

UNIVERSITY OF KRAGUJEVAC  
FACULTY OF MEDICAL SCIENCES  
Faculty Council  
Number: 01-682/8  
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Kragujevac

In accordance with the provisions of Article 63 and the provisions of Article 108, paragraph 4 of the Law on Higher Education ('Official Gazette of the RS', No. 88/17, 27/18 - another law, 73/18, 67/19, 6/20 - another law, 11/21 - authentic interpretation, 67/21, and 67/21 - another law) and Article 32, paragraph 1, item 17 of the Statute of the Faculty of Medical Sciences in Kragujevac, the Council of the Faculty of Medical Sciences in Kragujevac, at its session held on February 8, 2023, adopted

## **REGULATIONS ON DISCIPLINARY RESPONSIBILITY OF STUDENTS AT THE FACULTY OF MEDICAL SCIENCES**

### **GENERAL PROVISIONS**

#### **Subject of the Regulations**

##### **Article 1**

The Regulations on Disciplinary Responsibility of Students at the Faculty of Medical Sciences in Kragujevac (hereinafter referred to as the Regulations) establish the obligations of students at the Faculty of Medical Sciences in Kragujevac (hereinafter: the Faculty), minor and major disciplinary offenses, disciplinary measures, competent disciplinary bodies, and the rules of the disciplinary procedure in which decisions are made regarding the existence of a disciplinary offense and the imposition of disciplinary measures.

##### **Definition of a Student**

##### **Article 2**

A student, in terms of this Regulation, is a domestic or foreign national enrolled in a study program conducted at the Faculty.

A student referred to in paragraph 1 of this Article also includes a student on exchange within mobility programs, as well as participants of continuous professional development, lifelong learning, and short study programs.

## **DUTIES AND OBLIGATIONS OF A STUDENT**

### **Article 3**

By enrolling in a study program, a student is obliged to adhere to the regulations established by the Law on Higher Education, the Statute, and general acts of the University and the Faculty, to preserve the reputation and respect the rights of employees and students at the Faculty, to observe the prescribed discipline as well as the usual rules of behavior within the university academic community.

### **Article 4**

A student is subject to disciplinary and material responsibility to the Faculty.

Disciplinary responsibility is the responsibility of a student for violating the rules of behavior and obligations provided by these Regulations.

Material responsibility is the responsibility for damage caused by the student to the Faculty.

A student who violates the rules of behavior and obligations is subject to disciplinary action, and if at the same time they cause material damage to the Faculty, they are subject to both disciplinary and material responsibility.

A student is responsible for the violation of an obligation that was established by this Regulation at the time of the commission.

## **Compensation for material damage**

### **Article 5**

The student is obligated to compensate for the material damage caused to the Faculty in accordance with the rules on damages prescribed by the Law on Obligatory Relations.

# **RELATIONSHIP BETWEEN DISCIPLINARY VIOLATION, CRIMINAL OFFENSE, AND MISDEMEANOR**

## **Article 6**

A legally binding determination of responsibility for a disciplinary violation that constitutes a criminal offense or misdemeanor does not exclude the possibility of initiating criminal or misdemeanor proceedings.

Disciplinary bodies are bound by a legally binding court decision regarding the existence of a criminal act and the guilt of the perpetrator.

Disciplinary bodies may suspend the disciplinary proceedings until the conclusion of the criminal proceedings for the act referred to in paragraph 1 of this Article.

The provisions of paragraphs 2 and 3 of this Article are correspondingly applied to a decision made in misdemeanor proceedings.

## **DISCIPLINARY OFFENSES**

### **Definition of a Disciplinary Offense**

## **Article 7**

A disciplinary offense is an active or passive behavior of a student that constitutes minor or severe disciplinary offenses determined by this Regulation.

### **Types of Disciplinary Offenses**

## **Article 8**

A disciplinary offense can be minor or severe.

### **Minor Disciplinary Offenses**

## **Article 9**

Minor disciplinary offenses include:

1. Disrupting order during lectures, tutorials, exams, and other forms of the educational process;

2. Disrupting order at non-educational gatherings (ceremonies, forums, round tables, panel discussions, etc.) organized in the premises of the Faculty, which are not considered as severe disciplinary offenses;
3. Intentionally causing material damage to the Faculty's assets, if the damage does not exceed the monetary value of 10,000.00 dinars;
4. Inappropriate behavior and insulting teachers, associates, and other employees, students, as well as other persons present in the premises of the Faculty;
5. Non-compliance with the regulations on safety and protection at work that have not caused consequences endangering life and health and the destruction or damage of property.

