

# CARTA

UNIVERSITĂȚII DE MEDICINĂ ȘI FARMACIE

„IULIU HAȚIEGANU” CLUJ-NAPOCA



**THE CHARTER**  
**OF THE UNIVERSITY OF MEDICINE AND PHARMACY**  
**"IULIU HAȚIEGANU" CLUJ-NAPOCA**

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## **TITLE I. GENERAL PROVISIONS**

### **Chapter 1: Legal status and identification elements**

#### **Art. 1.**

- (1) The University of Medicine and Pharmacy "Iuliu Hațieganu", hereinafter referred to as the University, is an institution of higher medical education and research, with legal personality, operating according to the legislation in force in Romania, under the coordination of the Ministry of Education, based on the principles of academic autonomy and freedom.
- (2) The University has an academic community, consisting of students, teaching and research staff, auxiliary teaching and research staff, administrative technical staff and others, according to the Senate decision.
- (3) The University adheres to the principles established in the Universal Declaration of Human Rights (1948), the Magna Charta Universitatum (1988) and the Bologna Declaration (1999).

#### **Art. 2.**

- (1) The University Charter is the fundamental document that reflects the major choices of the university community and applies to the entire university.
- (2) The Charter ensures continuity of the spirit and academic principles established by the first University Charter, adopted in 1993.
- (3) The legal framework of the provisions of the Charter is represented by the Romanian Constitution, the Law no. 1/2011 on National Education, with the subsequent amendments and additions, and the other laws in force.

#### **Art. 3.**

- (1) The headquarters of the University is in Cluj-Napoca, 8 Victor Babeș Street.
- (2) The name, acronym, and other distinguishing marks of the University are determined by Senate resolution and are protected.
- (3) The annual celebration of the University takes place in early December, when scientific and cultural events are organized under the title Days of the University of Medicine and Pharmacy "Iuliu Hațieganu" Cluj-Napoca.
- (4) The University's official website is [www.umfcluj.ro](http://www.umfcluj.ro).

### **Chapter 2: Mission, Objectives and Principles**

#### **Art. 4.**

- (1) The core values to which the University adheres are: professionalism, honesty, responsibility, commitment, transparency and meritocracy.
- (2) The mission of the University is to develop and promote the knowledge and values of European humanism through three main components: education, research and community service.
- (3) The University offers basic, specialized and continuous training of students to meet the needs of society and to integrate into the labor market. The training is done in a critical spirit, responsibility, respect for values, commitment to the service of society and the promotion of knowledge with flexibility and creativity in the face of the challenges of globalization

- (4) The University conducts and promotes fundamental and applied research in accordance with the requirements of a progress-based society, on behalf of the public good, and in accordance with professional ethics.
- (5) The University participates in the development and modernization of the community through health care services, knowledge transfer, technological innovations, proposals for the optimization of institutional practices etc.

**Art. 5.**

To achieve this mission, the University is committed to the following objectives:

- a) basic, specialty and continuing education in medicine, pharmacy and other health sciences;
- b) scientific research aimed at ensuring progress in the medical-pharmaceutical field and other health sciences;
- c) the national and international relevance of the results obtained, reflected in the quality of the services, publications, patents and citations obtained;
- d) liaison with the national and international scientific research system;
- e) promotion and protection of public health;
- f) the dissemination of knowledge and culture in society;
- g) national and international cooperation;
- h) the integration and professional success of graduates;
- i) the maintenance and development of the scientific and cultural heritage of the University (research centers, museums, libraries etc.);
- j) the creation of centers, institutes and/or teaching hospitals promoting excellence in health.

**Art. 6.**

The University is organized and operates according to the following principles:

- a) freedom of thought and expression;
- b) university autonomy and academic freedom;
- c) independence from ideologies, religions and political doctrines;
- d) the absence of any form of discrimination;
- e) respect for life and the human person;
- f) respect for the rights and freedoms of all members of the university community;
- g) freedom of national and international mobility for students, teachers and researchers;
- h) promoting high quality standards;
- i) respect for professional and scientific ethics;
- j) respect for equity and equal opportunity;
- k) representativeness, subsidiarity and proportionality in all governance structures;
- l) decisions based on dialogue and consultation with members of the university community;
- m) national and international cooperation in research and education;
- n) transparency and public accountability;
- o) managerial and financial efficiency

- p) recognition of the merits of members of the university community;
- q) respect for patients' rights and protection of public health.

## **2.1. University autonomy and academic freedom**

### **Art. 7.**

- (1) The autonomy of universities is guaranteed by the Romanian Constitution and recognized by the Law no. 1/2011 on national education as a basic principle of higher education.
- (2) The University bases its mission, its institutional strategy, its structure, its activities, its organization and operation, its human resources policy, the management of its financial resources and the administration of its assets on the principle of academic autonomy, in compliance with the law.
- (3) Autonomy is exercised at the level of the University, of the faculties and other organizational structures of the University, through specific decision-making bodies, in accordance with the responsibilities assigned to them by law, the Charter and the internal regulations of the University.
- (4) University autonomy means the right of the university exercised in accordance with the law, without external pressure and without ideological, political or religious interference.
- (5) Academic autonomy means the right of the University to decide freely on the number of students in all study cycles, admission procedures, establishment/disestablishment of study programs, language of training and content of these programs, research topics and programs, quality assurance mechanisms and service providers, in accordance with the law.
- (6) Autonomy in the field of human resources policy means the right of the University to decide freely on the recruitment of its own staff, their salaries, promotion and dismissal, in accordance with the law.
- (7) Organizational autonomy means the right of the University to decide freely on the selection and dismissal of its own members and management structures, their terms and mandates, as well as the creation of new academic structures and entities, in accordance with the law.
- (8) Administrative and financial autonomy means the right of the University to decide freely concerning the institutional allocation of funds received from the state budget, the preservation of the surplus of public funds, the taking of loans, the ownership, purchase and sale of its own real estate, the amount of student fees in all study cycles, the administration and management of its own patrimony, material resources and auxiliary services, in accordance with the law.

### **Art. 8.**

- (1) The University pursues the fulfillment of its general mission and the achievement of its specific objectives in a manner consistent with academic freedom. The academic freedom of the members of the University community is guaranteed by law.
- (2) Academic freedom means freedom of teaching, research and learning, including the following aspects: participation in teaching and research activities, including exchange of experience, participation in their organization and coordination, choice of subjects and methods of study and research, application for national and international grants, interpretation, publication and transfer of research results, and free expression of opinions.
- (3) The freedoms referred to in paragraph (2) shall be exercised in accordance with the law, University regulations, and University ethics.

**Art. 9.**

- (1) The University supports and encourages the formation of a civic consciousness, the values of the rule of law, and the ideals of democracy.
- (2) The Academic Body has freedom of speech on political issues.
- (3) The University is apolitical. No political activity takes place in the University space.
- (4) In order to avoid political interference in the organization and operation, the University discourages the holding of senior positions by persons who simultaneously hold parliamentary or other positions of public dignity or leadership in political parties.

**2.2. Public accountability and quality management****Art. 10.**

The University's assumption of public accountability covers the following:

- a) compliance with current legislation, the Charter and other regulations, as well as national and European policies in the field of higher education;
- b) assumption and application of the existing regulations concerning the assurance and evaluation of qualifications in higher education;
- c) respect for the rules of academic ethics contained in the University Code of Ethics and Professional Conduct;
- d) insurance of an efficient management, use of resources and expenditure of funds from public sources in accordance with the institutional contract and funds from other sources in accordance with the law;
- e) insurance of transparency at all levels of decision-making and activity, in accordance with the legislation in force;
- f) respect for academic freedom and the rights of members of the university community.

**Art. 11.**

Quality management at the University brings together quality assessment and quality assurance activities in an integrated system, consisting of all the regulations and structures that enable the assessment and quality assurance of educational, research and administrative processes.

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## **TITLE II. UNIVERSITY COMMUNITY**

### **Chapter 1: General Provisions**

#### **Art. 12.**

- (1) The university community is composed of students, teaching and research staff, auxiliary teaching and research staff, non-teaching staff and technical administrative staff and others, as decided by the Senate.
- (2) Individuals to whom the University has conferred honorary titles are part of the University community.
- (3) Retired teaching and research staff continue to be part of the university community.
- (4) The University community is open to all persons without discrimination on the basis of age, nationality, race, ethnicity, gender, sexual orientation, social origin, political or religious orientation, or other types of discrimination, with the exception of affirmative measures provided for by the law.
- (5) The members of the University community have rights and duties established by the legislation in force, by the Charter, by the internal regulations of the University and by the contract concluded with the University.

### **Chapter 2. Members of the University Community**

#### **2.1. Teaching and research staff**

#### **Art. 13.**

- (1) Teaching and research positions, auxiliary teaching and research positions, and non-teaching positions at the University shall be filled in by open competition or other forms of employment provided for by law, according to the need and the financial resources, in accordance with current legislation and specific methodologies.
- (2) The University may hire, as associate or visiting teaching and/or research staff, prominent academic and specialty staff, under the conditions of the law and according to the methodology approved by the Senate.
- (3) The selection, hiring, periodic evaluation, training, motivation, and termination of contractual employment relationships of personnel are the responsibility of the Head of the Department, Dean, Director of the doctoral school, or Director of the research unit.

#### **Art. 14.**

- (1) At the University, the teaching and research positions are: university assistant, assistant professor, lecturer and university professor, respectively research assistant and research scientist of grade I, II and III.
- (2) At the University, teaching and research positions are filled in through a competition or promotion examination, held in accordance with the law and the Regulations for Competitions for occupation of teaching positions, promotion in the teaching carrier and occupation of research positions.

**Art. 15.**

- (1) The responsibilities of the teaching and research staff are defined in the individual job description, developed in accordance with the law.
- (2) The activity of the University's teaching and research staff is evaluated annually, based on specific regulations.

**Art. 16.**

The University confers the honorary titles of Distinguished Professor, Visiting Professor, Distinguished Visiting Professor, and Doctor Honoris Causa in accordance with the provisions of the Regulations on the Award of Honorary Titles.

**2.2. Auxiliary teaching and research staff and non-teaching staff****Art. 17.**

Auxiliary teaching and research staff and non-teaching staff of the University, faculties, departments, university extensions, institutes and research centers, includes specialized personnel, who support the proper running of the educational process, research activity, student relations, economic and social environment.

**Art. 18.**

- (1) The duties of teaching and research staff and non-teaching staff are defined in the individual job description, established in accordance with the law.
- (2) The activity of the teaching and research auxiliary staff and the non-teaching staff of the University is evaluated annually on the basis of specific regulations.

**2.3. Students****Art. 19.**

- (1) Student status at the University is acquired upon matriculation in a bachelor's, master's, doctoral, residency, or postgraduate program, regardless of the form in which such studies are conducted.
- (2) The rights and duties of students are stipulated in the Code of Student Rights and Duties, as well as in other University regulations.
- (3) The University establishes, through regulations and methodologies, the conditions of admission, professional activity of students and completion of studies.
- (4) University students who travel to other universities as part of intercollegiate collaborative programs retain their membership in the University community.
- (5) Students from other universities studying at the University, in the framework of inter-university collaboration programs, have the right to education under the same conditions as the students of the University.
- (6) Student status at the University ceases upon completion of studies, by interruption of studies or by exmatriculation.

**Art. 20.**

- (1) Scholarships shall be awarded in accordance with the Regulations for Scholarship.

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- (2) Students are provided with accommodation facilities in accordance with the University's Regulations for Accommodation and Housing.

**Art. 21.**

- (1) The University supports student volunteer, educational, scientific, artistic and sportive activities.
- (2) The University supports student association in specific organizations and encourages participation of the graduates in the life of the University community.

**Chapter 3. Rights and duties of the members of the university community**

**Art. 22.**

- (1) Members of the university community have the following rights:
- a) to participate in the management of the University's structures;
  - b) to elect and to be elected to leadership positions without discrimination of any kind, except where the law provides specific eligibility criteria;
  - c) to freely choose their subjects of scientific research in their field of competence, in accordance with academic freedom, while observing ethical, deontological and legal rules;
  - d) communicate and discuss research results within and outside the University;
  - e) to have the guarantee of their intellectual property rights in accordance with the legislation in force and the provisions of the University Code of Ethics and Professional Conduct;
  - f) to use the University's material base and resources for the purpose of fulfilling professional obligations;
  - g) to propose ideas for modernizing the education process;
  - h) to express their opinions in accordance with their own conscience and with the provisions of the University Code of Ethics and Professional Conduct;
  - i) to create or belong to professional or cultural associations or foundations, national or international, in accordance with the law, without being subject to discrimination or repression.
- (2) The rights of University employees are detailed in the Internal Regulations and the rights of students are detailed in the Code of Student Rights and Duties.

**Art. 23.**

- (1) Members of the university community have the following duties:
- a) to comply with the University's Charter and Regulations;
  - b) to fulfill their professional obligations, to develop and improve professionally;
  - c) to be loyal to the University and the university community and to defend their prestige and public image;
  - d) to observe the University's dress code;
  - e) to comply with the University's code of conduct;
  - f) to maintain the confidentiality of the activity, discussions or decisions of the different management structures or committees of which they are members;
  - g) to use with care the material goods made available in the laboratories, libraries, dormitories, canteens or other premises where professional activity is carried out or those entrusted to them by authorized persons and to maintain the cleanliness of university spaces

- h) to respect patients' rights and protect public health.
- (2) The duties of University employees are detailed in the Internal Regulations and the duties of students are detailed in the Code of Student Rights and Duties.

**Art. 24.**

The collaboration between the University's management structures and the legally constituted student organizations, as well as the teaching, research, technical and administrative staff unions, is carried out in accordance with the following provisions:

- a) the representatives of the student organizations participate in the activity of the management structures of the University as elected members or invited to the meetings of the respective structures;
- b) Faculty Councils and the Senate are composed of at least 25% student representatives;
- c) the students have representatives in all the Senate commissions, in the commissions of university ethics, of housing, of quality assurance and other social commissions, according to Law No. 1/2011;
- d) in the meetings of all management structures, in the case of debates that end with decisions on student issues, the representatives of legally constituted student organizations have the right to freely express their opinions and proposals and to advocate their cause;
- e) issues that are of fundamental importance for the activity of the student organizations are subject to analysis, debate and consultation with the representatives of the respective organizations in the management structures, as well as with other guests of the management bodies of the student organizations;
- f) representatives of the University's management structures participate in regular meetings with representatives of student organizations to discuss major issues of the educational process as well as social issues;
- g) the University delegates the organizing of annual events to student organizations, which it supports logistically and/or financially as appropriate;
- h) the development of all the University's basic regulations is carried out with the consultation and participation of student organizations;
- i) The University collaborates with the legally constituted unions of teaching, research, technical and administrative staff.

**Art. 25.**

- (1) Teachers may not be disturbed in the course of their teaching activity by any university or public authority, except in cases of emergency. Participation in teaching activity by persons authorized to evaluate it is not considered a disturbance.
- (2) Audio and/or video recording of a teaching activity may only be done with the consent of the teacher performing the activity.
- (3) Reproduction, in any form, of recordings of teaching activities by students or others is permitted only with the written consent of the teacher who conducted the activity.

**Art. 26.**

- (1) University teachers shall have the right to reserve their teaching position during the period in which they hold public office or find themselves in any of the following situations, according

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to the law: they are required to work abroad for teaching, research, artistic or sports activities, on the basis of a contract, as a result of agreements, governmental, inter-university or inter-institutional conventions, or sent for specialization.

- (2) Teachers who are elected or appointed to public institutions of the state or who perform activities specific to their public service in departments or other specialized agencies of the state may perform teaching activities related to a teaching norm.

**Art. 27.**

- (1) Tenured teachers who, on their own initiative, request to specialize or participate in scientific research in the country or abroad, shall be entitled, with the approval of the Senate or, if applicable, the Board of Directors, to a leave of absence without pay for a total period of up to 3 years within a 7-year period, if proof of such activity is provided.
- (2) Tenured teachers may be granted an unpaid leave of absence for one academic year once every 10 years with the approval of the University Senate or, if applicable, the Board of Directors.
- (3) Tenured professors and lecturers or grant program directors who for 6 consecutive years had research grants and worked at the same university may be granted a sabbatical year. During the sabbatical year, they receive no more than a base salary, with the approval of the University Senate, and retain full tenure, but are excused from performing the activities in their job description.

**Art. 28.**

- (1) Members of the University community sent by the University to training activities, scientific events, or other missions in the interest of the University shall be entitled to the rights provided by law for traveling personnel, as well as to the payment of the costs of participation, within the limits of the budgetary funds and other sources allocated to these activities, including scientific research contracts.
- (2) The University, with the authorization of the Dean and with the approval of the Board of Directors, may pay, in whole or in part, the costs of travel and participation of members of the University community in scientific events organized in the country and abroad, within the limits of the amounts allocated for this purpose.
- (3) Academic mobility is regulated by the Regulations for Mobility.

**Art. 29.**

- (1) Hiring of the teaching staff is authorized by the Faculty Council and approved by the University Senate as required by law.
- (2) Teaching activities may be done by tenured teaching and research staff in other institutions of higher education or research only with the written consent of the University Senate.

