

**STUDENT DISCIPLINARY AND LIABILITY FOR  
DAMAGES POLICY OF THE  
UNIVERSITY OF SZEGED**

**Szeged, 24 October 2011**



## **LEGAL FRAMEWORK**

Act CXXXIX of 2005 on National Higher Education

### **STUDENT'S DISCIPLINARY AND LIABILITY FOR DAMAGES, LIABILITY FOR DAMAGES OF THE HIGHER EDUCATION INSTITUTION**

- 70. §** (1) *If the student culpably and severely violates his obligations, the student may be punished with disciplinary sanctions under disciplinary procedures with a written decision. In such disciplinary procedure, the student or his representative (Section 222–223 of the Civil Code) may act.*
- (2) *The following disciplinary sanctions may be imposed:*
- a) reprimand,*
  - b) serious reprimand,*
  - c) reduction or withdrawal of the benefits and allowances provided by the policy on benefits, fees and charges,*
  - d) prohibition of the continuation of studies for a definite period of time, which shall not exceed two semesters,*
  - e) expulsion from the higher education institution.*
- (3) *In determining the disciplinary sanction, all circumstances – in particular, the people who suffered any harm, the consequences, the repetition of unlawful conduct, and the severity of committed act – shall be considered. Under Section (2) c), the term of punishment shall not exceed six months; the term of prohibition defined in d) shall be no more than two semesters. No social support may be denied as a means of disciplinary sanction defined in Section (2) c). Imposing the disciplinary sanctions determined in Section (2) d)–e) shall entail a permanent or temporary denial of student status-related allowances and benefits. Student status shall be suspended for the term of disciplinary sanction defined in Section (2) d). The initiation of the disciplinary procedure and the imposition of disciplinary sanction shall not be influenced by the academic performance of the student.*
- (4) *No disciplinary procedure shall be initiated if one month has elapsed since being aware of the disciplinary offense or three months have elapsed since the disciplinary offense was committed. For the purposes of these provisions, being aware shall mean the time when the competent person authorized to initiate a disciplinary procedure is being informed about the circumstances serve as grounds for action for such procedure.*
- (5) *The student or his/her representative shall be notified about the initiation - including the reasons - of a disciplinary procedure. In the course of the disciplinary procedure, the student shall be interviewed and shall ensure to present his/her standpoint and defense. If the student challenges the alleged violation of obligation during the interview, or the clarification of facts nonetheless requires, a hearing shall be held. The student shall be invited to the hearing. The disciplinary hearing may be held even if the student or his/her representative did not attend the hearing in spite of a repeated and due notification. If the disciplinary procedure was initiated by the student, it shall be initiated and conducted. In case of the student's request for presentation of evidence is rejected, its reason shall be indicated in the disciplinary decision unless it is found that the student did not commit any disciplinary offense.*
- (6) *In the case of violation of obligations during practical training, the disciplinary procedure shall be conducted in the higher education institution.*
- (7) *The provisions of this Article shall be applied to the dormitories as well, with the exception determined in Section (2) d). In lieu of the sanction defined in Section (2) e), expulsion from the student dormitory may be applied.*
- 71. §** (1) *The initiation of disciplinary procedure shall be ordered by the head of the institution or the person defined in the organizational and operational regulations.*
- (2) *The disciplinary committee of the higher education institution - at least three members - exercise disciplinary power at first instance. Issues pertaining to the conduct of disciplinary procedures not regulated by this Act shall be governed by the organizational and operational regulations, including the dispensation procedure, the establishment of the institutional disciplinary committee, the rules of hearing and presentation of evidence, issues relating to ensuring defence and the publicity of the disciplinary hearing, on condition that at least one-third of the members of the disciplinary committee shall be delegated by the student union.*
- (3) *If against the person subject to disciplinary procedure there is an ongoing criminal procedure in the same case, until its final decision, or in case the person subject to the disciplinary procedure cannot be interviewed or is not able to attend the hearing through no fault of his/her own as defined in Section 70 (5), the disciplinary procedure shall be suspended at the latest until such obstacle cease to exist.*