## **Severe Disciplinary Offenses**

### **Article 10**

Severe disciplinary offenses include:

- 1) Political, party, and religious organizing and acting at the Faculty;
- 2) Preventing or obstructing the conduct of teaching (in lectures, tutorials, colloquiums, laboratory exercises, exams, and other forms of teaching);
- 3) Alteration of data in public documents and certificates issued by the Faculty
- 4) Alteration or addition of data in records kept by the Faculty;
- 5) Forging grades, ECTS points, signatures, seals, etc.;
- 6) Providing false information about oneself to obtain privileges;
- 7) Organizing a boycott of teaching or participating in it;
- 8) The student's attendance at all forms of teaching, or at the Faculty, in an intoxicated state or under the influence of psychoactive substances;
- 9) Use or inducing others to use alcohol or narcotic drugs within the Faculty premises;
- 10) Provoking a fight or participating in a fight in the premises or courtyard of the Faculty;
- 11) Sexual harassment of students, employees, as well as other persons present in the Faculty premises, which specifically includes, but is not limited to:
  - Any unwanted verbal, non-verbal, or physical act of a sexual nature that aims or results in the violation of personal dignity, demeaning based on sex, gender, or sexual orientation;
  - Behavior that endangers bodily integrity, mental health, or tranquility, or causes material damage to a person, as well as serious threats of such behavior, which prevents or limits an individual from enjoying rights and freedoms on the basis of gender equality;
- 12) Inciting violence and improper behavior such as:
  - Violently throwing objects within the Faculty building;
  - Bringing in symbols that insult national, racial, religious, or other sentiments or otherwise incite hatred or intolerance;
  - Unauthorized entry into the Faculty's official premises;

- Bringing in or using pyrotechnic devices and other objects and means that could endanger the safety of students and staff at the Faculty or disrupt the course of teaching;
  - Setting objects on fire, other similar violent or improper behaviors;
- 13) Disregarding the smoking ban;
  - 14) Causing harm to the honor or threatening teachers, associates, and other employees, students, as well as other individuals present within the Faculty premises;
  - 15) Using or possessing unauthorized aids during colloquiums, exams, or other assessment or pre-assessment obligations. During an exam, only the aids designated as allowed by the subject instructor can be used. All other aids are considered unauthorized.
  - 16) Taking exams or pre-exam obligations on behalf of another person, organizing exam-taking on behalf of another, and writing papers for another person;
  - 17) Theft of Faculty property or the property of employees and students;
  - 18) Expressing and inciting national, religious, racial, and other forms of intolerance;
  - 19) Submitting partial or complete plagiarisms (especially of works previously evaluated at the same or another Faculty) as part of homework, seminar papers, term papers, laboratory exercises or reports, projects, or other exam or pre-exam obligations;
  - 20) Intentionally causing material damage to the Faculty's assets, if the damage exceeds the monetary value of 10,000.00 dinars;
  - 21) Repeating minor disciplinary offenses more than twice in the same academic year;
  - 22) Other activities not listed, but deemed punishable by other regulations or general acts of the University and Faculty, and which the disciplinary committee assesses as a serious disciplinary offense.

## **DISCIPLINARY MEASURES**

### **Types of disciplinary measures**

#### **Article 11**

The following disciplinary measures can be imposed on the perpetrator of a minor disciplinary offense:

- 1) Reprimand;
- 2) Public warning.

The following disciplinary measures can be imposed on the perpetrator of a serious disciplinary offense:

- 1) Immediate removal from the classroom or examination room when it concerns serious disciplinary offenses referred to in Article 10, paragraph 1, points 15 and 16, with subsequent initiation of disciplinary proceedings;
- 2) Prohibition of taking pre-exam obligations in one or more subjects;
- 3) Prohibition of taking one or more exams in one or more exam periods;
- 4) Prohibition of taking all exams in one or more exam periods;
- 5) Temporary suspension from the Faculty;
- 6) Expulsion from studies at the Faculty.

