



TOMORI PÁL COLLEGE

ORGANISATIONAL AND OPERATIONAL RULES

STUDENT REQUIREMENTS

VOLUME IV

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IV. STUDENT REQUIREMENTS

1. § Students of the College, student status

- (1) A student of the College is a person who, after successful admission or transfer, establishes a student status by enrolling.
- (2) A visiting student of the College is a student who is pursuing part-time studies related to his/her studies at the College, if the higher education institution with which the student is in a student status consents to this.
- (3) A student must be issued with a student record card.
- (4) No new enrolment is required during the period of student status. The student must declare, before the start of the period of study, by the date specified in the semester timetable, whether he/she will continue his/her studies or discontinue his/her studies during the period of study. The student shall be deemed to have notified his/her intention to continue his/her studies if he/she pays the amount of the contribution and takes the courses as specified in the Study and Examination Regulations. In the case of a student with a Hungarian state (part) scholarship, the enrolment of the course is considered as notification.
- (5) An application for suspension or termination of student status must be submitted to the College's Academic Committee. Suspension of student status shall be granted for the period of actual service in the Voluntary Reserve Military, during which time the student shall be exempted from the obligations set forth in the academic and examination regulations of the institution of higher education.
- (6) Student status shall be terminated,
 - a) if the student has been accepted by another higher education institution, on the date of acceptance,
 - b) if the student announces the termination of his/her student status, on the date of the announcement,
 - c) if the student cannot continue his/her studies in a course supported by a Hungarian state (partial) scholarship and does not wish to continue in a self-financed course,
 - d) on the last day of the first final examination period following the end of the training cycle or, in the case of continuing vocational education and training, the last day of the first final examination period following the end of the last training period or, in the case of doctoral studies, the last day of the last training period of doctoral studies,
 - e) in higher education vocational training, if the student has become medically unfit to continue his/her studies and there is no other suitable higher education vocational training at the higher education institution, or the student does not wish to continue his/her studies or cannot continue his/her studies due to the lack of the necessary conditions for further studies, on the day the decision on the termination becomes final,
 - f) if the student's student status is terminated by the Rector after an unsuccessful request by the student and an examination of the student's social situation, on the day the decision on the termination becomes final,
 - g) the date on which the disciplinary decision of exclusion becomes final,



h) if the statutory conditions for the establishment of student status no longer apply, on the date on which the decision to terminate the student status becomes final.

(7) The College may also terminate the student status of a student who

- i. fails to meet the obligations concerning progress in studies laid down in the Study and Examination Regulations and the curriculum,
- ii. has not enrolled for the following academic semester for the third consecutive semester,
- iii. you do not start your studies after the suspension of your student status, provided in all cases that the student has been given prior written notice to comply with the obligation by the deadline and has been informed of the legal consequences of failure to comply.

(8) The College shall unilaterally terminate the student status of a student whose cumulative number of failed remedial and retake remedial examinations in the same course unit reaches five.

(9) The student's status shall not be terminated if he/she continues his/her studies in the next stage of multi-cycle education or in the basic education after the higher education (tertiary) vocational education, provided that he/she continues his/her studies without interruption in the next semester of study at the College.

(10) The rules and regulations for admission and transfer, as well as the rules for the establishment, suspension and termination of student status are set out in the Regulations for Studies and Examinations (<http://portal.tpfk.hu/en>).

2. § Rights and obligations of the student

(1) Students have the right to choose freely the higher education institution in which they wish to continue their studies.

(2) The student has the right to have his/her human dignity respected, in particular to

a) respect his or her right to personality, including his or her right to freedom of expression, self-determination, freedom of action and family life, provided that the exercise of this right does not restrict others and does not endanger his or her health or the health and physical integrity of himself or herself, his or her peers or the College's staff,

b) to express freely his/her opinion on all matters, on the work of the teachers, on the functioning of the College and the College, with respect for human dignity,

c) be informed about matters concerning his/her person and studies,

d) make suggestions, ask questions to the College or the College's management or lecturers and receive a substantive reply within thirty days of the request,

e) give an opinion on the work of teachers,

(f) to respect and to express his or her religious, philosophical or other beliefs, national or ethnic minorities, provided that the exercise of this right does not conflict with the law, does not infringe the like rights of others and does not impede the right to education of his or her peers,



g) his/her right to correspondence and to housing in the college is respected, provided that the exercise of this right does not infringe the right of others to the same and does not restrict the exercise of the right to education of his/her peers.

