

# **Organisational and Operational Regulations at the University of Veterinary Medicine**

## **Volume 3**

### **Regulation of Disciplinary and Indemnification Cases**



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## **INTRODUCTION**

### **§ 1**

The Senate of University of Veterinary Science on the grounds of authority granted by the bill CCIV. § 12 (3) section eb) of 2011 outlines the Students' Disciplinary and Indemnification Regulation as follows:

### **Scope of the Regulation**

#### **§ 2**

(1) The scope of the Students' Disciplinary and Indemnification Regulation of the University of Veterinary Science (further on: Regulation) covers the disciplinary cases, defined in § 3 of present Regulation, and the indemnification cases, defined in §§ 30-31 of present Regulation, of Hungarian students and - according to effective regulations - of foreign citizen students and guest students participating in academic education, basic education (BA, BSc), master's education (MA, MSc), uniform undivided (exempt from the Bachelor vs. Master division) education, higher vocational trainings, professional postgraduate courses and doctoral training.

(2) The Regulation also covers the students whose studentship status is suspended but whose deed meets the criteria defined in § 3 (1) of the Regulation.

(3) The former student of the University and those postgraduate students whose application for postgraduate studies was granted in case of disciplinary infringement defined in § 3 (1) of the Regulation either by committing or being subject to it as defined in §§ 30 and 31 of the Regulation should be subjected to disciplinary procedure and/or bound to indemnification or granted indemnification (further on: sections (1)-(3) used as: students).

(4) The Regulation does not cover disciplinary infringements committed in dormitories. In such cases the procedure should follow the policies defined in the organisational and operational regulations of the dormitories. In those cases when during the dormitory procedure the student appears to be guilty of misconduct defined in § 3 (1) of the Regulation, the person in charge of the disciplinary action seeks contact to the person authorized for students' disciplinary action at the University via the director of the dormitory. Similarly, if during the disciplinary procedure at the University the suspicion emerges that the student committed also a dormitory-related infringement, the chairperson of the competent disciplinary board of the University informs the director of the affected dormitory. In dormitory indemnification procedures the stipulations of chapter B of the present regulation apply.

## **A. DISCIPLINARY REGULATION**

### **I. GENERAL REGULATIONS**

#### **I. Disciplinary infringement**

##### **§ 3**

(1) Disciplinary infringement is defined by the Regulation a serious violation of obligations laid down in legal and university regulations by a student, who therefore may be penalized. In the disciplinary procedure the student and/or his authorized representative may proceed..

(2) Academic misconduct, sanctioned according to the study and examination regulations is not considered disciplinary infringement.

(3) No disciplinary action can be initiated if the person authorized for ordering disciplinary action was notified of the infringement more than a month earlier and/or at least five months passed since the infringement. In the application of these stipulations notification is defined as the date of informing the person in charge of initiating disciplinary action.

(4) If a penal procedure was initiated against the student, the deadlines defined in section (3) should be calculated from the final and binding closing of the procedure.

(5) The steps of the disciplinary procedure (initiating disciplinary action, summoning, hearing, etc.) interrupt the outdating. On the day of interruption outdating starts again and extends to three months.

#### **2. Disciplinary actions and measures**

##### **§ 4**

(1) Students may be sanctioned by the following disciplinary measures:

- a) reprimand
- b) severe reprimand
- c) reduction or withdrawal of benefits defined in the regulations
- d) suspension from studies for a definite period
- e) exclusion from the University.

(2) Former students and postgraduate students of the University may be subject to the following disciplinary actions according to § 2 (3) of the Regulation:

- a) interdiction of the final exam or of obtaining a doctoral degree for two years at most,
- b) interdiction of the final exam or of obtaining a doctoral degree for an indefinite period.

(3) The disciplinary action defined in section (1) c) should not extend beyond 6 months, the rate of reduction of benefits should be at least 10%. No social benefits should be banned as a disciplinary action.