#### **Temporary Suspension from the Faculty**

#### **Article 12**

Temporary suspension from the Faculty cannot be shorter than one semester or longer than two semesters.

During the duration of the disciplinary measure mentioned in paragraph 1 of this article, the student's status at the Faculty is put on hold.

## **Expulsion from Faculty Studies**

### **Article 13**

The measure of expulsion from studies is pronounced in the case of committing a serious offense if the disciplinary bodies assess that the imposition of another measure cannot influence the improvement of the student's behavior.

In the case of two imposed measures for serious disciplinary offenses committed during the course of studies, upon the next serious disciplinary offense, the disciplinary bodies are obliged to impose the disciplinary measure of expulsion from studies at the Faculty.

## **Disciplinary Bodies**

### **Jurisdiction**

#### **Article 14**

The bodies that conduct the disciplinary procedure are:

- 1) The Faculty's Disciplinary Commission as the first-instance body
- 2) The Faculty Council as the second-instance body, which decides on appeals against the decisions of the Disciplinary Commission.

## **Composition and Mandate of the Disciplinary Commission**

### **Article 15**

The Disciplinary Commission consists of three members and three substitutes.

The president, one member, and their substitutes are elected by the Faculty Council upon the proposal of the Teaching and Scientific Council from among the teaching staff, while one member and his substitute from among the students are chosen by the Council upon the proposal of the Student Parliament.

The mandate of the members of the disciplinary commission from the ranks of the teaching staff lasts for three years, and the mandate of the member from the ranks of the students lasts for two years, with the possibility of one more consecutive term.

## **Decision-Making Process of Disciplinary Bodies**

### **Article 16**

The disciplinary bodies make decisions through public voting, by a majority of votes from the total number of members.

## **FIRST INSTANCE DISCIPLINARY PROCEDURE**

### **Disciplinary Complaint**

#### **Article 17**

A disciplinary complaint may be filed by a teacher, associate, person employed at the Faculty, student, and any other interested party.

The complaint is submitted to the dean of the Faculty, in written form, directly, by regular or electronic mail.

#### **Article 18**

The disciplinary complaint must contain:

- 1) the name and surname of the student who is reasonably suspected of having committed a disciplinary violation
- 2) a description of the disciplinary violation (time, place, and manner of commission), as well as other circumstances indicating the reasonable suspicion that the student committed the disciplinary violation;
- 3) existing evidence or a proposal for obtaining evidence;
- 4) witnesses, if there were any;
- 5) information about the damage, if it occurred
- 6) the name, surname, and signature of the complainant.

If the disciplinary complaint does not contain all the elements, the dean instructs the complainant to rectify the deficiencies within 8 days from the day of receiving the order.

If the complainant does not rectify the deficiencies within the period specified in paragraph 2 of this article, the dean will reject the complaint by decision.

An appeal against the decision to reject the complaint is allowed to the Faculty Council within 15 days from the day of receiving the decision on the rejection of the complaint.



## **Article 19**

The dean of the Faculty may file a disciplinary complaint based on their own knowledge that a student has committed a disciplinary violation.

### **Decision on the Rejection of the Disciplinary Complaint**

## **Article 20**

The dean will reject the disciplinary complaint by a decision if it is determined:

- 1) that the violation does not constitute a disciplinary violation provided for by this Regulation;
- 2) that the statute of limitations for initiating a disciplinary procedure has expired.

An appeal against the decision referred to in paragraph 1 may be filed to the Faculty Council within 15 days from the day of receiving the decision.

### **Initiating Disciplinary Proceedings**

## **Article 21**

If the dean believes that the allegations from the disciplinary complaint and the proposed evidence provide a basis for conducting a disciplinary proceeding, they will file a request to initiate the disciplinary proceeding.

The request to initiate the disciplinary proceeding includes:

- 1) The name, surname, and student identification number of the student against whom the proceeding is initiated
- 2) Description of the disciplinary violation and the provision of the Regulation that prescribes the violation
- 3) Circumstances from which the reasonable suspicion arises that the student has committed the disciplinary violation
- 4) Evidence

The request to initiate the disciplinary proceeding is to be submitted to the disciplinary commission within 48 hours.