**Art. 30.**

- (1) Teaching and research staff retire when they reach legal retirement age.
- (2) Retirement is effective at the end of the academic year in which the faculty member or research staff member reaches legal retirement age, unless the he or she requests to terminate employment with the University earlier.
- (3) Based on professional performance criteria and financial status, the Senate may decide to continue the activity of a teaching or research staff member beyond retirement age on a one-year fixed-term contract with the possibility of annual extension, without age limit, paid on an hourly basis, in one of the following forms:

- a) as an associate professor doctoral supervisor, upon recommendation of the Council on Doctoral Studies (CSUD), on the Doctoral School's staff list, for PhD supervisors who have active PhD students at the time of retirement;
  - b) as an associate teacher for teachers (Assistant Professors, Associate Professors, Professor) who do not hold a PhD supervision but who, after retirement, wish to continue working throughout the academic year, except during vacation periods.
- (4) At the University, tenure in teaching and/or research is not maintained after the legal retirement age.

**Art. 31.**

- (1) Retired teachers and researchers maintain their teaching / scientific rank earned prior to retirement.
- (2) Teachers who have reached retirement age may be awarded, by decision of the University Senate, the honorary title of Professor Emeritus or other titles or honors in accordance with the Regulations on the Award of Honorary Titles and Honors.

**Art. 32.**

- (1) Students can attend, for a defined period of time, the courses of other similar universities in the country or abroad with which the University has signed collaboration agreements.
- (2) The equivalence of these studies is based on recognition or agreements and conventions concluded by the University, in accordance with the law.

**Art. 33.**

- (1) Any member of the University community has the right to write to any of the governing bodies of the University and receive a written response.
- (2) Any member of the university community who considers himself or herself a victim of a damage may file a complaint or request a hearing with the appropriate management structure.
- (3) The results of any competition or examination may be challenged by the person who considers himself or herself aggrieved. Challenges will be reviewed and resolved in accordance with the rules governing the competition or examination in question.

**Art. 34.**

- (1) The authorities responsible for public order shall ensure protection in the University space against any person or group of persons who undermine the human and professional dignity of the members of the university community or who prevent the exercise of their rights and duties.
- (2) Protection is provided at the request of the Rector, Dean or Administrative Director General.
- (3) In emergency situations, when the life, health or physical integrity of a person is endangered, the responsible authorities may intervene without the prior approval of the Rector, the Dean or the Administrative Director General.

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## TITLE III. STRUCTURE, FUNCTIONS AND DECISION-MAKING POWERS

### Chapter 1. The structure of the University

#### Art. 35.

- (1) In order to achieve the objectives derived from its mission, the University has and may create in its organizational structure, in accordance with the law, the following components: faculties; departments; subjects; doctoral schools; centers and laboratories; extensions; research units; libraries; publishing houses; museums; sports clubs; human resources continuing education centers; micro-production and service provision units; technical-administrative services or other entities with their own organizational and operational regulations, which serve the specific activities of the University.
- (2) The organizational structures of the University are established, operate and are dissolved in accordance with specific regulations, in compliance with the law.
- (3) The structure of the University, the hierarchical relationships of subordination and collaboration are established by the organizational chart of the University, approved by the Senate.

#### Art. 36.

- (1) The faculty is the functional unit that develops and manages academic programs and research activities.
- (2) Faculties shall be created, organized, or discontinued upon the proposal and approval of the University Senate in accordance with the law.
- (3) The University has three faculties: the Faculty of Medicine, the Faculty of Dentistry and the Faculty of Pharmacy.
- (4) Each faculty operates in accordance with the law, the Charter and the Faculty Organization and Operation Regulations.
- (5) The faculty has academic, scientific, financial, and administrative autonomy within the limits of the law and the University's regulations.
- (6) The faculty includes one or more departments. It may include postgraduate education and university extensions.
- (7) University extension is a means of organizing a program of study, by relocation, within the country or abroad. University extension is coordinated by an extension director.

#### Art. 37.

- (1) The department is the functional unit, subordinate to the faculty, which ensures the production, transmission and valorization of knowledge in one or more specialized fields.
- (2) The department is created according to the academic and scientific research programs of a faculty, observing the criteria of financial viability and academic performance.
- (3) The department is created, organized, divided, merged or dissolved by decision of the University Senate, upon proposal of the faculty council in which it operates.
- (4) A department includes one or more related or complementary disciplines.
- (5) The Department is organized and functions on the basis of the specific provisions of the Regulations for the Organization and Operation of the Faculty.

**Art. 38.**

- (1) The Subject is the organizational structure within the department at which teaching and research activities related to a subject or group of related or complementary subjects are conducted.
- (2) The Subject is organized and operates on the basis of the specific provisions of the Regulations for the Organization and Operation of the Faculty.
- (3) The creation and dissolution of the Subject is proposed by the Department Council or the Faculty Council.
- (4) The decision to create or dissolve the Subject is made by the Faculty Council by a qualified majority vote of the members, cast by secret ballot.

**Art. 39.**

- (1) The University has research structures, which are created by decisions of the Senate.
- (2) The research structures are organized and operate on the basis of the University's own regulations, adopted by decisions of the Senate.

**Art. 40.**

- (1) The administrative structures of the University are established by decisions of the Senate.
- (2) The administrative structures are organized and operate on the basis of the University's own regulations, adopted by decisions of the Senate.

**Art. 41.**

- (1) The university is an Organizing Institution of University Doctoral Studies (IOSUD), under which doctoral studies are organized.
- (2) IOSUD operates on the basis of the Code of Doctoral Studies and the Institutional Regulations for the organization and functioning of doctoral studies.
- (3) The Council on University Doctoral Studies (CSUD) coordinates the work of the University's doctoral schools.

**Art. 42.**

- (1) The University may create, by decision of the Senate, centers for the continuous training of human resources, micro-production units, service delivery units, business incubators, student-entrepreneur associations and other structures to facilitate the creation and transfer of knowledge.
- (2) These structures are organized and operate on the basis of the University's own regulations, adopted by decisions of the Senate.

**Art. 43.**

The advisory structures of the University are established, organized, function and are dissolved on the basis of specific regulations approved by the Senate.

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## Chapter 2. Management structures and functions

### Art. 44.

- (1) The management structures of the University are the University Senate and the Board of Directors. The operational structures are subordinated to the Senate, respectively to the Board of Directors, having their own attributions.
- (2) The Senate is organized and functions on the basis of the provisions of the Regulations for the Organization and Operation of the Senate.
- (3) The Board of Directors is organized and functions on the basis of the provisions of the Regulations for the Organization and Operation of the Board of Directors.

### Art. 45.

- (1) The management structure of the faculty is the Faculty Council.
- (2) The Faculty Council is organized and functions on the basis of the specific provisions of the Regulations for the Organization and Operation of the Faculty.

### Art. 46.

- (1) The management structure of the Department is the Departmental Council.
- (2) The Departmental Council is organized and functions on the basis of the specific provisions of the Regulations for the Organization and Operation of the Faculty.
- (3) Each Subject in the department is managed by the Head of Subject, whose responsibilities are defined in the Regulations for the Organization and Operation of the Faculty.

### Art. 47.

- (1) The management functions of the University are: the Rector and Vice-Rectors, the Administrative Director General, the Deputy Administrative Director General.
- (2) The rector confirmed by the Minister of Education appoints and dismisses the vice-rectors based on consultations with the Senate.
- (3) The University has 5 to 7 vice-rectors
- (4) The number of vice rectors is determined by the elected and confirmed rector.
- (5) The positions of Administrative Director General and Deputy Administrative Director General are filled in through a competitive process organized by the Board of Directors and validated by the Senate.

### Art. 48.

- (1) CSUD is managed by a director.
- (2) The position of Director of CSUD is equivalent to the position of Vice-Rector.
- (3) The Director of CSUD is appointed by the Rector, following an open competition organized by the University, in accordance with the law and the Doctoral Studies Code.

### Art. 49.

- (1) The faculty management positions are: dean and vice deans.
- (2) The Faculty of Medicine has a total of five vice-deans.
- (3) The Faculty of Dentistry has three vice-deans.
- (4) The Faculty of Pharmacy has three vice-deans.

**Art. 50.**

- (1) The managing position at the department level is the Head of the department.
- (2) The position of Head of Subject is not a management position.

**Art. 51.**

The research and development units are managed by the directors of the respective units.

**Art. 52.**

The general principles relating to management structures and functions are:

- a) election of management structures, the filling in of management positions and the dismissal of persons holding management positions or being part of the University's management structures and bodies shall be carried out in accordance with the provisions contained in the Electoral Regulations;
- b) replacement of persons who hold management positions or who are members of the University's structures and governing bodies and whose term of office has ended before the end of the mandate shall be carried out in accordance with the provisions of the Electoral Regulations;
- c) the powers and duties of the University's management structures and functions are established in accordance with the provisions of the law, the Charter, the Regulations for the Organization and Functioning of the Faculty, the Regulations for the Organization and Functioning of the Senate and the Regulations for the Organization and Functioning of the Board of Directors;
- d) all the University's management structures, with the exception of the Board of Directors, are elected by universal, direct and secret ballot for a period of 4 years;
- e) the teaching staff of the management structures must have tenure in the University;
- f) initiatives for the adoption or amendment of regulations within the competence of a governing body shall be submitted to the plenary session of the governing body by its leader; the plenary session shall decide by a simple majority whether or not the initiative shall be submitted for debate;
- g) a person may hold office for a term of 4 years, with the possibility of two successive renewals, with the exception of the office of rector, which may not be held for more than two terms;
- h) each person in an management position shall designate in writing a replacement for periods during which he or she is temporarily unable to perform his or her duties;
- i) any person holding a management position has the right to resign, as a unilateral act of will with immediate effect; in this case, the resignation must be made in writing;
- j) the decisions adopted by the managing bodies are made public on the University's website, with the obligation to specify, in their text, the date of their entry into force;
- k) The University Senate and Faculty Council must have at least 25% student representatives;
- l) Student representatives to the Faculty Council and the University Senate are elected by universal, direct and secret ballot of all students of the faculty, respecting the representation quotas;
- m) a student may be represented in its relations with the University by only one legally constituted student organization;
- n) the University management is not involved in the organization of the election process of the student representatives

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- o) Student representative status cannot be conditioned by the University management;
  - p) decisions, rulings and written provisions of the management structures and of the persons occupying management positions are binding on the subordinate staff;
  - q) management structures operate with a quorum of at least two-thirds of their members;
  - r) in collective management structures, decisions are taken by simple majority (i.e. at least 50% + 1 of the validly cast votes, provided that a quorum is reached), by absolute majority (i.e. at least 50% + 1 of the total number of members) or by qualified majority (i.e. at least 2/3 of the total number of members), by open vote or by secret ballot, in accordance with the provisions of the specific regulations;
  - s) The proceedings of the meetings of the management structures of the departments, faculties and the University are not public;
  - t) The Rector is a permanent guest at Senate meetings and has the right to actively participate in the debates (supports the position of the Board of Directors, responds to senators' requests, and proposes strategies to the Senate on areas of interest to the University) ;
  - u) Members of the Board of Directors are permanent guests at the Senate meetings and have the right to actively participate in the debates, as part of their duties, in accordance with the Regulations for the Board of Directors (they respond to the Senators' requests and support certain documents proposed for approval);
  - v) any member of a governing body shall have the right to request a secret ballot if the regulations provide for an open vote; a secret ballot shall be used only if such request is approved by a simple majority of the members, the option being expressed by a secret ballot.

**Art. 53.**

Conflicts of interest, incompatibilities, and prohibitions related to holding a managing position at the University, to membership in a University management structure, and to the quality of Head of Subject are as follows:

- a) in a legislature, managing positions may not be held concurrently;
- b) persons who hold managing positions in the University may not simultaneously serve as President of the Senate;
- c) persons holding managing positions at other universities may not hold managing positions at the University;
- d) a person who has been sanctioned for disciplinary misconducts or for deviation from academic ethics or who has been previously convicted of plagiarism or any other criminal conviction and has not been rehabilitated may not be elected to management structures, may not hold management positions, and may not serve as Head of Subject;
- e) the same management structure may not include persons who are spouses, relatives and parents up to and including the third degree;
- f) a person may not hold a managing position and may not be Head of Subject if by doing so contravenes the provisions of the National Education Act No. 1/2011, art. 130, para. (1), letter b): "persons who are in a relationship of spouses, relatives and parents up to and including the third degree may not simultaneously hold positions such that either is towards the other in a position of management, control, authority or institutional evaluation at any level in the same university and may not be appointed to doctoral commissions, evaluation commissions or competition commissions whose decisions affect spouses, relatives or parents up to and including the third degree";

- g) tenured teaching and/or research personnel holding the positions of rector, vice-rector, administrative director general, dean, vice-dean, and head of department and/or their spouses, relatives, or parents up to the third degree holding a position directly subordinate and coordinated by these positions have 30 calendar days to terminate their incompatibility ;
- h) teaching and research staff member who hold a managing position or a position in a management structure is elected to another managing position, which cannot be held concurrently with his or her original position in accordance with the law, must choose one of the two positions within 30 calendar days of the occurrence of the incompatibility.

**Art. 54.**

- (1) Members of any management structure have the following rights:
  - a) to be informed of the convening of meetings of the management structure;
  - b) to participate in the sessions of the management structure;
  - c) to be appointed among the members of the management structure, in accordance with the legal provisions in force;
  - d) to speak up and express their opinions freely at the meetings of the management structure;
  - e) to make proposals to improve the activity;
  - f) to express their choice to participate in one or several activity commissions of the management structure;
  - g) to vote freely at meetings of the management structure;
  - h) to have their activity recognized as members of the management structure and its activity commissions;
  - i) to resign as a member of the management structure, by written resignation submitted to the management of the structure or to the plenary session, with immediate effect;
  - j) to propose the adoption or modification of the regulations within the competence of the management structure.
- (2) Members of any management structure have the following obligations:
  - a) comply with the law, the Charter, the regulations, and university ethics and professional conduct;
  - b) to participate in the meetings and work of the management structure, unless the absence is justified and approved by the management of the structure;
  - c) to opt for participation in at least one of the activity commissions of the management structure;
  - d) to participate in the meetings and work of the commission(s) for which they have opted;
  - e) to carry out in good faith the attributions that are theirs in accordance with the operating regulations or established by the decisions of the management of the respective structure;
  - f) to abstain from deliberations and voting if a conflict of interest arises in the exercise of its duties;
  - g) to refer to the management of the structure to which they belong whenever they observe or believe that the rights of members of the university community or the ethical principles of university activity are being violated.
- (3) Failure to comply with the obligations under paragraph (2) shall result in liability in accordance with the organizational and operational rules applicable to the respective management structure.

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## Chapter 3. Powers and attributions of management structures and functions

### Art. 55.

The Senate is the primary deliberative and decision-making body at the University level.

### Art. 56.

The Senate enters into a management contract with the Rector of the University as required by law.

### Art. 57.

- (1) The Senate creates specialized commissions through which it monitors and controls the activity of the executive management of the University and the Board of Directors.
- (2) The monitoring and control reports are regularly presented and discussed in the Senate and form the basis for its resolutions.
- (3) The commission propose amendments to existing regulations or new regulations and decisions.
- (4) There is an ongoing relationship of communication and collaboration between the Senate commissions and the University's executive management, depending on the areas of activity.
- (5) The Senate may create special commissions to carry out specific assignments.

### Art. 58.

- (1) The Senate has the competence of regulation and decision in the following areas: management of the University, education, scientific research, human resources, social-student, financial, material base, administration, image and inter-institutional national and international collaboration.
- (2) The main functions of the Senate are as follows:
  - a) guarantees academic freedom and university autonomy;
  - b) elaborates and adopts, following the debate in the university community, the University Charter by an absolute majority;
  - c) approves the strategic plan for institutional development and the annual operational plans, on the proposal of the Rector;
  - d) approves, on the proposal of the Rector, the structure, organization and operation of the University, by an absolute majority;
  - e) approves the methodologies and regulations concerning the organization and operation of the University and its constituent structures;
  - f) validates open competitions for positions in the Board of Directors;
  - g) authorizes the structure and composition of the Ethics Commission proposed by the Board of Directors;
  - h) develops and approves the Quality Assurance Code and the Code of Ethics and Professional Conduct of the University;
  - i) authorizes and proposes to the government, by a qualified majority, the creation and funding of study programs, as well as their elimination;
  - j) annually approves the University's programs of study (bachelor's, master's, doctoral, residency, postgraduate), their curricula, annual enrollment, and formats of study; it may establish dual specializations;
  - k) approves the creation of the research units;
  - l) develops and approves the operating regulations of the research units;
  - m) approves the University's research and development strategy;

- n) approves annually the staff list: number of teaching and research positions, the norm of effective teaching;
  - o) approves the lists of research staff, auxiliary teaching staff and administrative staff;
  - p) establishes the University's own criteria for filling in positions and for periodic evaluation of human resources;
  - q) approves the methodology and results of the competitions for the employment of teaching and research staff;
  - r) approves, on the proposal of the Rector, the sanctioning of staff with poor professional performance, based on its own methodology and the law;
  - s) adopts the University Code of Student Rights and Duties in accordance with the Code of Student Rights and Duties;
  - t) approves the draft budget, the execution of the budget and the balance sheet of the University;
  - u) approves the distribution of funds available to the University;
  - v) approves the investment program for the development of the University's material base;
  - w) approves the awarding of honorary titles.
- (3) The Senate shall perform such other functions as are established by the Regulations for the Organization and Operation of the Senate, other University regulations, or as arise from the application of law.