(4) The duration of interdiction defined in section (1) d) is determined by the person authorized for disciplinary action but it should extend to two semesters at most or to a period

corresponding to this time frame.

(5) During the disciplinary action defined in section (1) d) the student status is suspended.

(6) The disciplinary action defined in section (1) d)-e) entails the temporary or final withdrawal of benefits and allowances associated with the student status.

(7) Disciplinary action should be proportionate to the graveness of the offence and the degree of the student's involvement, with due consideration to alleviating and aggravating circumstances (with special regard to the injured, the consequences, the repetition of illegal conduct).

(8) In the case of foreign citizens on state grants disciplinary action as defined in section (1) c) and d) cannot be passed, because of relevant legal regulation.

(9) The initiation of a disciplinary procedure and passing a disciplinary action is not influenced by the study performance of the student.

## § 5

(1) Instead of inflicting a disciplinary action – along with terminating the disciplinary procedure – a warning may be passed provided all circumstances of the case, - in particular the person of the student, the motives, mode of commitment and graveness of the offence make it unnecessary to inflict even the slightest disciplinary action, and warning serves the orienting and preventive effect.

(2) The warning by the acting authority of the disciplinary competence serves to call the attention of the student to the incorrectness of their conduct and helps them restrain in the future from such conduct that may entail disciplinary procedure.

### **3. Exemption from the consequences of disciplinary action**

## § 6

(1) The student is exempted from the disadvantages associated with disciplinary action without application and related stipulations:

- a) in the case of disciplinary action defined in § 4(1) a) of the Regulation 6 months after the date of the final and binding resolution;
- b) in the case of disciplinary action defined in § 4(1) c) of the Regulation following its expiration;
- c) in the case of disciplinary action defined in §§ (1) d) and (2) a) of the Regulation after the expiry of the interdiction.

(2) In the case of exemption from disciplinary action the records on the previous disciplinary action should be removed from the personal file of the student. The registered files of the disciplinary case should be destroyed according to the registry regulations.

#### **4. Exemption from disciplinary action**

##### **§ 7**

- 1) In the case of disciplinary actions defined in § 4 (1) e) and (2) b) of the Regulation the disciplinary board acting at first instance – at the request of the former student (postgraduate student) – may pass an exemption resolution provided at least three years passed from the date of the final and binding resolution and during the time elapsed since the disciplinary offence – to the best information of the university – the former student showed no conduct which may be considered as disciplinary offence.
- 2) An appeal lies against the dismissal of the application for exemption within fifteen days following the date of delivery of the resolution. The rector makes a decision on the appeal.

#### **LEGAL AUTHORITY OF THE DISCIPLINARY PROCEDURE**

##### **§ 8**

- (1) The disciplinary procedure can be initiated by the rector.
- (2) The rector may transfer the authority defined in section (1) to one of the vice rectors.

##### **§ 9**

- (1) At first instance the disciplinary authority is vested in the disciplinary board.
- (2) At second instance the disciplinary authority is vested in the rector.

##### **§ 10**

- (1) Nobody who cannot be expected to handle the case in an unbiased manner should participate in exerting disciplinary authority. The student involved in the disciplinary procedure or his/her representative can put in a plea of prejudice.
- (2) The regulation on exclusion from disciplinary authority should also be applied to the person taking protocols.
- (3) The rector is entitled to make a decision on the issue of exclusion from disciplinary authority. He/she either allows the plea and appoints a new member or refuses it with a rector's order. No further legal remedy lies against the order within the University.

## § 11

(1) The University sets up a disciplinary board of lecturers and students. The number of members of the disciplinary board is defined by the Senate considering the legal requirement that the disciplinary board is made up of at least three members, and that at least one third of the members should be delegated by the students' government body. The chairperson of the body and its lecturer members are selected by the Senate, the student members are selected by students according to the procedure stipulated by the organisational and operational regulations of the students' government. The Senate may elect a vice chairperson in addition to the chairperson. If no deputy is elected and the chairperson is hindered in his actions a lecturer appointed by the chairperson acts in this capacity. In case of hindrance extending beyond two months the Senate elects a new chairperson.

