

Annex to Resolution 2020. (XI.26.) of the Senate of John Von Neumann University



JOHN VON NEUMANN UNIVERSITY
ORGANISATIONAL AND OPERATIONAL REGULATIONS

PART THREE
STUDENT REQUIREMENTS

CHAPTER II.
THE ARRANGEMENTS FOR EXERCISING STUDENTS' RIGHTS AND FULFILLING STUDENT
OBLIGATIONS

1st VERSION

Approved by: Resolution 2020. (XI.26.) of the Senate of John Von Neumann University

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The Senate of John Von Neumann University, acting in accordance with its authority under Section 12 (3) eb) of Act CCIV of 2011 on National Higher Education (Hungarian abbreviation: Nftv; hereinafter referred to as: Nftv.), and in compliance with the obligation set out in Section 11. (1) a) of the NFT, and in accordance with the provisions of the Nftv, the procedure for the exercise of students' rights and the fulfilment of students' obligations, the procedure for the assessment of applications submitted in connection with student status and the legal remedies as the second chapter of the Student Requirements System, which is the third part of the Organisational and Operational Regulations of John von Neumann University (hereinafter referred to as the University), is as follows.

Enrolment, registration

[to Nftv. 42. § (4) – (5)]

1. §

- (1) A person admitted or transferred to a course of study at the University shall establish a student status upon enrolment.
- (2) The person admitted/ transferred must be informed in writing of the fact of admission/acceptance and of the date of enrolment.
- (3) Rights arising from the student status may be exercised from the day of enrolment at the University.

2. §

- (1) If the person admitted/transferred does not enrol within the prescribed time limit, the Directorate of Academic Affairs will send him/her a written reminder. The note will specify a period of 8 days within which the enrolment must be completed or any other legal declaration must be made in this connection. Information must also be provided that the University considers the failure to enrol as an indication that the person concerned does not wish to establish a student status.
- (2) If within 8 days from the date of receipt of the notice the person who has been admitted/transferred still does not enrol and does not make any other written declaration of rights in this connection, the University shall remove him/her from the list of admitted/transferred persons.
- (3) The University shall notify the person concerned in writing about the removal.

3. §

- (1) Before the start of each training period (semester), the student must enrol for the relevant training period.
- (2) The period for registration is the week before the start of the academic term.
- (3) Students shall declare their enrolment via Neptun study system (hereinafter referred to as Neptun).

Suspension of student status at the request of the student

[to Nftv. 45. § (1) – (2)]

4. §

- (1) Students who have registered for a semester may withdraw their registration or request a break in their studies (request a passive semester) by 14 October in the autumn semester and by 14 March in the spring semester.
- (2) The change of status must be made by filling in the appropriate form in Neptun request manager.

5. §

- (1) A continuous suspension in the student status cannot exceed two semesters.
- (2) Deviations from the provisions of subsection (1) of this paragraph can be possible only for reasons of certified childbirth, accident, illness or other unforeseen cause beyond the control of the student. The Faculty Credit Transfer and Academic Affairs Committee will consider the request for an exceptional passive semester.
- (3) A suspension before the completion of the first semester after enrolment is granted by the Faculty Credit Transfer and Academic Affairs Committee upon the student's request.
- (4) In the event of a suspension in the student status after the statistical deadline, the procedure shall be as it was set out in the subsection (2) of this paragraph.
- (5) Students may have a total of five passive semesters during their studies in a given study programme.
- (6) The request must be submitted by filling in the appropriate form in Neptun request manager, stating the reasons for the request and attaching a copy of the documents supporting the request.
- (7) The Committee shall decide on the application within 15 days.

Certain cases of the termination of the student status

[to Nftv. 59. § (1) c), 59. § (3)]

6. §

- (1) If the student is not allowed to continue his/her studies in a state-supported or Hungarian state (partial) scholarship-supported programme, the Directorate of Academic Affairs shall notify the student in writing after the end of the semester. In the notification, the student shall be asked to declare whether he/she wishes to continue his/her studies on a fee-paying or self-financed basis.
- (2) If the student does not make a declaration within 15 days of receipt of the notification, the University shall consider the reclassification accepted by the student and the student's legal status in the course shall not be terminated.
- (3) The University shall notify the student of the termination of his/her student status by informing him/her that he/she may continue his/her studies only in case of readmission.
- (4) In compliance with paragraph 59 (3) of Nftv, the student shall be reminded twice of the obligations to be fulfilled and the consequences of failure to fulfil them, prior to the unilateral termination of the student's student status.