There is no separate appeal allowed against the decision to initiate a disciplinary proceeding.

## **Legal Consequences of Initiating Disciplinary Proceedings**

### **Article 22**

A student against whom a disciplinary proceeding has been initiated (hereinafter: the student) may not withdraw from the Faculty until the conclusion of the disciplinary proceeding.

### **Reporting to the Public Prosecutor**

#### **Article 23**

If, upon receiving the request, the disciplinary commission believes that the disciplinary violation has the characteristics of a criminal offense, they will inform the dean to file a report with the competent public prosecutor.

In the case referred to in paragraph 1 of this article, the disciplinary commission will decide on scheduling a hearing or suspending the disciplinary proceeding until a decision on the criminal complaint is made.

### **Scheduling the Hearing**

#### **Article 24**

Upon receiving the request to initiate disciplinary proceedings, the chairperson of the disciplinary commission schedules a hearing and invites the student, their defender, and the complainant, and if necessary, witnesses and other persons.

The invitation for the hearing includes: the name and surname of the person being invited and in what capacity, the date and place of the hearing, the time the hearing begins, and the consequences of unjustified absence from the hearing. The invitation must instruct the student that they have the right to engage a defender from among lawyers (at their own expense) who may attend the hearing.

The decision to initiate proceedings is delivered along with the invitation to the student.

The invitation is delivered to the student at least five days before the hearing,

The invitation is delivered to the student personally, or by mail to the residential address with acknowledgment of receipt,

In case of refusal to accept the invitation for the hearing or if delivery is not possible, a notice with the specified time and place of the hearing is posted on the faculty's notice board, at least five days before the hearing. After a period of 5 days from the date of posting, it is considered that the delivery has been made.

### **Absence of the student or the defender from the hearing**

#### **Article 25**

In the case of absence from the hearing of a duly summoned student or their defender, and if they do not justify their absence, the hearing will be held in their absence.

The student may also present their defense in writing if they have reasons why they cannot attend the hearing.

#### **Hearing**

#### **Article 26**

The hearing before the disciplinary committee is oral, public, and conducted in the Serbian language.

If the student studies in a foreign language, the hearing can be conducted with the help of an interpreter.

At the hearing, the disciplinary committee establishes the factual situation relevant for making a decision on the violation of the student's obligations and imposing a disciplinary measure.

#### **Article 27**

The hearing is opened by the chairperson of the disciplinary committee, who verifies the presence of all summoned individuals.

If the student and/or their defender has not arrived for the hearing, the chairperson of the disciplinary committee checks if they were properly summoned.

If the student and/or their defender was not properly summoned, the hearing is postponed; if they were properly summoned, the hearing proceeds in their absence.

The chairperson of the disciplinary committee schedules the date and time for the hearing to take place.

The disciplinary committee decides to postpone the hearing if the student submits evidence of illness and requests the postponement of the hearing for valid reasons.

### **Article 28**

The hearing is conducted by the chairperson of the disciplinary committee.

They ensure that all facts are presented during the hearing, evidence is introduced or supplemented, the rights of the student and the applicant to the hearing are not denied, and that the student's statement is considered impartially.

### **Article 29**

The Chairperson of the Disciplinary Committee, if necessary, may schedule additional hearing dates if it is necessary to introduce evidence that could not be presented at the first hearing.

A new hearing is scheduled no later than 15 days from the date of the current hearing.

### **Article 30**

The chairperson of the disciplinary committee grants and withdraws the right to speak, requests explanations, and announces the decisions of the disciplinary committee.

Members of the disciplinary committee may ask questions to the complainant, the student, witnesses, and experts regarding facts related to the disciplinary offense.

Upon receiving approval from the chairperson of the disciplinary committee, questions may also be asked by the defender and other participants in the disciplinary proceedings.

Questions to the student are to be posed clearly, distinctly, and specifically, so that the student can fully understand them. The chairperson of the disciplinary committee will prohibit suggestive questions and those aimed at prolonging the proceedings.

A student may be confronted with a witness if their statements regarding important facts do not match.

Responses and statements from such confrontations are to be recorded in the minutes.

### **Article 31**

If the breach of duty resulted in material damage, the decision on liability will also include a decision on compensation for the damage.

