



SEMMELWEIS UNIVERSITY

ORGANIZATIONAL AND OPERATIONAL REGULATIONS

PART III

STUDENT STANDARDS

CHAPTER III. 5

STUDENT DISCIPLINARY AND COMPENSATION REGULATIONS

BUDAPEST

2023

Contents

CHAPTER III.5. STUDENT DISCIPLINARY AND COMPENSATION REGULATIONS...	4
1.....	4
General Provisions	4
1. The Scope of the Regulation	4
<i>Article 1</i>	<i>4</i>
2.....	6
Detailed Provisions	6
1. Disciplinary Regulations	6
1.1. Disciplinary Liability	6
<i>Article 2</i>	<i>6</i>
1.2. Disciplinary sanctions, written warning	6
<i>Article 3</i>	<i>6</i>
<i>Article 4</i>	<i>6</i>
1.3. Disciplinary Procedure	7
<i>Article 5</i>	<i>7</i>
<i>Article 6</i>	<i>7</i>
<i>Article 7</i>	<i>7</i>
<i>Article 8</i>	<i>9</i>
<i>Article 9</i>	<i>10</i>
<i>Article 10</i>	<i>10</i>
<i>Article 11</i>	<i>11</i>
<i>Article 12</i>	<i>11</i>
<i>Article 13</i>	<i>11</i>
<i>Article 14</i>	<i>12</i>
<i>Article 15</i>	<i>12</i>
<i>Article 16</i>	<i>13</i>
<i>Article 17</i>	<i>13</i>
<i>Article 18</i>	<i>14</i>
<i>Article 19</i>	<i>15</i>
<i>Article 20</i>	<i>15</i>
<i>Article 21</i>	<i>15</i>
<i>Article 22</i>	<i>16</i>
2. Rules of Compensation	16
<i>Article 23</i>	<i>16</i>
<i>Article 24</i>	<i>17</i>
<i>Article 25</i>	<i>17</i>
2.2. The University’s liability for damages.....	17
<i>Article 26</i>	<i>17</i>

Semmelweis University Organizational and Operational Regulations – Part III. Student Standards – Chapter III.5. Student Disciplinary and Compensation Regulations

<i>Article 27</i>	18
<i>Article 28</i>	18
3.	18
Final provision	18
29. §	18

CHAPTER III.5. STUDENT DISCIPLINARY AND COMPENSATION REGULATIONS

Pursuant to Article 55 (5) of Act CCIV of 2011 on National Higher Education (hereinafter: Nftv), the Senate of Semmelweis University has adopted the following regulation regarding the investigation of students' disciplinary and compensation issues.

1.

General Provisions

1. The Scope of the Regulation

Article 1

- (1) Taking into account the provisions of the Regulations and the general limitation periods in force, the scope of the Regulations shall extend:
 - a) to all citizens of Semmelweis University, in particular to individuals studying at Semmelweis University and having a student status, including those whose status has been suspended or terminated (hereinafter: student), provided that there are reasonable grounds to suspect that during the period while they maintained a student status or prior to receiving their degree, they have committed a disciplinary offence by violating the obligations applicable to students laid down in the Student Standards, in the Code of Ethics or other internal university regulatory documents or in connection with the obligations laid down in these Regulations;
 - b) to any person who has suffered damage or injury in connection with a disciplinary offence under (2);
 - c) to persons or bodies involved in the implementation of the Regulations (e.g., committee member, witness, legal representative or expert).

- (2) A student commits a disciplinary offence, and therefore is subject to disciplinary procedure, if they
 - a) culpably, intentionally or with gross negligence, fail to comply with their obligations regarding their studies at the university, or with the essential obligations arising from their status as a student or resident of a dormitory;
 - b) intentionally or negligently commit an offence against the rules of Semmelweis University and the institutions operated by it, in particular, its libraries, sports facilities and dormitories, against the rules of participation at university events and the rules of procedure of other facilities, as well as against the internal rules of the organizer of the practical training, and thereby cause damage or harm, or their actions otherwise violate legislative or university regulations, policies or rules of procedure;
 - c) engage in conduct outside Semmelweis University which is incompatible with their student status, or they seriously damage or endanger the reputation of the University by their culpable conduct, or they commit a misdemeanor or a criminal offence.

