

Rules of procedure for decision- making in cases involving students with disabilities

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Preamble

1.§

- (1) The Disability Committee of Corvinus University of Budapest (hereinafter: Committee) hereby establishes the “Rules of procedure for decision-making in cases involving students with disabilities” pursuant to Subparagraph g) of Subsection (4) of Section 5 and Subsection (1) of Section 10 of Part 3 “Study and Examination Regulations” (hereinafter: SER) of Volume III “Student Requirements” of the Rules for Organisation and Operation (hereinafter: ROO) as follows.

Scope of the Rules of Procedure

2.§

- (1) The personal scope of the Rules of Procedure apply to all participants, members and invitees of the Committee.
- (2) The material scope of these Rules of Procedure shall cover the entire operation of the Committee, its proceedings in any matter falling within its competence,
- (3) For any question relating to the functioning of the Committee and not or not sufficiently regulated in these Rules of Procedure, the relevant provisions of the SER, the Regulations on the Assessment of First Instance Applications and Legal Remedy Requests in Relation to Student Status (hereinafter: SSP) and the Regulations ensuring equal academic opportunities for students with disabilities (hereinafter: Regulations) shall apply, as appropriate.

Authority of the Committee

3.§

- (1) The authority of the Committee is laid down in the Regulations.
- (2) As a general rule, the Committee exercises its competence in accordance with the rules of decision-making laid down in these Rules of Procedure.
- (3) If, however, the case is simple and does not involve any discretion, the Chairperson of the Committee may assume decision-making powers for a specific case group. This requires the consent of the other members of the Committee. In such a case, the Chairperson shall decide on his/her own authority, by delegation of the powers of the Committee, on the matter falling within the scope of competence of the Committee. Such case categories may include, but are not limited to, decisions on questions of competence, refusals on formal grounds, and refusals to accept applications submitted out of time where it is not possible to correct deficiencies.

The composition of the Committee

4.§

- (4) The size, composition, appointment and termination of office of the members of the Committee are laid down in the Regulations.

- (5) As specified in the Regulations, the Chairperson of the Committee shall be the head of the Student Support Group.
- (6) As specified in the Regulations, the Secretary of the Committee shall be the Disability Coordinator.
- (7) In connection with the Committee's activities, the Chairperson may invite anybody to the Committee's sessions. Invited persons shall participate in the session in a consultative capacity.

Duties, rights and obligations of the participants

5.§

- (1) The duties of the Chairperson shall be the following:
 - a) preparing and issuing the Rules of Procedure of the Committee,
 - b) continuous updating of the contents of the Committee's website,
 - c) deciding on conflicts of interest and on the persons to be invited,
 - d) deciding, with the assistance of the Disability Coordinator, on the dates and times of sessions and proposed agenda items and convoking the sessions of the Committee,
 - e) deciding on the matters to be discussed and the method of decision-making (session with personal appearance, session via electronic communication or electronic decision-making),
 - f) chairing the sessions of the Committee and ensuring that the sessions are kept in order,
 - g) ordering votes and establishing the result of the votes,
 - h) on the basis of information from the Secretary, supervising and monitoring the implementation of the Committee's resolutions,
 - i) issuing the resolutions of the Committee,
- (2) The Secretary's duties shall be as follows:
 - a) preparing and maintaining the Rules of Procedure and submitting it to the Committee,
 - b) updating the content of the Committee's website,
 - c) preparing the cases to be discussed and the decision-making,
 - d) sending out the invitation to the sessions and any written proposals, opinions or comments from members,
 - e) ensuring compliance with deadlines,
 - f) proposing persons to be invited,
 - g) preparing the resolutions for the Chairperson,

- h) monitoring the implementation of the Committee's decisions and, if necessary, for forwarding the Committee's decisions to the Student Affairs Group of Student Services or other responsible body,
- i) certifying the copies issued by the Chairperson, if necessary,
- j) ensuring that data processing rules are respected during the activities of the Committee, in consultation with the internal Data Protection Officer, where necessary,
- k) keeping the minutes of the Committee and performing all the Committee's administrative tasks in this regard,
 - i. preparing sessions (arranging the technical conditions, etc.),
 - ii. carrying out administrative tasks related to sessions,
 - iii. preparing the reports of the sessions,
 - iv. performing the tasks related to the document management of sessions (receipt, filing, archiving, etc.) in accordance with the Document Management Regulation.

(3) Committee members shall

- a) attend Committee sessions,
- b) in the event of absence from a session, report the fact and the reason to the Secretary and to the head of the delegating person or organisation,
- c) prepare for sessions and contribute constructively to the Committee's activities,
- d) make their suggestions, comments and opinions to the best of their ability, in the interests of the University, and in a timely manner (in writing, if possible before the sessions),
- e) observe the rules of sessions and voting,
- f) declare any potential conflict of interest to the Chairperson in writing in advance,
- g) carry out the tasks set by the Chairperson within the specified deadline.