(2) Each member of the disciplinary board has voting rights. In the proceedings of the disciplinary board – especially in cases defined in § 16 (1) of the Regulation – a legal councillor can also be involved as a consultant. In substantiated cases the chairperson of the board may mandate a two-member (one lecturer and one student) fact-finding committee.

(3) In the case of foreign citizen students the representative of the foreign students should also be involved with consultation rights.

(4) The protocol recorder of the board– who has no voting right – is delegated by the Student Secretariat. The Student Secretariat is responsible for the administration and filing of the disciplinary procedures.

### **III. DISCIPLINARY PROCEDURE**

#### **I. Initiation of a disciplinary procedure**

## § 12

(1) If the student is enrolled in a formal program of study at more than one institute of higher education, that institution is entitled to conduct a disciplinary procedure whose rules were violated by the student or which suffered damage as a result of the student's misconduct. In such a case the disciplinary board of the acting institution informs the other institution.

## § 13

(1) The disciplinary procedure is initiated on reporting or official notification.

(2) The disciplinary procedure is initiated by the rector along with the notification of the chairperson of the disciplinary board and the student involved.

(3) The order of the disciplinary procedure includes the name and address of the student and a short description of the offence in question.

(4) The disciplinary procedure should be initiated within 15 days of reporting or notification on the offence in question and – with the exception of those in sections §14 (2) and §15 (4) of the Regulation – should be completed within one month after initiation.

## **§ 14**

(1) If the substantiated suspicion of crime commitment arises during the disciplinary procedure, the rector reports is to the competent authority.

(2) If a penal procedure is going on against the person involved in the disciplinary procedure for the same offence, the disciplinary procedure should be suspended until the final and binding end of the penal procedure. The suspension of the disciplinary procedure interrupts outdating and the deadline defined in § 13 (4) of the Regulation.

(3) If the penal procedure or the graveness of the offence justifies and necessitates it, the student may be banned from entering the university premises and using the related services for the duration of the procedure. The disciplinary board is entitled to make a decision on the ban.

(4) If the disciplinary procedure does not end in expelling the student or in a ban of pursuing studies, the suspended student should be provided with opportunities to make up for the missed practicals and exams without any disadvantage.

## **2. Disciplinary hearing**

### **§ 15**

(1) If the student challenges the disciplinary offence laid to his charge or the disambiguation of the facts of the case makes it justified, a hearing should be held.

(2) The student under the procedure should be summoned in a written call, the witnesses and experts can be summoned in writing or orally (directly or by telephone). In the summons the name of the student under disciplinary procedure, the date and location of the disciplinary hearing and the reason of summoning should be declared. Those summoned should be requested to bring along their personal identity cards. The oral or telephone summoning should be recorded in the files.

(3) The student subjected to the disciplinary procedure should be warned in the summoning that he/she is entitled to submit his/her point in a written statement. The student must be given an opportunity to present his/her defence statement and evidence, and reference should be made to the possibility of contacting a legal councillor (legal representative) and that the unsubstantiated absence from the hearing fails to hamper the hearing and making the decision.

(4) If the student under disciplinary procedure is unable to appear at the hearing through no fault of his/her own, the disciplinary procedure is to be suspended until the cessation of the obstacle.

## **§ 16**

- (1) At the request of the student under disciplinary procedure a councillor (student, lecturer or legal representative) may participate in the proceedings.
- (2) The student and the councillor are entitled to
  - a) read the documents of the procedure
  - b) propose motions
  - c) pose questions to witnesses and experts.
- (3) The Head of the Student Secretariat and/or the competent students' secretary may be present as observers at the disciplinary procedure – except for passing the resolution. They should also be notified in advance of the date and the contents of the disciplinary procedure.