**Art. 59.**

- (1) The Board of Directors, under the direction of the Rector, ensures the operational management and administration of the University and implements the strategic decisions of the Senate.
- (2) The Board of Directors has regulatory and decision-making powers in the following areas: management of the University, teaching, scientific research, human resources, social-student, financial, material base, administration, image and inter-institutional, national and international collaboration.
- (3) The main duties of the Board of Directors are as follows:
- a) Provides operational leadership and solves day-to-day problems of the University;
  - b) implements the decisions of the Senate and adopts the resolutions or measures necessary for the execution of the decisions of the Senate
  - c) Proposes to the Senate medium- and long-term strategies and policies for the University on areas of interest to the University;
  - d) establishes in operational terms the proposed budget of the University;
  - e) approves the execution of the budget and the annual balance sheet;
  - f) approves financial transactions in excess of Senate limits;
  - g) proposes the amount of tuition and fees charged to the University;
  - h) manages the movable and immovable property owned or administered by the University;
  - i) cooperates with the Senate committees in the performance of their duties;
  - j) proposes the structure and composition of the University Ethics Commission;
  - k) approves the new curriculum proposals;
  - l) makes proposals to the Senate to eliminate curricula that no longer fit the mission of the University or are academically and financially ineffective;
  - m) Approves the call for teaching and research positions and positions on other University staff lists;

- n) approves, within the limits of the funds allocated by the budget or extra-budgetary funds, including scientific research contracts or sponsorships, the total or partial payment of travel expenses and participation in scientific events organized abroad, of the University's teaching and research staff.
- (4) The Board of Directors shall perform such other duties as are provided for in the Regulations for the Organization and Operation of the Board of Directors, in other regulations of the University, or as are required by law.

**Art. 60.**

- (1) CSUD has managerial competences in the field of doctoral studies.
- (2) The main responsibilities of CSUD are as follows:
- a) establishes the strategy of the IOSUD;
  - b) prepares the proposal for the regulations of doctoral studies;
  - c) approves the proposals for the creation and dissolution of doctoral schools;
  - d) approves the academic proposals of the doctoral schools of the faculties, in accordance with its own regulations;
  - e) coordinates partnerships with other IOSUDs.
- (3) The CSUD fulfills other duties established by the Code of Doctoral Studies, the Institutional Regulations for the Organization and Conduct of Doctoral Programs, other University regulations, or that arise from the application of the law.

**Art. 61.**

- (1) The Faculty Council has regulatory and decision-making powers in the following areas
- a) faculty mission, structure and management;
  - b) teaching ;
  - c) human resources ;
  - d) administrative.
- (2) The main duties of the Faculty Council are:
- a) defines the mission, goals and strategy of the faculty, consistent with the mission, goals and development strategy of the University;
  - b) approves the faculty strategic plan, the faculty annual operating plan and the faculty international academic cooperation strategy, as well as the proposed actions for their implementation;
  - c) hears the candidates for the position of dean in plenary session and approves the participation of at least two candidates in the open competition, if there are more than two candidates;
  - d) approves, on the proposal of the dean, the structure, organization and operation of the faculty;
  - e) validates the appointment of the heads of subjects and the results of the departmental elections within the faculty;
  - f) approves academic evaluation reports for accreditation or re-accreditation of programs of study;
  - g) approves, on the proposal of the dean, the creation, modification or dissolution of programs of study managed by the faculty;
  - h) monitors the activity of the dean and approves the dean's annual reports on the general state of the faculty, quality assurance, and academic ethics within the faculty;
  - i) approves annual proposals for enrollment figures and study formats;

- j) approves the faculty staff lists and the exceptions in the constitution of the teaching standards;
  - k) approves proposals to put teaching and research positions out for competition, approves competition commissions, analyzes their reports and approves the results of competitions;
  - l) approves the terms and conditions for the organization of the licensing examination;
  - m) decides on the use of material and financial resources made available to the faculty;
  - n) approves the initiation of income-generating activities.
- (3) The Faculty Council performs other functions established by the Regulations for the Faculty Organization and Operation, other University regulations, or as required by law.

**Art. 62.**

- (1) The Departmental Council has management competencies in the department in the areas of: teaching, scientific research, quality assurance, human resources.
- (2) The main responsibilities of the Department Council are as follows:
  - a) assists the Head of the Department in the management and executive operation of the department;
  - b) carries out the harmonization of the teaching, research and professional activities of the department, in order to develop curricula and the staff list;
  - c) conducts a regular evaluation of the department's teaching, research and professional activities and establishes measures to improve their quality;
  - d) authorizes the proposals to put out for competition teaching and research positions, respectively the proposals for the competition commissions and submits them to the Faculty Council for approval;
  - e) authorizes the hiring of specialists of recognized scientific and professional value in the field, from the country or abroad, as visiting professors.
- (3) The Departmental Council fulfills other duties established by the Regulations for the Organization and Operation of the Faculty, other University regulations or which arise from the application of the law.

**Art. 63.**

- (1) The Rector of the University ensures the executive and operational management of the University on the basis of contracts concluded, in accordance with the law, with the University Senate and with the competent Ministry.
- (2) The Rector legally represents the University in its relations with third parties, with other universities in the country and abroad, with the central and local administration, with national and international institutions or organizations.
- (3) The Rector is the University's authorizing officer for payments.
- (4) As the executive head of the University, the Rector makes decisions, resolutions and provisions on management matters within his or her jurisdiction.
- (5) The Rector has managerial competencies in the following areas: University management, teaching, scientific research, human resources, social-student, financial, material base, administration, image and inter-institutional, national and international collaboration.

**Art. 64.**

- (1) The Rector is the ex-officio Head of the Board of Directors and has the following main duties:
  - a) ensures the management and executive operation of the University, based on the management contract;
  - b) Coordinates University policies in accordance with the Strategic Plan and operational plans approved by the Senate, taking action to achieve the assumptive goals;

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- c) ensures the management of the University's human and material resources in an economical, effective and efficient manner;
  - d) acts as the legal representative of the University, having the right to sign in this regard;
  - e) concludes legal acts in the name and on behalf of the University;
  - f) negotiates and signs the institutional contract with the appropriate ministry;
  - g) enters into the management contract with the University Senate;
  - h) proposes for approval by the University Senate the structure and operating regulations of the University, including the reorganization and dissolution of non-performing departments or institutes;
  - i) establishes general criteria for the distribution of resources to ensure a balance between revenues and expenditures;
  - j) proposes for approval by the University Senate the draft of the annual budget and the budget performance report;
  - k) executes the University's budget;
  - l) submits to the University Senate for validation, before the first day of April of each year, a report on the state of the University, in accordance with the law;
  - m) convenes and presides over the meetings of the Board of Directors;
  - n) presides over meetings of an academic nature in which it participates in the exercise of its prerogatives, at any level of the University, under the conditions imposed by the specific rules applicable;
  - o) appoints and dismisses, in accordance with the law, the management, teaching, research and technical-administrative staff:
    - selects by open competition the deans of faculties in accordance with the Electoral Regulations and submits them for validation to the University Senate;
    - appoints and removes the Vice Rectors, in consultation with the Senate, in accordance with the law and the Electoral Regulations.
    - appoints the directors of the University's departments, with the exception of the heads of the teaching departments, who are elected according to the Electoral Regulations;
    - chairs the competition commission for the position of Administrative Director General;
    - appoints the Administrative Director General for the duration of his or her term as rector, after the Senate has validated the competition;
    - may decide to maintain in position the Administrative Director General based on his or her written consent to executive support of the management plan, in accordance with the law;
    - issues the appointment decisions for teaching and research positions after approval by the Senate;
    - decides on the temporary employment of associate teaching staff, after approval by the Senate;
  - p) expresses the University's public position on matters of general interest, including communication with the media;
  - q) performs other duties established by the Senate in accordance with the Management Contract, the University Charter, and applicable law:
    - publishes annually, the schooling offer, through a declaration on responsibility, observing the schooling capacity established by the ARACIS evaluation;
    - is the president of the Admission Commission and is responsible for the organization and the proper running of the competition;

- issues the decision of registration and exmatriculation of students to the study programs offered by the University, according to the decisions of the competent structures;
- is responsible, along with the deans and heads of departments, for the proper conduct of competitions to fill in positions;
- issues the decision to grant merit pay and other salary increases in accordance with current legislation;
- approves the composition and structure of the Commission on Academic Ethics and Conduct, as proposed by the Board of Directors and approved by the Senate;
- implements the decisions of the Commission on Academic Ethics and Conduct within 30 days of the decision;
- signs, after approval by the Senate, the agreements and cooperation programs of the University with other institutions of higher education and research in the country and abroad;
- signs the academic honorary titles, after their approval by the Senate;
- signs diplomas, certificates and other academic documents issued by the University;
- maintains general relations with the unions and the student organizations through their representatives;
- may cancel a certificate or degree if it was obtained fraudulently or in violation of academic ethics;
- appoints, with the approval of the Senate, the review panels for the investigation of teaching, research or administrative misconducts of the university personnel;
- may make proposals for disciplinary sanctions against staff and implements the disciplinary sanctions; proposes to the Senate the sanctioning of staff with poor professional performance, based on its own methodology and the legislation in force.

(2) In the performance of his/her duties, the Rector is accountable to the university community and the Senate.

(3) The exercise of the prerogative to represent the University by signature may be delegated to one of the vice-rectors. In case of absence for a period exceeding one month, the Rector shall designate a substitute in the person of a Vice-Rector.

(4) The Rector shall perform other duties established by the Regulations for the Organization and Operation of the Board of Directors, other University regulations or which arise from the application of the law

#### **Art. 65.**

- (1) The Vice-Rectors exercise their operational and institutional strategy attributions in specific areas, based on the delegation of responsibility given by the Rector, in accordance with the law.
- (2) The areas of responsibility of the vice-rectors are: university administration, academic development, student affairs, education and scientific research, postgraduate studies and residency, ambulatory and hospital work, academic evaluation and quality assurance, international relations and the image of the University.
- (3) The main responsibilities in the area of university administration, academic development and student issues are the following:
  - a) coordinating and monitoring of the University's socio-administrative activities;
  - b) implementing of the development strategy, internal and international programs concerning the University's infrastructure and its relationship with the economic and social environment
  - c) coordinating and development of educational and career guidance programs;

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- d) supporting the ongoing relationship with student organizations and cooperation in solving student problems related to dormitory accommodation, scholarships etc.
- (4) The main responsibilities in the field of education are the following:
- a) coordinating, guiding and monitoring of the educational activity in the University;
  - b) participating in the development and implementation of policies, regulations and procedures governing the educational activities in the University;
  - c) participating in the management of the University's human resources.
- (5) The main responsibilities in the field of scientific research are the following:
- a) coordinating, guiding and monitoring of the scientific research and innovation activity of the University and the activity of the Research and Development Department;
  - b) participating in the support of doctoral activity, specialization and documentation, in relation with the CSUD and the Doctoral School;
  - c) implementing of the University's research strategy, stimulation of research development and research cooperation at national and international level.
- (6) The main responsibilities in the field of postgraduate studies, residency, ambulatory and hospital activity are the following:
- a) coordinating, guiding and monitoring of the University's residency, postgraduate, continuing medical education and distance education activities;
  - b) implementing of the University's strategy, participation in the development and implementation of policies, regulations and procedures in the field of postgraduate studies, residency, ambulatory and hospital activity;
  - c) cooperation with the Ministry of Health, public health departments and professional associations for residency, specialty and primary examinations etc.
- (7) The main responsibilities in the area of academic assessment and quality assurance are the following:
- a) coordinating, guiding and monitoring the University's internal and external evaluation and quality assurance activities;
  - b) coordinating of the University's Quality Assurance and Evaluation Commission and the establishment of policies, regulations and procedures necessary to ensure quality standards and institutional performance;
  - c) representation of the University in relation to other institutions and professional associations in evaluation and accreditation processes.
- (8) The main responsibilities in the area of international relations and university image are the following:
- a) coordinating, guiding and monitoring of the university's image, representation and international relations activities;
  - b) initiating and executing of academic and scientific cooperation agreements with universities in the country and abroad and management of the programs in which the University participates;
  - c) coordinating of the International Relations Department and the Alumni Association;
  - d) organizing and carrying out festivities and ceremonies in honor of the University's personalities, awarding honorary titles, diplomas, internal and international medals etc.
- (9) The Vice-Rectors also have other duties established by the Regulations for the Organization and Functioning of the Board of Directors, by other University regulations, or by the application of the law.

**Art. 66.**

- (1) The Director of CSUD has managing responsibilities in the area of doctoral studies.
- (2) The main responsibilities of the CSUD Director are:
  - a) chairs the CSUD meetings;
  - b) implements the decisions of the CSUD ;
  - c) is responsible for the preparation, organization and conduct of the doctoral admission examinations;
  - d) coordinates activities related to the conduct of doctoral studies.
- (3) The Director of CSUD fulfills other duties established by the Code of Doctoral Studies, the Institutional Regulations for the Organization and Conduct of Doctoral Programs, other University regulations, or which arise from the application of the law.

**Art. 67.**

- (1) The Dean has managing responsibilities in the following areas: faculty management, education, scientific research, human resources, student social, financial, material base, administration, image and national and international collaboration.
- (2) The Dean has the following main responsibilities:
  - a) represents the faculty and is responsible for the management and direction of the faculty.
  - b) proposes to the Faculty Council for approval the structure, organization and operation of the faculty;
  - c) Coordinates activities to define the faculty mission, develop the strategic plan and annual operational plans;
  - d) monitors and is responsible for the achievement of the objectives set with regard to:
    - the academic and administrative structure of the faculty;
    - educational offerings and curricula;
    - periodic accreditation of academic programs and research centers, as appropriate;
    - quality assurance of the educational process and scientific research;
  - e) the management of human, financial and material resources available to the faculty;
  - f) convenes and chairs meetings of the Faculty Council and signs the minutes of these meetings;
  - g) implements the decisions of the Rector, the Board of Directors, the University Senate and the Faculty Council and is responsible for their implementation in the faculty;
  - h) prepares and proposes to the Faculty Council for approval the individual job description of the Vice-Deans and Heads of the Departments;
  - i) reviews and reports to the Faculty Council on the staff lists;
  - j) presents to the Faculty Council proposals for exceptions in the constitution of teaching standards;
  - k) propose registration and exmatriculation of students in accordance with University regulations;
  - l) signs student contracts, registers, catalogs, bachelor's and master's degrees, and any other documents pertaining to the day-to-day business of the faculty and the Dean's Office;
  - m) may cancel the results of an examination or evaluation under the provisions of the Charter when it is proven that they were obtained fraudulently or in contradiction to the provisions of the Code of Ethics and University Conduct; in this case, it may order the re-taking of the examination;
  - n) is responsible for the organization of the license examination;

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- o) proposes the composition of the doctoral thesis presentation commissions;
  - p) conducts periodic evaluations of the Heads of Departments and of the directly assigned administrative-teaching staff;
  - q) proposes to the Board of Directors the appointment and dismissal of the auxiliary administrative-teaching staff in the Dean's Office;
  - r) coordinates the development of faculty investment and procurement plans;
  - s) presents the annual report to the Faculty Council on the state of the faculty, quality assurance and academic ethics.
- (3) The dean has other responsibilities established by the Regulations for the Organization and Operation of the Faculty, other University regulations, or which arise from the application of the law.

**Art. 68.**

- (1) The vice-deans have managing responsibilities in the areas established as their responsibility at the level of each faculty, under the coordination of the dean.
- (2) The Vice-Deans are liable in front of the Faculty Council and the Dean, whom they assist in the organization and executive operation of the Faculty.

**Art. 69.**

- (1) The areas of expertise of the Vice-Deans are: education, research, evaluation and quality assurance, international relations and international students, respectively management, academic development and student affairs.
- (2) The main responsibilities in the field of education are as follows:
  - a) monitors student teaching and testing;
  - b) coordinates the updating and implementation of curricula;
  - c) ensures the proper running of competitions for teaching positions.
- (3) The main responsibilities in the field of scientific research are as follows:
  - a) monitors the activity and results of scientific research;
  - b) coordinates the organization of scientific events and awards;
  - c) contributes to the provision of resources for scientific research.
- (4) The main responsibilities in the area of management, university development and academic matters are as follows:
  - a) oversees the management and maintenance of the faculty's material base and budget;
  - b) coordinates the development of curricula, residency training and post-graduate courses;
  - c) ensures that student problems and requests are resolved.
- (5) The main responsibilities in the area of evaluation and quality assurance are as follows:
  - a) coordinates the quality assurance activity of the teaching process;
  - b) coordinates the annual evaluation of teaching and research staff;
  - c) coordinates the periodic evaluation of programs of study.
- (6) The main responsibilities in the area of international relations and international students are as follows:
  - a) initiates and coordinates international collaborative projects at the faculty level;
  - b) monitors, promotes and develops foreign language study programs;
  - c) coordinates the integration of international students into university and community life.

