

Pursuant to Article 16 of the Statute of the International School for Social and Business Studies (No. 28/2011, hereinafter the Statute), the Senate of the ISSBS has, at its 53rd session on 19 September 2012, adopted

## **RULES ON DISCIPLINARY RESPONSIBILITY OF STUDENTS OF INTERNATIONAL SCHOOL FOR SOCIAL AND BUSINESS STUDIES**

### **I. General provisions**

#### Article 1

These Rules regulate disciplinary liability, violations of duties and obligations of students of the International School for Social and Business Studies (hereinafter ISSBS) and other participants in education at the ISSBS (hereinafter students) as well as the procedure for determining the disciplinary responsibility of students.

The Rules determine the authorities conducting disciplinary proceedings against ISSBS students, the powers of disciplinary authorities, violations, duties and non-compliance with student obligations, deadlines for conducting the proceedings, disciplinary measures that may be used by disciplinary authorities and legal remedies that may be used in proceedings before a second instance authority.

#### Article 2

In disciplinary proceedings under these Rules, the provisions of the General Administrative Procedure Act (the Official Gazette of the Republic of Slovenia, No. 24/06-ZUP-UPB2, 126/2007, 65/2008, 8/2010, hereinafter ZUP) shall apply *mutatis mutandis*.

According to these Rules, personal data of students shall be collected, processed and published for the needs of the disciplinary procedure in accordance with the principles and provisions of the Personal Data Protection Act (the Official Gazette of the Republic of Slovenia, No. 94/2007) and the Rules on the protection of personal and confidential data (Number: 1/2012-ZVOP). All persons involved in disciplinary proceedings have to act in accordance with the provisions of the cited acts.

#### Article 3

The terms used in these Rules, referring to persons and written in the masculine grammatical form, shall be used as neutral for both the female and male gender.

### **II. Breach of duties and non-compliance with obligations, and measures**

#### **Definition of disciplinary liability**

#### Article 4

For breach of duties and for non-compliance with obligations set out in these Rules and general acts of the ISSBS, students shall be liable in accordance with the applicable provisions of the legal acts of the ISSBS.

## **Definition of violations**

### Article 5

Under this Rules, breach of duties and non-compliance with obligations are classified as less serious or serious.

### Article 6

Less serious violations:

1. inappropriate behaviour that damages the reputation of the ISSBS,
2. inappropriate attitude towards other students, higher education teachers and staff and other employees at the ISSBS,
3. obstruction of other students in the educational process or in other work at the ISSBS.

### Article 7

Serious violations:

1. third and subsequent repetitions of less serious violations,
2. violations during the knowledge assessment process according to the provisions of the Rules on the examination and assessment of knowledge at the ISSBS:
  - a) violation of the examination rules,
  - b) taking the examination in place of a registered student,
  - c) plagiarism in the final works and written products of individual learning units, and the repeated or multiple submission of the same or largely identical written product (e.g. seminar work, report, etc.) in different subjects without the approval of subject holders,
  - d) unauthorised acquisition of examination papers and other materials intended to assess student knowledge, and the use or transmission of such materials to other individuals.
3. acts with elements of criminal offences under the Criminal Code:
  - a) unauthorised transmission, use and publication of research results,
  - b) falsification of official documents,
  - c) providing false information with the intention of unjustifiably benefitting oneself or others,
  - d) consumption of alcohol and drugs on the premises of the ISSBS,
  - e) damaging the property of the ISSBS, caused intentionally or due to gross negligence,
  - f) serious violations of public order on the premises of the ISSBS and on the premises or places where the educational process is carried out,
  - g) any act or omission of the act that might threaten the lives or health of students, higher education teachers and staff and other employees of the ISSBS,
  - h) other acts with elements of criminal offences under the Criminal Code of the Republic of Slovenia (the Official Gazette of the Republic of Slovenia, No. 55/08, KZ-1) that are prosecuted ex officio.

## **Disciplinary measures**

### Article 8

The following measures shall be imposed on a student for the violation referred to in Article 7:

1. warning,
2. reprimand,
3. temporary suspension from the ISSBS,
4. final expulsion from the ISSBS.

In the event of violations in the knowledge assessment procedure, according to the provisions of the Rules on the examination and assessment of knowledge at the ISSBS, the student is imposed the sanctions and disciplinary measures defined in these Rules.

In cases of violations related to assessment of knowledge according to the provisions of the Rules on examination and assessment at the ISSBS, the higher education teacher or a staff member shall impose a sanction related to examination and assessment (withdrawal of the examination paper and inability to continue the examination, as well as a negative grade, etc.) and submit a request for disciplinary proceedings to the Office of study affairs. The Dean, as first instance authority, shall decide on the possibility of initiating disciplinary proceedings on the basis of a request.

#### Article 9

A warning shall be issued to a student for less serious violations.

The pronounced warning measure is executed by serving a warning to the student.

#### Article 10

A reprimand shall be imposed to a student for serious violations.

The pronounced reprimand measure is executed by serving a reprimand to the student.

#### Article 11

A temporary suspension from the ISSBS may be imposed on a student for serious violations in the examination and knowledge assessment procedure in accordance with the provisions of the Rules on examination and assessment of knowledge at the ISSBS, for acts with elements of criminal offences under the Criminal Code and in the event that a reprimand has been imposed on the same student at least twice.

Temporary suspension may last from one to five years, depending on the gravity of the violation.