- (3) In addition to the provisions of paragraph (2), a violation of the rules of ethics listed in the Code of Ethics may also give rise to disciplinary procedure, depending on the severity of the ethical misconduct.

Semmelweis University Organizational and Operational Regulations – Part III. Student Standards – Chapter III.5. Student Disciplinary and Compensation Regulations

- (4) The disciplinary authority shall have the right and the duty to decide whether a breach of obligation is material or a breach of regulations is serious, in accordance with the procedure laid down in the Regulations, with the assistance of the University's designated legal adviser.

2.

Detailed Provisions

1. Disciplinary Regulations

1.1. Disciplinary Liability

Article 2

- (1) If the Disciplinary Committee finds that a student has committed a disciplinary offence, it shall, having duly conducted a disciplinary procedure, impose a disciplinary sanction on the student by a written decision.
- (2) No disciplinary action may be taken against a student for any act or omission to which the regulations of the Student Standards impose a legal consequence, whether it is of academic nature or it is in connection with payment of fees, except in cases of plagiarism, violation of the order of accountability, or if the student's act also constitutes a misdemeanor or a criminal offence.
- (3) No disciplinary sanction shall be imposed on a student if it is proved during the disciplinary procedure that the student failed to perform their duties or breached their obligations because an instructor or other university employee who supervised them instructed them and/or the student did not realize, for an excusable reason, that such an instruction was contrary to legal or university regulations.
- (4) For the purposes of these regulations:
 - a) a student shall be considered to have committed a willful misconduct if the consequence of the act is wished or accepted;
 - b) a student shall be considered to have committed a negligent misconduct if the student foresees the consequences of their conduct but recklessly relies on the inevitability of the consequences or fails to foresee the harmful consequences of their conduct because they fail to exercise due care and attention.

1.2. Disciplinary sanctions, written warning

Article 3

The Disciplinary Committee shall decide on the imposition or non-imposition of disciplinary sanctions in accordance with Article 55 (1)-(3) of the Nftv., as well as considering the provisions of Article 4 (1) of the present Regulations.

Article 4

- (1) Instead of imposing a disciplinary sanction, concurrently with terminating the proceedings, the Disciplinary Committee shall apply a written warning as a non-disciplinary sanction if, in view of all the circumstances of the case – in particular the person of the student, the motive for the act and the manner in which it was committed – the disciplinary offence committed is of such gravity that the imposition of the mildest

disciplinary sanction is unnecessary and the warning is expected to be sufficiently educative.

- (2) The warning is an expression of disapproval by the Disciplinary Committee and a reminder to the student of the inappropriateness of their conduct. Furthermore, it is a reminder that they must refrain from any future action that may lead to further disciplinary procedure.

1.3. Disciplinary Procedure

1.3.1. Disciplinary bodies

Article 5

- (1) Disciplinary powers in the first instance shall be exercised by disciplinary committees, established by the Senate, at the faculties of the university in matters concerning students of the relevant faculty, and at the Doctoral School in matters concerning doctoral students (hereinafter: Disciplinary Committee). The provisions of the Faculty Rules of Procedure, drafted and adopted in accordance with these Regulations and the model rules of procedure annexed hereto, including standard and specific Faculty rules, shall apply for the conduct of disciplinary procedures.
- (2) The Disciplinary Committee shall constitute a quorum if more than half of its members are present, at least one of whom shall be a lecturer. The Disciplinary Committee shall take its decisions by a unanimous vote of the majority of its members present, with the Chairperson having the casting vote in the event of a tie.
- (3) In the second instance, disciplinary powers shall be exercised by the Review Committee as defined in Chapter III.7 of the Organizational and Operational Regulations.