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- (4) *Except for the cases provided in Section (3), the disciplinary procedure shall be finished within one month.*
- (5) *Only the final disciplinary decision may be enforced.*
- (6) *The student may be exempted from the imposed sanction before the expiry of the disciplinary sanction term by a well-reasoned decision delivered in a procedure defined by the organizational and operational regulations.*
- (7) *The provisions of this Article shall also be applied to dormitories.*

- 72. §** (1) *If the student unlawfully causes damage to the higher education institution or to the organizer of practical training associated with the fulfillment of his/her academic obligations, the student shall be liable in accordance with the provisions of the Civil Code, subject to the derogation stipulated in this Act.*
- (2) *With respect to Section (1), in the case of negligent injury, the amount of damages may not exceed fifty percent of the monthly amount of the statutory minimum wage (minimum wage) effective on the day the injury occurred. In the case of intentional injury, the caused damage shall be compensated.*
- (3) *The student bears full liability for any loss and damage in respect to items received with inventory or delivery receipt with the obligation to return or to account, on condition that the student constantly keeps safe or exclusively uses or handles such items. The student shall be exempted from liability if the loss was caused due to causes beyond the student's control.*
- (4) *The higher education institution, the student dormitory, and the organizer of practical training shall bear full liability for any injury caused to the student regarding the student status, dormitory enrolment, or practical training, irrespective of culpability. Damages shall be governed by the provisions of the Civil Code, with the amendment that the higher education institution, the dormitory, or the organizer of practical training may only be exempted from liability if it can prove that the given damage has occurred due to an unavoidable cause beyond the scope of its operation. No damage shall be compensated if the damage was caused by the injured party's unavertable conduct.*
- (5) *If the student has entered into a student contract – pursuant to Section (1) of Article 27 of the Vocational Education Act – the compensation for the damage caused to the organizer of practical training or to the student shall be subject to the provisions of the Vocational Education Act.*

Under Act CXXXIX of 2005 on Higher Education (hereinafter referred to as HEA) the Senate of the University of Szeged (hereinafter referred to as University) has adopted the following Student Disciplinary and Liability for Damages Policy of the University of Szeged (hereinafter referred to as Policy).

### **Personal Scope**

Provisions of this Policy shall apply to any Hungarian citizen having a student status at the University until the termination of their student status. The provisions of this Policy shall be suitably applied to foreign citizens unless otherwise provided by law or international agreement.

### **General provisions on disciplinary procedure**

#### **1. §**

- (1) *If the student culpably and severely violates his/her obligations, the student may be punished with disciplinary sanction under disciplinary procedure with a written decision. The initiation of a disciplinary procedure and the imposition of a disciplinary sanction shall not be influenced by the academic performance of the student.*
- (2) *In the disciplinary procedure, the student and his/her representative (Section 222-223 of the Civil Code) may act.*
- (3) *The disciplinary procedure shall be conducted at the University for any violation of obligation in the course of practical training.*
- (4) *This Policy shall be applied, if the student culpably and severely violates his/her obligations deriving from the dormitory membership status (dormitory disciplinary offense).*

## **Disciplinary sanctions and measures**

### **2. §**

- (1) Disciplinary sanctions may be:
  - a) reprimand;
  - b) serious reprimand;
  - c) reduction or withdrawal of the benefits and allowances provided by the policy on benefits, fees and charges;
  - d) prohibition of the continuation of studies for a definite period of time, which shall not exceed two semesters;
  - e) expulsion from the University.
- (2) The duration of sanction determined by Section (1) c) shall not exceed six months; the duration of prohibition set out in d) shall not exceed an educational period of time equivalent to two semesters.
- (3) No social support may be denied as a means of disciplinary sanction defined in Section (1) c). The sanctions set out Section (1) a) and b) may be applied together with the sanction determined in c).
- (4) Imposing the disciplinary sanctions determined in Section (1) d)-e) shall entail a permanent or temporary denial of the student status-related allowances and benefits. Student status shall be suspended for the term of the disciplinary sanction defined Section (1) d).
- (5) In the case of a dormitory disciplinary offense, the disciplinary sanctions set out in Section (1) – except the sanction defined in d) – may be applied against the student. Exclusion from the dormitory sanction may be applied instead of the sanction set out in Section (1) e), and its scope extends to all University maintained dormitories.

