal within 10 days. In the request, the Chairperson of the Disciplinary Committee of MBU shall indicate the deficiencies of the proposal, with the instruction that if the deficiencies of the proposal are not removed within specified time limit, the Chairperson of the Disciplinary Committee of MBU shall reject the proposal to initiate disciplinary proceedings. If the Chairperson of the Disciplinary Committee of MBU rejects the proposal, s/he shall notify the Rector or the Dean.

6. If the Dean does not accept the complaint for disciplinary proceedings, the complainant is entitled to file a complaint for disciplinary proceedings with the Rector. If neither the Dean nor the Rector accepts the complaint for disciplinary proceedings, disciplinary proceedings may no longer be initiated in the same case.

7. In the event that the complaint for initiating disciplinary proceedings reveals facts indicating that a criminal offence or misdemeanour has been committed by the student's actions, further proceedings shall be carried out in accordance with relevant legal regulations or internal regulations of MBU.

Article 6

Proceedings before the Disciplinary Committee of MBU

1. On the basis of a proposal to initiate disciplinary proceedings pursuant to Article 5, §3, the Disciplinary Committee of MBU shall discuss the disciplinary offence at its meeting. This does not apply to the disciplinary offence under Article 3 (6) (d), where the Disciplinary Committee of MBU shall vote *per rollam*.

2. The preparation and conduct of a meeting of the Disciplinary Committee of MBU shall be governed by the Rules of Procedure of the Disciplinary Committee of MBU within PART III of these Disciplinary Regulations of MBU.

Article 7

Evidence

1. Anything which may contribute to the proper treatment of the case and which has been obtained by means of evidence may be admitted in evidence. Evidence shall include, in particular, the examination of witnesses, photographs and other documents and papers.

2. In particular, the Disciplinary Committee of MBU is entitled to:

- a) summon the student who is suspected of having committed a disciplinary offence,
- b) summon witnesses and other persons and ask them questions or request their written opinion on the matter under discussion,
- c) take evidence,
- d) evaluate the evidence.

3. The Disciplinary Committee of MBU shall evaluate the evidence obtained in a lawful manner after careful consideration of all the circumstances of the case, both individually and cumulatively.

Article 8

Decision-making of the Disciplinary Committee of MBU

1. After the disciplinary offence has been discussed, or after a *per rollam* vote of the Disciplinary Committee of MBU pursuant to Article 6 (1), the second sentence, the Disciplinary Committee of MBU shall, by resolution, approve a proposal for the decision to impose the disciplinary measure, which shall be submitted through the Chairperson to the Rector, if the proceeding concerns the disciplinary offence of the student who is not enrolled in any study programme conducted at the Faculty, or to the Dean, if the proceeding concerns the student who is not enrolled in any study programme conducted at the Faculty. The disciplinary offence of the student enrolled in a study programme conducted at the Faculty; otherwise, the Disciplinary Committee of MBU shall, by resolution, discontinue the disciplinary proceedings. If the Disciplinary Committee of MBU finds facts indicating that a criminal offence or misdemeanour has been committed by the student's actions, further proceedings shall be carried out in accordance with relevant legal regulations or internal regulations of MBU.

2. A written copy of the proposal of the Disciplinary Committee of MBU for the decision to impose the disciplinary measure pursuant to §1 shall include in particular:

- a) an evidence that the disciplinary offence has been committed, indicating the relevant provisions of generally binding legal regulations, internal regulations of MBU or its components, which have been violated by the committing the disciplinary offence,
- b) whether the disciplinary offence was committed negligently or intentionally,
- c) an identification of the student who committed the disciplinary offence as follows: name and surname, date of birth, place of permanent residence, the study programme, year of study and level of study,
- d) an operative part of the decision to impose the disciplinary measure, indicating the disciplinary measure referred to in Article 4 (1) to be imposed on the student who has committed the disciplinary offence,
- e) in the case of a proposal to impose conditional exclusion from studies, also the proposal of conditions under which conditional exclusion from studies will be lifted, specifying the time limit for compliance with the conditions.

3. Written minutes of the proceedings before the Disciplinary Committee of MBU pursuant to Article 16 (hereinafter referred to as the "minutes") shall form a part of the proposal for the decision to impose the disciplinary measure or part of the resolution on the discontinuance of disciplinary proceedings.