## **§ 17**

- (1) The proceedings are chaired by the chairperson of the disciplinary board. The chairperson supervises the compliance with the stipulations of the regulation, the preservation of order in the proceedings and takes care that all parties involved in the procedure exert their legitimate rights.
- (2) If the student subjected to disciplinary procedure fails to show up at the hearing despite the correct summon and fails to provide in advance any acceptable explanation for his/her absence, the hearing may be held in his/her absence. If the absence is substantiated with acceptable reasons in advance, the hearing may be adjourned on a single occasion for 8 working days at most. The change of the date has a delaying force on the procedural deadlines.

## **§ 18**

- (1) The disciplinary hearing is open to the public but the disciplinary board may ban the audience from entering the hearing or part of it for the sake of public interest or at the request of the student.
- (2) The chairperson of the disciplinary board checks the identity of those present and, if there is no obstacle to the hearing, calls the witnesses to leave the room. Thereafter the chairperson lists the facts forming the basis of the procedure. This is followed by hearing the student under the procedure.
- (3) During the hearing of the student under disciplinary procedure neither other students under the same procedure who have not yet given their statements nor witnesses are allowed to be present in the same room.
- (4) If the student under procedure admits the commitment of the disciplinary infringement at the hearing and the admission is beyond doubt, further verification may be dropped.
- (5) If further verification is necessary, the disciplinary board hears the witnesses and, if needed, the experts, and reads the contents of the collected documents to those present.

(6) The witness should be asked whether or not he/she is biased or has personal interest in the case, and he/she should be instructed on the duty of truthfulness and the legal ramifications of perjury.

(7) During the hearing of a witness no witnesses who have not yet given their statement should be present. If the statement of a witness is in contradiction to the plea of the student under the procedure or with other witnesses' statements, clearing of the contradiction should be attempted by confrontation.

### **§ 19**

(1) Minutes should be taken of the hearing or - at the request of the person under procedure or his/her authorised representative – a voice recording should be made. The minutes are signed by the chairperson of the board and the person in charge of taking minutes.

(2) The contents of the minutes should be read to the persons heard and they should sign the appropriate parts of the minutes after reading. The persons heard may ask for completion or amendment of the minutes. The eventual refusal to sign the minutes and its reason should be recorded in the minutes.

(3) The minutes should be added to the file of the case.

### **3. Disciplinary action**

#### **§ 20**

(1) The disciplinary board makes its decision by voting at a closed session following the evidence gathering procedure. At the closed meeting only the chairperson of the board, board members and the person taking minutes should be present.

(2) The decision can be either a disciplinary retribution or a resolution terminating the disciplinary procedure.

(3) The disciplinary board is obliged to base its decision exclusively on the evidence presented at the proceedings. Facts not proven beyond doubt should not be evaluated at the detriment of the student under the procedure. If the student's application for presenting his/her evidence was refused, the reason for the refusal should be laid down in the disciplinary resolution, except if the decision is that no disciplinary offence was committed by the student.

(4) In the introduction of the resolution the file number of the case, the disciplinary board which made the resolution, the name of the student under disciplinary procedure, the date and location of the hearing and whether or not the hearing was open should be recorded.

#### **§ 21**

(1) A resolution on punishment should be passed if the board finds that the student under

disciplinary procedure in fact committed an offence and this calls for a disciplinary punishment.

(2) The resolution on punishment should include the following details:

- a) name and personal data of the student under disciplinary procedure (ID card number, address, faculty),
- b) name of the disciplinary offence;
- c) the related disciplinary punishment;
- d) reference to the possibility and the fifteen-day deadline of submitting an appeal.

(3) The resolution declaring a punishment should include a succinct substantiation of the resolution:

- a) the established state of facts,
- b) name and evaluation of evidences,
- c) explanation of how the offence violated the rules of discipline and to what extent the student is responsible for it
- d) circumstances taken into consideration upon passing the punishment,
- e) reference to those regulations on which the disciplinary action was based.