### **3. §**

- (1) The purpose of disciplinary sanction is education and prevention. In determining the disciplinary sanction, all circumstances – in particular, the people who suffered any harm, the consequences, the repetition of unlawful conduct, and the severity of committed act – shall be considered.

### **4. §**

- (1) Academic warning may be imposed instead of disciplinary sanction - together with the termination of the procedure – if the disciplinary offense committed, in light of all the circumstances – in particular the student concerned, the motive and method of the action – is not so severe, thus imposing even the most lenient form of disciplinary sanction is unnecessary, and a warning can have a sufficient educational impact.
- (2) The warning expresses the disapproval of the acting disciplinary body and draws the student's attention to the inappropriate behavior, and to refrain from any further action that may give rise to further disciplinary procedure in the future.
- (3) Legal remedies may be sought against the warning.

## **Disciplinary procedure**

### **5. §**

- (1) No disciplinary procedure shall be initiated if one month has elapsed since being aware of the disciplinary offense or three months have elapsed since the disciplinary offense was committed. For the purposes of these provisions, being aware shall mean the time when the competent person

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authorized to initiate a disciplinary procedure is being informed about the circumstances serve as grounds for action for such procedure.

(2) If a criminal procedure has been initiated against the student, the deadlines referred to in Section (1) shall be set from the day being aware of the final decision of the criminal procedure or from the date of final decision.

### **6. §**

(1) The Rector of the University or the Dean of the Faculty may order to initiate a disciplinary procedure.

(2) Disciplinary powers are exercised by the Disciplinary Committee (DC) appointed from the member of the Student Disciplinary Board (SDB) at first instance, and by the College of Student Remedies at second instance.

### **7. §**

(1) Such member of the DC and SDB may not exercise the disciplinary power (exclusion) from who the impartial and objective judgment of the case cannot be expected.

(2) The provision regarding exclusion from the exercise of disciplinary power shall also be applied to the recorder of minutes.

(3) The Rector of the University shall decide on the question of exclusion, and no separate legal remedy is available against such decision. The student subject to the disciplinary procedure may complain of the refusal of exclusion in the request for legal remedy filed against disciplinary decision.

### **8. §**

(1) The University establishes a Student Disciplinary Board composed of one faculty and one student per faculty. The chairman, vice-chairman and the faculty members of the board shall be assigned by the Rector. Student members are delegated by the University Student Union and the mandate is confirmed with assignment by the Rector.

(2) In a student disciplinary case, the Disciplinary Committee of four members – two faculties and two students – shall proceed. Faculty members of the Disciplinary Committee shall be appointed by the Chairman of the Student Disciplinary Board, student members shall be appointed by the University Student Union from the members of the Student Disciplinary Board. The Chairman of the Disciplinary Committee is appointed by the Chairman of the Student Disciplinary Board from the members of the Disciplinary Committee.

### **9. §**

(1) Conducting the disciplinary procedure shall fall into the competence of the faculty where the student subject to the procedure has a student status.

(2) If a student has student status at more than one university, the mother institution (the institution where the student established the student status first) is entitled to conduct the disciplinary procedure. In such a case, the disciplinary committee of the acting institution shall inform the other institution about the initiation of the procedure and the final disciplinary decision.

### **10. §**

(1) Disciplinary procedure shall be initiated upon notice or *ex officio*.

(2) If the student initiated the disciplinary procedure, it shall be initiated and carried out.