4. In the process of deciding on the proposed disciplinary measure, the Disciplinary Committee of MBU shall consider seriousness of committed disciplinary offence, the extent of damage caused, if any, previous behaviour of the student who committed the disciplinary offence and other circumstances of the disciplinary offence as referred to in Article 4 (2).

5. The documents necessary for the decision of the Disciplinary Committee of MBU on the proposal to impose the disciplinary measure are:

- a) the complaint and the proposal for initiating disciplinary proceedings,
- b) proposals and statements of the parties to the disciplinary proceedings,
- c) the evidence, affidavits and
- d) facts generally known or facts the Disciplinary Committee of MBU is aware of, based on its previous activities.

6. The Disciplinary Committee of MBU is obliged to give parties involved in the proceedings an opportunity to comment on submitted documentation and evidence, or to propose its supplementation, before making decision on submitting the proposal to impose the disciplinary measure to the Rector or the Dean; this does not apply in the case of the disciplinary offence pursuant to Article 3 (6) (d).

7. The Disciplinary Committee of MBU shall, by resolution, discontinue disciplinary proceedings if:
- a) the disciplinary offence has not occurred,
 - b) the disciplinary offence has not been committed by the student named in the complaint,
 - c) the student's conduct does not report elements of the disciplinary offence under these Disciplinary Regulations of MBU,
 - d) the person who committed the disciplinary offence has ceased to be the student,
 - e) the disciplinary offence has been time-barred,
 - f) the Disciplinary Committee of MBU decides to withdraw from the proposal to impose the disciplinary measure pursuant to Article 4 (10).
8. The Chairperson of the Disciplinary Committee of MBU shall deliver the proposal for decision to impose the disciplinary measure or a resolution on the discontinuation of the disciplinary proceedings to the Rector or the Dean, as a rule, within 10 working days from the meeting of the Disciplinary Committee of MBU, together with a copy of the minutes from the meeting. The Chairperson of the Disciplinary Committee of MBU shall immediately inform the student of the discontinuation of the disciplinary proceedings; this does not apply if the student was present at the meeting of the Disciplinary Committee of MBU at which his/her case was discussed.

Article 9

The decision to impose the disciplinary measure

1. The Rector or the Dean shall impose the disciplinary measure committing the disciplinary offence in accordance with Article 4, paragraph 1, by decision. The disciplinary measure shall be imposed, as a rule, within 4 weeks from the receipt of the proposal for a decision to impose the disciplinary measure by the Disciplinary Committee of the MBU. Neither the Rector nor the Dean may impose a more severe disciplinary measure than that proposed by the Disciplinary Committee of MBU.⁶
2. The Rector or the Dean decides to discontinue disciplinary proceedings if s/he reveals that there is a reason for discontinuing disciplinary proceedings pursuant to Article 8 (7) (a) to (e) and the Disciplinary Committee of MBU has nevertheless not discontinued disciplinary proceedings. The decision of the Rector or the Dean shall comprise a statement of reasons to discontinue the disciplinary proceedings.
3. The Rector or the Dean may, after receiving a proposal to impose the disciplinary measure, return the proposal back to the Disciplinary Committee of MBU for the purpose of supplementing it, if the Rector or the Dean considers that it is necessary to carry out further actions that are necessary for the issuance of a decision on the imposition of a disciplinary measure. In the event of the return of a proposal for the imposition of a disciplinary measure pursuant to the first sentence, the Disciplinary Committee of MBU shall carry out the actions proposed by the Rector or the Dean without undue delay.

