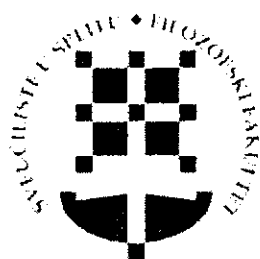


**UNIVERSITY OF SPLIT**  
**FACULTY OF HUMANITIES AND SOCIAL SCIENCES**



**STUDENT'S DISCIPLINARY REGULATIONS**

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**Split, February 2019**

Pursuant to Article 88, paragraph 2 of the Act on Scientific Activity and Higher Education (Official Gazette 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), at its 5th regular session in the academic year 2018/19, held on 13 February 2019, the Faculty Council of the Faculty of Humanities and Social Sciences in Split passed the following

## **STUDENT'S DISCIPLINARY REGULATIONS**

### **I. GENERAL PROVISIONS**

#### **Article 1**

These Regulations determine violations of obligations of students of the Faculty of Humanities and Social Sciences in Split (hereinafter referred to as the Faculty), disciplinary measures, disciplinary bodies, procedures for conducting disciplinary proceedings and enforcement of disciplinary measures.

#### **Article 2**

The student is obliged to comply with the Statute of the University of Split, the Regulations on Study and 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 to duly perform their obligations related to class attendance and other obligations at the Faculty. Students are obliged to preserve the reputation and dignity of the University, Faculty, employees, (fellow) students, and all other stakeholders involved in the teaching process.

### **II. TYPES OF BREACHES OF OBLIGATIONS**

#### **Article 3**

Breaches are categorized as minor and serious violations of obligation.

#### **Article 4**

Minor breaches of obligations include:

1. intentionally interfering with any form of instruction;
2. inappropriate behaviour towards teachers, associates and other Faculty employees

- or students (e.g. swearing, shouting...);
3. illicit reception and provision of assistance and use of illicit aids during tests and exams;
  4. misuse of premises, material resources, IT equipment, and other devices belonging to the Faculty;
  5. arrival at the Faculty or other places where classes are conducted under the visible influence of alcohol or other intoxicants;
  6. causing material damage to equipment and facilities and in the premises of the Faculty or in other places where classes are conducted through gross negligence;
  7. smoking on the premises of the Faculty;
  8. use of mobile devices during the teaching process unless it is part of that process;
  9. unauthorized use of the emergency exit in the event of an emergency.

#### Article 5

Serious breaches of obligations include:

1. falsification of data in the index and other documents related to the study and realization of student rights;
2. unauthorized access to computer and network equipment of the Faculty that is not intended for the free use by students, and/or the use of Faculty's computer and network equipment for illegal purposes;
3. presenting someone else's work as one's own, misrepresenting oneself or taking test on behalf of another person;
4. improper behaviour on the premises of the Faculty or in other locations where classes are held (including causing or participating in riots or physical confrontations, any form of sexual harassment, or directing insults and threats at teachers, employees or students);
5. spreading falsehoods about the Faculty, teachers, and other employees of the Faculty;
6. consumption of alcohol or other intoxicants during classes;
7. causing material damage to equipment and facilities in the premises of the Faculty or in other places where classes are conducted through gross negligence;
8. repeatedly committing minor breaches while studying at the Faculty;
9. other behaviours that grossly damage the reputation of the Faculty, its students and the academic community.

#### Article 6

Criminal liability or liability for a misdemeanour does not exclude disciplinary liability.

### III. DISCIPLINARY MEASURES

#### Article 7

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

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

#### Article 8

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

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

### IV. DISCIPLINARY AUTHORITIES

#### Article 9

The decision on the disciplinary measure for breaches of obligations is made by the Disciplinary Committee for Implementing Procedures for Determining Disciplinary Responsibility of Students at the Faculty (hereinafter referred to as the Disciplinary Committee).

#### Article 10

The Disciplinary Committee consists of a President and four members. The Faculty Council appoints the President and one member from the ranks of teachers, one member from the ranks of Faculty associates and two members from the ranks of students.

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

## V. DISCIPLINARY PROCEEDINGS

### Article 11

Disciplinary proceedings are initiated by the Dean, on the basis of a report or on their own initiative after learning of the violation of obligations, by submitting a written request to initiate disciplinary proceedings to the President of the Disciplinary Committee.

The written request should contain: information on the perpetrator of the disciplinary offense, a factual description of the offense, the legal designation by which this violation was established as a disciplinary offense and a proposal for a disciplinary measure under these Regulations.

### Article 12

Disciplinary proceedings shall be conducted at the session of the Disciplinary Committee, at which a two-thirds majority of members shall be present. Immediately after the receipt of the request to initiate disciplinary proceedings, and no later than 15 days from the date of receipt of the request, the chairman of the disciplinary committee shall schedule a session to which the student to whom the request relates and the student ombudsman shall be invited.

In addition to the written invitation to a hearing, the student and the student ombudsman shall also receive a request to initiate disciplinary proceedings. The invitation contains a warning that the session may, under the prescribed conditions, be held without their presence.

The student and the student ombudsman may submit to the Disciplinary Committee a written statement on the facts and circumstances that are important for the imposition of the disciplinary measure and propose the summoning of witnesses.

### Article 13

The day and time of the session shall be determined in such a way that the student has enough time to prepare the defence, and the time between the delivery of the call and the day of the hearing shall not be less than 8 (eight) days.