- (7) The Vice-Deans have other responsibilities as established by the Regulations for the Organization and Operation of the Faculty, other University regulations, or as required by law.

**Art. 70.**

- (1) The Head of the Department has managing responsibilities in the following areas of the department: education, scientific research, quality assurance, human resources.
- (2) The main responsibilities of the Head of the Department are:
- a) provides the management and executive operation of the department;
  - b) is responsible for the study programs and the department's staff list;
  - c) is responsible for the management of scientific research in the department;
  - d) is responsible for the quality management of the department's activities;
  - e) is responsible for the financial management of the department.
- (3) The Head of the Department has other responsibilities established by the Regulations for the Organization and Operation of the Faculty, other University regulations, or which arise from the application of the law.

## **Chapter 4. The administrative structure**

**Art. 71.**

- (1) The technical-economic, legal, international cooperation and other administrative activities of the University are carried out by the administrative structures of the University, organized in directorates, services and offices, according to the organizational chart and the applicable regulations.
- (2) Depending on the dynamics of institutional development, the University Senate may approve, upon the proposal of the Rector, the establishment of new administrative structures and their reorganization.
- (3) The directorates, services and offices are headed by a director, a head of service or a head of office. These structures are subordinated to the Rector/Vice-Rector/Administrative Director General, according to the organizational chart.
- (4) All the positions in the administrative structure, whether managerial or executive, are filled in by open competition.
- (5) The Administrative Director General, the heads of services, and Service or Office Heads may not combine these positions with any other management position.

**Art. 72.**

- (1) The administrative structure of the University is headed by an Administrative Director General.
- (2) The Administrative Director General is responsible for the economic and administrative management and, as a member of the Board of Directors, for the efficiency of the administrative structures.
- (3) The position of Administrative Director General is filled in through a competitive process conducted by the Board of Directors, as required by law.
- (4) The Administrative Director General is responsible to the Rector and the University Senate.

**Art. 73.**

- (1) The Administrative Director General has the following main responsibilities:
- a) coordinates the activity of the University's administrative structures;

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- b) prepares the budget, assists the Rector in budget analysis, execution, reporting and forecasting, and cooperates with the Chief Accountant in budget execution;
  - c) prepares the decisions of the Rector on administrative matters, in accordance with the law;
  - d) executes the decisions in its area of competence;
  - e) controls the execution of decisions by the administrative services under its authority;
  - f) evaluates the execution of decisions and reports to the Rector;
  - g) monitors the current financial situation and makes forecasts for the future;
  - h) ensures at all times the legality of the decisions taken by the management and administrative structures of the University;
  - i) ensures the preparation of the documentation necessary for the administrative functioning of the University;
  - j) on the basis of the decision of the Rector, has a delegation/authorization in making decisions, in the field of university administration;
  - k) takes steps to secure additional financial resources;
  - l) plans and implements systems for the evaluation and control of administrative activity.
- (2) The Administrative Director General shall exercise such other responsibilities as may be prescribed by the regulations of the University or as may be required by law.

**Art. 74.**

- (1) The Chief Faculty Manager is responsible for the proper administrative and financial functioning of the faculty, under the authority of the Faculty Council, and is directly responsible to the Dean and the Administrative Director General.
- (2) The Chief Faculty Manager is responsible for initiating and carrying out activities to manage the resources and assets of the faculty and to secure additional extrabudgetary funding.

**Art. 75.**

- (1) Within the University, there are departments, directorates, services, offices, museums and other structures established in accordance with the law, subordinate to the Rector/Vice-Rector/Administrative Director General, organized by decision of the Senate, upon proposal of the Rector.
- (2) The way of organizing, the attributions and the way of carrying out the administrative activities are established in specific regulations of the University.

## TITLE IV. ELECTORAL REGULATIONS

### Chapter 1: General Provisions

#### Art. 76.

The principles that are the basis of the elections in the University are the following:

- (1) Freedom to candidate, which means:
  - a) a person may run for office in one of the governing structures (Departmental Council and/or Faculty Council and/or University Senate), subject to compliance with the provisions of these regulations and the legislation in force;
  - b) a person may run for any managing position (Head of the Department, Vice-Dean, Dean, Vice-Rector, Rector), provided he or she complies with the provisions of the University Charter and current legislation.
- (2) Representativeness, according to art. 207, para. (7) of the National Education Act No. 1/2011, as amended, which applies as follows:
  - a) The Senate is composed of 31 teachers and researchers and 12 student representatives. The number of seats in the Senate for each faculty is allocated on a pro rata basis, according to the number of tenured professors and researchers listed on the University's staff list. The standard of representation in the Senate for each subsequent term is established and approved in the Senate, on the basis of the staff list, at the beginning of the academic year in which the elections take place. Of the 12 students, one student will represent the English language programs, one student the French language programs and one student the 180 and 240 ECTS programs.
  - b) At the Faculty of Dentistry and the Faculty of Pharmacy, the Faculty Councils are composed of 15 teachers and 5 student representatives.
  - c) At the Faculty of Medicine, the Faculty Council is composed of 30 faculty members and 10 student representatives.
  - d) The standard of representation does not change during the term.
- (3) Conflicts of interest, incompatibilities, and prohibitions with holding a managing position and with holding a position in the management structures of the faculty or the University are those set forth in Article 53 of the University Charter.
- (4) The Faculty Councils, the University Senate and the Rector are elected on the same day.
- (5) The date of the elections shall be set by decision of the University Senate.
- (6) The methodology and timing of the elections shall be established by decision of the University Senate and made public at least 30 days prior to the election date.
- (7) Any person has the right to withdraw his or her candidacy for any office or management structure at any time during the election process.
- (8) The tenured teachers of the department are the electoral body and they elect their own management structures (Departmental Council), their Heads of Department, nominate their candidates for the Faculty Council and the University Senate.
- (9) The tenured teachers of the faculty are the electoral body and they elect their own management structures (Faculty Council) and their own representatives to the University Senate.
- (10) All candidates for office in departmental, faculty, and University management structures or positions are required to submit their CVs for publication on the University's website within the deadlines set forth in these regulations. CVs must be written in a standardized format approved by the University Senate.

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Failure to submit the CV, failure to observe the standard format or submission of false data in the CV will result in the invalidation of the candidacy.

- (11) Candidacies for the position of Head of the Department and complaints against these candidacies are reviewed and validated by the Dean with the Vice-Deans.
- (12) Candidacies for Faculty Council, University Senate, and the Rector and complaints against these candidacies shall be reviewed and validated by the University Election Commission.
- (13) The mandate of a management structure shall commence on the day following the day on which the term of office of the former management structure expires.
- (14) The mandate for management positions is in accordance with the following rules:
  - a) the mandate of the Rector shall begin on the day following the day on which the mandate of the former Rector expires, but not before the date of issuance of the confirmation order of the Minister of Education, and shall end on the expiration of the mandate of the former Rector, but not before the issuance of the confirmation order of the new Rector;
  - b) the mandate of the Vice-Rectors begins on the date of their appointment by the Rector and ends on the date of the end of the mandate of the Rector who appointed them or by a decision of dismissal taken by the Rector in consultation with the Senate;
  - c) the mandate of the dean begins on the date of validation of his appointment by the Senate and ends on the date of validation of the new dean;
  - d) the mandate of the Vice-Deans begins on the date of their validation by the Senate and ends at the end of the mandate of the Dean who appointed them;
  - e) the mandate of the Head of the Department begins on the date of issuance of the appointment decision by the Rector and ends on the date of appointment of the new Head of the Department.
- (15) The length and number of mandates of the management structures and positions are regulated by Article 52 of the University Charter.
- (16) Incompatibilities, prohibitions, and conflicts of interest regarding management positions and structures are regulated in Article 53 of the University Charter.
- (17) Removal from office shall be by the same mechanism by which the person was put into office, in accordance with the law.
- (18) The mandate of the Head of Subject, executive positions and the mandate of the members of the executive structures shall terminate early in the following situations:
  - a) termination of labor relations at the University;
  - b) situation of incompatibility;
  - c) resignation from his position;
  - d) revocation;
  - e) holding a management position in another educational or research institution;
  - f) if the person is absent from the University for a continuous period of more than 12 months, with the exceptions provided by law and University regulations.
- (19) In the case of persons who have been granted mandates for managing positions or structures, as well as the Head of Subject, the resolution of complaints regarding conflicts of interest, incompatibilities, and prohibitions under Section 53 of the Charter is the responsibility of the University Ethics Commission.
- (20) Any removal or request for removal of a person from a position or management structure shall be based on a written statement of reasons.
- (21) Candidates are listed on the ballot in alphabetical order by last name. Candidates are grouped by department.

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## Chapter 2. The University Senate

### Art. 77.

- (1) The organization and monitoring of the elections for the University Senate is the responsibility of the University Election Office and of the election offices of the polling stations.
- (2) The teachers and researchers, respectively the students, have the right to elect their representatives to the University Senate, in accordance with article 76 paragraph (2) letter (a) of the Charter.

### Art. 78.

- (1) The electoral body of each faculty elects its own representatives to the Senate from among the candidates nominated at the department level.
- (2) The distribution of the number of seats in the Senate for each faculty shall be based on the proportion of the number of tenured teachers and researchers listed on the staff list.

### Art. 79.

- (1) The criteria for student representation on the Senate are: representation of students enrolled in each faculty's program of study and representation of international students.
- (2) The students elect their representatives to the University Senate, in accordance with the National Education Law No. 1/2011, art. 208, para. (1).

### Art. 80.

Candidates for the University Senate are required to submit, in addition to their CVs, a list of desiderata for the proper functioning of the University that they propose for a potential mandate.

### Art. 81.

- (1) The candidates of a faculty for the Senate shall be listed alphabetically on the ballot in ascending order of last name in order of their department of origin.
- (2) From the list of candidates, each elector will vote for at most as many people as the faculty has seats in the Senate.
- (3) Voting for more people than the number of seats will result in the ballot being annulled.
- (4) Voting for fewer people than the number of seats is a valid vote.
- (5) The final ranking is established in descending order of the total number of votes received by each candidate on the list.
- (6) In the event of a tie for the remaining positions, a run-off election shall be held between the candidates receiving the same number of votes within 30 days of the election.

### Art. 82.

- (1) A vacancy in the University Senate occurs in the situations provided for in Article 76 para. (18) of the University Charter.
- (2) In the event of a vacancy in the University Senate, it shall be filled by the first candidate on the list of those who did not obtain a seat in the Senate at the time of the elections, in descending order of the number of votes in the faculty concerned.
- (3) In the case that for filling in a vacancy in the Senate, two or more teachers who have obtained the same number of votes in the elections shall be considered, first will be considered the results

of a possible second round of voting held at the time of the elections and only then will there be partial elections at the faculty level among these teachers.

- (4) Once the new Senate member has been established, the Senate President will introduce the new member at the next University Senate meeting.

### **Chapter 3: The Rector of the University**

#### **Art. 83.**

- (1) Candidates for the position of Rector may be academic or scientific personalities from the country and abroad who are not in one of the situations of prohibition or incompatibility provided for in article 53 letter d).
- (2) For the position of Rector, the submitted candidacies include:
  - a) CV;
  - b) managerial plan concerning the development of education, science, human resources, material base, as well as attracting financial resources to the University, visibility and ranking of the University etc.

#### **Art. 84.**

The Rector is elected in accordance with the legislation in force.

#### **Art. 85.**

- (1) The rector's mandate is terminated early under the following circumstances:
  - a) in the situations provided for in article 76 paragraph (18) of the University Charter;
  - b) in case of dismissal by the Senate according to Article 212 para (2) of the Law 1/2011 on National Education;
  - c) in case of dismissal by the Minister of Education in accordance with Articles 125 and 212, para. (3) of the National Education Act 1/2011.
- (2) The Senate may remove the Rector under the terms of the Management Contract and the Charter by a qualified majority.
- (3) The Senate adopts, by a qualified majority, an opinion in consultation with the Ministry of Education on the suspension of the Rector.
- (4) In the event that the Rector's mandate is terminated early, until a new Rector is elected and appointed, the following procedure shall apply:
  - a) The University Senate is required to appoint a Vice-Rector within 5 working days to represent the University and become the authorizing officer for payments until a new Rector is confirmed by the Minister of Education;
  - b) The Senate is obligated to hold elections for this position under the National Education Act 1/2011 and the University Charter.

## Chapter 4. The Faculty Council

### Art. 86.

- (1) The organization and monitoring of the Faculty Council elections are the responsibility of the electoral commissions of the faculties, coordinated by the University's Electoral Commission.
- (2) The Faculty Council is elected by all tenured teachers and research staff in the faculty by direct, secret and equal vote.

### Art. 87.

- (1) Of the total number of Faculty Council members, at least 25% are student representatives.
- (2) The criteria for student representation are as follows: representation of students enrolled in the faculty's programs of study and international students.
- (3) The students elect their representatives in the Faculty Council, according to the National Education Law no. 1/2011, art. 207, para (5) letter a).

### Art. 88.

- (1) Candidates for Faculty Council are required to submit, in addition to their CVs, a list of desiderata they propose for the proper functioning of the faculty for a potential mandate.
- (2) Candidates for Faculty Council shall be listed on the ballot, grouped by department, in alphabetical order of the last name of the candidates in each department.
- (3) From the list of candidates, each elector votes for a maximum number of persons than the number of seats his category has (teaching and research staff or students) in the Faculty Council.
- (4) Voting for more people than the number of seats will result in the ballot being annulled.
- (5) Voting for fewer people than the number of seats is a valid vote.
- (6) The final ranking is established in descending order of the total number of votes received by each candidate on the list.
- (7) In the event of a tie for the remaining positions, a run-off election shall be held between the candidates receiving the same number of votes within 30 days of the election.

### Art. 89.

- (1) The vacancy of a position in the Faculty Council occurs in the situations provided for by article 76 paragraph (18) of the University Charter.
- (2) In the event of a vacancy in the Faculty Council, it shall be filled in by the first candidate on the list of those who did not obtain a seat on the Council in the elections, in ascending order of the number of votes.
- (3) In the case that for filling in a vacancy in the Council, two or more teachers who have obtained the same number of votes in the elections shall be considered, first will be considered the results of a possible second round of voting held at the time of the elections and only then will there be partial elections at the faculty level among these teachers.
- (4) Once the new Council member has been established, the Dean shall introduce him or her at the next Faculty Council meeting.

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## Chapter 5. The Vice-Rector

### Art. 90.

- (1) The Vice-Rectors are appointed by the Rector within 30 days of his confirmation by order of the competent Minister.
- (2) The Vice-Rectors must be teachers or researchers of grade I, II, III of the University and not be in one of the situations of prohibition or incompatibility provided for in article 53 letter d).

### Art. 91.

- (1) The mandate of the Vice-Rector is terminated early in the situations provided for in Article 76, paragraph (18).
- (2) Removal of the Vice-Rector shall be at the proposal of the Rector, in consultation with the University Senate.
- (3) Early termination of the Vice-Rector's mandate requires the appointment of a new Vice-Rector within 45 days, in accordance with the provisions of the University Charter.

## Chapter 6. The Dean

### Art. 92.

Candidates for the position of Dean may be persons from the University or from any faculty in the country or abroad, in accordance with the National Education Law no. 1/2011, art. 207, para. (5), letter b) and who are not in any of the situations of prohibition or incompatibility provided for in article 53 letter d).

### Art. 93.

For the position of Dean, the submitted candidacies include:

- a) CV;
- b) Management plan for the development of education, scientific, human resources, material base and to attract financial resources to the faculty.

### Art. 94.

- (1) The Faculty Council hears each candidate in plenary session.
- (2) The Faculty Council approves the candidate's participation in the competition, by a simple majority of its members, in accordance with the National Education Act No. 1/2011, art. 211, para. (4).
- (3) The Faculty Council is required to validate at least two candidates for the position of dean when there are more than two candidates.

### Art. 95.

- (1) The dean is selected through an open competition held at the faculty level by the new Rector of the university.
- (2) The selected Dean is validated by the University Senate by a simple majority vote.

### Art. 96.

- (1) The dean's mandate is terminated early in the situations provided for in article 76 paragraph (18) of these regulations.

- (2) Early termination of the Dean's mandate requires the appointment of a new Dean in accordance with the provisions of the University Charter.

**Art. 97.**

- (1) The removal of the Dean is done at the proposal of the Rector or following the withdrawal of support from the Faculty Council.
- (2) Withdrawal of support from the Faculty Council requires a simple majority vote of the Council.
- (3) In the event of withdrawal of support by the Council, the Rector is required to hold a new competition for the dean's position within 45 days of the removal.
- (4) In the event of the removal of the Dean by the Rector, the Rector shall notify the Faculty Council and the University Senate.
- (5) The removal of the Dean by the Rector must be approved by the Senate by a simple majority vote of its members.
- (6) If the Senate validates the decision to remove the dean, the Rector is required to hold a new competition for the dean's position within 45 days of the removal.
- (7) Regardless of how the dean was removed, the Rector appoints a vice-dean to serve as interim dean until the Senate validates the new dean.