⁶ § 72 (4) of the Higher Education Act

4. The decision to impose the disciplinary measure shall in writing, shall comprise the verdict, the reasons for the verdict and an indication about the possibility to apply for a review; it must be delivered to the student's own hands.⁷
5. The verdict to impose the disciplinary measure shall include:
- identification of the authority deciding about the disciplinary offence,
 - identification of the student who committed the disciplinary offence stating the following data: name and surname, date of birth, place of residence, study programme, year of study and level of study,
 - decision to impose the disciplinary measure, indicating type of the disciplinary measure, or decision not to impose the disciplinary measure,
 - description of the offence so that it cannot be confused with another offence, as a general rule indicating the place, time and manner of its committing or, where appropriate, other facts which unmistakably identify the offence,
 - identification of committed disciplinary offence, indicating relevant provisions of these Disciplinary Regulations of MBU, which have been fulfilled by its committing and, where appropriate, indicating provisions of generally binding legal regulations, internal regulations of MBU or its components, which have been violated by committing the disciplinary offence.
6. If the disciplinary measure of conditional exclusion from studies is imposed, the verdict shall further specify conditions under which conditional exclusion from studies shall be lifted and the length of probationary period or period for maturity of the commitment (or time limit for compliance with the obligation imposed).
7. Reasons for the decision to impose the disciplinary measure shall include:
- identification and evaluation of all the facts on the basis of which the matter was decided, including the form of fault, identification of the evidence and other supporting documentation for the decision from which these facts were established, indicating considerations which guided the Rector, or the Dean in evaluating the evidence and supporting documents for the decision,
 - indication of how the Rector or the Dean dealt with the student's suggestions, statements and comments,
 - considerations which guided the Rector or the Dean in applying relevant regulations on which the decision was made, including an explanation of relevant consideration in imposing the disciplinary measure..
8. An instruction shall indicate whether the decision to impose the disciplinary measure is final or whether an application for reviewing the decision to impose the disciplinary measure may be lodged against it, within what time limit, to which authority and where an application for reviewing the decision to impose the disciplinary measure may be lodged. The instruction shall also indicate whether the decision to impose the disciplinary measure can be reviewed by the court

Article 10

Reviewing the decision to impose the disciplinary measure

- The student, on whom the disciplinary measure has been imposed, may apply in writing for a review of the decision to impose the disciplinary measure (hereinafter also referred to as "the decision") within eight calendar days from the date of receipt of the decision. The application for reviewing the decision to impose the disciplinary measure (hereinafter referred to as the "application for reviewing the decision")

⁷ § 72 (6) of the Higher Education Act

shall be submitted to the Rector or the Dean who issued the decision. A timely request for reviewing the decision shall have suspensive effect.

2. It shall be obvious from the request for reviewing the decision who submits it, against which decision it is directed, what is being proposed in it and how the decision or the disciplinary procedure preceding is in conflict with the law or with internal regulations of MBU or its components.

3. If the decision was made by the Dean, s/he shall examine the facts stated in the request for reviewing the decision and may himself/herself grant the request and modify or reverse the decision. If s/he does not grant the request, s/he shall refer it to the Rector for the decision within ten working days. Together with the request for reviewing the decision, s/he shall forward the entire file to the Rector, including his or her own opinion on the request for reviewing the decision.

4. The Rector, as a second-instance body, shall review the decision of the Dean and, if it is contrary to the law, internal regulations of MBU or its components, the Rector shall amend or cancel the decision, otherwise the request for reviewing the decision shall be rejected and the decision shall be confirmed. The Rector may, in justified cases, reverse the decision of the Dean and impose a less severe disciplinary measure; in such a case, the Rector shall state the grounds on which s/he considers the disciplinary measure imposed to be inadequate and shall justify the reasonableness of the disciplinary measure imposed by him/her. The Rector shall issue the decision no later than 30 days after receipt of the request for reviewing the Dean's decision.⁸

5. The statement of reasons of the second-instance decision shall describe the course of the disciplinary proceedings to date (identification of the first-instance authority which decided on the disciplinary offence, where and when the decision was issued, who and what the decision concerned). Furthermore, the second-instance decision shall indicate by whom and when the request for reviewing the decision was lodged. At the same time, an assessment shall be made as to whether the request for reviewing the decision was made in time and by an authorised person. The second-instance decision shall then briefly describe what the student objects to in his/her request for reviewing the decision, what s/he proposes and, at the same time, deal with those objections.

6. Provisions of Article 9 (5) to (9) shall apply *mutatis mutandis* to the second-instance decision.

7. The first instance decision which changed the original decision may be appealed again.

Article 11 **Validity and enforceability of the** **decision to impose the disciplinary measure**

1. The decision against which no request for review can be made shall be final.

2. The first-instance decision of the Rector or the Dean imposing the disciplinary measure against which the student has not lodged a request for review shall become final on the expiry of the eight-day period referred to in Article 10 (1).