- (3) If the disciplinary procedure was ordered to initiate by the Rector or the Dean of the Faculty, the student and his/her representative shall be informed about the initiation of the procedure, indicating the reason serve as a basis of the procedure. The measure imposing the disciplinary procedure shall include the name, address, type of study, study program(s) of the student subject to the disciplinary procedure and a short description of the disciplinary offense establishing the disciplinary procedure.
- (4) The Disciplinary Committee shall finish the disciplinary procedure within 1 month, with the exception of cases when the disciplinary procedure is suspended.
- (5) Upon the request of the Chairman of the Disciplinary Committee, the Directorate for Legal Affairs and Human Resources of the University shall be available to the Committee.

### **11. §**

- (1) If during the disciplinary procedure, a suspicion beyond reasonable doubt of the committal of a crime may arise, the Rector files a report.
- (2) If against the person subject to disciplinary procedure there is an ongoing criminal procedure in the same case, until its final decision, the disciplinary procedure shall be suspended.
- (3) Any person or body, who launched the disciplinary procedure may prohibit the student subject to the disciplinary procedure from the presence at the University premises for the duration of the disciplinary procedure.
- (4) The student prohibited from the presence at the University premises is not allowed to attend lectures and other educational activities, and cannot take exams until the final decision has been adopted.

### **12. §**

- (1) The person subject to the disciplinary procedure may also act by his/ her representative in the disciplinary procedure. Authorization shall be set in writing or recorded at the disciplinary hearing.
- (2) The authorized person has all the rights as the student subject to the disciplinary procedure, in particular, access to the documents of the case, right to submit motions, right to address questions to witnesses, experts and right to file a request for legal remedy.

### **13. §**

- (1) In the course of the disciplinary procedure, the student shall be interviewed and shall ensure to present his/her standpoint and defense. If the student challenges the alleged violation of obligation during the interview, or the clarification of facts nonetheless requires, a hearing shall be held.
- (2) The student subject to the procedure and his/her representative shall be notified about the time and date of the hearing in writing, the witness and the expert shall be summoned orally or in writing (directly or on telephone). The notice or summons shall include the name of the student subject to the disciplinary procedure, the place, time and subject of the disciplinary hearing and the title of the addressee as appearing at the disciplinary hearing. The addressee's attention shall be drawn upon to bring the identification document to the hearing. The fact of oral summons shall be recorded in the case documents.
- (3) The student subject to the disciplinary procedure shall be warned in the notification about the right to submit his/her defense in writing and shall be informed that his/her representative (Section 222-223 of the Civil Code) may act in the disciplinary procedure.
- (4) If neither the student subject to the disciplinary procedure nor the representative did not appear at the hearing despite a duly sent notification, the Disciplinary Committee shall set a new deadline and notify the student and the representative. If despite the duly sent notification the student or the representative does not appear at the newly scheduled hearing, the disciplinary hearing may be

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held. The student and the representative shall be informed about the consequences of the missed hearing in the notification. Even the first hearing can be held and there is no need for setting a new hearing date if the student has notified in advance in writing that he/she does not wish to attend the hearing.

(5) If the student subject to the disciplinary procedure cannot be interviewed or is not able to attend the hearing through no fault of his/her own, the disciplinary procedure shall be suspended at the latest until such obstacle ceases to exist.

### **14. §**

- (1) The disciplinary hearing is led by the Chairman of the Disciplinary Committee. The Chairman ensures that the provisions of this Policy are being held, preserves the order of the hearing and guarantees the persons involved in the disciplinary procedure to exercise their rights.
- (2) The disciplinary hearing is public, but the Disciplinary Committee may exclude the public from the entire hearing or from a part of it for public interest or for the interest of the student subject to the disciplinary procedure.

### **15. §**

- (1) If the student subject to the disciplinary procedure acknowledges the disciplinary offense at the hearing, and there is no doubt as to the veracity of the acknowledgment, providing further evidence may be omitted.
- (2) If further evidence becomes necessary, the Disciplinary Committee shall hear the witnesses and, if necessary, the expert.
- (3) The witness shall be asked whether he/she is interested or biased in the case, shall be warned about the duty of telling the truth and the criminal consequences of perjury.
- (4) During the hearing of the student subject to the disciplinary procedure, other students subject to the same disciplinary procedure, who have not yet been heard, and witnesses may not be present.
- (5) If the testimony given by the witness contradicts with the defense of the student subject to the disciplinary procedure or testimonies of other witnesses, its clarification, if necessary, shall be attempted by confrontation. The result of confrontation shall be included in the record.