(3) Students have the right to pursue their studies at the College in a safe and healthy environment, and to receive assistance for their studies and career start, depending on their talents, abilities and interests, in particular to.

a) make use of the facilities and services available at the College and in the dormitory (library, laboratory, computer facilities, sports and leisure facilities, health counselling, etc.),

b) set up his/her study schedule, choose the subjects and freely use the training opportunities provided by the College, as specified in the training programme,

c) attend lectures and seminars organised by the College,

d) choose between the lectures, exercises, seminars and other sessions, lecturers, tutors and subject leaders that are offered in parallel,

(e) provide full and objective information,

f) receive care appropriate to his/her condition, personal circumstances or disability,

g) be helped to integrate into the community life of the institution, to maintain their physical condition and to lead a healthy life free from harmful addictions,

h) be a member of an academic student circle, participate in its work, and take part in the research and development activities of the College,

i) receive an academic, research grant,

j) to submit a scientific or artistic application, to publish the results of his/her scientific or artistic work, to choose the subject of his/her thesis or dissertation,

(k) organise academic and career counselling for him/her and make use of its services,

l) suspend their student status,

m) to establish a visiting student status, to apply for transfer to another higher education institution, to establish an additional (parallel) student status.

(4) Students shall have the right to learn about international practice in the course of their studies by attending higher education institutions in a Member State of the European Union or in another State party to the Agreement on the European Economic Area or in a State whose nationals enjoy the same status as nationals of a State party to the Agreement on the European Economic Area on the basis of an international treaty concluded between the European Community and its Member States and a State not party to the Agreement on the European Economic Area (hereinafter referred to as: EEA State), and for this purpose, to benefit from student loans or, if he/she is enrolled in a publicly funded course, to receive a scholarship.

(5) The student shall have the right to receive care in cash or in kind with regard to his/her financial circumstances, income situation and academic performance, in particular

a) provide him/her with boarding accommodation or housing assistance,

b) receive social or other grants (in particular study grants, republican grants), social grants, grants for the purchase of textbooks and notes (<http://portal.tpfk.hu/en>),



c) receive deferment or deferment of payment in instalments in order to meet their payment obligations, under the conditions and rules set out in the Regulations on student benefits and certain allowances payable by students (<http://portal.tpfk.hu/en>),

d) issue a student card and make use of the services and discounts associated with it,

(e) to work at the College in return for a student fee,

f) to work in a business company established or supported by the College and to receive a student's fee in return,

g) to conclude a study contract, student contract or study leave in the case of studies while working, as provided by law.

(6) The student shall have the right to assert his or her interests and to seek legal remedies, in particular.

a) have access to the information necessary to exercise their rights,

b) to participate, personally or through representatives, in decisions affecting his/her interests, in the management of the College, the College,

(c) to take legal action against violations of their rights and to have recourse to the public,

d) contact the Commissioner for Education,

e) be eligible and eligible for election to the Student Council.

(7) Students may apply for a student loan under the conditions and according to the rules set by the Government. A student who is enrolled in a self-financed course may obtain a student loan at a higher rate under different conditions determined by the Government.

(8) With regard to the protection of interests and occupational health and safety, students shall have all the rights granted to employees by the Labour Code in respect of practical training in basic education, further vocational training and higher education (tertiary) vocational training. Unless otherwise provided for in the Vocational Training Act, the employment of the student shall be governed by the Labour Code and the legislation on occupational safety and health. The student may initiate legal proceedings in order to enforce his/her claims in connection with the practical training, in accordance with the provisions on labour disputes. For the purposes of these provisions, the term employee shall be understood to mean the student, the term employer shall be understood to mean the organiser of the practical training, and the term employment relationship shall be understood to mean the student's legal relationship.

(9) The provisions of the Act on Vocational Education and Training shall apply to the conclusion of the student contract and to the rights and obligations arising therefrom. The requirements of equal treatment shall be observed in the conclusion of the student contract and in the performance of the rights and obligations arising therefrom.