3. The second-instance decision of the Rector on the request for reviewing the decision shall become final on the date of its delivery to the student.

4. If the disciplinary measure of exclusion from studies has been imposed on the student, the date of

termination of studies shall be the date on which the decision on exclusion from studies has entered into force.⁹

5. A record of the disciplinary measure imposed pursuant to Article 4 (1) shall be made by the Study Department of the relevant Faculty in the student's personal file after the decision to impose the disciplinary measure has entered into force.

Article 12 Delivery

1. Important documents such as summonses, notices, the decision to impose the disciplinary measure and the decision regarding the request for reviewing the decision to impose the disciplinary measure shall be delivered to the student's own hands, by registered mail to the student's permanent address. Decisions under the first sentence may also be delivered personally to the student's hand.

2. The documents referred to in §1 may be received by a person who proves that s/he is authorised to receive the mail instead of the addressee, in accordance with the relevant postal regulations.

3. If the addressee refuses to accept the registered mail, the day of refusal to accept the registered mail shall be deemed to be the day of its delivery.

4. If the addressee does not collect the registered mail even within the storage period of 18 days at the post office and the registered mail is returned to the sender with the note "addressee not reached", the registered mail shall be deemed to have been delivered on the day of return of registered mail to MBU.

5. If the addressee does not receive the registered mail at the address indicated by him/her, even within the 18-day storage period at the post office, and the registered mail is returned to the sender with the note "addressee unknown" or "addressee does not reside at the address indicated", the day the registered mail is returned to the sender shall be deemed to be the day of delivery.

6. Service of any other documents in disciplinary proceedings, other than summonses, notices, the decision to impose the disciplinary measure and the decision regarding the request for reviewing the decision to impose the disciplinary measure, may also be sent electronically to student's email account with the University domain.

PART III RULES OF PROCEDURE OF THE DISCIPLINARY COMMITTEE OF MBU

Article 13 Preparation of meeting of the Disciplinary Committee of MBU

1. The meeting of the Disciplinary Committee of MBU is convened and chaired by its Chairperson or Vice-Chairperson. The Chairperson or Vice-Chairperson of the Disciplinary Committee of MBU shall convene the meeting of the Disciplinary Committee of MBU without undue delay after receipt of a complaint to initiate disciplinary proceedings that meets the requirements under Article 5 (3). All members of the Disciplinary Committee of MBU shall be notified in writing or electronically about the date and place of the meeting of the Disciplinary Committee of MBU, as a rule, seven calendar days before the date of the meeting.

⁹ §66 (2) (c) of the Higher Education Act

2. Within period referred to in §1, the Chairperson of the Disciplinary Committee of MBU shall summon the student suspected of committing the disciplinary offence to the meeting of the Disciplinary Committee of MBU.
3. The summons of the student shall include in particular:
 - a) an identification of the authority who summoned the student,
 - b) an identification of the student suspected of committing the disciplinary offence comprising the following data: name and surname, date of birth, place of residence, study programme, year of study and level of study,
 - c) a copy of the complaint to initiate disciplinary proceedings,
 - d) a proposal to comment on the complaint to initiate disciplinary proceedings,
 - e) a proposal to indicate the relevant evidence ,
 - f) a letter of instruction pursuant to Article 14 (3) and (6) of Disciplinary Regulations of MBU.
4. The Chairperson of the Disciplinary Committee of MBU has the right to invite a member of the UMB academic community to the meeting of the Disciplinary Committee of MBU. If an invited person participates in the meeting of the Disciplinary Committee of MBU, s/he may be offered an opportunity to speak. The invited person shall have an advisory vote.

