

Pursuant to Article 88, paragraph 2 of the Act on Scientific Activity and Higher Education (Official Gazette Nos. 123/03, 198/03, 105/04, 174/04, 2/07, 46/07, 45/09, 63/11, 94/13, 139/13, 101/14, 60/15 and 131/17), Article 141, paragraph 4 of the Statute of the University of Split, Article 77, paragraph 2 and Article 28, and in accordance with Article 46 of the Statute of the Faculty of Humanities and Social Sciences in Split (consolidated text, March 2018), the Faculty Council of the Faculty of Humanities and Social Sciences in Split, at its 5th regular session in the 2018/2019 academic year, held on 13 February 2019, hereby adopts

STUDENT DISCIPLINARY REGULATIONS

I GENERAL PROVISIONS

Article 1

These Regulations define breaches of the obligations of students of the Faculty of Humanities and Social Sciences in Split (hereinafter: the Faculty), disciplinary measures, disciplinary bodies, the procedure for conducting disciplinary proceedings, and the enforcement of disciplinary measures.

Article 2

Students shall comply with the Statute of the University of Split, the Regulations on Studies and the Study Regime at the University of Split, the Statute of the Faculty of Humanities and Social Sciences in Split, these Regulations and other general acts of the Faculty, and shall duly fulfil their teaching-related and other obligations at the Faculty.

Students shall safeguard the reputation and dignity of the University, the Faculty, employees, students and all other stakeholders in the teaching process.

II TYPES OF BREACHES OF OBLIGATIONS

Article 3

Breaches shall be classified as minor and serious breaches of obligations.

Article 4

Minor breaches of obligations are:

1. intentional disruption of any form of teaching;
2. inappropriate behaviour towards teachers, associates and other Faculty employees or students (e.g. swearing, shouting...);
3. unauthorised receiving or providing of assistance and the use of unauthorised aids during knowledge assessments;
4. misuse of the Faculty premises, material resources, IT equipment and other devices;
5. arriving at the Faculty or other locations where teaching takes place while visibly under the influence of alcohol or other intoxicating substances;
6. causing material damage through gross negligence to equipment and resources or to the Faculty premises or other locations where teaching takes place;
7. smoking on the Faculty premises;
8. using mobile devices during the teaching process when such use is not related to the teaching process;
9. unauthorised use of emergency exits.

Article 5

Serious breaches of obligations are:

1. falsification of information in the student record book and other documents related to studies and the exercise of student rights;
2. unauthorised access to the Faculty's computer and network equipment that is not intended for unrestricted student use and/or use of the Faculty's computer and network equipment for illegal purposes;
3. presenting another person's work as one's own, misrepresentation, or attending a knowledge assessment on behalf of another person;
4. inappropriate conduct on the Faculty premises or at other locations where teaching takes place (instigating or participating in disturbances or physical altercations, any form of sexual harassment, or making insults or threats against teachers, employees or students);
5. spreading false information about the Faculty, teachers and other Faculty employees;
6. consuming alcohol or other intoxicating substances during teaching;
7. intentionally causing material damage to equipment and resources or to the Faculty premises or other locations where teaching takes place;
8. repeated commission of a minor breach during the period of study at the Faculty;
9. other forms of conduct that seriously damage the reputation of the Faculty, students and the academic community.

Article 6

Criminal liability or liability for a misdemeanour shall not exclude disciplinary responsibility.

III DISCIPLINARY MEASURES

Article 7

For minor breaches of obligations, one of the following measures may be imposed on a student:

1. warning;
2. suspension from studies for up to one year.

Article 8

For serious breaches of obligations, one of the following measures may be imposed on a student:

1. warning prior to suspension;
2. suspension from studies for up to two years;
3. exclusion from studies without the possibility of re-enrolment at the Faculty.