(10) The student is obliged to

a) fulfil the obligations set out in the College's Study and Examination Regulations,

b) comply with the organisational and operational regulations of the College and the College,



- c) maintain the rules for the use of the College premises and the areas belonging to the College, the rules for practical training, preserve and handle the equipment entrusted to him/her in accordance with the regulations, protect the College facilities and equipment, protect his/her own and his/her colleagues' physical health and safety, learn and apply knowledge to protect his/her health and safety,
- d) respect the traditions of the College and the dignity of its staff and fellow students,
- (e) meet any payment obligations related to the continuation of their studies, in particular *the payment of any co-payments*.

(11) The rights and obligations of students set out in this § shall be exercised and fulfilled in accordance with their purpose. The decisions, measures and documents of the College may not lead to the impairment of the rights of students provided for in the Nftv or other legislation on the education of students, to the restriction of opportunities to assert interests, to the suppression of the expression of opinion, or to the restriction of the right to information.

(12) The rights arising from student status may be exercised from the day of enrolment at the College.

(13) The manner and conditions of exercising the rights and obligations of students are mainly defined in the "Regulations on Studies and Examinations" and the "Regulations on the benefits and certain allowances payable to students" (<http://portal.tpfk.hu/en>).

3. § Remedies available to students

(1) The College shall communicate its decisions concerning the student to the student in writing. Written communication shall include decisions issued on paper and communicated by letter, as well as decisions published/transmitted in a closed electronic system specifically implemented by the College for this purpose.

(2) In the event of a violation of his/her rights, the student shall

- a) contact the student council for legal assistance,
- b) may submit an application for legal remedy, which the higher education institution is obliged to consider in accordance with the provisions of this Act,
- (c) may initiate proceedings before the Commissioner for Education Rights, provided that he has exhausted his right of appeal, other than in court proceedings, as provided for in this Act.

(3) The student may appeal against a decision or a measure or the failure to take a measure (hereinafter jointly referred to as "decision") of the College within fifteen days of the notification or, failing this, of the notification coming to his/her knowledge, except for decisions relating to the assessment of studies. An appeal may also be brought against a decision on the assessment of studies if the decision was not based on the requirements adopted by the College, or if the decision is contrary to the College's Regulations or if the provisions on the organisation of the examination have been infringed. The student and his/her authorised representative (Civil Code, § 6:15) may act in the appeal procedure.

(4) The student shall submit the appeal in writing to the Office of the President and Rector, where the appeal shall be filed separately. The request for appeal



shall state precisely the decision against which the appeal is directed and shall state briefly why and to what extent the student or his/her representative considers the decision to be vitiated.

(5) The petition shall have suspensive effect for the implementation of the provisions of the contested decision. If the student objects to only part of the decision or to only one provision of the decision, the part of the decision not affected by the objection shall become final.

(6) The Rector of the College shall decide on the appeal (the person who examines the appeal). The Rector shall decide on the appeal within 30 days of its filing.

(7) If the request for remedy is not clear or if it cannot be determined from it which body, employee or committee of the College the student is contesting, or if the request for remedy needs to be supplemented for other reasons, the Rector shall invite the student or his/her representative to supplement the request for remedy. The time allowed for completion may not be less than 8 days after the communication to the student or his/her authorised representative and may not be longer than 30 days. The time allowed to the Rector to make a decision shall not include the time elapsed before the supplement is completed, nor shall it include the duration of the proceedings of the expert or the period of suspension of the proceedings.

(8) The provisions of the Act on the General Rules of Administrative Procedure and Services shall apply *mutatis mutandis* to the clarification of the facts, the calculation of time limits, the certification, the form, content and communication of the decision, the correction, replacement, amendment, modification or revocation of the decision upon request or *ex officio*.

(9) The Rector may hear the student and the chairperson of the head of the department or committee concerned by the appeal, as well as the staff of the College, when making his/her decision.

(10) The following person may not take part in the examination of an application for remedy:

- a) a person who took the contested decision or failed to take the decision,
- b) a person who is a close relative of the person specified in point a) (Civil Code § 8:1 (1) (1) 1.),
- c) a person who cannot be expected to give an objective ruling on the case.

(11) The examiner of the appeal may take the following decisions:

- (a) reject the application,
- (b) order the person who fails to take a decision to take a decision,
- (c) change the decision,
- (d) annul the decision and order the decision-maker to initiate a new procedure.

(12) If one of the grounds for disqualification provided for in paragraph (10) of this Article applies to the Rector, the Vice Rector for Education shall replace him/her as the person who shall examine the appeal. If one or more of the grounds for disqualification also apply to the Vice-Rector for Education, the Vice-Rector for Academic and International Relations or the Financial Director (in that order) shall be the person responsible for examining the appeal.