Article 14

The meeting of the Disciplinary Committee of MBU

1. The Disciplinary Committee of MBU is obliged to ascertain accurately and completely the true state of the matter and to for this purpose to obtain relevant supporting documents necessary for the decision. The Disciplinary Committee of MBU shall not be bound by a proposal to initiate disciplinary proceedings pursuant to Article 5 (4).
2. The proposal to initiate disciplinary proceedings shall be discussed by the Disciplinary Committee of MBU at its meeting; this shall not apply if the subject of proceedings is the disciplinary offence pursuant to Article 3 (6) (d).
3. Meetings of the Disciplinary Committee of MBU shall be chaired by its Chairperson. In his/her absence, the Vice-Chairperson of the Disciplinary Committee of MBU shall chair the meeting.
4. Proceedings regarding the disciplinary offence before the Disciplinary Committee of MBU shall be oral in presence of the student who was to commit the disciplinary offence. If the student fails to appear without proper excuse, the Disciplinary Committee of MBU may hear and decide the case in his/her absence.
5. If the student who was to commit the disciplinary offence fails to appear at the meeting of the Disciplinary Committee of MBU, but apologises in writing in advance, the Chairperson of the Disciplinary Committee of MBU shall set a new date for the meeting. The student's apology must be received by the Chairperson of the Disciplinary Committee of MBU no later than before the meeting of the Disciplinary Committee of MBU and must be justified by serious circumstances; the student may excuse his/her absence from the meeting of the Disciplinary Committee of MBU only once. The Disciplinary Committee of MBU shall decide whether the excuse is justified by a resolution; if the Disciplinary Committee of MBU decides that the student's excuse is not justified, the decision must contain the justification.
6. Proceedings regarding the disciplinary offence before the Disciplinary Committee of MBU shall not be public.
7. The student suspected of having committed the disciplinary offence must be given the opportunity to defend his/her rights and interests effectively, to comment on the basis of the decision and to make suggestions. For this purpose, the student shall, in particular, have the right to:

- a) be present at the meeting of the Disciplinary Committee of MBU; this does not apply if the subject of the proceedings is the disciplinary offence under Article 3 (6) (d),
- b) to elect his/her representative,
- c) to be heard,
- d) to present evidence, to propose additional evidence and to comment on evidence,
- e) ask questions to witnesses,
- f) to comment on all the documents on which the decision is based,
- g) inspect written materials and the minutes, except the minutes of the vote of the Disciplinary Committee of MBU.

8. The Chairperson of the Disciplinary Committee of MBU, its members and invited persons are obliged to maintain confidentiality about the facts they have learned during the disciplinary proceedings in connection with the disciplinary offence under discussion, which they will be instructed to do by the Chairperson of the Disciplinary Committee of MBU.

9. If it is necessary to supplement the evidence or for other reasons, the Chairperson of the Disciplinary Committee of MBU may postpone the meeting of the Disciplinary Committee of MBU; the student shall be informed of postponed date of the meeting of the Disciplinary Committee of MBU at the meeting of the Disciplinary Committee of MBU or in another appropriate manner.

Article 15

Discussion and voting of the Disciplinary Committee of MBU

1. After discussing the disciplinary offence, the Disciplinary Committee of MBU shall proceed to negotiating the decision regarding the matter. Only members of the Disciplinary Committee of MBU and the Secretary of the Disciplinary Committee of MBU may participate in the discussion and vote.

2. In their discussion, members of the Disciplinary Committee of MBU shall consider in particular whether:

- a) act referred to as the disciplinary offence in the complaint regarding disciplinary proceedings has occurred,
- b) act can be regarded the disciplinary offence pursuant to Article 3 (6),
- c) act was committed by the student who is named in the disciplinary proceedings,
- d) the disciplinary offence is not time-barred,
- e) the student who committed it has not ceased to be the student,
- f) there are circumstances increasing or decreasing seriousness of committed disciplinary offence,
- g) the student is to be subject to the disciplinary measure pursuant to Article 4 (1).

3. After the discussion of the Disciplinary Committee of MBU pursuant to §2, the Chairperson of the Disciplinary Committee of MBU shall, on the basis of the results of the discussion, submit to a vote on draft resolution on the discontinuation of the disciplinary proceedings or a draft resolution containing a proposal for the decision to impose the disciplinary measure.

4. Members of the Disciplinary Committee of MBU shall vote on the draft resolution pursuant to § 3 by agreeing or disagreeing with its contents or by abstaining from voting. Each draft resolution shall be put to a separate vote of members of the Disciplinary Committee of MBU in closed session. Voting on the proposal for the decision to impose the disciplinary measure shall be by secret ballot.

5. The Disciplinary Committee of MBU has a quorum, if an absolute majority of all its members is present at its meeting.

6. The Disciplinary Committee of MBU shall decide by resolution on the complaint submitted for the decision to impose the disciplinary measure, on discontinuation of disciplinary proceedings, on whether the student's apology pursuant to Article 14 (4) is justified, as well as on other procedural issues that fall within its competence.