## **§ 22**

(4) The disciplinary board passes a null and void resolution provided

- a) the deed is not a disciplinary offence or it was committed not by the student under procedure,
- b) no evidence supports the commitment of the disciplinary offence,
- c) the liability of the student cannot be established,
- d) the disciplinary offence became outdated,
- e) a final and binding disciplinary resolution has already been passed about the offence which prompted the procedure
- f) the disciplinary board passes a written reprimand instead of punishment.

(5) The null and void resolution should include the following:

- a) name and personal data of the student under the disciplinary procedure,
- b) name of the disciplinary offence which prompted the procedure,
- c) declaration that the disciplinary procedure is null and void,
- d) the reason of the resolution,
- e) reference to the passing of a written reprimand – if such resolution was passed,
- f) reference to the possibility of filing an appeal within fifteen days.

(6) In the explanatory part of the null and void resolution the established facts and evidences should be listed including the reasons which prompted the board to pass the null and void resolution and reference should be made to section (1) on which the resolution is based.

## **§ 23**

(1) The chairperson of the disciplinary board announces the resolution passed at the closed session.

- (2) During the announcement the operative part of the resolution passed at the closed meeting and the essence of the reasons behind the resolution should be delineated.
- (3) Following the announcement the chairperson of the disciplinary board calls the interested party to make a declaration on the appeal as defined in § 25 (2) of the Regulation. Following taking minutes of the declaration the chairperson closes the disciplinary procedure.
- (4) The disciplinary resolution should be posted to those affected but absent.

## **§ 24**

- (1) The resolution of the disciplinary board should be made available in writing within eight days of its declaration.
- (2) The written disciplinary resolution and a sufficient number of its copies are signed by the chairperson of the acting disciplinary board.
- (3) The resolution must be posted to the student under procedure and his/her councillor even if it was declared to them.
- (4) The disciplinary board must not change its declared resolution. Errors not associated with the essence of the resolution (name, number, calculation or other similar stipulations) may be corrected.

## **3. Legal remedies**

### **§ 25**

- (1) The student under the procedure or his/her councillor may file an appeal against the first instance disciplinary resolution.
- (2) Those who are present at the declaration of the resolution may announce the appeal instantaneously or may waive the right to appeal or may announce a deadline of consideration. In this latter case the deadline of the appeal is fifteen days following the postal delivery of the resolution. The appeal deadline may be extended by eight days on verifiable grounds.
- (3) The written appeal should be addressed to the rector, who is in charge of the disciplinary procedure at second instance, and be filed with the chairperson of the disciplinary board.
- (4) The appeal has a suspending effect on the execution of the first instance disciplinary resolution.

## § 26

- (1) The chairperson of the disciplinary board files the appeal and all the documents of the procedure with the appeal authority without delay after the expiry of the appeal deadline.
- (2) The appeal authority passes a resolution within thirty days following the filing of the appeal.
  - (3) In the course of judging the appeal the student must be heard at least once. If the student or his/her authorised representative fails to appear at the hearing in spite of repeated official summoning, the personal hearing can be omitted. The student or his/her authorised representative may submit his/her comments in writing asking for the personal hearing to be omitted.
- (4) The second instance authority of the disciplinary appeal may
  - a) endorse,
  - b) change
  - c) scrap the first instance resolution and order the first instance authority to proceed with a new procedure.
- (5) If the appeal was filed late or filed by a non-competent person, the appeal is refused by the second instance.
- (6) On the content and delivery of the second instance resolution §§ 20-23 of the Regulation apply. In the resolution the student should be informed of the possibility of legal remedy as defined in § 27 (4) of the Regulation. The resolution should be delivered according to § 28 of the Regulation.