(13) The decision on the appeal must be set out in a decision and must state the reasons on which it is based. The decision shall draw attention to the possibility of appeal.

(14) The student may apply for judicial review of the decision of the Rector within thirty days of its notification, on the grounds of violation of the law or of the provisions governing the student's status as a student. Act V of 2013 on the Code of Civil Procedure (Act V of 2013 on the Code of Civil Procedure) shall apply to the judicial procedure. The court may reverse the decision. The court shall decide the case out of turn.

(15) The decision of the College shall be final if no application for legal remedy has been submitted within the time limit specified in paragraph (3) or if the application has been waived. The decision of the court of appeal shall become final upon notification. The final decision shall be enforceable unless the student has applied for judicial review.

(16) There shall be no remedy under this section in cases where the College and the student agree to provide and receive services. In the event of a breach of the terms of the agreement, the aggrieved party may seek a compensation.

(17) If a student's rights are affected, he or she may have recourse to the educational mediation service.

(18) The right to initiate an appeal procedure shall also apply to the procedure for the assessment of applications for admission. The right of appeal and the right to terminate an appeal which has been initiated shall also apply to a person whose student status has been terminated in the meantime.

4. § Student Council

(1) A student council shall operate at the College as part of the College to represent the interests of students. All students shall be members, electors and eligible for election to the Student Council. The student council may exercise its powers under the Nftv if

- a) it elected its officers and approved its statutes, and
- b) at least twenty-five per cent of the full-time students of the higher education institution have verified their participation in the student council elections.

(2) The statutes of the student council shall determine the rules of operation of the student council. The Statutes shall be adopted by the Assembly of Delegates of the Student Council and shall become effective upon presentation to the Senate. The Senate shall declare its approval of the Statutes no later than the first meeting following the thirtieth day after the date of their submission.

(3) Approval of the statutes may be refused only if they are unlawful or contrary to the organisational and operational regulations of the higher education institution. The statutes or their amendment shall be deemed to have been approved if the Senate has not given its opinion within the time limit set.

(4) The College shall provide the conditions for the operation of the student council and for the performance of its duties, the lawful use of which and the lawful operation of the student council shall be subject to control. The student council may use the premises and equipment of the higher education institution



free of charge for the performance of its tasks, provided that this does not restrict the operation of the higher education institution.

(5) In the event of a violation of its rights under this Act, including a refusal to approve its statutes, the student council may, within thirty days of notification, take legal action for breach of law or of the institutional regulations.

(6) The student council shall decide on its operation, on the use of the financial resources and its own revenues provided for its operation, on the exercise of its powers, on the establishment and operation of the institutional information system. No instructions may be given to the student council in the scope of its advocacy activities.

5. § Order of study

(1) The study arrangements for students and the arrangements for the acquisition, acquisition and monitoring of knowledge, skills and competences are set out in the Study and Examination Regulations.

6. § Payment obligations of the student, student allowances

(1) The rules for the determination and fulfilment of the payment obligations of students and the distribution of the benefits to which they are entitled are set out in the "Student Fee and Benefit Policy".

7. § Student disciplinary and compensation cases

(1) The rules governing the student's disciplinary and compensation liability and the College's liability for damages are set out in the "Student Disciplinary and Compensation Policy".

8. § Procedural and organisational arrangements for the assessment of applications for admission to colleges

(1) The rules governing the organisation and operation of the College are laid down in the College's Organisational and Operational Rules.

9. § Precautions to be taken in the event of accidents involving students and the prevention of accidents

(1) The procedures for the prevention of student accidents and the actions to be taken in the event of accidents are set out in the "Regulations on the prevention of student accidents and the procedures to be followed in the event of accidents".

10. § Rules for dealing with emergency situations

(1) The provisions for the prevention of the consequences of emergency situations that endanger human life and health and the property of the College are contained in the "Emergency Regulations".

(2) In the case of a persistent situation (e.g. a prolonged epidemic or a public emergency of indefinite duration), the Rector may issue binding instructions and/or ensure that students have unhindered access to state or municipal regulations and other official regulations. The rector shall ensure that up-to-date versions of the regulations are available. Access may be provided by providing the



location where the regulation can be accessed. For foreign students, these documents should also be available in English.

Budapest, 30.03.2021.

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