**Chapter 7. The Vice-Dean****Art. 98.**

- (1) Vice-Deans are appointed by the Dean, after his or her appointment by the Rector.
- (2) The Vice-Deans must be members of the teaching or research staff of the faculty who are not in one of the situations of prohibition or incompatibility provided for in article 53 letter (d).

**Art. 99.**

- (1) The Vice-Dean's mandate is terminated early in the situations provided for in Article 76, paragraph (18) of the University Charter.
- (2) Removal of the Vice-Dean is by proposal of the Dean and must be approved by the Faculty Council and the University Senate.
- (3) Early termination of a Vice-Dean's mandate requires the appointment of a new Vice-Dean within 45 days, in accordance with the provisions of the University Charter.

**Chapter 8. The Departmental Council****Art. 100.**

- (1) The Departmental Council is elected by all tenured teachers and research staff in the department by direct, secret, and equal vote.
- (2) Each subject (discipline) must be represented on the Departmental Council by at least one teacher.
- (3) Representation of Subjects in the Departmental Council is proportional to the number of teachers and researchers in the subject, as follows:

- a) if the subject has between 1 and 5 members - 1 representative ;
  - b) if the subject has between 6 and 10 members - 2 representatives ;
  - c) if the subject has between 11 and 15 members - 3 representatives ;
  - d) if the subject has between 16 and 20 members - 4 representatives ;
  - e) if the subject has between 21 and 25 members - 5 representatives.
- (4) Each subject may nominate more candidates than the representation standard.

**Art. 101.**

- (1) At the election meeting organized at the departmental level, the members of the teaching and research staff of the department elect from the lists of proposals the representatives to the Departmental Council for each subject, in accordance with the representation standard defined in art. 100 para. (3) of the University Charter.
- (2) The teachers with the highest number of votes for each department, according to the number of representatives allocated, are considered elected. In the event of a tie, a second round of voting is held.
- (3) The organization, conduct, and supervision of departmental elections, including the printing of ballots, are the responsibility of the dean and vice-deans.

**Art. 102.**

- (1) The vacancy in the Departmental Council occurs in the situations provided for in Article 76, para. (18) of the University Charter.
- (2) In the event of a vacancy in the Departmental Council, it shall be filled by right by the representative of the subject ranked next in the elections.
- (3) In the event of a vacancy in the Department Council and in the absence of a candidate evaluated by elections, partial elections shall be held in the department to appoint the representative to the Departmental Council, in accordance with the provisions of the University Charter.

**Chapter 9. The Head of the Department****Art. 103.**

- (1) The right to be elected department head is granted to full professors and research staff of the department concerned who are not in one of the situations of prohibition or incompatibility provided for in article 53 letter d).
- (2) A person may apply for both the Departmental Council and the Head of the Department.

**Art. 104.**

- (1) The candidacy for the position of Head of the Department is filed with the Dean's Office of the Faculty.
- (2) The candidacy consists of:
  - a) CV;
  - b) Management plan for the development of education, science, human resources and to attract financial resources for the financial autonomy of the department.

**Art. 105.**

- (1) The Head of the Department shall be elected at the same election meeting as the Departmental Council by a secret ballot of a simple majority of the Department members.
- (2) The elected Head of the Department shall chair the meetings of the Departmental Council.

**Art. 106.**

- (1) The mandate of the Head of the Department shall terminate early in the situations provided for in Article 76, para. (18) of the University Charter.
- (2) The proposal to dismiss the Head of the Department is made by the Departmental Council, which decides by a simple majority.
- (3) The Departmental Council communicates the proposal for removal to the Dean.
- (4) Within 30 days of notification, the Dean shall organize a general assembly of the department.
- (5) The General Assembly shall vote on the proposal to dismiss the Head of the Department. The proposal shall be considered adopted if it receives a simple majority of votes.
- (6) In the event of the adoption of a decision to remove the Head of the Department from office, the Head of the Department 's mandate shall be terminated with immediate effect.

**Art. 107.**

- (1) In any situation where a Head of the Department's mandate ends early, the dean shall hold elections for the position of Head of the Department within 30 days of the vacancy in accordance with the provisions of the University Charter.
- (2) Pending the appointment of the new Head of the Department, the Departmental Council shall appoint an Interim Head of the Department, whose mandate shall expire on the date of appointment of the new Head of the Department.

**Art. 108.**

- (1) At the departmental election meeting, each department nominates candidates for the Faculty Council and the University Senate.
- (2) Nomination of candidates requires verbal or written acceptance of the nominees. Self-nominations are also accepted.

**Chapter 10. The Head of a Subject****Art. 109.**

- (1) The Head of a Subject is appointed by right the teacher with the highest academic rank in the discipline and who is not in one of the situations of prohibition or incompatibility provided for by article 53 letter d).
- (2) If there are two or more teachers with the same highest academic rank, the Head of a Subject is designated in accordance with the provisions of Art. 110 of the University Charter.

**Art. 110.**

- (1) In the situation referred to in article 109 paragraph (2) above, the Head of a Subject shall be elected from among the candidates with the highest academic rank by the tenured members of that discipline by universal, direct and secret ballot.
- (2) The election meeting is organized by the dean and directed by the Dean or a designated Vice-Dean.
- (3) The election meeting shall be announced to the members of the discipline by individual notice at least 5 working days before the meeting.

- (4) Elections shall be valid regardless of the number of members of the discipline present at the meeting.
- (5) Prior to the election, teachers who are candidates for the position of Head of a Subject present their CVs to the discipline collective.
- (6) The format of the presentation is that established by the University Senate when formulating the criteria for the evaluation of the teachers.
- (7) The presentation will highlight the candidate's activity in the discipline to date; professional involvement in national and international societies; vision for the development of the discipline; professional and teaching relationships at the national and international level etc., in order to show the candidate's ability to coordinate a group.
- (8) The teacher who receives a simple majority of the votes of the discipline members present at the election meeting shall be declared elected Head of a Subject.
- (9) If none of the candidates obtains a simple majority in the first round, a new round of voting shall be held among the first two candidates. In the event of a tie between the second-place candidates, a first ballot shall be held between them to select the second candidate.
- (10) If, after the ballot between the first two candidates has been repeated twice, the discipline collective fails to designate the Head of a Subject, this task is transferred to the Faculty Council.
- (11) In the situation provided for in paragraph (10), the Dean or Vice-Dean who presided over the election meeting shall present to the plenary of the Council the CVs of the candidates between whom the vote was held.
- (12) The Faculty Council shall elect the Head of a Subject by secret ballot and a simple majority vote.
- (13) The decision of the Faculty Council cannot be challenged.

**Art. 111.**

- (1) The Head of a Subject is appointed at a meeting of the discipline's collective.
- (2) At this time, nominations for candidacies at the Departmental Council are made from among the teaching staff of the discipline (in accordance with the Regulations for the Organization of the Faculty). Self-nominations are also accepted.
- (3) The Head of a Subject files the list of proposals with the Dean of Faculty.

**Art. 112.**

- (1) The replacement of the Head of a Subject takes place in the situations provided for by article 76 paragraph (18) of the University Charter.
- (2) Replacement of the Head of a Subject shall be in accordance with the rules for appointment of the Head of a Subject set forth in the University Charter.
- (3) The mandate of the Head of a Subject begins on the date of his or her validation by the Faculty Council.
- (4) If the mandate of the Head of a Subject ends at the end of the academic year, it is the responsibility of the newly elected Head of a Subject to draft the Discipline staff list for the following academic year.

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## Chapter 11 Management Structures for Doctoral Studies

### Art. 113

The principles underlying the election of the doctoral studies management structures refer to the freedom of candidacy, the application of representativeness (with respect to the specific provisions contained in the Code of Doctoral Studies), the observance of the conditions of incompatibility and those related to the professional status of the members of the management structures.

### Art. 114

The management structures for doctoral studies are the University Doctoral Studies Council (CSUD) and the Doctoral School Council (CSD).

### Art. 115

- (1) The Rector is responsible for organizing the process of establishing the CSUD.
- (2) The methodology for appointing CSUD members is consistent with the provisions of the Doctoral Studies Code.
- (3) The mandate for CSUD members is of 4 years.

### Art. 116

- (1) The CSUD of the University is composed of 7 to 17 members: the director of the CSUD, at least 50% of the members are appointed by the rector, 1 elected PhD supervisor and 1 elected PhD student.
- (2) The number of CSUD members is determined by decision of the University Senate.
- (3) The Director of CSUD is an ex-officio member of the CSUD.
- (4) The members of the CSUD appointed by the Rector are chosen from among the teachers and researchers who are PhD supervisor and who meet the minimum and mandatory standards in effect at the time of their appointment as members of the CSUD to obtain the certificate of habilitation to direct research, or they may be :
  - a) persons from inside or outside IOSUD;
  - b) persons from the country or abroad;
  - c) scientific personalities or personalities from the industrial and socio-economic sectors concerned;
  - d) representatives of the PhD students of the IOSUD doctoral schools.
- (5) The members of the CSUD are elected by the University's PhD supervisors and PhD students enrolled in the University's Doctoral School.
- (6) At the time of their appointment as members of CSUD, in accordance with the law, PhD supervisors must meet the minimum and mandatory standards in effect to obtain the certificate of habilitation to direct research.
- (7) The elected PhD supervisor is appointed by a universal, direct, secret, and equal vote by the PhD supervisors of the University's Doctoral School.
- (8) The elected PhD student is designated by a universal, direct, secret and equal vote by the PhD students of the University's Doctoral School.

### Art. 117

- (1) The elections for the PhD supervisor member of the CSUD is organized by the Office of the Vice-Rector for Science.

- (2) PhD supervisors who aspire to become members of CSUD must submit their candidacy to the Office of the Vice-Rector at least two weeks prior to the election date.
- (3) The candidacy is registered and accompanied by the candidate's CV, which is published on the University's website.
- (4) The PhD supervisor having obtained the greatest number of valid votes cast is considered elected. In case of a tie, a second round of voting is held.
- (5) Elections are valid regardless of the number of PhD supervisors participating in the vote.

**Art. 118**

- (1) The elections for the PhD student member of CSUD is organized by the Office of the Vice-Rector for Science.
- (2) PhD students who aspire to become members of CSUD must submit their candidacy to the Office of the Vice-Rector at least two weeks prior to the election date.
- (3) The candidacy is registered and accompanied by the candidate's CV, which is published on the University's website.
- (4) The PhD student having obtained the greatest number of valid votes cast is considered elected.
- (5) In case of a tie, a second round of voting is held.
- (6) Elections are valid regardless of the number of PhD students participating in the vote.

**Art. 119**

- (1) The organization of the procedure for the establishment of the CSD is the responsibility of CSUD and its director.
- (2) The methodology for appointing the members of the CSD is adopted by CSUD and follows the provisions of the Doctoral Studies Code.
- (3) The mandate for members of the CSD is 5 years.

**Art. 120**

- (1) At the University, the CSD is composed of 6 members: the director of the Doctoral School, two elected PhD supervisors, one elected PhD student and two members from outside the Doctoral School, chosen from among scientific personalities whose activity has significant international recognition and/or personalities from the industrial and socio-economic sectors concerned.
- (2) The director of the doctoral school is an ex-officio member of the CSD.
- (3) The members of the CSD are elected from among the PhD supervisors of the University and by the PhD students registered in the Doctoral School.
- (4) The Doctoral School is managed by the Director of the Doctoral School and the CSD.
- (5) The director of the Doctoral School is equivalent to the Head of the Department.
- (6) The CSD is assimilated to the Departmental Council.

**Art. 121**

- (1) Members of the CSD who are university teachers or researchers must be PhD supervisors, in the country or abroad, and meet the minimum and mandatory standards for obtaining the certificate of habilitation to direct research, in force on the date of their appointment as members of the CSD, according to the law.

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- (2) The PhD supervisors members of the CSD are elected by a universal, direct, secret and equal vote by the PhD supervisors of the Doctoral School.
  - (3) The PhD student member of the CSD is elected by a universal, direct, secret and equal vote by the PhD students of the Doctoral School.
  - (4) The two personalities of the Doctoral School Council who come from outside the University are appointed by the head of IOSUD, in the person of the Rector of the University.

**Art. 122**

- (1) Nominations for the CSD (PhD supervisors and PhD students) must be filed with the Office of the Vice-Rector for Science at least two weeks prior to the election date.
- (2) The CVs of the candidates, as well as those of the personalities from outside the University, appointed by the Rector, are published on the University's website.
- (3) The candidates (PhD supervisors and PhD students) who obtain the highest number of valid votes cast are considered elected.
- (4) In the event of a tie, a second ballot is held.
- (5) Elections are considered valid regardless of the number of PhD supervisors and PhD students participating in the elections.

**Art. 123**

- (1) The director of the Doctoral School is appointed by CSUD from among the PhD supervisors of the Doctoral School.
- (2) He presides over the meetings of the CSD, as required by law.

**Chapter 12. The regulations of the electoral offices****Art. 124**

- (1) In order to organize the referendum on the method of appointment of the Rector and the elections at the University level, the Senate, upon proposal of the faculties, appoints a University Electoral Board (BEU) and determines the number of polling stations.
- (2) The Council of each faculty designates the Electoral Offices of the Polling Stations (BESV) and assigns to them the electors of the faculty.
- (3) For the referendum, the BEU and BESV are appointed at least seven months before the date of the election.
- (4) The organization of the referendum is done according to the legal methodologies in force.
- (5) For elections of management structures and positions, the BEU and BESV are appointed after the departmental elections, but at least 20 calendar days before the date of the faculty and University elections.
- (6) The BEU and BESV may not include candidates for office on the Faculty Council, the University Senate, candidates for the office of Rector, or those who are serving in University or Faculty management positions at the time of the election.
- (7) Publication on the University's website of the voting lists (without the personal numerical code), delineation of polling stations, numbering, and public notification of polling stations and voting location shall be made at least 14 calendar days prior to the date of the election.

**Art. 125.**

- (1) The BEU is composed of seven persons: four faculty representatives, one student representative, the head of the University's legal office, and one representative of the auxiliary teaching staff and technical-administrative staff; the Senate also appoints three substitute members (one student and two teachers).
- (2) At its first meeting, the BEU shall elect a chairperson from among its members by secret ballot and a deputy.
- (3) The chairperson is responsible for the coordination and proper operation of the BEU.
- (4) The BEU has the following duties:
  - a) updating of voting lists;
  - b) the organization of the information campaign on the date and purpose of the referendum, the voters and the location of the referendum;
  - c) accreditation of the persons designated by the candidates as observers to the BESV;
  - d) publication of polling stations' locations;
  - e) the distribution by polling station, if any;
  - f) publication of the alphabetical voting lists reactivated by polling station;
  - g) publication of the model of each type of ballot;
  - h) distribution of ballots;
  - i) counting and verification of the minutes drawn up by the BESV;
  - j) the centralization of votes and the communication of the results of the referendum and the elections;
  - k) the drafting and submission to the Senate for validation of the communications on the results of the elections;
  - l) communication on the composition of the Faculty Councils;
  - m) communication on the composition of the University Senate;
  - n) communication on the appointment of the Rector;
  - o) the publication of the preliminary results of the referendum and elections on the University's website;
  - p) receiving, analyzing and resolving complaints on the conduct of referendums and elections
- (5) All minutes and communications of the BEU and BESV are signed by all members of the respective offices.

**Art. 126.**

- (1) In the period leading up to the referendum/election date, the BESV has the following duties:
  - a) the organization and conduct of the referendum and elections by polling stations;
  - b) determine the location of voting booths;
  - c) identify and record in the electoral tables the participation to the vote;
  - d) receives and resolves complaints and comments on the Voters Lists no later than 4 days before the referendum/election date;
  - e) publishes the final lists no later than 72 hours before the date of the referendum/election; after that time, no changes to the lists of electors are possible
- (2) On referendum/election day, BESVs have the following responsibilities:
  - a) identify the voter on the basis of a valid identity document (identity card, passport);

- b) give the voter the ballots marked with the control stamp: ballot for the referendum and ballot for the elections: ballot for the Faculty Council, ballot for the University Senate, and ballot for the Rector; as well as the writing instrument for filling out the ballot;
  - c) have the voter sign for the receipt of the ballots;
  - d) replacement of incorrectly completed ballots is not accepted;
  - e) at the end of the voting process, the BESV chairperson cancels the unused ballots;
  - f) record the following data in the election minutes: the number of ballots received, the number of ballots used and the number of annulled (unused, blank) ballots;
  - g) open the ballot boxes, take out the ballots and mix them by category during the election;
  - h) scan ballots by category during elections;
  - i) manually count the votes cast by category in the elections;
  - j) record in the minutes the number of invalid ballots among the votes cast;
  - k) the cancellation of a ballot occurs in the following situations:
    - absence of the University's control stamp;
    - ballots that are in a format other than the university-approved format;
    - ballots on which the expression of an option is missing;
    - option for more applicants than the number of chairs allocated to a faculty or management position;
    - the folding of a ballot does not cause its cancellation if it does not fall in the previous situations;
  - l) compares the results of the scan count with those obtained by hand count; resolves and explains any discrepancies;
  - m) the BESV chairs of each faculty centralizes the referendum/election results in the respective faculty;
  - n) Faculty BESV chairs write the minutes of the respective faculty referendum/elections in the standardized format received;
  - o) the minutes of the election contain:
    - Faculty Council membership;
    - the list of candidates who do not enter the Council in descending order of the number of votes received;
    - the list of candidates from the faculty elected to the Senate;
    - the list of the candidates for the Senate who were not elected in the decreasing order of the number of votes received;
    - the voting situation for the Rector.
- (3) The BESV chairs of each faculty submit the centralized election minutes to the BEU chair.