### **16. §**

- (1) Record shall be made about the disciplinary hearing. The record shall be signed by the Chairman of the Disciplinary Committee, recorder of minutes and a student member of the Committee.
- (2) The corresponding part of the record shall be shared and signed by the persons heard by the Disciplinary Committee. The person heard may request the supplement or correction of the record. Any refusal to sign and its reason shall be recorded in the record.
- (3) The record shall be attached to the disciplinary documents.

### **17. §**

- (1) After the evidentiary procedure is finished, the Disciplinary Committee shall make its decision at a closed meeting with open majority voting. In the event of a tie, the Chairman of the Committee shall have the casting vote. Only the Chairman, the members of the Disciplinary Committee and the recorder of minutes may be present at the closed meeting.
- (2) The decision may impose a disciplinary sanction or terminates the disciplinary procedure.
- (3) The Disciplinary Committee shall establish its decision only on the evidence examined directly at the disciplinary hearing. The fact not proven beyond a reasonable doubt cannot be charged to the student subject to the disciplinary proceeding.



- (4) The name of the higher education institution which adopted the decision, the name of the student subject to the disciplinary procedure, the place, time and subject of the disciplinary hearing and the fact whether the hearing was public, shall be indicated in the introductory part of the decision.

### **18. §**

- (1) Disciplinary sanctions shall be imposed by the decision, if the Disciplinary Committee establishes that the student subject to the procedure committed a disciplinary offense, thus imposing disciplinary sanctions considered to be necessary.
- (2) The operative part of the decision imposing the disciplinary sanction shall include:
- a) name and other personal data of the student held liable for the disciplinary offense (number of national identity document, address, study program, type of study);
  - b) name of the disciplinary offense committed;
  - c) disciplinary sanctions imposed and other provisions related to this;
  - d) reference to the possibility of legal remedy and its deadline of 15 days. There is no need to refer to the possibility of legal remedy if the entitled ones waived their right to legal remedy.
- (3) The reasoning of the decision imposing the disciplinary sanction shall briefly include:
- a) the facts established;
  - b) description and evaluation of evidence;
  - c) the reason for rejection of the student's request for presenting evidence by the Disciplinary Committee;
  - d) the explanation concerning what type of offense is established by the action committed, and to what extent the student is being culpable in such offense;
  - e) mitigating and aggravating circumstances considered when imposing the sanction;
  - f) references to those provisions which established the disciplinary sanction.

### **19. §**

- (1) The Disciplinary Committee adopts a decision on termination of the procedure,
- a) if the act committed is not a disciplinary offense, or the act was not committed by the student subject to the procedure;
  - b) if the committal of disciplinary offense cannot be proven;
  - c) if the culpability of the student cannot be established;
  - d) if the disciplinary procedure was initiated after the deadline set forth in Article 5 (1) –(2);
  - e) if the student's student status ceased to exist during the disciplinary procedure;
  - f) if regarding the act subject to the procedure a final disciplinary decision has been made;
  - g) if warning is applied instead of sanction by the Disciplinary Committee.
- (2) The operative part of the decision on the termination of the disciplinary procedure shall include:
- a) name and other personal data of the student subject to the disciplinary procedure;
  - b) name of the disciplinary offense establishing the disciplinary procedure;
  - c) declaration of the termination of the disciplinary procedure;
  - d) reasons for the termination of procedure;
  - e) reference to the application of warning in case of such decision;
  - f) reference to the possibility of legal remedy and its deadline of 15 days. There is no need to refer to the possibility of legal remedy if the entitled ones waived their right to legal remedy.
- (3) In the reasoning of the decision on the termination of the disciplinary procedure, the facts and evidence established shall be briefly presented, the reasons why the Disciplinary Committee decided to terminate the procedure shall be mentioned, and the provision of Section (1) which established the termination of disciplinary procedure shall be referred to.