(4) Members of the Committee are entitled to

- a) formulate a proposal for the agenda,
- b) ask questions or request further information from other members or invitees at sessions,
- c) express a dissenting opinion on the Committee's resolutions,
- d) ask for additions to or corrections of the Committee's report.
- e) gain access to all information necessary for the performance of the tasks arising from their membership of the Committee,
- f) propose an extraordinary session of the Committee.

- g) If a member fails to attend a session for three consecutive times, the Chairperson shall report the absence to the immediate direct supervisor of the absent member or, in the case of a student (PhD student) member, to the Chairperson of the BCE Student Union or the BCE PhD Student Union.
 - h) No person involved in the case or who cannot be expected to give an objective assessment of the case may take part in the decision. The existence of a conflict of interest must be reported by the member to the Chairperson, but may also be taken into account ex officio.
 - i) The Chairperson shall decide and take action in case of a conflict of interest, and the Vice-Rector for Education shall decide and take action to exclude in case of a conflict of interest involving the Chairperson.
- (5) The invitees to the Committee meeting shall:
- a) discuss cases in which they have been invited to participate,
 - b) in case of absence, notify the fact and the reason for the absence and to arrange for a substitution,
 - c) prepare for the case in question and contribute constructively to the activities of the Committee,
 - d) express their suggestions, comments and opinions in an expert capacity, to the best of their ability, in the interests of the University.
- (6) Invited Committee members shall have the right to:
- a) appoint a substitute,
 - b) ask questions, make comments, express opinions and make proposals to the Chairperson, the other members and invitees,
 - c) express a dissenting opinion on the Committee's resolutions.

Rules for the deliberations of the Committee **Exercise of the competences of the Committee**

6.§

- (1) A Committee member or an invitee to attend a session who is unable to attend shall notify the Secretary of his/her absence without delay after receiving prior notification of the session. In a session, a member may not be substituted, but an invitee may be.
- (2) In the absence of the Chairperson of the Committee, the Secretary shall substitute him/her. If both are prevented from attending, the session shall be postponed.
- (3) In case he/she is prevented from performing his/her duties, a member delegated to the Committee may be substituted on the basis of a written (email) authorisation sent by the head of the delegating organisation to the Chairperson of the Committee, for the duration of the absence of the member. The substitute may participate in Committee sessions in an advisory capacity.

- (4) The Committee exercises its powers mainly at its sessions. A session may be held in person or via an electronic communication platform ensuring simultaneous attendance.
- (5) The meetings of the Committee are not open to the public, and only the Chairperson and the members of the Committee may vote, and those invited to the agenda may speak.
- (6) In justified cases, at the initiative of the Chairperson or of any member, the Committee may take its decisions by electronic means without holding a session (electronic decision-making).
- (7) The Commission may meet in ordinary or extraordinary session. Extraordinary sessions may be convened in urgent cases and when electronic decision-making is not possible, or when the latter is not suitable for making an appropriate decision. An extraordinary session may be called by the Chairperson or by any member.
- (8) If the Committee delegates its powers to its Chairperson under these Rules of Procedure, the procedures of the Chairperson shall be subject to these Rules of Procedure, subject to the provisions of its Section 15.

Sessions of the Committee

Rules of the ordinary session

Preparation and convocation of the session

7.§

- (1) Requests received by the Committee in the context of preparing for the meeting shall be checked and summarised by the Secretary.
- (2) The Secretary shall examine issues of competence. If a case does not fall within the scope of competence of the Committee, the Chairperson shall forward the case to the competent person, and shall inform the person concerned by electronic means. The Secretary shall then close the case.
- (3) The Secretary shall also check whether the application has been received in the form and content required by the Regulations.
- (4) In the course of the preparation, the Secretary shall make proposals for the content of the Committee's resolution in each case and request further information if necessary from the responsible organisational units or the student concerned.
- (5) The Committee meets as often as necessary, but at least twice a year.
- (6) The session shall be convened by the Secretary, at the Chairperson's decision, by sending out the invitation and a summary of the cases to be discussed. The invitation shall state the place, date and time, nature (ordinary or extraordinary), expected duration, proposed agenda items, summary of the business to be discussed, the names and positions of the persons invited, and the date and place of the invitation. The invitation must be signed by the Chairperson and affixed with the stamp imprint of the Committee.
- (7) An electronic copy of the invitation shall be sent to members and invitees via email from disability@uni-corvinus.hu, and the original shall be kept in the Committee's files (registers).
- (8) The invitation shall be sent four (4) working days before the session in the case of ordinary sessions and 24 hours in the case of extraordinary sessions to the official university email addresses of the members or invitees. In the case of an ordinary session, the day of the meeting does not count towards the time limit. The deadlines may be deviated from with the permission of the Chairperson in extremely justified cases.