## § 27

- (1) The disciplinary resolution can only be effected after it becomes legal and binding.
- (2) The first instance resolution becomes legal and binding on the day when,
  - a) those entitled to appeal declare that they do not intend to appeal or the appeal is withdrawn;
  - b) the deadline for appeal passes without filing an appeal.
- (3) The second instance resolution becomes legal and binding upon its declaration. The final and binding resolution can be executed unless a court procedure is sought.
- (4) The student may submit a complaint to court against the second instance resolution within 30 days following its declaration with reference to infringement of law or violation of the regulations related to student status. The student has to inform the institution of filing the complaint with the court by sending a copy of the submitted file.
- (5) If the student files the final and binding resolution with the court according to point (4), the University is bound to act according to the court ruling.
- (6) A clause should be inserted to the final and binding resolution that the resolution is

final and binding and executable and the date of its entering into legal force should be indicated.

(7) The final and binding resolution should be entered in the university registry and a copy be deposited with the personal file of the student.

(8) A foreign student participating in a state subsidized study program is entitled to fellowship and other benefits for one month at most after a the resolution on „expelling from the university” (§ 4 (1) e) of the Regulation) becomes legal and binding.

## **5. Handling of the final and binding disciplinary resolutions**

### **§ 28**

(1) If the first instance disciplinary resolution enters into force, the chairperson of the board sends the resolution to the rector.

(2) The second instance disciplinary resolution is sent by the rector directly to the chairperson of the disciplinary board.

(3) The chairperson of the disciplinary board takes measures through the Students' Secretariat to ensure that the final and binding resolution be delivered to each and every affected party and be recorded in the personal file of the student.

(4) The final and binding disciplinary resolution should be sent to all those administrative and support units which have tasks related to the implementation of the disciplinary resolution (benefit reduction, allowance reduction, in case of ban or exclusion: dismissal from the dormitory, etc). In the case of foreign students the final and binding disciplinary resolution should be sent to Márton Áron College in case of students in category „A/3”, and in the case of other foreign students to the Office of the Hungarian Fellowship Committee.

(5) If the student is supported by outside (non-university) fellowship and the extent of the grant is reduced by the disciplinary resolution then the resolution should be sent to the donor as well.

(6) The resolution is only allowed to be sent to other university or non-university institutions in addition to those listed under points (4) and (5), if official application is filed with the rector and the rector permits it with the simultaneous notification of the student. If the student is cleared from the disciplinary punishment, each unit which was informed of the resolution should be informed again.

## **6. Application for renewed procedure**

### **§ 29**

(1) If the final and binding resolution orders a disciplinary punishment as defined under sections §. 4 (1) c) - e) and (2) a) - b) of the Regulation, the student (the former student) may file an application for a renewed procedure. The application may extend exclusively to facts not discussed at the proceedings (new facts) and evidences (new evidences) not used in the previous procedure.

(2) The student may file his/her application for exemption to the disciplinary board acting in the first instance, the board is bound to refer the total documentation of the disciplinary procedure to the rector within 5 days.

(3) The application is judged by the vice rector for study affairs. Prior to the resolution, the vice rector is bound to hear the student in person, the student's failure to appear does not affect making a resolution. The resolution may be refusal of the application or exemption of the student from the disciplinary punishment. The refusal of the application can be appealed. The appeal is judged by the rector. There is no further legal remedy against the decision of the rector.

## **B. INDEMNIFICATION POLICY**

### **I. GENERAL REGULATIONS**

#### **General regulations on indemnification liability**

### **§ 30**

(1) The student who causes damage to the university, dormitory or to the organiser of his/her practical training in relation with fulfilment of his/her study obligations is liable to compensate for such damage.

(2) The extent of the liability may be as follows:

a) In case of negligent damage the student's liability is limited and its sum should not exceed 50 % of the amount of the minimum monthly salary valid on the day when the damage was done.

b) In case of intentional damage the student is liable to compensate for the full damage.

c) Full liability prevails for those items that the student took over with a receipt or return obligation and items that are in his/her custody, exclusive personal use or handling. The student is exempt from liability if the loss was caused by an unavoidable reason.

(3) The amount of the indemnification, the instalments and deadlines are defined by the leader of the first or second instance procedure.