### **Article 32**

After concluding the evidentiary procedure, the chairperson of the disciplinary committee invites the student and the applicant to give their closing statements, and then announces that the hearing is concluded.

Following the conclusion of the hearing, the disciplinary committee proceeds to deliberate and vote on the decision. Only members of the disciplinary committee and individuals providing expert assistance to the disciplinary committee are present during the deliberation and voting.

The disciplinary committee may decide to publicly announce the decision to the participants of the proceeding after deliberation and voting, or it may inform them at the end of the hearing that a written copy of the decision will be duly delivered to them.

### **Article 33**

Minutes are kept of the proceedings before the disciplinary committee. The minutes include:

- The time and place of the hearing, the composition of the disciplinary committee;
- Information about the applicant,
- Information about the student and their defender, if they had one;
- The content of the application, the content of the student's statements; the content of the witness statements, the accused, and other participants in the procedure;
- Other evidence presented;
- Decisions made during the procedure; anything else of significance to the procedure.

The minutes are signed by the chairperson of the disciplinary committee and the person who kept the minutes.

### **Article 34**

The Dean of the Faculty appoints individuals with the appropriate qualifications (graduate lawyer) to perform professional tasks and provide expert support in the operation of the Faculty's disciplinary bodies.

### **Decisions of the Committee**

### **Article 35**

After the conclusion of the hearing, the disciplinary committee may:

- 1) Dismiss the disciplinary proceedings;

- 2) Exonerate the student from responsibility;
- 3) Declare the student responsible.

### **Resolution on Dismissal of Disciplinary Proceedings**

#### **Article 36**

The disciplinary committee issues a decision to dismiss the disciplinary proceedings if it determines that the statute of limitations for conducting the disciplinary proceedings has expired.

### **Decision on Rejection of the Disciplinary Complaint and Exoneration from Responsibility**

#### **Article 37**

The disciplinary committee issues a decision on the rejection of the disciplinary complaint and exoneration from responsibility:

- 1) If it determines that the violation does not constitute a disciplinary offense envisaged by this;
- 2) If there are circumstances that exclude responsibility;
- 3) If it is not proven that the student committed the disciplinary offense.

#### **Article 38**

If the disciplinary committee determines that a student has committed a minor or severe breach of duty and is responsible for the same, an appropriate measure will be pronounced.

In pronouncing the disciplinary measure, mitigating and aggravating circumstances are taken into account, especially:

- 1) the severity of the breach and its consequences;
- 2) the degree of the student's responsibility;
- 3) the conditions under which the breach was committed;
- 4) the student's previous behavior;
- 5) the student's behavior during the procedure;
- 6) the position of the injured party if it concerns such a type of breach, etc.

## **Article 39**

The decision on declaring the student responsible contains:

- 1) an introduction;
- 2) the disposition;
- 3) an explanation;
- 4) legal instruction.

The introduction includes information about the composition of the disciplinary committee, the name and surname other data of the student and the defender (if engaged), the legal qualification of the report, the name of the submitter of the report, the date when the hearing was held, and the date of the decision issuance.

The disposition contains: the determination of the disciplinary breach, the legal qualification of the breach, and the measure imposed on the student.

If a measure of temporary removal from the Faculty is pronounced, its duration is stated, and if the student is obliged to compensate for material damage, the amount and deadline for compensation are stated.

If the procedure is discontinued, this is determined in the disposition.

The explanation contains: essential elements of the report and defense, the presentation of evidence on the existence or non-existence of the student's breach of duty, the evaluation of the presented evidence, the facts that influenced the imposition of the measure, aggravating and mitigating circumstances, as well as the legal regulations that, given the established facts, lead to the decision from the disposition.

The legal instruction informs the student or the submitter of the report about the right to appeal to a higher authority and the deadline for submitting an appeal.

## **Delivery of the Decision**

### **Article 40**

A written copy of the decision is delivered, with a delivery note, to the student and their defender if they have one, the submitter of the application, the dean, the Student Affairs Service, and the Faculty archive, according to the rules of administrative procedure.