**Art. 127.**

The elector has the following responsibilities:

- a) to verify in a timely manner that their data is correctly entered on the electors' list;
- b) to verify that the ballots conform to the model published on the University's website;
- c) to verify the marking of the ballot with the control stamp;
- d) follow the instructions on the ballot;
- e) not to place more than one ballot in a ballot box.

**Art. 128.**

- (1) The vote is universal, direct and secret.
- (2) In order to comply with the principle mentioned in subsection (1), it is prohibited:
  - a) to photograph or film the ballot;
  - b) Violate personal and private voting space throughout the process, from the voting booth to the ballot box;
  - c) any other action that violates the secrecy of the vote.
- (3) Failure to comply with subsection (2) of this section constitutes disciplinary misconduct and will be punished in accordance with University regulations.

**Chapter 13. Final provisions****Art. 129**

- (1) Observers appointed by the competent Ministry or by the candidates may attend the electoral process, provided that the inviolability of the space marked for the BESV is respected.
- (2) Observers nominated by candidates are accredited by the BEU.
- (3) Elections shall be considered valid regardless of the number of voters present at the polls.
- (4) The sitting Senate validates the election results and publishes them on the University website under the signature of the BEU President.

## **TITLE V. EDUCATION**

### **Art. 130.**

- (1) The University organizes study programs for the three cycles of university studies (bachelor, master and doctorate), as well as training through residency, other specialization and development programs, postgraduate courses and professional training, in accordance with the legislation in force and its own regulations.
- (2) The teaching activities are carried out in Romanian and in languages of international circulation, according to ARACIS accreditations.

### **Art. 131.**

- (1) The student is a partner in university relations, actively participating in the realization of education activities, in the qualitative evaluation and in the elaboration of his own academic and professional path.
- (2) The University contributes to the realization of instruction focused on the student's educational needs and professional skills.
- (3) Student opinion, either individually or expressed through authorized representatives or student organizations, or revealed through surveys conducted with validated methodologies, is a means of evaluating and improving the University's activity.

### **Art. 132.**

University education is free of charge for the budgeted places allocated by the Ministry of Education and with a tuition fee within the limits of the places approved annually by the University Senate, in accordance with the ARACIS accreditation, under the conditions of the law.

### **Art. 133.**

The structure of the academic year is established annually by decision of the University Senate.

### **Art. 134.**

- (1) The European Credit Transfer System (ECTS) is applied in all university cycles in accordance with the ECTS regulation.
- (2) Students can participate in voluntary actions, for which they receive a certain number of additional transferable credits, attributed according to the methodology of the Code of Rights and Duties of the students enrolled in the Bachelor and Master cycles of the University.

### **Art. 135.**

- (1) The admission to the License program is regulated by the Regulations for the Organization and Conduct of the Admission Examination.
- (2) The organization of the teaching activity in the Bachelor's degree programs is regulated by the Regulations for the organization and conduct of teaching activity in the Bachelor's degree program.
- (3) The awarding of a license is regulated by the License Examination Regulations.

**Art. 136.**

The teaching activity in the master's programs is regulated by the Regulations for the Organization and Conduct of Teaching Activity in the Master's Program.

**Art. 137.**

The organization of doctoral studies is governed by the Regulations for the Organization and Conduct of Doctoral Studies.

**Art. 138.**

Admission to residency and the conduct of teaching activities in residency programs are governed by the Regulations for the Residency Specialization Studies.

**Art. 139.**

The teaching activity in the postgraduate programs is regulated by the Regulations for the Postgraduate Education.

## TITLE VI. SCIENTIFIC RESEARCH

### Art. 140.

The scientific research activity of the University is carried out in accordance with the research strategy approved by the Senate, in line with the strategy adopted at national and European level.

### Art. 141.

- (1) The University supports the integration of research activity into the educational process at all levels of university studies: bachelor, master, doctorate.
- (2) The performance standards related to the research activity for each teaching and research position are established in accordance with the law by the University Senate, on the proposal of the Rector, on the basis of the proposals received from the Faculty Councils and the Scientific Council.
- (3) Compliance with performance standards by teaching and research staff is a criterion for professional evaluation, with all the legal implications that this implies.
- (4) The University may revise the standards for research activity to ensure positive momentum.

### Art. 142.

- (1) The University supports the members of the academic community in applying for national and international grants through its administrative and research structures.
- (2) The University offers research grants on a competitive basis, depending on the financial resources available, according to the methodology approved by the Senate, upon the proposal of the Rector.
- (3) The University supports the organization of scientific events, stimulates collaboration with similar institutions in the country and abroad, promotes scientific cooperation through the participation of its members in research internships with researchers from other research institutions and through co-tutored doctoral activity.
- (4) The University encourages the recruitment of outstanding students into research teams and awards merit scholarships to students with outstanding research results, as provided by law.

### Art. 143.

- (1) At the University, scientific research is conducted by teachers, researchers and students.
- (2) The status of research personnel is established by law.
- (3) The personnel engaged in research must comply with the rules of scientific research.
- (4) Postdoctoral research is conducted in accordance with specific rules approved by the Senate.

### Art. 144.

- (1) Revenue-generating research activities (grants, research contracts) are carried out on the basis of an individual work or service contract.
- (2) This contract shall establish, as determined by the Grant Director, both the actual method of payment and the amounts, in accordance with the law.

**Art. 145.**

- (1) The coordinating structure of the scientific research activity at the university level is the Scientific Council, which is organized and functions according to the provisions of the Regulations of the scientific research activity.
- (2) The coordinating structure for doctoral research activity is the CSUD, which is organized and functions according to the specific provisions of the Regulations for the Organization and Conduct of Doctoral Studies.
- (3) The scientific research activity is ethically approved by the Research Ethics Commission, which is organized and operates in accordance with the provisions of the Regulations for the Research Ethics Commission.
- (4) The administrative structure of the research activity is the Department of Research and Development, which is organized and operates according to the provisions of the Regulations for the Scientific Research Activities.

**Art. 146.**

- (1) Under the aegis of the University, the Medical Publishing House of the University "Iuliu Hațieganu" operates according to its own Rules for the Organization and Operation.
- (2) Under the aegis of the Medical Publishing House of "Iuliu Hațieganu" University, didactic materials, specialized books and national and international scientific journals are published.

**Art. 147.**

- (1) The scientific magazine of the University is "Medicine and Pharmacy Reports", a continuation of the activity of the magazine "Clujul Medical".
- (2) The editor-in-chief of the magazine and the composition of the editorial team are decided by decision of the University Senate, upon proposal of the Scientific Council.

**Art. 148.**

- (1) The Grand Prize of the University is the "Iuliu Hațieganu" prize.
- (2) Faculty Councils make their own annual awards in accordance with specific regulations approved by the Senate.
- (3) Upon proposal of the Faculty Councils or the Board of Directors, the Senate may also decide to award other prizes.
- (4) No award may be instituted without the approval of the University Senate.

## **TITLE VII. NATIONAL AND INTERNATIONAL COOPERATION**

### **Art. 149.**

The academic cooperation, the conclusion of contracts and the participation of the University in national and international organizations are carried out through institutional agreements of the University, approved by decision of the Senate, on the basis of its own regulations, in accordance with the legislation in force.

### **Art. 150.**

- (1) The University may form partnerships and consortia with other institutions of higher education, research and development units, or other organizations to carry out its mission, through contracts approved by the Senate.
- (2) Partnerships with national and foreign higher education institutions can take the following forms: joint bachelor's, master's or doctoral programs, co-supervised PhDs, other forms of scientific cooperation/collaboration at institutional or individual level.

### **Art. 151.**

- (1) The University may enter into contracts with public institutions and economic operators to carry out basic and applied research programs.
- (2) These contracts are concluded only after approval by the Senate.

### **Art. 152.**

The University encourages the organization and operation of alumni associations for the benefit of the theoretical and practical training of students, access to the labor market, and support of scientific events.

### **Art. 153.**

The University's cooperation with academic and non-academic institutions and organizations abroad is managed by the Department of International Relations, according to its own rules of organization and operation.

### **Art. 154.**

The implementation and coordination of European programs in the field of vocational education and training are managed by the Erasmus+ Office, in accordance with its own organizational and operational regulations.

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## TITLE VIII. QUALITY ASSURANCE

### Art. 155.

- (1) Ensuring the quality of teaching and scientific research is the obligation of the University, according to the law.
- (2) The activities carried out within the University are linked to quality assurance reference standards and national and international best practices.
- (3) Members of the university community are involved as full partners in the process of ensuring the quality of teaching and scientific research.

### Art. 156.

- (1) Quality management encompasses quality assessment and quality assurance activities within the framework of an integrated system, consisting of all regulations and structures for quality assessment and quality assurance of the university's teaching, research and administrative processes.
- (2) The evaluation and quality assurance are carried out by the Evaluation and Quality Assurance Commission, in accordance with its Regulations for the Organization and Operation.
- (3) The evaluation of the pedagogical and scientific performance of the staff and academic structures (departments, faculties, research groups etc.) is carried out by the Quality Assurance Department, organized according to its own regulations, the ARACIS standards and the legislation in force.

### Art. 157.

- (1) Members of the University community are required to self-evaluate annually and are subject to periodic internal and external quality assessments established by law and the University's own regulations.
- (2) The evaluation criteria, standards and indicators are proposed by the Evaluation and Quality Assurance Commission and validated by the University Senate, based on national legislation and international practices.
- (3) Quality assurance management at the University requires that students evaluate the formative performance of instructors. Student input is considered, along with self and peer evaluation, to be an important means of monitoring and improving teaching activity at the University.
- (4) Failure of students to fulfill their responsibility to evaluate faculty hinders the quality assurance process, constitutes disciplinary misconduct, and is sanctioned in accordance with University regulations.

### Art. 158.

- (1) Each year, based on the results of internal and external evaluations, the Quality Assurance and Evaluation Commission prepares a report on the quality of the University's teaching, research and administrative processes.
- (2) The plan to remedy the nonconforming aspects resulting from the annual report of the Quality Assurance and Evaluation Commission is included in the annual report of the Rector.
- (3) The results of the evaluations are an important element for the financing of the academic structures and the salary of the University staff, according to the current legislation and internal regulations.
- (4) The University Senate, upon proposal of the Rector, based on an internal evaluation, may order the reorganization or dissolution of non-performing academic structures, without prejudice to students.

## TITLE IX. ASSETS AND FINANCING

### Chapter 1. The assets

#### Art. 159.

- (1) The University has its own assets, movable and immovable property in the public or private domain of the State, which it manages in accordance with the law.
- (2) The University's rights over the assets of its patrimony may be rights of ownership or dismemberments of rights of ownership (usufruct, easement, surface area), rights of use acquired by lease, concession, commodatum and others, or rights of management, under the conditions provided for by law.
- (3) The rights of the University over the assets in its patrimony, which is part of the public domain of the State, may be rights of administration, use, concession or lease, in accordance with the law.
- (4) The leasing of property available in the University's patrimony can only be done on condition that it does not affect the teaching and research process, with the approval of the Senate and in accordance with the specific legislation.
- (5) The University's assets may also include claims arising from contracts or court decisions.

#### Art. 160.

- (1) The University's space consists of all buildings, grounds, research institutes, university campuses, university hospitals and clinics, administrative, cultural and sports facilities and related facilities used for the purpose of fulfilling the University's mission, regardless of the legal title under which the University has the right to use them.
- (2) The premises and facilities provided for in Article 126, paragraph (2) of the National Education Act No. 1/2011 are exempt from the provisions of paragraph (1).
- (3) The beneficiaries of the university space are all members of the university community.
- (4) University space is inviolable. Access to university premises is only permitted under the conditions provided for by law and by the University Charter. The public order bodies can only intervene in the university space with the authorization or at the request of the Senate or, if there is not enough time, of the Rector, but only with the respect of the legal procedures.
- (5) The free movement and access of members of the University community within University space may not be prohibited or restricted for any reason or under any circumstances, except in cases of force majeure. Access to University space is done based on a student ID or a University employee ID.
- (6) The entire structure of the university space is used according to the needs of the University. No element of the university space is the property of any faculty, department or discipline.

#### Art. 161.

- (1) Any alienation of real and/or personal property to the detriment of the University, as well as the detour of the University's activities to the benefit of other natural or legal persons is prohibited.
- (2) Decisions concerning the valuation of the real estate and movable cultural heritage are approved by the University Senate, on the proposal of the Board of Directors.

**Art. 162.**

- (1) In accordance with current legislation, the University's assets are recorded in the accounting records and are subject to a periodic inventory.
- (2) The management of resources and their inventory is carried out in accordance with the legislation in force.

**Art. 163.**

The University protects its patrimony by:

- a) property insurance;
- b) the safeguard of movable and immovable property and space security systems;
- c) the promotion of actions/defenses in litigations concerning property belonging to the University and currently in the possession of other natural or legal persons;
- d) information security systems, including protection with regard to the processing of personal data and the free flow of such data;
- e) ongoing training of staff on heritage protection.

**Art. 164.**

Physical access to the University's infrastructure (communications, electrical, heating, water, natural gas, centralized air conditioning systems) is monitored and limited to prevent, detect, and minimize adverse effects on the University's assets.

**Art. 165.**

- (1) The University Senate receives an annual report on the state of the University's assets, included in the President's Annual Report.
- (2) The official documents for the presentation of the situation of the assets, resources and the execution of the revenue and expenditure budget are the quarterly and annual financial statements, prepared in accordance with the law.
- (3) The financial statements shall give the Board of Directors and the Senate a true and fair view of the assets, liabilities, financial position, financial performance and results of operations.

**Art. 166.**

The University manages its real estate assets through maintenance, routine repairs, rehabilitation, consolidation, modernization, maintenance of technical installations, and application of fire safety regulations.

**Art. 167.**

- (1) The deans of faculties and the heads of administrative structures are responsible for the use of the spaces made available to them.
- (2) The Board of Directors may order their joint use by the faculties.
- (3) Faculties may collaborate for temporary joint use of space, depending on availability.

**Art. 168.**

- (1) The laboratories are part of the material base of the faculty or the structure that manages them according to the institutional decision.
- (2) Departments and research units propose to establish and equip high-performance teaching and research laboratories.

- (3) The creation, dissolution and endowment of the laboratories policy is established by decision of the Board of Directors.

**Art. 169.**

The University's infrastructure may also be used to provide services to the community, with prior approval of the Board of Directors.

**Art. 170.**

- (1) The University may grant, by contract, the right to use real estate that is in its private ownership, with the approval of the Senate or the Board of Directors, as appropriate.
- (2) The University may grant by contract the right to use and manage its property to companies or associations of which it is a partner or shareholder or founder, with the approval of the University Senate. The right to use and administer publicly owned property may not constitute a contribution by the University to the capital stock of a corporation, foundation or association.
- (3) The transfer of real estate which is public property of the State or of the territorial administrative units and over which the University has a real right of administration or free use may be made in compliance with the legal provisions in force.

**Art. 171.**

The rental, giving or taking possession over free of charge movable and immovable assets, from and to third parties, is carried out under the conditions of the law, without affecting the teaching and research process.

## **Chapter 2. The financing**

**Art. 172.**

- (1) The University is financed by:
  - a) funds allocated from the state budget;
  - b) extra-budgetary revenues;
  - c) funding from other departments;
  - d) other sources, as required by law.
- (2) All funds obtained by the University from the sources mentioned in paragraph (1) shall be considered own revenue.
- (3) The University's funds are deposited in the State Treasury and in commercial banks, in accordance with the law.

**Art. 173.**

- (1) The resources allocated by the state budget are:
  - a) core funding;
  - b) complementary financing;
  - c) additional funding;
  - d) achieving investment objectives;
  - e) institutional development (amounts allocated on a competitive basis);
  - f) inclusion (amounts allocated on a competitive basis);
  - g) scholarships and social protection for students.

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- (2) The management of the resources provided for in paragraph (1) shall be carried out in accordance with the law and the Regulations for the Financing of the University.

**Art. 174.**

The University earns extrabudgetary revenue from:

- a) scientific research contracts of faculties, departments, institutes, centers, research laboratories;
- b) contracts with European funding;
- c) income from the rental of University premises or other property;
- d) sponsoring from various foundations or commercial companies;
- e) donations from Romanian and foreign natural and legal persons;
- f) revenues from the provision of services by academic units;
- g) revenues from consulting and expertise activities;
- h) tuition for students admitted in excess of the number of state-funded seats approved by the appropriate Ministry;
- i) income from postgraduate courses, advanced postdoctoral research programs and international students who are not on a Romanian state scholarship, regardless of the study cycle;
- j) administration fees, in accordance with the Regulations for the University's Fee;
- k) income from micro-production, publishing house, other commercial activities or services;
- l) income from the canteen and hostels (administration).