Article 6

At any stage of the procedure, any conflict of interest of the members of the Disciplinary Committee and the minute-taker shall be examined and, if a conflict of interest arises, it shall be dealt with in accordance with the university's rules on conflict of interest in effect at the time the procedure was initiated. The procedure shall be suspended until a new member is elected.

1.3.2. Initiation of disciplinary procedure, jurisdiction and competence

Article 7

- (1) Disciplinary procedures may be initiated upon a report received or on the basis of official information, if there are grounds to believe that the conditions for imposing a disciplinary sanction exist.
- (2) Disciplinary procedures shall be ordered by the Chairperson of a Faculty Ethics and Disciplinary Committee on the initiative of the Dean of the Faculty concerned or the

Semmelweis University Organizational and Operational Regulations – Part III. Student Standards – Chapter III.5. Student Disciplinary and Compensation Regulations

Chairperson of the Doctoral Council, based on the information and evidence brought to their attention, on the basis of the official information obtained pursuant to (1).

- (3) If the Dean of the Faculty concerned, the Chair of the Doctoral Council or the Chair of the Faculty Ethics and Disciplinary Committee is prevented from attending, the designated deputy shall be entitled to exercise the rights granted in these Regulations.
- (4) If the student has a student status at more than one higher education institution, or studies at more than one faculty within Semmelweis University (within the framework of parallel training or guest student status), the institution or faculty for which the student has breached their obligations or to against which the act was committed shall be competent to conduct the disciplinary procedure. In such a case, the Disciplinary Committee of the faculty in charge shall notify the other faculty about the initiation of the procedure.
- (5) The measure ordering disciplinary procedure shall contain the name, Neptun code, address, faculty, mode of study, year or doctoral program of the student who is subject to disciplinary procedure, as well as a brief description of the act on which the procedure is based.
- (6) The person ordering the disciplinary procedure shall notify the student about the disciplinary procedure at the same time as the order for disciplinary procedure is sent to the student, with the content specified in paragraph (5).
- (7) During the disciplinary procedure, the student may be delivered relevant documents (e.g., notice of initiation, summons, decision) the following ways:
 - a) by personal delivery;
 - b) by an upload to the student's Neptun repository;
 - c) by e-mail to the official university e-mail address of the student;
 - d) by postal service;
 - e) electronically, to the official contact details of the university under the E-Administration Act, if available;which of a) to e) shall be deemed to be proper delivery for legal purposes.
- (8) It is the obligation of the student to regularly and properly use their official University e-mail account/address provided by the University at the time of the establishment of the student status for the purpose of communication with the University.
- (9) The Chairperson of the Disciplinary Committee shall convene the Disciplinary Committee within 10 days of the receipt of a report, or it was initiated by the Dean of the Faculty or the Chairperson of the Doctoral Council, and shall initiate the procedure, unless the Chairperson finds that the initiation of the procedure is in violation of Article 55 (4) of Nftv. because one month has elapsed since they became aware of the misconduct or five months since the misconduct was committed. For the purposes of these provisions, becoming aware of the disciplinary offence means that the circumstances giving rise to the disciplinary procedure come to the knowledge of the person entitled to initiate them. If the limitation period already expired, the student who

was notified about the decision on the initiated procedure shall be informed of this without delay.