IV DISCIPLINARY BODIES

Article 9

A decision on a disciplinary measure for breaches of obligations shall be made by the Disciplinary Committee for conducting proceedings to determine the disciplinary responsibility of Faculty students (hereinafter: the Disciplinary Committee).

Article 10

The Disciplinary Committee shall consist of a chair and four members. The Faculty Council shall appoint the chair and one member of the Disciplinary Committee from among the teaching staff, one member from among the Faculty associates, and two members from among the students.

Student representatives shall be appointed upon the proposal of the Faculty Student Council. The term of office of the Disciplinary Committee shall be two years.

V DISCIPLINARY PROCEEDINGS

Article 11

Disciplinary proceedings shall be initiated by the Dean, on the basis of a report or on the Dean's own initiative upon becoming aware of a breach of obligations, by submitting a written request for the initiation of disciplinary proceedings to the Chair of the Disciplinary Committee.

The written request shall contain: information on the person who committed the disciplinary offence, a factual description of the offence, the legal provision defining the breach as a disciplinary offence, and a proposal for a disciplinary measure pursuant to these Regulations.

Article 12

Disciplinary proceedings shall be conducted at a session of the Disciplinary Committee attended by a two-thirds majority of its members. Immediately upon receipt of the request for the initiation of disciplinary proceedings, and no later than 15 days from the date of receipt of the request, the Chair of the Disciplinary Committee shall convene a session to which the student concerned by the request and the Student Ombudsperson shall be invited.

The request for the initiation of disciplinary proceedings shall be enclosed with the written invitation to the hearing sent to the student and the Student Ombudsperson. The invitation shall contain a notice that, under the prescribed conditions, the session may be held in their absence. The student and the Student Ombudsperson may submit to the Disciplinary Committee a written statement on the facts and circumstances relevant to the imposition of a disciplinary measure and may propose that witnesses be called.

Article 13

The date and time of the session shall be determined so as to allow the student sufficient time to prepare their defence, and the period between the delivery of the invitation and the date of the hearing shall not be shorter than 8 (eight) days.

If the Student Ombudsperson, although duly served with the invitation, has not submitted a written statement before the beginning of the session or fails to respond to the invitation and does not justify their absence, it shall be deemed that they have no comments or proposals, and the session may be held in their absence.

The Disciplinary Committee may consider the request for the initiation of disciplinary proceedings without the presence of the student concerned by the request or a witness whose attendance has been proposed, provided that they have failed to respond or have not justified their absence despite having been duly served with the invitation.

Article 14

The invitation shall be served on the student and the Student Ombudsperson by sending it to their official Faculty email address or by registered mail to the address entered by the student in *Studomat* as their place of residence/permanent residence (according to the information available in ISVU).

The invitation shall be served on a witness VIA registered mail to the address specified in the written submission proposing that person as a witness.

Article 15

The session of the Disciplinary Committee shall begin with the reading of the request for the initiation of disciplinary proceedings.

If submitted, the statements of the student and the Student Ombudsperson concerning the facts and circumstances relevant to the imposition of a disciplinary measure shall be presented before the Disciplinary Committee.

The student against whom disciplinary proceedings have been initiated shall then be invited to respond to the allegations contained in the request for the initiation of proceedings and to present their defence. If the Student Ombudsperson and witnesses are present, they shall be asked to give their statements. At the session, the student shall have the right to present facts, propose evidence, question witnesses, if any, and provide additional information concerning witness statements.

The Chair of the Disciplinary Committee may prohibit leading questions, questions aimed at delaying the proceedings, and questions that are not directly related to the disciplinary proceedings.

Before the conclusion of the session, the Chair of the Disciplinary Committee shall give the floor to the student against whom the proceedings are being conducted and, following the student's statement, shall close the session and withdraw with the members of the Disciplinary Committee for deliberation and voting on the decision.

Article 16

Minutes shall be taken at the session and shall include information relevant to the decision-making process.

The minutes shall specify the composition of the Disciplinary Committee, the names of all persons present, the place and date, and the time at which the session commenced.