7. Valid resolution of the Disciplinary Committee of MBU, with exception of the resolution pursuant to §8, shall require consent of supermajority of members of the Disciplinary Committee of MBU present.

8. Valid resolution by which the Disciplinary Committee of MBU proposes the disciplinary measure regarding the expulsion from studies, requires the consent of a two-thirds majority of members of the Disciplinary Committee of MBU present.

Article 16 Minutes

1. Records regarding meetings of the Disciplinary Committee of MBU, statements of parties involved, the relevant evidence, as well as the vote of the Disciplinary Committee of MBU shall be recorded in the minutes from the proceedings.

2. The minutes shall contain in particular:

- a) the title: "The Minutes from the Meeting of the Disciplinary Committee of MBU",
- b) date, time and place of the meeting of the Disciplinary Committee of MBU,
- c) persons who attended the meeting of the Disciplinary Committee of MBU, including: a list of members of the Disciplinary Committee of MBU present, identification of the student suspected of committing the disciplinary offence, with information on whether s/he attended the proceedings before the Disciplinary Committee of MBU in person,
- d) the subject of disciplinary proceedings,
- e) the statement of the student suspected of having committed the disciplinary offence, if any,
- f) an indication of the evidence which has been taken,
- g) the result of the vote of the Disciplinary Committee of MBU.

3. The minutes from the meeting of the Disciplinary Committee of MBU shall be signed by all members of the Disciplinary Committee of MBU who attended the meeting. Refusal to sign the minutes together with the reason for such refusal, as well as objections to the content of the minutes, shall be indicated in the minutes.

4. Upon request, the minutes shall be made available to the student against whom the disciplinary proceedings are being conducted; the student may make extracts and copies of the minutes and shall have the right to receive a copy of the minutes.

5. Article 8 (8) of these Disciplinary Regulations shall apply to the delivery of a copy of the minutes.

**PART IV
COMMON, TRANSITIONAL AND FINAL PROVISIONS**

**Article 17
Common provisions**

1. Offences committed by students against internal regulations of student residences of MBU are governed by these Disciplinary Regulations of MBU if they cannot be resolved within provisions of Act No.40/1964 Coll., on the Civil Code as amended and related legislation or under Act No.372/1990 Coll., on the Act on Offences as amended.
2. Act No. 71/1967 Coll. on Administrative Procedure (Administrative Procedure Code), as amended, shall not apply to the decision to impose the disciplinary measures pursuant to these Disciplinary Regulations of MBU.¹⁰

**Article 18
Repeal, transitional and final provisions**

1. Disciplinary Committees of the MBU Faculties are abolished. All disciplinary proceedings at MBU which have not been finally terminated by the effective date of these Disciplinary Regulations of MBU shall be completed in accordance with these Disciplinary Regulations of MBU before the Disciplinary Committee of MBU.
2. Liability for the disciplinary offence committed before the entry into force of these Disciplinary Regulations of MBU shall be governed by those rules governing liability for disciplinary offences which are more favourable to the student.
3. Disciplinary Regulations of MBU may be amended in the form of numbered addenda, which are subject to approval by the Academic Senate of MBU.
4. Disciplinary Regulations of Matej Bel University in Banská Bystrica for Students, which were approved by the Academic Senate of MBU on 19 March 2018 in the wording of its Amendment No. 1 approved by the Academic Senate of MBU on 12 November 2018, are hereby repealed.
5. Rules of Procedure of the Disciplinary Committee of MBU for Students, which was approved by the Academic Senate of MBU on 19 March 2018, are repealed.
6. These Disciplinary Regulations of MBU were approved by the Academic Senate of MBU at its meeting on 16 October 2023 pursuant to Section 9 (1) (a) (1) of the Higher Education Act.
7. These Disciplinary Regulations of MBU shall enter into force and effect on the date of their approval by the Academic Senate of MBU.

.....
Ing. Barbora Mazúrová, PhD.
The Chairperson of the Academic Senate of MBU

.....
doc. Ing. Vladimír Hladlovský, PhD.
The Rector of MBU

¹⁰ § 108 (1) of the Higher Education Act