1.3.3. The disciplinary hearing

Article 8

- (1) The hearing shall be held at a Disciplinary Committee meeting, the date of which shall be set by the Chairperson of the Disciplinary Committee. If it is necessary to clarify the facts, more than one disciplinary hearing may be held.
- (2) The Chairperson of the Disciplinary Committee shall notify the student subject to the procedure about the location and date of the disciplinary hearing by sending a written notification at least 10 days before the hearing, and other persons to be heard (witnesses, experts) at least 3 days before the hearing. The legal adviser appointed by the Director General of Legal and Administrative Affairs shall be invited to the disciplinary hearing by sending the case file to the e-mail address bizalmas.jog@semmelweis.hu.
- (3) The notification shall state the name of the Disciplinary Committee, the case number, the subject of the case, the language of the procedure (in the case of a student in a foreign language program, the language of the program and Hungarian), the date and location of the hearing, and the issue on which and the capacity in which the Committee intends to hear the person notified. The person notified shall be asked to bring with them a photographic document suitable for proving their identity and shall be informed of the provisions of paragraphs 3(a) and (b) and 4 to 6. The notification shall draw the attention of the student subject to the procedure to the following:
 - a) the possibility to have legal representation,
 - b) the option to submit their observations or defense in writing or the option to miss being heard in person provided that their absence through no fault of their own does not prevent the hearing from being held or the decision from being made.
- (4) The Chairperson of the Disciplinary Committee shall, upon specific request, issue to the student member(s) of the Committee or to the student or person heard in the procedure, a certificate of attendance at the hearing to justify their absence from other obligations due to the hearing.
- (5) The Disciplinary Committee shall give the student the opportunity to be heard in person at least once. If the student fails to appear at the meeting of the Committee despite having been duly notified, the personal hearing may be waived, the hearing may be held and a decision may be made even if the student has not specifically requested that the personal hearing be waived.
- (6) If the student fails to provide a statement, either in writing or in person, to the request of the Disciplinary Committee, or fails to provide the requested information, the Disciplinary Committee shall make its decision based on the information available. The student shall be cautioned about this in the written notification of the hearing.

- (7) The student shall be informed about the fact that their written or verbal confession covering all relevant circumstances of the case, may be used as a mitigating circumstance for the imposition of the penalty.

Article 9

- (1) If the disciplinary procedure gives rise to a reasonable suspicion of an offence or a criminal offence, the Chairperson of the Disciplinary Committee shall inform the Directorate General of Legal and Administrative Affairs in writing, which shall decide whether to submit a criminal report.
- (2) If the procedure has been initiated for an offence under Article 1(2)(b), the Disciplinary Committee may, at any stage of the disciplinary procedure, inform the relevant establishment or event, or the coordinator of the clinical training concerned about the stages of the procedure, and – as an interim measure – may propose the application of the house policy, rules of procedure or rules applicable to infringements of the rules (a ban, suspension or other justified and proportionate legal sanctions).
- (3) The Disciplinary Committee may suspend the disciplinary procedure until the final termination of the criminal proceedings, or may continue the procedure without regard to the criminal report, in accordance with paragraph 4.
- (4) If a student subject to disciplinary procedure is also subject to criminal proceedings for the same act or a part thereof, the disciplinary procedure need not be suspended but may be continued before the final outcome of the criminal proceedings, with the condition that the facts of the disciplinary procedure, including all necessary details, can be dutifully clarified during the disciplinary procedure, outside the criminal proceedings.
- (5) If, for reasons beyond the control of the student, it is not possible for the student to be heard in person in the disciplinary procedure, nor are they able to make a written statement, and for this reason their student status is suspended, the disciplinary procedure shall be suspended for the semester at the most.
- (6) The suspension of disciplinary procedure shall be recorded in the student's basic data in the Neptun system. The procedure shall be continued when the student reactivates their student status. In such a procedure, the Committee may decide to terminate the procedure, taking into account the seriousness of the case and the time elapsed. If the student fails to activate their status and their student status is terminated, the provisions of Article 18(3) on the discontinuation of the procedure shall apply, with the period of suspension being counted as part of the 5-year time limit.

Article 10

- (1) The student subject to the procedure and the legal representative authorized to represent them in the procedure are entitled to:
- a) access to the procedural files;
 - b) make motions and comments;
 - c) ask questions to the witness(es) or expert(s);
 - d) put forward a related defense;
 - e) be present for the entire duration of the disciplinary hearing.