Establishing a guest student status

[to Nftv. 42. § (1) a]

7. §

- (1) Students of another higher education institution may be guest students at the University for the purpose of pursuing part-time studies related to their studies.
- (2) Applications for a guest student status may be submitted to the Directorate of Academic Affairs on the form provided for this purpose by the last day of the registration week.
- (3) The Directorate of Academic Affairs shall notify the candidate within 8 days of the completion of the application.
- (4) The application may be rejected if the course advertised
 - a) cannot be started due to the lack of the minimum number of persons required in advance, or
 - b) is unable to admit a further person because the maximum number of persons specified in advance has been reached.

Training of a University student at another higher education institution

8. §

- (1) The students of the University are free to establish a student or a guest student status with another higher education institution, whether domestic or foreign.
- (2) In the case of studies at another institution, students may, in accordance with the provisions and to the extent specified in the Organisational and Operational Regulations of John von Neumann University, Part Three Students' Requirements System, Chapter III, Study and Examination Regulations, request
 - a) the recognition of credits obtained at another institution,
 - b) exemption from certain obligations at the University.

Transfer, change of the study programme, specialisation, the venue of the training, the language of training and work schedule

[to Nftv. 42. § (1) b]

9. §

- (1) Students may be transferred from another higher education institution or from another study programme, specialisation, place of training, language of training or work schedule within the University if they complete at least one third of the credit requirements of the given course in the given course (study programme, work schedule, language, and place of training) of our institution.
- (2) The application for the cases provided for in subsection (1) of this paragraph shall be submitted to the Directorate of Academic Affairs from the end of the previous academic term until 15 September for the autumn semester and 15 February for the spring semester. In the case of students from other institutions, a copy of the credit book and a certificate of the student status no older than two weeks prior to submitting the application must be attached to the application.
- (3) The Faculty Credit Transfer and Academic Affairs Committee decide on the submitted transfer application.

- (4) The Directorate of Academic Affairs shall notify the candidate within 8 days of the decision.

Exercise of certain students' rights

[to Nftv. 43. § (1)]

10. §

- (1) Candidates and students can obtain information about the training opportunities at the University from the institutional prospectus and the University's website.
- (2) Students may request general information necessary for the commencement and continuation of their studies from the Directorate of Academic Affairs, during its opening hours.
- (3) The study programme leader shall provide information on the content of the programme, and the course unit leader shall provide information on the course requirements and their fulfilment. The subject requirements are available in Neptun system.
- (4) The development of the student's individual study plan is assisted by the information provided in Neptun, as well as by additional information from the Directorate of Academic Affairs and the subject teacher.
- (5) The head of the department concerned or a designated staff member shall provide detailed information on the possibility of scientific student work.
- (6) Detailed information on the conditions of participation in the activities of the Special Colleges is provided by the professional supervisors of the Special Colleges.
- (7) Students have the right to comment on the work of the teaching staff, which is regulated by the relevant procedure of the University's Quality Assurance System.

11. §

- (1) Students may obtain information about the services available at the University and their general conditions from the University's website, the Student Service Centre and the University Students' Union.
- (2) The head of the department providing the service or a designated staff member shall provide information on the specific conditions for the use of a given service.

12. §

- (1) Students are entitled to receive care appropriate to their condition, personal circumstances and disability.
- (2) Students must, in the manner prescribed by law or by the internal regulations of the University, provide evidence of their condition, personal circumstances or disability requiring special care or treatment.
- (3) The University shall assist students defined in subsection (2) of this paragraph in the manner and to the extent specified in the law and in its internal regulations.
- (4) Students with disabilities shall receive written information from the Directorate of Academic Affairs on their rights and the identity of the institutional coordinator assisting students with disabilities upon admission or transfer to the University, or upon notification of their disability.
- (5) Students with a disability shall be entitled, upon request, to the assistance of the institutional coordinator in exercising their rights as a student, in asserting their claims as a student, in applying for and receiving exemptions and benefits for the fulfilment of their obligations as a student.

Fulfilment of certain students' obligations

[to Nftv. 43. § (2)]

13. §

- (1) Students shall comply with the rules and regulations of the University. The University shall publish and make public its regulations in compliance with the Rules and Regulations (Hungarian abbreviation: SZMR, hereinafter referred to as SZMR), which is the first part of the University's Organisational and Operational Regulations.
- (2) Students may request information on the interpretation and application of certain provisions of the regulations on a case-by-case basis from the Directorate of Academic Affairs, from the representatives of the University Students' Union during its office hours, or from the course unit leader in specific academic matters.
- (3) Students staying at the dormitory are obliged to observe the rules and regulations of the dormitory. Violation of the dormitory's rules and regulations is considered a breach of the students' obligations, which will lead to disciplinary responsibility.
- (4) Students shall respect the traditions and reputation of the University.