- (9) In the case of applications pursuant to Subparagraph d) of Subsection (6) of Section 7 of the Regulations, the request for a proposal together with the necessary documents shall be sent electronically to the competent dean for his/her approval, with a deadline, no later than four (4) working days before the session of the Committee.

Quorum, conduct of sessions and adoption of resolutions

8.§

- (1) With the exception of Subsection (2), a simple majority of the members of the Committee shall constitute a quorum.
- (2) Two-thirds of the members shall be present to adopt or amend the Rules of Procedure of the Committee.
- (3) In the event of a reconvened session due to a lack of quorum, the provisions of Subsection (1) shall apply to determine whether the Committee has a quorum, except for the adoption and amendment of the Rules of Procedure, where the presence of two-thirds of the members shall be required in all cases.
- (4) The session is opened by the Chairperson.
- (5) After the opening of the session, the Chairperson shall check the quorum. If a quorum exists, he/she shall present the business to be discussed, if there is no quorum, he/she shall postpone the session.
- (6) The existence of a quorum shall be examined before adopting any resolution.
- (7) A new session of the Committee shall be reconvened not later than 15 days after the date of the session adjourned for lack of quorum. At a meeting so convened, a quorum shall be established in accordance with Subsection (1) of Section 13.
- (8) The Chairperson shall give the floor to speakers at the meeting of the Committee, and the Chairperson shall also have the power to cut off a speaker.
- (9) The matters to be discussed are presented by the Secretary.
- (10) If the student has attended the Committee's session, the personal interview will be audio-recorded. Based on the audio recording of the personal interview, the substantive parts of the personal interview are recorded in the report. The student shall be informed about the audio recording of the personal interview and his/her consent to the audio recording shall be obtained. The student shall accept the part of the report concerning his/her person by signing it. If the student requests a change to the content of the report, the Chairperson shall decide whether to accept the change on the basis of the audio recording. If the Chairperson does not accept the change, a clause shall be added to the part of the report relating to the student, indicating which changes have not been entered in the report despite the student's request. If the student does not agree to the audio recording, the report shall only contain the Committee's decision.
- (11) A (legal) representative may act on behalf of the student on the basis of the student's proxy. In this context, the (legal) representative may attend the personal interview of the student

and make a statement on his/her behalf. The (legal) representative's proxy shall be handed to the Chairperson at the latest at the start of the personal interview. The proxy shall be annexed to the report. In the absence of a proxy, the (legal) representative may not participate in the session of the Committee and may not make any statement.

- (12) Every member of the Committee shall have one vote. A member may vote yes or no, there is no abstention.
- (13) Resolutions are adopted by public vote, with the Chairperson casting the last vote.
- (14) Except as provided for in Subsection (4), the Committee shall adopt its resolution by a simple majority of votes. In the event of a tie, the Chairperson's vote shall be decisive.
- (15) The adoption and amendment of the Rules of Procedure of the Committee requires the unanimous vote of the members present.
- (16) The Committee shall record its decisions as numbered resolutions, with the number sequence restarted each calendar year. The form of the resolution shall be: FoB/resolution No./year.
- (17) The electronic or paper-based document (resolution) shall be issued as signed by the Chairperson and certified by the Disability Coordinator.

Rules for the online session

9.§

- (1) In the case of an online session held without personal appearance, the rules specified for ordinary sessions (deadlines, quorum, invitation, voting and memorandum) shall apply, except that the meeting shall be held using Microsoft Teams application.

Rules for decision-making in writing

10.§

- (1) If the nature of the matter (simple, not requiring discussion) allows, and 50%+1 of the members agree by confirmation email, a vote in writing (decision-making in writing) without holding a session is possible. In this case, a quorum exists because the members are considered present.
- (2) Decisions in writing shall be taken in the same way as during ordinary sessions, with the following exceptions:
 - a) The Chairperson shall order a decision in writing instead of sending an invitation to the session. This shall be filed in accordance with the rules applicable to the invitation.
 - b) The order for decision making and the submissions shall be sent to the members at least 12 hours before the close of voting.
 - c) Members have 24 hours from the date of ordering the decision-making to cast their votes.