The minutes shall include a summary of the request for the initiation of proceedings, the statements of the student, the Student Ombudsperson and witnesses, if present, the course of the evidentiary proceedings, and other matters relevant to the decision-making process.

The minutes shall be signed by the Chair of the Disciplinary Committee.

Article 17

The Disciplinary Committee shall make its decision by secret ballot, by a majority vote of all members of the Disciplinary Committee. The Disciplinary Committee may issue its decision on disciplinary responsibility immediately or no later than 3 (three) days from the date on which the session was concluded.

The Disciplinary Committee may acquit the student of the alleged breach of obligations or find the student responsible and impose a disciplinary measure.

When imposing a disciplinary measure, particular consideration shall be given to: the seriousness of the breach and its consequences, the degree of the student's responsibility, the circumstances under which the breach was committed, the student's previous work and conduct, and other circumstances relevant to the imposition of the disciplinary measure.

Article 18

The written decision of the Disciplinary Committee shall be delivered to the student against whom the proceedings were conducted, the applicant who submitted the request for the

initiation of proceedings, and the Student Ombudsperson if they participated in the proceedings.

The decision shall be delivered in person, sent to the official Faculty email address, or sent via registered mail to the address entered by the student in *Studomat* as their place of residence/permanent residence (according to the information available in ISVU).

Article 19

The student or the applicant who submitted the request for the initiation of proceedings may lodge an objection against the decision of the Disciplinary Committee with the Faculty Council. No legal remedy shall be permitted against the disciplinary measures of a warning or a warning prior to suspension.

The objection shall be lodged within 8 (eight) days from the date of delivery of the decision.

Article 20

The Faculty Council may reject the appeal and uphold the first-instance decision or amend the first-instance decision.

The decision of the Faculty Council shall be final.

VI LIMITATION PERIOD

Article 21

The initiation of disciplinary proceedings shall be subject to a limitation period of 6 (six) months from the date on which the breach of obligations became known.

If the breach of obligations contains elements of a criminal offence, the limitation period shall expire at the same time as the limitation period applicable to the criminal offence.

The limitation period for initiating disciplinary proceedings shall not run during the periods from 1 July to 31 August and from 21 December to 7 January of the current year.

VII ENFORCEMENT OF DISCIPLINARY MEASURES

Article 22

Disciplinary measures shall be enforced once the decision rendered in the disciplinary proceedings becomes final.

Article 23

The decision imposing a disciplinary measure shall be kept in the student's personal file, while the disciplinary measure of exclusion from studies shall be entered in all official records maintained on the student.

VIII MATERIAL LIABILITY OF STUDENTS

Article 24

A student shall be materially liable for any damage intentionally caused or caused through gross negligence to equipment and resources, on the Faculty premises or at other locations where teaching takes place. The student referred to in the preceding paragraph of this Article shall be obliged to compensate for the material damage by restoring the previous condition or by monetary compensation. If a student who has caused material damage fails to compensate

the Faculty for the damage within the prescribed period, the Dean shall initiate proceedings for compensation for damages against the student before the competent authorities.

IX FINAL PROVISIONS

Article 25

The use of nouns such as student, teacher, chair and similar terms may under no circumstances be interpreted as grounds for gender discrimination or preferential treatment.

Article 26

These Regulations shall be adopted by the Faculty Council following the prior opinion of the Faculty Student Council.

Amendments and supplements to these Regulations shall be adopted in the same manner as these Regulations.

Article 27

These Regulations shall enter into force on the eighth day following their publication on the official website and notice board at the Faculty's registered office.

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In Split, 13 February 2019

DEAN

Assoc. Prof. Gloria Vickov, PhD

These Regulations were published on the official website and notice board at the registered office of the Faculty of Humanities and Social Sciences in Split on 13 February 2019 and shall enter into force on 21 February 2019.

SECRETARY

Maja Kuzmanić, dipl.iur