### **20. §**

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- (1) The Chairman of the Disciplinary Committee announces the disciplinary decision adopted at a closed meeting.
- (2) In the course of announcement, the operative part of the decision– written in the closed meeting – shall be read out loud, and the essence of the reasoning of the decision shall be introduced.
- (3) After the announcement of the decision, the Chairman of the Disciplinary Committee shall draw the attention of the entitled persons to the possibility of legal remedy.
- (4) The disciplinary decision shall be conveyed to the absent persons concerned by delivery.
- (5) The written decision and the appropriate number of copies shall be signed by the Chairman of the Disciplinary Committee.
- (6) The decision shall be delivered to the student subject to the procedure and the representative even if the decision was available to them through the announcement.
- (7) The Disciplinary Committee may not change its announced decision. However, if the Disciplinary Committee determines that its decision yet not decided by a superior body or court violates the law or it is contrary to the provisions of the Disciplinary and Liability for Damages Policy, the decision may be amended or withdrawn. Errors not linked to the merits of the decision (name, number, calculation error or another clerical mistake) can be corrected within their own discretion. In both cases, the parties interested shall be notified.

### **21. §**

- (1) The student subject to the disciplinary procedure may seek legal remedy against the decision at the first instance. Such request has a suspensory effect on the enforcement of the provisions of the decision.
- (2) The provisions of the policy on the submission and procedure of student legal remedies shall be applied for the submission and procedure of the request.

### **22. §**

- (1) The decision may be enforced only after it became final.
- (2) The disciplinary decision becomes final on the day
  - (a) when the persons entitled declared that they do not wish to seek legal remedy, or such request for legal remedy was withdrawn;
  - (b) when the period of time for submitting a request for legal remedy expired without the submission of any legal remedy.
- (3) If the holder of disciplinary powers at second instance approved or amended the decision at the first instance or the request for legal remedy was rejected, the disciplinary decision becomes final on that day.
- (4) In the final decision, a clause shall be included declaring the decision is final and enforceable, as well as the date when it became final.
- (5) The final decision shall be registered and a copy of the decision shall be attached to the student's personal files.
- (6) In case of imposing disciplinary sanctions set forth in Section (1) (d) and (e) of Article 2. and at the same time the decision becomes final, the Admission Office registers the operational part of the decision in the student's course record book.

### **23. §**

- (1) If the decision of the Disciplinary Committee becomes final at first instance, the Committee shall forward the decision to the Rector.
- (2) The Disciplinary Committee shall forward the final decision to the
  - a) Secretary-General of the University;
  - b) Vice-Rector for Student Affairs;

- c) body authorized to enforce disciplinary sanctions;
  - d) Chairman of the University Student Union
  - e) Head (designated officer) of the given dormitory in the case of a dormitory disciplinary offense.
- (3) In case of a final decision imposing sanctions against a full-time student the following people shall be notified:
- a) the student's parents (whom the student is dependent, carer) if the decision suspends or terminates the student's student status;
  - b) the sponsor organization if the student receives non-university benefits;
  - c) if necessary, the head of the dormitory (designated officer).
- (4) If the student is in an employment relationship, the employer must be informed about the decision concerning the suspension or termination of the student's student status.

### **Scope of disciplinary sanction, exemption from disciplinary sanction**

#### **24. §**

- (1) The student subject to disciplinary sanction is obliged to provide a description of his/her breach of obligations during the time of sanction, and the fact of breach of obligation can be taken into consideration regarding discretionary decisions linked to such student.
- (2) The student shall be exempted from any adverse consequences imposed in the disciplinary sanctions - without request and any relevant decision:
  - a) as from one month following the date the disciplinary sanction specified in Section(1) a) and b) of Article 2. became final
  - b) as from the expiry date of the disciplinary sanction specified in Section (1) c) of Article 2.;
  - c) as from the expiry date of the prohibition specified in Section (1) (d) of Article 2.
- (3) In case of exemption, the disciplinary decision shall be deleted from the record. The deletion process is the following: the fact of exemption shall be noted on the decision attached to the student's personal files, under the measure of the disciplinary body at first instance.
- (4) In case of expulsion, the Disciplinary Committee at the request of the former student may adopt a decision on exemption, on condition that at least three years have elapsed since the decision on exclusion has become final and there are reasonable grounds that the former student is worthy to be exempted. At the request of the former student the Disciplinary Committee is obliged to hear the student personally.