**Sec. 175.**

- (1) Fees charged are established, modified, or waived by the University Senate, upon proposal of the Board of Directors, in accordance with the law and the Regulations for the University's Fee.
- (2) Fees apply only as of the academic year following the year in which they are established or modified, except for newly established fees, which apply immediately.

**Art. 176.**

Funding from the state budget is based on an institutional contract, concluded annually between the relevant Ministry and the University Rector.

**Sec. 177.**

Extra-budgetary revenues are managed separately and are used according to the decision of the Senate, at the level of the University, faculties, departments and units within them, which have realized these revenues.

**Art. 178.**

The University disposes, in accordance with the law, of the revenues obtained from the tuition fees of international students.

**Sec. 179.**

- (1) The University's financial resources are included in its own budget, approved annually by the Senate.
- (2) The distribution of funds by structure is made on the proposal of the Rector.

**Sec. 180.**

Personnel expenditures shall be made in accordance with the law and the decisions of the University Senate.

**Art. 181.**

The execution of the University's annual budget shall be made public.

**Art. 182.**

The University may use its own revenues, under the conditions of the law, for the improvement of human resources, infrastructure development, funding of strategic development projects related to research, education and involvement for the benefit of the local and regional community.

**Art. 183.**

The University shall have the right to redeploy budgetary credits from the balance to base funding, unspent amounts carried over from prior years to new investment goals, and unspent amounts from completed investments. These funds are reallocated to new and continuing investment purposes and other capital expenditures.

Amounts remaining in the balance for student transportation facilities can be used in future years for scholarships.

**Art. 184.**

- (1) The University may create, alone or by association, commercial companies, foundations or associations, with the approval of the University Senate. The condition for their creation is that they contribute to the increase of the University's performance.
- (2) The University may only contribute with money, patents and/or other industrial property rights to the creation of commercial companies, foundations or associations.
- (3) The University may grant, by contract, the right to manage or use its property to corporations or associations of which it is an associate or shareholder or to foundations of which it is a founder, with the approval of the Senate.
- (4) The University may, with the approval of the Senate, enter into contracts with foundations for activities related to education, research, and community involvement.

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# TITLE X. UNIVERSITY CODE OF ETHICS AND PROFESSIONAL CONDUCT

## Chapter 1: General Provisions

### Art. 185.

- (1) This Code expresses the University's policies of equity and academic ethics.
- (2) The code includes:
  - a) the principles and rules of academic ethics and good conduct in research and development;
  - b) definition of misconduct, conflicts of interest and incompatibilities;
  - c) procedures for analyzing and resolving complaints or 'own initiative' investigations by the University Ethics Commission;
  - d) the sanctions that can be applied in case of violation of academic ethics and good conduct in research and development, according to the legislation in force.

### Art. 186.

The primary purpose of the University's Code of Academic Ethics and Professional Conduct is to:

- a) defend the fundamental right to a quality education;
- b) respect of the professional obligations of members of the university community;
- c) to defend the dignity and prestige of the Romanian university education and of the University.

### Art. 187.

- (1) As part of its teaching and research activity, the University provides specialized services to students and society without any form of discrimination.
- (2) Relationships between members of the university community and the recipients of the services provided must be based on confidence in the competence and professional experience of teaching, research, and administrative staff.
- (3) This trust obliges members of the academic community to ensure and maintain their professional and personal performance and conduct at the highest level throughout their careers and to continually update their professional knowledge in their fields of activity.

### Art. 188.

The fundamental principles on the basis of which academic activity is carried out are: academic freedom, personal autonomy, justice, equity and intellectual honesty, professionalism and merit, transparency, quality and professional collaboration.

### Sec. 189.

In situations where the choice of solution to a problem is not provided for by legal standards, members of the university community must make a decision consistent with university ethics and take responsibility for it.

**Art. 190.**

The University ensures that professional standards are maintained at the highest possible level in order to guarantee the right to a quality education, supervising the compliance of members of the university community with their professional duties and academic ethics, and preserving professional prestige, honor and dignity.

**Art. 191.**

The following are against the principles of the Code of Ethics and Academic Conduct:

- a) any discrimination based on sex, religion, origin, nationality, race etc.;
- b) political propaganda carried out within the University or in connection with its actions;
- c) religious proselytism;
- d) promotion of racist, xenophobic, nationalist, fascist or communist doctrines or ideas;
- e) defamation of the University by members of the University community;
- f) personal attacks or defamatory statements against members of the university community;
- g) expression of opinions on professional topics that have no scientific fundamentals;
- h) attempts to resolve personal conflicts or grievances through the media before such grievances are resolved in accordance with University regulations.

**Chapter 2: Conflicts of interest and incompatibilities****Art. 192.**

- (1) A conflict of interest exists when the personal interests, direct or indirect, pecuniary or non-pecuniary, of a member of the university community conflict with the obligations arising from his or her status or are of such a nature as to affect the independence and impartiality required to fulfill those obligations.
- (2) Conflict of interest can exist both in relations with students, e.g. examinations, awarding of prizes, scholarships of any kind etc., and in relations with other members of the university community, e.g. promotion committees, research activity (doctorate, grants etc.), awarding of prizes or scholarships, employment, national or international mobility etc.

**Art, 193.**

- (1) Persons who are in a relationship of spouses, relatives, and parents up to and including the third degree may not simultaneously hold positions such that either is towards the other in a position of management, control, authority or institutional evaluation at any level in the University and may not be appointed to doctoral commissions, evaluation commissions or competition commissions whose decisions affect spouses, relatives or parents up to and including the third degree.
- (2) A conflict of interest also exists when teaching and research personnel employed by the University engage in teaching or research activities or hold teaching or research positions at other public or private institutions of higher education or research without the written approval of the University Senate.

**Art. 194.**

- (1) In any situation of potential conflict of interest, the person concerned is required to bring the situation to the attention of the management structure of the university responsible for managing that situation.
- (2) The person with the potential conflict of interest is required to refrain from participating in any decision regarding the situation in question until the case has been resolved by the responsible university structure.

**Art. 195.**

Persons who have been convicted of a criminal offence against the person committed intentionally in circumstances related to the exercise of their profession or in connection with the service (corruption offences, abuse of authority etc.) may not hold a teaching position until the consequences of the conviction have been erased.

**Art. 196.**

- (1) Persons who have been convicted of a crime against humanity, against the state, or against authority, or of an offense committed in the performance of their duties or in connection with the performance of their duties, which obstructs the course of justice, or of forgery or corruption, or of an offense committed intentionally, which would render them incompatible with the performance of their duties, shall not be eligible to hold a position as auxiliary teaching or non-teaching staff member, unless they have been rehabilitated.
- (2) Auxiliary teaching and non-teaching personnel must avoid any other conflict of interest or incompatibility situations provided for by the legislation in force in their specific field of activity.

**Art. 197.**

Members of the University community who engage in illegal activities or other activities inconsistent with the dignity of this status, such as, but not limited to:

- a) any commercial activity at the University;
- b) illegal activities with drugs, hallucinogens, drug precursors or doping products;
- c) trading or disseminating obscene or pornographic written, audio or visual material, including in a computer system;
- d) engaging in obscene activities in public etc.

**Art. 198.**

Any member of the university community involved in public procurement processes must avoid situations of conflict of interest or incompatibility as provided for in current legislation in this area.

## **Chapter 3. Principles of academic ethics**

### **3.1. Academic freedom**

**Art. 199.**

Academic freedom implies the right of each member of the academic community to express openly his or her scientific and professional opinions in courses, seminars, conferences, debates, as well as in works prepared, presented or published

**Sec. 200.**

- (1) Members of the university community shall avoid infringing on the freedom of others, demonstrate mutual respect, fairness and cooperation in their work environment, and show integrity, honesty and responsibility in all their actions.
- (2) A critical approach, intellectual partnership and cooperation are encouraged, regardless of political opinions or religious beliefs.

**Sec. 201.**

- (1) Academic freedom can only be restricted by law.
- (2) Manipulation, indoctrination, dogmatic teaching in the university space are forbidden, and thus the violation of the right of students, teachers or researchers to freedom of thought and scientific training are also forbidden.

**3.2. Personal autonomy****Sec. 202.**

- (1) The University guarantees the exercise of the right to design, modify, expand, or refine academic and research programs.
- (2) Each member of the university community is guaranteed the right to make and implement decisions concerning his or her academic and professional career.

**Art. 203.**

- (1) Each member of the university community is free to express his or her ideas and opinions in all areas, to contribute to social progress, or to participate in the political actions of the community as a private person.
- (2) The ideas and opinions expressed by a member of the University community, as a private individual, are not binding on the University and do not represent the official position of the University.

**Art. 204.**

The University cultivates an environment conducive to debate, competence and competitiveness.

**Art. 205.**

Each member of the university community assumes responsibility for the quality of the educational process and must ensure that all content of the material taught is current, representative, and appropriate to the level of the subject matter in the curriculum.

**Art. 206.**

The following are violations of individual freedom:

- a) the attack on the person,
- b) offence or violence of any kind,
- c) the violation of the personal liberty of another member of the community,
- d) breach of confidentiality regarding professional or personal matters.

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### **3.3. Justice, equity and intellectual honesty**

#### **3.3.1. The teaching activity**

##### **Sec. 207.**

- (1) The integrity of the teacher-student relationship is the foundation of the University's educational mission.
- (2) The teacher shows respect for the student as a person.
- (3) The teacher fulfills the role of intellectual trainer and advisor by cultivating academic behavior.
- (4) The teacher ensures that students are evaluated fairly on their actual merits.
- (5) Teachers avoid exploitation, harassment, or discrimination of students and protect their academic freedom.

##### **Art. 208.**

- (1) Members of the University community promote equal opportunity regarding:
  - a) access to education and programs of study,
  - b) employment and promotion.
- (2) Members of the university community help to avoid conflicts of interest and incompatibilities.
- (3) Members of the university community help prevent and combat all forms of corruption, favoritism and nepotism, as well as all forms of persecution.

##### **Art. 209.**

The behavior of students in and out of the educational process must be decent, polite and respectful, towards colleagues, teachers and the institution of the University.

##### **Sec. 210.**

Violations of the University's Code of Academic Ethics and Professional Conduct are any act or action by students that harms the image and prestige of the University and its personnel.

##### **Sec. 211.**

In the scope of teacher – student relations, the following acts constitute breaches of the duty of integrity:

- a) condition or influence of the evaluation of the student by any means or criteria other than professional, as provided for in the regulations;
- b) inappropriate behavior, harassment based on politics, race, religion, gender, sexual orientation, national origin, marital status, disability and/or medical condition, age, nationality or other arbitrary or personal grounds;
- c) abuse of power or authority by a teacher to influence the judgment or conscience of a student for arbitrary or personal reasons or for reasons that are not scientifically or legally sound;
- d) the existence of an extra-professional relationship of any kind that jeopardizes the integrity of the educational process.

**Art. 212.**

The academic integrity of students involves avoiding any act or action that would be detrimental:

- (1) to the proper conduct of the educational process by any means, including, but not limited to: damaging, deliberately destroying, replacing educational materials or books and journals or computer information, interrupting classes or exams etc.;
- (2) to a fair and rigorous evaluation of knowledge (fraud or attempted fraud of any kind during examinations).

**Art. 213.**

The following are major deviations from the Code of Academic Ethics and Professional Conduct in the area of teaching activity:

- a) traffic of any exam (admission, during the academic year, License, dissertation, residency, doctorate etc.);
- b) traffic or substitution of papers, projects etc.;
- c) demanding, offering, or receiving money or property from members of the university community, as well as any other form of co-interest;
- d) demanding personal services of any kind from persons who are or will be in the process of evaluation, hiring or promotion, and offer such services in exchange for their goodwill.

**Art. 214.**

- (1) The following are prohibited: misinformation, defamation, public denigration of University programs and individuals by members of the University community.
- (2) Behaviors that demonstrate envy, cynicism, vanity, lack of kindness, lack of interest, systematic indifference to the demands of students, teachers, and administrative or auxiliary staff, carelessness, in cases where they seriously affect the educational process, research etc. are discouraged and considered undesirable.

**3.3.2. Scientific research activity****Art. 215.**

- (1) The University encourages honest and quality scientific research in accordance with national standards and internationally accepted good practices, which ensure that the merits, priority and probity of all research are recognized.
- (2) The University encourages and supports the activity of publishing and popularizing the results of scientific research.

**Art. 216.**

- (1) The University has a Scientific Research Ethics Commission, established in accordance with the law, which operates under its own regulations.
- (2) The main mission of this Commission is to ensure that special ethical rules are observed in research involving human subjects or animals.
- (3) The research undertaken observes the principle of immediate or potential benefit to patients, the principle of collective and individual well-being, taking into account the potential impact on the environment, individuals and society.

**Art. 217.**

- (1) The University protects intellectual property rights through its specialized structures.
- (2) The University supports the recognition of intellectual property rights for all authors who have made significant contributions to the conduct of a research.
- (3) Benefits and rewards should be given to all those who originate intellectual property.

**Art. 218.**

- (1) Serious misconduct in scientific research and academic activity:
  - a) plagiarize the results or publications of other authors;
  - b) fabricate results or replace results with dummy data;
  - c) entering false information in grant or funding applications;
- (2) Scientific fraud is a serious violation of the ethics of scientific research. It is the deliberate act of fabricating, falsifying, plagiarizing or illicitly alienating the results of scientific research.

**Art. 219.**

The following constitute misconducts in research and development:

- (1) Deviations from the rules of good conduct in scientific activity:
  - a) the fabrication of results or data and their presentation as experimental data, as data obtained by numerical calculations or computer simulations, or as data or results obtained by analytical calculations or deductive reasoning, the presentation of fictitious results or data that are not the actual result of research and development;
  - b) falsification of experimental data, data obtained by computer calculations or numerical simulations, or data or results obtained by analytical calculations or deductive reasoning, selective reporting or rejection of undesirable data or results, manipulation of representations or illustrations, modification of experimental or numerical apparatus to obtain desired data without reporting the modifications made, tampering with materials, equipment, processes, or research results, omission of data or results that may distort the results of the research ;
  - c) deliberately hindering, obstructing, or sabotaging the research and development work of others, including unreasonably blocking access to research and development facilities, damaging, destroying, or tampering with experimental apparatus, equipment, documents, computer programs, electronic data, organic or inorganic substances or living materials necessary for others to conduct, perform or complete research and development activities;
- (2) Deviations from the rules of good conduct in scientific communication, publication, dissemination and popularization, including in the context of grant applications submitted in the context of competitions for projects organized from public funds.
  - (a) plagiarism: the presentation in a written work or oral communication, including in electronic form, of texts, expressions, ideas, demonstrations, data, hypotheses, theories, procedures, technologies, results or scientific methods taken from written works, including in electronic form, of other authors, without mentioning this fact, without referring to the original sources and presenting them as one's own creation
  - (b) self-plagiarism: the exhibition in a written work or oral communication, including in electronic form, of texts, expressions, demonstrations, data, hypotheses, theories, results or scientific methods taken from written works including in electronic form by the same author(s), without mentioning this fact and without referring to the original sources.

- c) the inclusion in the list of authors of a scientific publication of one or more co-authors who did not contribute significantly to the publication or the exclusion of co-authors who did contribute significantly to the publication;
  - d) the inclusion of a person in the list of authors of a scientific publication without his/her consent;
  - e) unauthorized publication or dissemination of unpublished scientific results, hypotheses, theories or methods;
  - f) inclusion of false information in grant or funding applications, accreditation applications, academic teaching positions or research and development positions;
- (3) Deviations from the rules of good conduct in the activity of evaluation and institutional monitoring of research and development, evaluation and monitoring of research and development projects obtained through actions within the framework of the National Plan for Research, Development and Innovation, and evaluation of persons for the granting of diplomas, titles, positions, awards, prizes, certificates or attestations in the activity of research and development:
- a) non-disclosure of potential conflicts of interest as defined in Article 192 and following
  - b) breach of confidentiality in the evaluation;
  - c) discrimination in evaluations on the basis of age, ethnicity, gender, social origin, political or religious origin, sexual orientation, or other types of discrimination, with the exception of affirmative action provided by law;
- (4) Deviations from the rules of good conduct in management positions in the research and development activity:
- a) abuse of authority to obtain authorship or co-authorship of subordinates' publications or to obtain salary, remuneration or other material benefits from research and development projects conducted or coordinated by subordinates for themselves or for their spouses, relatives or parents up to and including the third degree;
  - b) abuse of authority to impose one's own theories, concepts or results on subordinates without justification;
  - c) obstructing the activity of an ethics commission, review board, or the National Ethics Board in analyzing misconduct in the subordinate research and development activity;
  - d) failure to comply with legal provisions and procedures aimed at observing the rules of good conduct in research and development activity provided for by current legislation, or by the University Charter, as the case may be;
  - e) failure to apply the sanctions established by the Ethics Commission or the National Ethics Board, in accordance with the legislation in force.
- (5) Deviations from the rules of good conduct concerning respect for human beings and human dignity, the avoidance of animal suffering and the protection and restoration of the natural environment and ecological balance:
- a) conduct a research project involving human subjects without the favorable opinion of the research ethics commission;
  - b) failure to observe the ethical principles in research involving human subjects in accordance with the World Medical Association's Declaration of Helsinki: the right to dignity, care, quality and safety, the right to information and informed consent, the right to privacy and confidentiality of personal data, the rights of vulnerable persons etc.
  - c) failure to comply with the terms and conditions of the favorable opinion of the research ethics commission;

- d) the conduct of a research project involving animals without the favorable opinion of the research ethics commission;
- e) failure to comply with the rules for the protection of animals used in a research project conducted in accordance with the legislation in force;
- f) failure to observe the rules of environmental protection and ecological balance in scientific research.