Final expulsion from the ISSBS shall be imposed on a student for serious violations (acts with elements of criminal offences under the Criminal Code) and if a measure of temporary suspension from the Faculty has already been imposed on him.

A decision by which participation in educational and research work at the ISSBS is prohibited for a certain period of time or permanently, is served to the student who has been expelled.

### **III. Disciplinary authorities**

#### Article 12

Disciplinary proceedings shall be conducted by the Dean of the ISSBS at first instance and by the Senate of the Faculty at second instance.

### **IV. Introduction of disciplinary proceedings**

#### **Request for initiation of proceedings**

#### Article 13

A written request for initiation of disciplinary proceedings may be submitted to the Dean by a higher education teacher or associate, a person employed at the Faculty, or a faculty student (hereinafter the initiator).

The procedure for establishing disciplinary responsibility can be initiated on the basis of the said request or a request from the Dean of the Faculty.

#### **Request to initiate the proceedings**

#### Article 14

The initiator shall serve the request for the initiation of disciplinary proceedings to the Dean.

The request has to be in writing and has to contain:

- the name(s) and surname and other personal data of the student against whom the procedure is initiated,
- a description of the act or omission which constitutes a breach of duties or non-compliance with obligations,
- a statement of any evidence and witnesses.

The student has to be notified of all actions related to the disciplinary proceedings taking place, from the moment of introduction of the request for conducting the proceedings.

### **V. Disciplinary proceedings at first instance**

#### Article 15

1. Disciplinary proceedings at first instance shall be carried out in the case of violations defined in Articles 6 and 7 of these Rules.
2. Disciplinary proceedings at first instance is conducted by the Dean of the faculty, who decides on the case on the basis of a request.

### **VI. Objection against the decision of the disciplinary authority at first instance**

#### Article 16

The student or the initiator may object to the decision issued by the disciplinary authority of first instance (the Dean) for the following reasons:

1. on the ground of substantial violation of the rules of disciplinary proceedings,
2. on the ground of erroneous or incomplete determination of the factual situation,

3. on the ground of erroneous application of material regulations.

An appeal may be lodged within fifteen days of receipt of the written revocation of the decision.

#### Article 17

The Senate of the ISSBS as second instance authority is competent to decide on an objection against first instance decision.

#### Article 18

The second instance disciplinary authority shall decide on this by a decision, either confirming or changing the decision of the first instance disciplinary authority, or annulling the procedure and returning it to the first instance disciplinary authority for reconsideration.

The second instance disciplinary authority has to decide no later than thirty days after having received the objection.

The decision of the disciplinary authority of second instance is final.

The student may initiate an administrative dispute in the competent court against the final decision of the second instance disciplinary authority within thirty days of the receipt of the written revocation of the decision.

### **VII. Revision of the proceedings**

#### Article 19

Disciplinary proceedings may be reopened for the following reasons:

1. if the student is denied the opportunity to participate in the procedure due to incorrect conduct of the procedure,
2. if the disciplinary decision is based on a false deposition of a participant,
3. if the disciplinary decision relies on a forged document or on a document certifying untrue content,
4. if a final decision on the violation has already been made,
5. if the disciplinary decision is based on a final decision of a court or other body, but this decision has been finally annulled,
6. if new facts become known, or a possibility to use new evidence on the basis of which a different decision would be issued in disciplinary proceedings is discovered or obtained,
7. if a member who should recuse himself participated in a decision-making process of the disciplinary commission.

#### Article 20

A motion for reopening the proceedings may be lodged by a student against whom disciplinary proceedings have been initiated, or by the initiator.

The motion for reopening the proceedings must state the reasons for which the reopening is requested, as well as the evidence that proves or should be carried out in order to establish the existing reason for the reopening of the procedure.

#### Article 21

The motion for reopening the proceedings can be lodged within thirty days from the date on which the beneficiary had learned of the reason for reopening the proceedings.

After the lapse of one year from the finality of the decision of the disciplinary commission, lodging a motion to reopen the proceedings is no longer possible.

### **VIII. Termination of the proceeding**

#### Article 22

Disciplinary proceedings may be terminated in the following cases:

1. if the limitation period for initiating and conducting the proceedings has expired,
2. if the initiator withdraws the request,
3. if the disciplinary authority finds:
  - the student has already been served a disciplinary measure for the same breach of duty and non-compliance with obligations, or
  - the student has been finally acquitted for the same breach of duty and non-compliance with obligations, or
  - that the student is not liable for breach of duty and non-compliance with obligations.

### **IX. Limitation of proceedings**

#### Article 23

The initiation of proceedings lapse within six months for less serious violations and within twelve months from the day on which the violation was established for serious violations.

Where the violation has the elements of a criminal offence, the limitation of initiation of proceedings is simultaneous with limitations of legal proceedings.

### **X. Records of disciplinary proceedings and documentation**

#### Article 24

The ISSBS is obliged to keep records of procedures and documentation issued on the basis of the provisions of these Rules.

### **XI. Transitional and final provisions**

#### Article 25

These rules shall enter into force on the day of their adoption by the Senate and shall be published in NOVIS - the higher education information system.

With the entry into force of these Rules, the Rules Number: 32/2011-Pr.disc.odg. from 26 October 2011 shall cease to be valid.

Date: 19. September 2012  
Number: 24/2012-Pr.disc.odg.

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Dean of ISSBS