### **Student's liability for damages**

#### **25. §**

- (1) If the student unlawfully causes damage to the higher education institution or to the organizer of practical training associated with the fulfillment of his/her academic obligations, the student shall be liable in accordance with the provisions of the Civil Code, subject to the derogation below.
- (2) With respect to Section (1), in the case of negligent injury, the amount of damages may not exceed fifty percent of the monthly amount of the statutory minimum wage (minimum wage) effective on the day the injury occurred. In the case of intentional injury, the caused damage shall be compensated.
- (3) The student bears full liability for any loss and damage in respect to items received with inventory or delivery receipt with the obligation to return or to account, on condition that the student constantly keeps safe or exclusively uses or handles such items. The student shall be exempted from liability if the loss was caused due to causes beyond the student's control.

#### **26. §**

- (1) If a disciplinary offense was not committed in the event of causing damage, the Dean shall

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adopt a decision with reasoning, in which calling the student to pay compensation for the damage caused. The student may only be required to pay compensation for any damage if the University cannot recover the damage from elsewhere.

(2) If the student does not admit the liability and refrains from paying the compensation, the Dean initiates a compensation procedure before the Disciplinary Committee. If the student partially admits his/her liability in writing, the procedure shall be initiated only in relation to the part not admitted.

(3) The procedure in cases for damages is the same as in disciplinary procedures.

(4) If a disciplinary procedure has been initiated against the student for breach of obligations, the related liability for damages must also be adjudicated in the disciplinary procedure.

### **27. §**

(1) If the student's liability for damages in the compensation or disciplinary procedure is finally established, the student is obliged to pay the amount of damages to the University within the time specified in the decision. With regard to the student's social situation, payment in instalments may be granted upon request. In case of payment of instalments, the decision may also provide that in the event of failure to pay any instalment, the entire debt becomes due.

(2) If the student fails to pay the amount of damages within the deadline set in the final decision, the University may enforce its claim at court.

### **The University's liability for damages**

### **28. §**

(1) The higher education institution, the student dormitory, and the organizer of practical training shall bear full liability for any injury caused to the student regarding the student status, dormitory enrolment, or practical training, irrespective of culpability. Damages shall be governed by the provisions of the Civil Code, with the amendment that the higher education institution, the dormitory, or the organizer of practical training may only be exempted from liability if it can prove that the given damage has occurred due to an unavoidable cause beyond the scope of its operation. No damage shall be compensated if the damage was caused by the injured party's unavertable conduct.

(2) If the student has entered into a student contract – pursuant to Section (1) of Article 27. of the Vocational Education Act – the compensation for the damage caused to the organizer of practical training or to the student shall be subject to the provisions of the Vocational Education Act.

(3) In regard to cases set forth in Section (1) and (2), the student may enforce his/her claim at court.

### **Closing provisions**

### **29. §**

(1) This Policy shall enter into force in a consolidated version on the day of being electronically published in the University Gazette, and its provisions shall be applied to cases pending.

(2) This Policy was adopted by the Senate of the University of Szeged at its meeting on the 24<sup>th</sup> of October 2011 under the senate resolution Nr. 178/2011. On the same date the Student Disciplinary and Liability for Damages Policy of the University of Szeged adopted by the Senate on the 8<sup>th</sup> of February 2010 under the resolution Nr. 20/2010. shall cease to be in effect.

**Dr. Szabó Gábor s. k.**  
**rector**