- (2) If a student's request to present evidence is rejected by the Committee, the reasons for rejection shall be stated in the disciplinary decision at the latest, unless it is established that the student has not committed a disciplinary offence.

Article 11

- (1) The facts shall be clarified in the course of a disciplinary procedure.
- (2) Preparations for the hearing of the disciplinary procedure shall be carried out by the Chairperson of the Disciplinary Committee or by a member of the Committee appointed by the Chairperson based on the documents available. If the complexity of the disciplinary case so warrants, they shall also carry out the necessary search for and collection of evidence before the disciplinary hearing. The evidence shall be recorded by any appropriate means and shall be attached to the file.
- (3) At the hearing, the Disciplinary Committee may hear anyone who may have knowledge of the fact or circumstances to be proved as a witness. Those to be heard as a witness shall be summoned by the Disciplinary Committee in accordance with Article 8 (2)–(3).
- (4) The Disciplinary Committee shall employ an expert if special expertise is required to establish or assess a fact to be proved. The expert shall have the duty and the right to obtain all the information necessary for the performance of their task. The expert shall give his opinion orally at the disciplinary hearing or submit it in writing to the Disciplinary Committee.

Article 12

- (1) The disciplinary hearing shall be presided over by the Chairperson of the Disciplinary Committee (hereinafter: the Chairperson). The Chairperson shall designate the minute-taker.
- (2) If the Chairperson is prevented from chairing the Disciplinary Committee, the other teaching member of the Disciplinary Committee shall act as Chairperson.

Article 13

- (1) Disciplinary hearing sessions are closed. Before the hearing starts, the minute-taker starts an audio recording in order to compile the hearing records, by stating the case, the time and the location of the hearing. All acts necessary to clarify the facts of the hearing (e.g. hearing, confrontation, reading of documentary evidence, presentation of physical evidence) must be recorded on the audio tape.
- (2) The Chairperson shall establish whether there is a quorum and whether there are any obstacles to the hearing, and, after taking the attendance count, shall open the hearing and call the witnesses to leave the room. The Chairperson shall then present the facts and evidence on which the disciplinary hearing is based.

Semmelweis University Organizational and Operational Regulations – Part III. Student Standards – Chapter III.5. Student Disciplinary and Compensation Regulations

- (3) The Disciplinary Committee will then hear the student under investigation. At the beginning of the hearing
 - a) the student shall be identified by reading out the details, such as the identification number and personal data in the photo-ID, for the hearing records;
 - b) the student shall be informed that they may refuse to make a declaration, and shall be reminded of their obligation to keep their declaration truthful.
- (4) The student subject to the proceedings shall be given the opportunity to present their defense without interruption and to submit a motion for presenting evidence.
- (5) Witnesses who have not yet been heard may not be present during the hearing of the student or other witnesses.

Article 14

- (1) If the student under investigation admits the disciplinary offence at the hearing and there is no doubt about their admission, the hearing shall be held only to clarify the circumstances.
- (2) If the student who is subject to the disciplinary procedure does not accept responsibility, an evidentiary procedure will be required.
- (3) During evidentiary hearing, the Disciplinary Committee will hear the witness(es) and, if necessary, the expert(s), and present the evidence obtained (e.g., paper-based or electronic documentation, visual, audio or other physical evidence).
- (4) At the beginning of the hearing, the identity of the witness or expert shall be established the same way as indicated in Article 13 (3)(a). The witness or expert shall be asked whether they are interested or biased in the case, reminded of their obligation to tell the truth, and cautioned of the criminal consequences of perjury or false expert opinion.
- (5) During the hearing of a witness, a witness who has not yet been heard may not be present. If a witness testimony contradicts the defense of the student subject to the disciplinary procedure or the testimony of other witness(es), an attempt shall be made to clarify this, by confrontation, if necessary.
- (6) During a hearing of several experts, the provisions of paragraph 5 shall apply *mutatis mutandis* to the testimony of the experts.