- d) Voting is either done via an email sent by the member, where the member shall clearly indicate his/her support or opposition to the student's request (by marking "yes/no", "I support/I don't support" or "I partly support"), or using the O365 Forms application. (Incoming emails containing votes do not need to be filed separately, but the memorandum shall include the date, time and content of the vote.)
- e) In the case of decision-making in writing, it is not possible to put questions, propose amendments or additions. If the need for consultation arises during the process of decision-making in writing, a session shall be held.

Reports, memoranda and resolutions

11.§

- (1) Reports of the sessions of the Committee shall be drawn up within five (5) working days, shall be issued as bearing the official stamp imprint of the Committee, signed by the Chairperson and the Secretary and shall be sent to the members.
- (2) The report shall include:
 - a) the location, date and time of the Committee session, the number of members present, the names of those absent,
 - b) announcements made before the agenda,
 - c) the establishment of the quorum,
 - d) the agenda items,
 - e) the speakers contributing to the discussion of the agenda item, if the speakers make amendment proposals, then the proposal of the speakers or the key points thereof,
 - f) the list of resolutions, the text of the adopted resolutions, their number,
 - g) the voting rates,
 - h) any dissenting opinions,
- (3) The Secretary shall ensure that the report is signed by the student(s). The student may request to hear the audio recording before signing the report. The Secretary shall keep the audio recording for one month after the Committee session. A copy of the report shall be provided by the Secretary on request of the student. No copies of the audio recording may be issued.

Electronic decision-making

12.§

- (1) Electronic decision-making shall be initiated in the same way as the convening of an ordinary session, with the following exceptions:
 - a) The Chairperson shall initiate electronic decision-making instead of sending out an invitation to session.

- b) The initiative shall include the matters to be discussed, the deadline for casting votes and the method of voting. The initiative shall be signed by the Chairperson.
 - c) The initiative and a list of the matters to be discussed, together with the location of the case documents, shall be sent by 12.00 noon on the working day before the vote.
 - d) The method of electronic decision-making (by electronic mailing address, Neptun or UNIPOL or via the website) shall be determined by the Chairperson.
- (2) In the case of electronic decision-making, after the initiative has been sent out, members shall send the following to the Chairperson from their official university email address by the deadline specified by the Chairperson:
- a) a feedback on whether they can participate in electronic decision-making, and,
 - b) whether they accept electronic decision-making, and
 - c) have the right and obligation to ask questions and make suggestions for additions and amendments.
- (3) Electronic decision-making is possible if more than half of the members of the Committee can participate in the vote and have accepted it.
- (4) On the basis of the feedback, the Secretary shall establish whether a quorum is present. The fact that a quorum is present shall be documented in writing, indicating the names of the persons participating in the vote.
- (5) If questions, additions or amendments to any of the items of business are raised, the Chairperson shall invite the Secretary to reply these. The Secretary shall reply within the time limit set by the Chairperson.
- (6) If the person raising the question or proposing an amendment or addition accepts the answer, the Chairperson shall call for a vote.
- (7) In case of electronic decision-making, the Chairperson shall order the vote after establishing whether a quorum is present. Voting shall take place in the form determined by the Chairperson.
- (8) In case of electronic decision-making, it is the primary responsibility of all members to respect the voting rules, especially as voting can only be done in person, using an official university email address.

Decisions taken within the scope of competence of the Chairperson

13.§

- (1) If the Chairperson decides by delegation of the powers of the Committee on a matter falling within the scope of competence of the Committee, Sections 11-14 and 16-17 shall not apply.

Document management

14.§

- (1) The Committee's case documents shall be managed in accordance with the Document Management Regulation, it being understood that the invitation and the report shall be kept in the Committee's records as issued on paper and bearing the stamp imprint of the Committee.
- (2) Depending on their format, the resolutions shall be stored in the student's personal file (paper-based resolution) or in Neptun (electronic resolution), as specified in the SER. An original copy shall be kept in the Committee records.
- (3) One signed original of the report on the transfer of the tangible asset shall be given to the student and the other shall be kept in the Committee's records. A copy of the report shall be kept in the student's personal file.

Publicity and final provisions

15.§

- (1) On the University's website,
 - a) the following shall be fully visible:
 - i. a list the members of the Committee,
 - ii. Rules of Procedure of the Committee,
 - b) for members of the Disability Committee,
 - i. invitations to the sessions of the Committee,
 - ii. reports.
- (1) The Committee adopted these Rules of Procedure with its Resolution No. 1/2020 (8 October 2020). These Rules of Procedure shall enter into force on the day following the date of their approval.

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Dr. Marietta Németh

Chairperson

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Melinda Rózsa

Secretary

Approved by:

.....

Dr. Réka Franciska Vas

Vice-Rector for Education

Made in one original (Disability Committee's records), with a copy provided to Legal, Administrative and Regulatory Services (LARS regulations drive).