## § 31

(1) If the student suffers damage in relation to his/her studies, his/her admission to the dormitory or during practical training, then the university, dormitory or those in charge of the practical training are liable to compensate for the damage, with the exception when there is evidence that the damage was a result of the unavoidable behaviour of the damaged student or if it was caused by unavoidable reasons beyond the control of those liable for indemnification.

(2) The stipulation of point (1) should be applied in the case when the damage to the student occurred at events organized by the University, dormitory or the organiser of a practical training session.

## § 32

In any other issues of material liabilities the liability rulings of the Civil Code apply.

## 2. Legal Authority for Indemnification

### § 33

(1) Legal authority for indemnification is exerted at first instance in the case of damage caused by a student to the University by the rector, at the dormitory by the director of the dormitory, in the library by the director of the library, respectively.

(2) The first instance indemnification resolution is counter-signed by an authorised official from the chancellor's office.

(3) At second instance the indemnification legal authority is exercised by the rector with the counter-signature of the financial manager.

(4) A resolution can be passed without hearing the student (simplified indemnification) in those cases when the student is bound to compensate for damages caused in the property taken over according to section § 30 (2) c) of the Regulation by paying a sum of money pre-defined in the university or dormitory regulations (e.g. lost library books, sports tools, dormitory appliances, etc.). However, in such cases the student may also use legal remedies.

(5) A simplified indemnification procedure can be applied in the case of damages not exceeding HUF 15,000 if the fact of the damage and its extent is accepted in a written record by the student.

(6) In cases of the damages to the student at the university or dormitory according to § 31 of the Regulation, those defined under points (1)-(3) decide at first and second instances.

(7) In indemnification cases a first instance resolution should be passed within 30 days after notification of the damage. In exceptional cases, if the deliberations call for it, the deadline may be extended by 15 days by the person in charge of the first instance resolution.

(8) The student must be notified about both the first and second instance indemnification resolution in writing.

## § 34

(1) If the student causes damage to his/her employer during his/her practical training as defined in § 30 (1) and (2) of the Regulation or suffers damage as defined in § 31 - in the absence of an agreement signed with the university organiser of the practical training - the manager of the employer decides about the indemnification according to the effective rules and the site-specific labour safety rules.

(2) The employer may seek the University's cooperation in connection with an indemnification claim via the vice rector for study affairs. If a student seeks help in a compensation case, the University provides support through its legal representative.

## II. BASIC RULES OF THE INDEMNIFICATION PROCESS

### 1. Reporting the claim and its judgement

## § 35

(1) About the damage caused by the student as defined by the present regulation – as long as it does not belong to those specified under section § 33 (4) of the Regulation – a document should be written at the site of the damage. This should be signed by the student causing the damage along with a statement which pronounces whether or not causing the damage was acknowledged and the liability is accepted or not. If the fact of causing the damage or its validity is disputed by the student, this should be recorded in the protocol. In the dormitory the written document of a damage is recorded by the person appointed by the director.

(2) The written record of the damage should be sent or handed over to the Students' Secretariat or in the dormitory to the director of the dormitory.

(3) In case of damages exceeding HUF 15,000 or if the student asks for it, the person in charge of the indemnification issues is bound to hear the student. Minutes must be taken at the hearing. The rector shall send documents of the damage inflicted and the hearing to the competent financial manager for opinion. The rector sends the resolution on compensation for damages for countersigning to the financial manager, as well.

(4) In the indemnification resolution the personal data of the student, the extent of the inflicted damage and the amount of compensation, as well as the eventual instalment payments should be recorded. In the supporting part the inflicted damage should be described in detail, the reasons for indemnification and the circumstances which were considered upon passing the resolution. At the same time the attention of the student should be called to the fact that he/she has a 15-day appeal deadline to the rector, which has a delaying effect, and which starts with the delivery of the resolution. The appeal should be filed with the Students' Secretariat and addressed to the rector. The vice rector for study affairs is to pass the complete file to the rector.

(5) The preparation and execution of a dormitory indemnification resolution – considering point (3) – follows the organisational and operational rules (SOP) of the

dormitory. In this case appeals - including all documents of the case - are filed with the rector by the director of the dormitory.