Article 15

- (1) The structure of the model rules of procedure available in the Repository shall be observed when the hearing records are drawn up. The records shall be signed by the Chairperson, the members of the Disciplinary Committee and the minute-taker.
- (2) The hearing records shall be drawn up based on the audio recording of the hearing, which shall be destroyed after the authentication of the records. The records shall be

authenticated by the minute-taker, the Chairperson of the committee and a student member.

- (3) If the Disciplinary Committee holds a further hearing to clarify the facts, this fact shall be recorded in the records.
- (4) The date(s) of the further hearing(s) shall be set taking into account, as far as possible, the student's academic obligations.
- (5) The hearing records and the evidence submitted during the procedure shall be attached to the disciplinary procedure files.

1.3.4. Decision of the Disciplinary Committee

Article 16

- (1) The Disciplinary Committee shall take its decision in closed session, after a concluded evidentiary procedure, within 15 days of the end of the hearing. Only the Chairperson and members of the Disciplinary Committee, the minute-taker and the University's designated legal adviser may be present at the closed meeting. The meeting shall not be audio-recorded and the decision shall be recorded in writing.
- (2) The decision may either impose a disciplinary penalty or terminate disciplinary procedure.
- (3) The Disciplinary Committee may base its decision only on what was said at the disciplinary hearing and on any evidence directly examined. Facts which are not proven beyond reasonable doubt may not be assessed against the student subject to the disciplinary procedure.
- (4) The decision shall state the case number, the name and details of the student against whom disciplinary procedure has been ordered, the location and date of the disciplinary hearing, and the name of the disciplinary committee of the competent Faculty of the University or the disciplinary committee of the Doctoral School which made the decision.

Article 17

- (1) The Disciplinary Committee shall take a decision imposing disciplinary sanction if the Disciplinary Committee finds that the student under investigation has committed a disciplinary offence and that a disciplinary sanction is therefore justified.
- (2) The content of the decision imposing the penalty
A/ Operative part:
 - a) the name and other personal details of the student who has been disciplined (date and place of birth, permanent (and temporary) address, year of studies, name of the study program, specialization, if the student has one and Neptun code);
 - b) statement that the student has committed a disciplinary offence;

Semmelweis University Organizational and Operational Regulations – Part III. Student Standards – Chapter III.5. Student Disciplinary and Compensation Regulations

- c) the statement of the disciplinary offence;
- d) the disciplinary sanction imposed and other provisions relating to it (with reference to legislation or regulations);
- e) a call informing about redress (with reference to legislation or regulations).

B/ Statement of Reasons:

- a) the facts established;
- b) the list and assessment of evidence;
- c) the rejected motions for evidence and reasons for their rejection;
- d) an explanation of whether the act or omission committed constitutes a culpable and serious breach of the student's obligations (with reference to legislation or regulations) and the degree of culpability of the student;
- e) the mitigating and aggravating circumstances taken into account when imposing the sanction, if any, or a finding that there were no such circumstances.