If the student ombudsman, although the invitation was duly delivered to them, did not submit a written statement before the beginning of the session or does not respond to the invitation and does not justify their absence, it will be considered that there are no objections and proposals, and the session may be held without their presence.

The Disciplinary Committee may discuss the request to initiate disciplinary proceedings even without the presence of the student to whom the request relates or the witness whose summons was proposed, provided that they did not respond or did not justify their absence even though the summons was duly delivered.

#### Article 14

The delivery of the invitation to the student and the student ombudsman shall be conducted by sending it to the official faculty email address or by registered mail to the address provided by the student in *Studomat* as the address of the place of residence (according to the ISVU).

The witness shall be served with the summons by registered mail to the address specified in the document proposing their testimony.

#### Article 15

The session of the Disciplinary Committee begins by reading the request to initiate disciplinary proceedings. If submitted, the statement of the student and the student ombudsman on the facts and circumstances relevant to the imposition of the disciplinary measure must be presented before the Disciplinary Committee.

Following this, the student against whom disciplinary proceedings have been initiated will be invited to comment on the allegations in the request to initiate proceedings and present their defence. If present, the student ombudsman and witnesses will be asked to provide their testimonies. During the session, the student has the right to present facts, propose evidence, question witnesses if any are available, and provide supplementary information related to witness statements.

The President of the Disciplinary Committee may prohibit suggestive questions, questions aimed at delaying proceedings, as well as those that are not directly related to the conduct of disciplinary proceedings.

Before concluding the session, the President of the Disciplinary Committee will give the floor to the student against whom the proceedings are being conducted. After their presentation, the President will conclude the session and withdraw with the members of the Disciplinary Committee for deliberation and voting on the decision.

#### Article 16

Minutes shall be kept during the session, documenting data relevant to decision-making.

The minutes must indicate the composition of the Disciplinary Committee, the names of all those present, the place, date and time of the start of the session.

The minutes shall include a summary of the request for initiation of proceedings, the statement of the student, the student ombudsman and witnesses (if present), the course of the evidentiary proceedings, and other issues relevant to decision-making.

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

#### Article 17

The Disciplinary Committee shall make a decision by a secret vote, requiring a majority vote from all members. The decision on disciplinary responsibility may be rendered immediately or no later than three (3) days from the conclusion of the session.

The Disciplinary Committee may either acquit the student of a breach of obligation or find them guilty and impose a disciplinary measure.

In imposing a disciplinary measure, special consideration shall be given to: the severity of the violation and its consequences, the degree of responsibility of the student, the circumstances under which the violation was committed, the student's previous work and behaviour, and other circumstances relevant to the imposition of the disciplinary measure.

#### Article 18

The decision of the Disciplinary Committee shall be submitted in writing to the student against whom the proceedings were conducted, to the applicant for the initiation of proceedings, and to the student ombudsman if they participated in the proceedings.

The decision shall be delivered either by personal handover or by sending it to the official faculty email address or by registered mail to the address provided by the student in *Studomat* as the address of the place of residence (according to ISVU).

#### Article 19

The student or the applicant for the initiation of proceedings may file an appeal against the decision of the Disciplinary Committee to the Faculty Council.

No legal remedy is allowed against disciplinary measures such as a warning or a warning before exclusion. The appeal must be submitted within eight (8) days from the date of delivery of the decision.

#### Article 20

The Faculty Council may either reject the appeal and confirm the first-instance decision or amend it.

The decision of the Faculty Council is final.

### VI. STATUTE OF LIMITATIONS

#### Article 21

The initiation of disciplinary proceedings shall become statute-barred after six (6) months from the date of becoming aware of the breach of obligation.

If the violation of obligation contains the characteristics of a criminal offence, the statute of limitations shall coincide with that of the criminal offence.

The statute of limitations for initiating disciplinary proceedings does 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 after the decision in the conducted disciplinary proceedings has become final.

#### Article 23

The decision on the imposed disciplinary measure shall be stored in the student's personal file, while the disciplinary measure of exclusion from studies shall be recorded in all official documents maintained about the student.

### VIII. MATERIAL LIABILITY OF STUDENTS

#### Article 24

The student is materially liable for any damage caused intentionally or through gross negligence to equipment and property within the premises of the Faculty or other locations where classes are held. The student referred to in the preceding paragraph is obliged to compensate for the material damage either by restoring the previous state or by providing monetary compensation. If the student who has caused material damage fails to compensate the Faculty within the specified period, the Dean shall initiate proceedings for



compensation before the competent authorities.

## IX. FINAL PROVISIONS

### Article 25

Listing the terms such as student, teacher, president, etc., can in no way be interpreted as a basis for gender discrimination or privilege.

### Article 26

These Regulations are adopted by the Faculty Council with the prior opinion of the Student Council of the Faculty. Amendments to these Regulations shall be adopted in the same manner as the adoption of these Regulations.

### Article 27

These Regulations shall enter into force on the day following its announcement on the official web page and notice board at the Faculty headquarters.

CLASS: 602-04/19-05/0001

REG. NO.: 2181-190-00-19-0001

Split, 13 February 2019

DEAN

Gloria Vickov

These Regulations were published on the official web page and the notice board at the headquarters of the Faculty of Humanities and Social Sciences in Split on 13 February 2019 and entered into force on 21 February 2019.

SECRETARY

  
Maja Kuzmanić