Requests and enquiries related to student status

14. §

- (1) Students must submit their applications related to their student status via Neptun system within the time limits specified in the law and regulations. The documents resulting from the processing of applications must be delivered to the student via Neptun.
- (2) If students wish to make an application in a matter not specified in the legislation or regulations, or if they are unsure of the person responsible, they may apply to the Directorate of Academic Affairs for information.
- (3) The application must be dealt with in accordance with the procedure laid down in the laws and regulations, except that, in the absence of a special procedural measure – in compliance with the procedure laid down in the Nftv. 57. § (6) – the provisions of Act CL of 2016 on the General Administrative Regulations must be applied accordingly for the clarification of the facts, the calculation of time limits, the verification, the form, content and communication of the decision, and to the correction, replacement, supplementation, amendment or revocation of the decision upon request or ex officio.
- (4) Students are entitled to receive a written reply to their written request in connection with their student status – other than a request pursuant to subsection (1) of this paragraph and paragraph 13. (2) of these Regulations – from the person responsible for the request within 21 days. The person responsible is not obliged to provide a detailed reply if the reply can be found in a publication, information notice or other database which is freely accessible to the student. In this case, it is sufficient to refer to the availability of the publication, information notice or database and the location of the reply.

Procedures for student legal remedies

[to Nftv. 58. § (4)]

15. §

- (1) In the event of a violation of their rights, students may submit a request for legal remedy against a decision or measure of the University (hereinafter referred to as "decision"), or in the event of failure to take such measures.
- (2) The application for a legal remedy shall be submitted in writing to the person or body making the decision within fifteen days of the date of notification or, failing this, of the date on which it comes to the knowledge of the person or body.
- (3) If students are unable to name the person or body making the decision, they may submit their request for a legal remedy using the Neptun application management system Appeal request form.
- (4) The decision-maker shall, upon receipt of the request for legal remedy, immediately forward all the documents in the case, together with his/her opinion on the request, to the decision-maker of the second instance.
- (5) The appeal shall be dealt with by the committee designated for the type of case in question in accordance with the relevant provisions of the SZMR, and by the Appeals Committee with general powers in the case of those cases which are not specified.

Students' requests for legal remedies

16. §

- (1) Students may, from the date of notification or, in the absence thereof, within fifteen days from the date of becoming aware of the decision, take legal remedies against decisions, measures taken by the University or against failure to take such measures (hereinafter referred to as the "decision").
- (2) The University Appeals Committee shall decide in the procedure on requests for legal remedies, except for the procedures against the decisions of the Faculty Credit Transfer and the Academic Affairs Committee, which shall be the responsible for the Committee of Academic Affairs.
- (3) Proceedings may be instituted against a decision on the assessment of studies only if the decision was not based on the requirements adopted by the University, or the decision is contrary to the provisions of the Organisational and Operational Regulations of the University, or if the provisions on the organisation of the examination have been violated.
- (4) The person submitting the request for legal remedies must be heard at least once during the procedure, either in person or, if so requested and allowed, by electronic means. The hearing may be waived if the applicant or his representative fails to appear at the meeting of the panel despite repeated and proper notification.
- (5) The panel may order the consolidation of proceedings pending before it which have related matters for the purpose of a joint decision. This decision shall not affect the administrative deadline for acting in the cases. The panel acting in the case in question may consolidate the decision.