Article 18

- (1) The Disciplinary Committee shall issue a decision terminating the proceedings if:
 - a) the act committed is not a disciplinary offence or was not committed by the student being prosecuted;
 - b) the disciplinary offence cannot be proved or has not been proved;
 - c) the student's culpability cannot be established or proven;
 - d) the initiation of the disciplinary procedure is barred by the statute of limitations under Article 55 (4) of the Nftv, or the procedure should not have commenced for any other reason, immediately after this fact becomes established;
 - e) the culpable act which is the subject of the disciplinary procedure has already been legally adjudicated on by a disciplinary authority, immediately after this fact becomes known;
 - f) the Disciplinary Committee decides to give the student a written warning instead of a sanction;
 - g) the procedure has been interrupted due to termination of the student's student status: five years after interruption of procedure if the student has not established a new student status with the university within five years.
- (2) The Decision on Termination shall, in the Statement of Reasons, briefly state the facts and evidence established in the course of the procedure, the reasons on the basis of which the Disciplinary Committee decided to terminate the procedure, and shall refer to the point in (1) on which serves as the basis for the termination of disciplinary procedure.
- (3) The disciplinary procedure is discontinued without decision-making if the student's student status is terminated during the procedure. This shall be recorded in the student's basic data in the Neptun system. A discontinued procedure shall be resumed if the student re-enters the university within five years, for any course. Otherwise, the procedure shall be as set out in paragraph (1)g). In proceedings thus conducted, the Committee may decide to terminate the procedure, taking into account the seriousness of the case and the time elapsed.

Article 19

- (1) The Chairperson of the Disciplinary Committee shall communicate the decision taken at the meeting to the student subject to the proceedings in writing or, in the case of the participation of a legal representative, to the legal representative, within 15 days of the decision. At the same time, the decision shall be sent to the Director General of Legal and Administrative Affairs, the Dean of the Faculty concerned or the President of the University Doctoral Council and the decision shall be recorded in Neptun for a period of 5 years.
- (2) All documents of the disciplinary procedure shall be kept, subject to the limitations set out in (1), until the final conclusion of the disciplinary case, or, if the decision imposed a penalty, until the execution of the penalty. Then the documents shall be destroyed in accordance with the rules of the University's Records Management Regulations.

Special provisions concerning procedures for students in a foreign language program

Article 20

- (1) The hearings are conducted in Hungarian and the in the language of the student's training, with continuous bilingual interpreting. An interpreter shall be provided for the hearing by the Institute of Languages for Specific Purposes.
- (2) All documents of the procedure (e.g., notifications, decisions, minutes) shall be drafted in Hungarian and in the language of the training in synchronous editing. The Department of Education Management shall ensure this by sending the Hungarian documents to the Directorate General of Legal and Administrative Affairs for comment and then to the Institute of Languages for Specific Purposes for translation into a foreign language.
- (3) The decision is properly served when, translated into the language of the training, it is served on the student or the student's legal representative.
- (4) The 15-day deadline for notification of the decision, set out in Article 19, is extended by 7 days in the case of students participating in a foreign language program.

Article 21

- (1) Students subject to disciplinary procedure may appeal against the decision of the first instance in person or through a legal representative.
- (2) The right to appeal may be waived or an appeal may be lodged within 15 days of the date of notification of the decision.
- (3) Appeals shall be submitted in writing to the Review Committee and addressed to the relevant Dean's Office or the Doctoral School.
- (4) The appeal has a suspensive effect on the implementation of the decision.

Article 22

- (1) The chairman of the Disciplinary Committee shall immediately forward the appeal and the documents produced in the proceedings to the chairman of the Review Committee.
- (2) The Review Committee may take the following decisions on the appeal:
 - a) reject the appeal;
 - b) instruct the person who failed to take a decision to take a decision;
 - c) overturn the decision;
 - d) annul the decision and order the first-instance disciplinary authority to conduct a new procedure.
- (3) The rules for a second-instance procedure are set out in the Regulations on student appeals.

2. Rules of Compensation

2.1. Students' liability for damages

Article 23.