## **SECOND INSTANCE DISCIPLINARY PROCEDURE**

### **Authorized Appeal Submitters**

#### **Article 41**

Against the decision of the disciplinary committee, an appeal can be made by:

- 1) the student and/or their defender and
- 2) the submitter of the disciplinary application.
- 3) The Dean of the Faculty

An appeal suspends the execution of the decision.

### **Filing an Appeal**

#### **Article 42**

An appeal is filed within 15 days from the day of delivery of the first-instance decision. The appeal is submitted to the Faculty Council.

The appeal must contain the name, surname, and address of the appellant, the designation of the decision against which it is submitted, the reasons for the appeal, an explanation, and the signature of the appellant.

### **Bases for Filing an Appeal**

#### **Article 43**

The bases for filing an appeal are:

- 1) significant breaches of the provisions of the disciplinary procedure;
- 2) incorrect and incomplete determination of the facts;
- 3) incorrect application of the provisions of this Regulation.

### **Decision on the Appeal**

#### **Article 44**

The Faculty Council decides on the appeal at a session.

The Council is obliged to make a decision on the appeal within 30 days from the day of the appeal's submission.



#### **Article 45**

In deciding on the appeal, the Faculty Council may:

- 1) confirm the decision of the disciplinary committee,
- 2) amend the decision of the disciplinary committee;
- 3) annul the decision of the disciplinary committee and return the case to the disciplinary committee for a new decision;
- 4) dismiss the appeal as untimely, improper, or filed by an unauthorized person.

#### **Article 46**

The Faculty Council will confirm the contested decision if it determines that it was made in accordance with the provisions of this Regulation.

#### **Article 47**

The Faculty Council will amend the contested decision if the facts were correctly determined, but this Regulation was incorrectly applied.

#### **Article 48**

The Faculty Council will annul the contested decision if it finds that it is based on an incorrect or incomplete determination of the facts or if the disciplinary committee committed a procedural violation that significantly affected the decision.

In the case referred to in paragraph 1 of this article, the case is returned to the disciplinary committee for a new hearing and decision.

#### **Article 49**

The decision of the Council is final, and protection against it can be sought in administrative litigation.

#### **Article 50**

The final decision of the disciplinary body is recorded in the index and the register.

A separate record is kept of the disciplinary measures imposed at the Faculty.

Disciplinary bodies may order the publication of the decision on the notice boards while respecting the right to protect the personal data of the student.

### **Implementation of Disciplinary Decisions**

#### **Article 51**

The dean of the Faculty takes care of the execution of the final decisions of the disciplinary bodies.

### **MATERIAL LIABILITY**

#### **Article 52**

Material liability is the responsibility for damage caused by a student to and/or at the Faculty.

The existence of the damage or the circumstances under which it occurred, its amount, and who caused the damage are determined by the disciplinary committee.

A student who is determined by the decision to have caused damage is obliged to compensate for it.

If the damage is caused by several students, they are jointly liable for the damage they caused.

#### **Article 53**

In determining the damage and the responsibility for its occurrence, the disciplinary committee may use evidence relevant to determining the damage caused.

#### **Article 54**

In the case where the disciplinary committee determines that a student is responsible for material damage, it issues a decision obligating them to compensate for the caused damage and specifies a deadline for the compensation.

When the disciplinary committee determines that a student is not materially responsible, it releases them from responsibility.

### **Article 55**

If the student does not compensate for the damage within 60 days from when the decision on responsibility becomes final, the Faculty may initiate proceedings before the competent court.

## **DEADLINES AND LIMITATION PERIODS**

### **Article 56**

The periods specified in this Regulation do not include the period between January 1 and January 10 and July 15 and August 20.

### **Article 57**

The statute of limitations for initiating disciplinary proceedings occurs three months from the day of becoming aware of the perpetrator and the disciplinary violation, but no later than six months from the day the violation was committed. The statute of limitations for executing a disciplinary measure occurs 60 days from the day the decision imposing the measure becomes final.

## **TRANSITIONAL AND FINAL PROVISIONS**

### **Article 58**

Disciplinary proceedings initiated before the entry into force of this Regulation shall be concluded in accordance with the regulations under which they were initiated.

### **Article 59**

This Regulation comes into force on the eighth day from the day of its publication on the Faculty's website.

**CHAIRMAN OF THE COUNCIL**

Professor Doctor Aleksandar Matic

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