- (6) The rules on the administration of cases as set out in the general provisions shall also be applied for the procedure of legal remedies, in particular with regard to compliance with administrative deadlines.
- (7) Students may initiate proceedings before the Commissioner for Education Rights if they have exhausted their right to initiate legal remedies, with the exception of court proceedings.
- (8) The right to initiate a request for legal remedies also covers acts within the institutional competence of the admission procedure and the enrolment procedure.
- (9) The right of legal remedies and the right to terminate the legal remedies once initiated shall also be granted to a person whose student status has been terminated.
- (10) The person deciding on the request cannot be
 - a) the person who made the contested decision or failed to make the decision,
 - b) a close relative of the person referred to in (a),
 - c) who cannot be expected to give an objective ruling on the case.
- (11) The higher education institution may take the following decisions on the request:
 - a) rejects the request,
 - b) orders the person who failed to take a decision to make a decision,
 - c) reverse the decision,
 - d) annuls the decision, and orders the decision-maker to initiate a new procedure.
- (12) The provisions of Act CL of 2016 on the General Administrative Regulations must be applied accordingly for the clarification of the facts, the calculation of time limits, the verification, the form, content and communication of the decision, and to the correction, replacement, supplementation, amendment or revocation of the decision upon request or ex officio.
- (13) The decision at second instance is final and enforceable upon notification, unless the student has requested a judicial review.
- (14) Students may request a judicial review of the decision on the request for legal remedies, within thirty days of its notification, on the grounds of infringement of the law or of the provisions governing their student status. For the purposes of these provisions, the provisions relating to student status are those which are included in the legislation and in the institutional documents which lay down the rights and obligations of students.
- (15) The rules on administrative lawsuits of Act CXXX of 2016 on the Code of Civil Procedure shall be applied for the court proceedings. The court may reverse the decision. The court shall adjudicate the case out of turn.
- (16) The body acting in the case must clarify the facts necessary for the decision. If the available information is insufficient, the panel shall, ex officio or on request, conduct an evidentiary hearing, in the course of which it may obtain documents, hear witnesses and obtain expert opinions. Facts known of ex officio and well known facts need not be proved.
- (17) Students and the other persons to be heard must be summoned to the hearing in writing, by registered letter with acknowledgement of receipt or in any other form providing credible proof of receipt.
- (18) It shall have the same effect as a written notice if, in the course of the proceedings, the chairman of the panel hearing the case orders the person present to appear at another time, enters it on the document and has the summoned person to sign it.
- (19) If the student fails to appear at the hearing despite proper notice, the personal interview may be waived and the student must be given the opportunity to make written comments.
- (20) If the student fails to appear on the due date or has missed the deadline may submit a request for verification to the Committee. The request for verification may be made within eight days of the missed deadline or the last day of the missed time limit. If the student becomes aware of the omission or the obstacle ceases to exist at a later date, the time limit starts to run from the date on which the omission or obstacle ceases to exist.
- (21) No request for verification may be submitted more than 45 days after the missed deadline or the last day of the missed time limit. The request for verification must be accompanied by a request to make up the omitted act.

- (22) If the panel grants the request for verification, the procedure shall continue.
- (23) Minutes must be taken of the hearing of persons. The minutes shall contain the time and place when the minutes are drawn up, the subject matter of the case, the identity and address of the person heard, the relevant statements on the case, the signatures of the person heard, the chairman of the hearing panel and the minute-taker.
- (24) The panel shall decide the case by means of a decision. The decision shall include:
- a) in the operative part
 - aa) the name of the panel acting, the name and place of residence of the student, the name of the department, the course and the year, the case number,
 - ab) the decision of the panel responsible and information on the possibility of the judicial review.
 - b) in the explanatory part
 - ba) the facts established and the evidence accepted as a basis, the evidence offered by the student but not accepted and the reasons for not doing so, any other circumstances on which the decision was based and the laws and university regulations on the basis of which the panel took the decision,
 - bb) the place and time when the decision was taken, the name and position of the chairman of the panel acting as the signatory to the decision, and the University's stamp.
- (25) In the absence of an opposing party, the statement of reasons for the decision granting the request and the information on the appeal may be omitted.
- (26) The decision shall be notified by mail service, but may also be communicated to the person present by publication, in which case the decision shall be in writing and shall be delivered to the interested parties by postal service by registered letter with acknowledgement of receipt or in any other form providing credible proof of receipt.
- (27) The fact that the decision has been announced shall be recorded in the minutes, but if the person concerned so requests, it shall also be sent to him within eight days.
- (28) The date of notification of the decision is the date on which it was delivered, announced.
- (29) The decision of the court of appeal shall become final and enforceable on the day on which it is delivered, after the expiry of the time limit for initiating an action.

Final and transitional provisions

17. §

- (1) These Regulations were adopted by the Senate by Resolution. /2020 (XI.26.).
- (2) These Regulations shall enter into force on 27 November 2020, following their adoption by the Senate.
- (3) Upon the entry into force of these Regulations, the Organisational and Operational Regulations, Part Three Student Requirements System, Chapter II, Regulations on the exercise of students' rights and obligations, version 4, adopted by the Senate by Resolution 43/2019 (X.31.), shall be repealed.

Kecskemét, 26 November 2020.

Dr. Fülöp Tamás Ferenc
Rector

Nagy Ildikó
chief financial officer acting in her capacity as Chancellor