- (1) For the purposes of these Regulations, damage is defined as a loss of value, loss of property benefit and the cost necessary to compensate for the loss of property (justified costs) incurred by Semmelweis University as a result of the student's unlawful and wrongful conduct (action or omission).
- (2) If the student unlawfully causes damage to the higher education institution or the institution as set out in Article 1 (2)b), or to the organizer of an event or practical training – pursuant to the derogation as set out in Article 56 of the Nftv. – the student shall be liable in accordance with the rules of the Civil Code (hereinafter: the Civil Code).
- (3) The University must prove the student's culpability, the fact of the damage, the extent of the damage and the causal link, with the student's culpability being established by a committee competent for disciplinary procedures, with the provision that the amount of the damage shall not be determined by the Disciplinary Committee.
- (4) The fact and extent of the damage shall be determined by the Directorate of Security Management, acting under the authority of the Security Management Regulations Chapter V Security and Law Enforcement Regulations.
- (5) In the event of a disciplinary decision imposing a penalty, the student is liable to pay the compensation.
- (6) The disciplinary decision imposing a penalty shall be sent to the head of the department affected by the damage, and to the Directorate General of Financial Management, in addition to those mentioned in Articles (19)-(20).

Article 24

- (1) Immediately after a damage is discovered, visual and audio recording, as well as report to document the circumstances of the damage, the damage caused, the details provided by witnesses and statements they made and other circumstances must be made in the presence of the student and two witnesses not involved in the case, if possible.
- (2) The report and other documentation shall be compiled by the Directorate of Security Management on the basis of the report and data provided by the university department affected by the damage.
- (3) If the student disputes the content of the report, the minute-taker must indicate this in the reports, together with the points made by the student, at the student's request. The dissenting opinion shall be brought to the attention of the student orally and the fact of the call shall be recorded in the report before it is signed.
- (4) The student involved in the damage must sign the report and declare whether they acknowledge the damage and agree to pay the compensation. The student's declaration shall also be recorded separately in the report.
- (5) If the student refuses to sign the report, the fact must be recorded in the report. The report shall be authenticated by the signatures of the officer and the two witnesses.
- (6) The record of the damage shall be sent to the Chairperson of the Disciplinary Committee immediately after the report has been made.

Article 25

- (1) The Directorate of Security Management shall notify the Directorate of Litigation of the Directorate General of Legal and Administrative Affairs (hereinafter: Directorate of Litigation) as well as the organizational unit affected by the damage by sending the report, and if the student acknowledges their liability for damages and does not contest the amount of the compensation, the Directorate of Litigation shall issue a written request to the student to pay the compensation.
- (2) If the student disputes the amount of the compensation, further proceedings to recover the damage will be conducted by the Directorate of Litigation.

2.2. The University's liability for damages

Article 26

- (1) If a student suffers damage, in the manner provided for in Article 56 (4) of the Nftv., the student may submit a claim for compensation to the Directorate of Litigation. The application for compensation shall include, in addition to the student's details, a detailed description of the facts of the case supported by witnesses and/or evidence, and the amount of the claim for compensation expressed in HUF.

- (2) The Directorate of Litigation, with the approval of the committing party, decides at its own discretion on the student's claim for compensation.

Article 27

- (1) In the case of damage to the student, a report of the damage shall be made immediately, as specified in Article 23.
- (2) When determining the amount of the damage, if an item has been damaged, the cost of repair and the depreciation remaining despite the repair must be taken into account.
- (3) If an item has been destroyed, rendered unusable or has been lost, the market price at the time of the damage shall be taken into account; if this cannot be determined, the acquisition value minus the depreciation value shall prevail.
- (4) The damage shall be compensated in the means of payment, unless the circumstances justify compensation in kind (repair or replacement).

Article 28

If a student participating in a foreign language program is involved in a procedure, with regard to section 2. Detailed Provisions of these Regulations, the rules of Article 20 shall apply to the documents (records, notifications, decisions) drawn up in the course of the procedure, and the student shall be entitled to use the language of their program during the procedure.

3. Final provision

29. §

- (1) With regard to matters not regulated in these Regulations, the regulations of the University in force at the time, in particular the Study and Examination Regulations, the Neptun Regulations, the Regulations on Conflicts of Interest, as well as the relevant provisions of Act CCIV of 2011 on National Higher Education and Section V of 2013 on the Civil Code shall prevail.