### § 36

(1) The student may apply for the compensation of damages incurred at the university according to § 31 of the Regulation to the vice rector of study affairs, or to the director of the dormitory for damages incurred at the dormitory, in a written application. In the application the damage, the circumstances of its occurrence and its estimated or – provided it is known – real value must be described in detail.

(2) The application is sent by the vice rector for study affairs for analysis, opinion and preparation of the response to the financial official of the Chancellor's Office. During the investigation the financial official and the competent students' secretary analyse the contents and circumstances of the application and put forward a proposal for a resolution. In the procedure the support of the internal audit department may be sought and a hearing of the applying student should be held. On the grounds of the investigation, the vice rector for study affairs delivers a decision with the counter-signature of the competent financial official. In the resolution the personal data of the applicant, the extent of the accepted indemnification and the reasons for its extent should be listed and the applicant's attention should be called to his/her right to file an appeal with the rector within a 15-day deadline.

(3) In the case of damages caused by the dormitory, the director (dormitory director) is to decide, but appeal should be filed with the rector in this case, too. The director (dormitory director) may ask for to the financial official's opinion. If the extent of the justified compensation claim exceeds the financial capacities of the dormitory, the director of the affected dormitory may ask the chancellor for compensation.

(4) At the practical training in case of damage afflicted by the employer, the claim is directly filed with the employer by the student. In drafting the claim he/she may ask for the support of the legal councillor of the university.

## 2. Legal remedy procedure

### § 37

(1) In damage compensation resolutions passed at the first instance against students and in resolutions for the compensation for damages suffered by the student the rector decides within 30 days of filing the appeals. In the course of judging the appeal the student must be heard at least once. If the student or his/her authorised representative fails to appear at the hearing in spite of repeated official summoning, then the personal hearing can be omitted. The student or his/her authorised representative may submit his/her comments in writing asking for the personal hearing to be omitted.

(2) The rector judges the appeal in consultation with the chancellor, but if needed, he/she may have experts involved and may hold hearings for those affected.

(3) The rector may leave the first instance resolution unchanged, he/she may change it or may order the chairperson of the first instance procedure to conduct a new procedure.

(4) If the appeal is overdue or is filed by a non-competent person, the rector turns the appeal down.

(5) As for the contents and communication of the second instance resolution § 35(4) and § 36(2) of the Regulation apply.

(6) In the indemnification procedure the attention of the student should be called to the fact that the final and binding resolution can be filed with a court within 30 days of its issue.

(7) The final and binding resolution can be executed with the exception if court revision was sought for. On filing the complaint with the court the student has to inform the institution by sending a copy of the submitted file.

### **3. Handling the final and binding indemnification resolutions**

#### **§ 38**

(1) The regulation of § 26 of the Regulation applies to the entering into force of the indemnification resolutions.

(2) The final and binding indemnification resolution should be sent by the authority in charge at the first instance procedure (i.e. the vice rector for study affairs or the dormitory director) to the rector and all other parties affected. The documents of the cases should be deposited with a 10-year deadline for scrapping.

(3) The final and binding indemnification resolution should be sent, in addition to the affected student, to that organisational unit where the damage occurred and to all those administration and financial units that have tasks associated with the collection or payment of the compensation or with the recording thereof.

(4) One copy of the indemnification resolution should be deposited with the personal file of the student.

## **CLOSING REGULATIONS**

### **§ 39**

- (1) The Senate of the University of Veterinary Science accepted the Disciplinary and Indemnification Regulation with its resolution No. 3/8/2015/2016 SZT.
- (2) This Regulation enters into force on the day following the decision of the Senate.
- (3) The stipulations of the Regulation should be applied following their coming into force to the ongoing procedures as well.

Budapest, 2016.

### **In the name of the University Senate:**

dr Battay Márton

Secretary of the University Senate

Dr Sótonyi Péter

Chairman of the University Senate