**Art. 220.**

The following situations may also give rise to ethical liability by association for misconduct in research and development:

- a) instigate or knowingly participate in the misconduct of others;
- b) knowledge of misconduct by others and failure to report it to the University Ethics Commission or the National Ethics Board, as appropriate;
- c) knowingly co-authored publications containing falsified or fabricated data;
- d) failure to comply with legal and contractual obligations, including those related to the mandate contract or grant contracts, in the performance of management or coordination functions for research and development activities.

**Art. 221.**

Conflicting data, differences in experimental design or practice, differences in interpretation of data, and differences of opinion are factors in research and development and do not constitute a violation of the rules of good conduct in scientific research.

**Art. 222.**

- (1) The current legislation, the University's regulations and the decisions of its management structures, including the prevention and/or punishment of plagiarism, are communicated to the entire university community by electronic means, such as: publication on the University's website, information sent by the Public Relations Service and the Rector's Secretariat.
- (2) Pursuant to Article 130 paragraph (1) letter c) of the Law No. 1/2011 on National Education, the measures to be taken at the university level to guarantee the originality of bachelor's, master's, doctoral, scientific articles or other such works are as follows:
  - a) educational measures, consisting of the inclusion in the curricula of all university courses (bachelor, master, doctorate) of subjects (including courses, lectures, seminars, examinations) aimed at making students aware of and understand the legislation and ethics applicable in the field, such as Introduction to research and documentation, Methodology of scientific research, European legislation on research, Ethics of scientific research, Medical documentation, Publication rules and ethics of publication, Ethics and academic integrity;
  - b) administrative measures, which consist of requesting written declarations, on honor, concerning the originality of the work and the absence of plagiarism for undergraduate work, master's theses, PhD thesis, the publication of books by the University's publishing house, the publication of scientific work in journals published under the auspices of the University and in competitions for teaching and research positions;

- c) technical measures, which consist of the implementation and use of a computer system for the recognition of plagiarism in License works, Master's theses, PhD theses, books and other scientific works of the members of the academic community.

### **3.3.3. Administrative activity**

#### **Art. 223.**

Integrity in administrative activity implies the correct conduct of all procedures for the selection, election, appointment and evaluation of personnel who assume administrative responsibilities, as well as of all work procedures in administrative activity (asset management, purchasing, secretarial work, maintenance etc.).

#### **Art. 224.**

- (1) Receiving, accepting, requesting, giving or offering money, property or any other benefit or favor in exchange for support to hold an administrative position is prohibited.
- (2) It is a violation of the duty of integrity to use an administrative position to obtain an improper advantage of any kind for oneself or for others.

### **3.4. Professionalism and merit**

#### **Art. 225**

The University provides recognition, based on well-defined criteria, for personal and collective merits that lead to the achievement of its institutional mission.

#### **Art. 226.**

The only acceptable qualitative hierarchy in the University is that of professionalism and merit.

#### **Sec. 227.**

For teachers and researchers, professionalism and merit are determined by the prestige brought to the institution and to the specialty in which they work, the quality and timeliness of courses, seminars, practical lessons and clinical internships, the evaluation of students, the resolution of their problems, the involvement in the different study programs of the University, the supervision of students' research activities, the quantity and quality of scientific publications, the individual and institutional research and development grants obtained, the involvement in the development of the faculty and of the University

#### **Art. 228.**

For students, professionalism and merit are determined by evaluating performance in courses, seminars, practical work and clinical internships, professional competitions, license, master and doctoral examinations, and participation in volunteer activities.

#### **Art. 229.**

For auxiliary and administrative personnel, professionalism and merit are determined by professional rank, complexity of the activity, quality of services provided, and the manner in which the duties set forth in the job description are performed.

**Art. 230.**

For the members of the management structures, the criteria of professionalism and merit are established according to the management of resources, the application of legal, institutional and ethical regulations, the establishment and maintenance of professional and moral standards in the University, the evaluations of the study programs, faculties and the University at the national (ARACIS) and international (CID- MEF, CIDPHARMEF etc.) level.

**Art. 231.**

The following are violations of the University's Code of Ethics and Professional Conduct:

- a) the evaluation of professional competence by criteria other than the quality of teaching, scientific performance, professional results, merit etc.;
- b) the non-recognition of a person's merits by colleagues, superiors or university management structures;
- c) hindering career advancement or professional development (doctoral dissertation, fellowships, scientific publications, etc.) by colleagues, superiors or University management structures.

**3.5. Transparency****Art. 232.**

- (1) The University adheres to the principle of transparency of all categories of information of interest to members of the University community, potential applicants, alumni, collaborating institutions, and the general public, ensuring consistent and accurate information. This facilitates a level playing field in the competition and ensures equitable access to the University's resources.
- (2) It is prohibited to conceal, falsify or distort information of public interest.

**Art. 233.**

Selection criteria for teaching, research and administrative positions must be rigorously and clearly specified in accordance with current legislation.

**Art. 234.**

Members of the university community have the right to clear, accurate, and timely information about the criteria for evaluating their performance and explanations of their results.

**3.6. Quality of services****Art. 235.**

In their teaching activity, teachers must provide quality instruction in accordance with the law and University regulations.

**Art. 236.**

In the scientific research activity, the quality assurance rules specific to the field must be observed, in accordance with the law and the University's regulations.

**Sec. 237.**

The administrative and management activities must comply with the quality assurance rules that the University has assumed by adhering to the ISO certification system and through the institutional contract, in accordance with the law.

**3.7. Professional collaboration****Sec. 238.**

- (1) Members of the university community must work together for the smooth running of the professional activity, for the provision of quality services to students and the community, and for the development of education, science and knowledge.
- (2) Collaboration among members of the university community is based on collegiality, fairness, discipline and respect.

**Chapter 4. Procedures and sanctions****Art. 239.**

- (1) Any behavior of a member of the university community that violates the provisions of the Code may be the subject of a complaint regarding a breach of university ethics or proper conduct in research and development.
- (2) Complaints may be filed by any person, inside or outside the University, with the University Ethics Commission.
- (3) The University Ethics Commission may also conduct “own initiative” investigation on such misconducts by decision of the majority of its members, in which case minutes shall be drafted.
- (4) The analysis and resolution of complaints and “own initiative” investigation on breaches of academic ethics or research and development misconduct shall be conducted in accordance with applicable law and the procedures set forth in this Code.

**Art. 240.**

- (1) Complaints or self-referrals for “own initiative” investigation must be made no later than 6 months after the events that constitute the subject matter of the complaint or the date on which they become known, but no later than one year after the date on which the act was committed.
- (2) As an exception to the provisions of paragraph (1), complaints or self-referrals for “own initiative” investigation concerning cases of plagiarism may be filed during the term of copyright protection, in accordance with the legislation in force (Law No. 8/1996 on Copyright and Related Rights, as amended).
- (3) Complaints or self-referrals for “own initiative” investigation must be in writing and contain details of the identity of the plaintiff (including contact information), the identity of the person accused of the misconduct, the alleged actions, their location and date, any witnesses, and any other information deemed relevant. *Model - Appendix 2 of Regulations for the University Ethics Commission.*
- (4) Complaints or self-referrals for “own initiative” investigation are submitted to the office of the University Ethics Commission and are recorded by its secretary, who issues a registration number confirming receipt of the complaint.
- (5) Anonymous complaints are not recorded and are not analyzed.
- (6) Upon request, the Commission Secretary can provide advice on the drafting and formulation of complaints.

**Art. 241.**

In case of complaints or self-referrals for “own initiative” investigation of research and development misconduct, the procedure is as follows:

- (1) Within 7 calendar days of registration, the University Ethics Commission shall appoint a Review Panel to consider the complaint or self-referral for “own initiative” investigation of research and development misconduct brought to its attention.
- (2) At the beginning of the review process, the person against whom the complaint or self-referral for “own initiative” investigation has been filed is notified of its receipt in order to formulate a written position on the alleged facts. In the notification to the person against whom the complaint is filed, the Review Panel should specify the content of the complaint and the nature of the information requested. The person against whom the complaint is made is also invited to express any objections to the ability of the Review Panel members to judge the matter in question in case of a conflict of interest situation.
- (3) The absence of a written position or lack of cooperation from the subject of the complaint does not preclude further investigative procedures.
- (4) If the person in question admits the facts of which he or she is accused, the Review Panel draws up a report (based on the complaint or self-referral for “own initiative” investigation and the signed written statement acknowledging the facts).
- (5) In order to determine the nature of the facts and the extent to which they constitute research and development misconduct, the Review Panel shall conduct an investigation, including gathering information, analyzing the facts, seeking evidence, interviewing witnesses, and hearing and confronting parties, as appropriate. If, in the course of the investigation, the panel finds that another person(s) is / are involved, paragraph (2) of this article shall be applied.
- (6) The Review Panel may decide to call for a hearing, at the request of the parties or on its own initiative, of any person who may have information necessary for the resolution of the case. The identity of such persons shall remain confidential throughout the investigation.
- (7) The Review Panel prepares a report that is endorsed by the University's legal counsel, approved by the University Ethics Commission, communicated in writing to the plaintiff and published on the University's website within 45 calendar days of receipt of the complaint.
- (8) Within the same time frame, the report of the Review Panel, approved by the University Ethics Commission, shall also be communicated in writing to the person(s) who is the subject of the complaint or the “own initiative” investigation.
- (9) The written communication of the report is done by ordinary mail (registered mail with acknowledgement of receipt) and by electronic means (e-mail).
- (10) The report of the Review Panel shall contain:
  - a) a conclusion as to the nature and truthfulness of the alleged facts and other relevant facts, supported by evidence obtained by the Review Panel as a result of investigations and hearings;
  - b) the decision on the existence of misconduct in research and development;
  - c) in the event of a finding of research and development misconduct, the name of each person responsible and the proposed sanction; the persons responsible may be different from the persons mentioned in the text of the complaint.
- (11) The legal responsibility for the decisions and work of the Review Panel and the Ethics Commission rests with the University.
- (12) The report of the Review Panel, approved by the University Ethics Commission, may be challenged before the National Council of Ethics for Scientific Research, Technological Development and Innovation (CNEC- SDTI), in accordance with current legislation.

If no challenge is filed with the CNECSDTI within 15 working days from the date of communication stipulated under paragraph (7), the sanctions set forth in the report of the Review Panel, approved by the University Ethics Commission, shall be implemented by the Rector or the Board of Directors, as appropriate, within 45 calendar days from the date of communication of the report stipulated under paragraph (7).

**Art. 242.**

In the event of complaints or self-referrals for “own initiative” investigation regarding other violations of academic ethics by members of the academic community, the procedure is as follows:

- (1) Within 7 calendar days of registration, the University Ethics Commission will meet to review the complaint or the self-referral for “own initiative” investigation.
- (2) At the beginning of the analysis process, the person against whom the complaint or self-referral has been filed shall be notified of its receipt in order to formulate a written position on the alleged facts. In the notification to the subject of the complaint, the University Ethics Commission shall specify the content of the complaint and the nature of the information requested. The subject of the complaint is also invited to express any objections to the ability of the members of the University Ethics Commission to judge the case in a conflict of interest situation.
- (3) The absence of a written position or lack of cooperation from the subject of the complaint does not preclude further investigative procedures.
- (4) If the person in question acknowledges the facts of which he/she is accused, the University Ethics Commission may take a decision on the basis of the complaint and the signed written statement acknowledging these facts. If, in the course of the investigation, the Commission finds that another person(s) is / are involved, paragraph (2) of this article shall be applied.
- (5) In order to determine the nature of the facts and the extent to which they constitute violations of university ethics, the University Ethics Commission shall conduct an investigation, including the collection of information, analysis of the facts, search for evidence, hearing of witnesses, and hearing and confrontation of the parties, as the case may be.
- (6) The University Ethics Commission may decide to call for a hearing, at the request of the parties or on its own initiative, of any person who may have information necessary to resolve the case. The identity of such persons shall remain confidential throughout the investigation.
- (7) Based on the data collected and the hearings of the parties and witnesses, the University Ethics Commission prepares a report on the case.
- (8) The University Ethics Commission report shall contain:
  - a) their finding as to the nature and truthfulness of the facts alleged and other relevant facts, supported by evidence obtained by the Commission as a result of investigations and hearings;
  - b) the determination of the existence of any violation of academic ethics;
  - c) if the Commission finds a breach of academic ethics, the name of the person guilty and one of the sanctions provided for in this Code; the sanction proposed by the Commission shall be proportionate to the misconduct and to the prejudice that was caused;
- (9) The University Ethics Commission shall respond to the complainant within 30 calendar days of receipt of the complaint and shall inform the plaintiff of the outcome of the proceeding after its conclusion.
- (10) Within the same time period, the report of the University Ethics Commission shall also be communicated in writing to the person(s) who is the subject of the complaint or self-referral.
- (11) The written communication of the report is done by ordinary mail (registered mail with acknowledgement of receipt) and by electronic means (e-mail).

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- (12) If the University Ethics Commission finds that there is no violation of university ethics or that the violation is minor (e.g., minor negligence, discourtesy, unfriendliness etc.) and that the nature of the problem permits or requires conciliation between the parties by amicable means, this solution shall be offered to the parties in the communication of the final report.
  - (13) The decisions of the University Ethics Commission are implemented by the University's legal counsel. The legal responsibility for the decisions and work of the University Ethics Commission lies with the University.
  - (14) Sanctions established by the University Ethics Commission shall be implemented by the Rector or Dean, as appropriate, within 30 calendar days of the establishment of the sanctions.
  - (15) Decisions made at the institutional level regarding deviations from university ethics may be appealed to the University's Council on Ethics and Management, in accordance with in force legislation.

**Art. 243.**

- (1) Throughout the procedures for the analysis and resolution of a case, the members of the University Ethics Commission and, where applicable, the members of the Review Panel, are required to keep confidential the identity of the author of the complaint, as well as the secrecy of the hearings and deliberations until the final report is prepared.
- (2) Third party access to the file during the investigation is prohibited, with the exception of the parties involved, their legal representatives and authorized state agencies when the facts are the subject of an official investigation.
- (3) Once the case has been settled, access to the file by third parties is prohibited, with the following exceptions: the parties or their legal representatives in the event of a challenge, members of the structure to which the challenge has been addressed, authorized State bodies when the facts are the subject of an official investigation, and researchers, exclusively in the interest of academic research and subject to strict rules of confidentiality.
- (4) During the referral and review process, the person who filed the complaint has the following rights:
  - a) to be advised on filing a complaint;
  - b) to receive a complaint registration number;
  - c) to appear before the University Ethics Commission or the Review Panel, as the case may be, accompanied, if he/she wishes, by a legal representative (lawyer, legal guardian etc.);
  - d) to submit written statements and request case interviews with members of the University Ethics Commission or the Review Panel, as appropriate;
  - e) to benefit from confidentiality in accordance with this Code.
- (5) During the case analysis procedures, the person against whom the complaint or self-referral was filed has the following rights:
  - a) to appear before the University Ethics Commission or the Review Panel, as the case may be, accompanied, if he/she wishes, by a legal representative (lawyer, legal guardian etc.);
  - b) to be informed of the composition of the University Ethics Commission or the Review Board, as appropriate, and to challenge the ability of its members to make a fair decision in case of conflict of interest situations before the investigation begins;
  - c) to submit written statements and request case interviews with members of the University Ethics Commission or the Review Panel, as appropriate;
  - d) to benefit from confidentiality in accordance with this Code.
- (6) Failure to comply with confidentiality provisions by members of the University Ethics Commission or the Review Panel, as appropriate, is a violation of academic ethics.

**Art. 242.**

- (1) Sanctions that may be applied to teaching and research staff and auxiliary teaching and research staff for violations of academic ethics or for deviations from proper conduct in research and development activities are as follows:
  - a) written warning;
  - b) withdrawal and/or correction of all works published in violation of the rules of good conduct;
  - c) a reduction in base salary and, where applicable, management, guidance and supervision allowance;
  - d) suspension, for a fixed period of between 1 and 10 years, of the right to take a competition or examination for a senior position or a management, control or supervisory position or as a member of a competition commission or a doctorate, master's or licence commission;
  - e) withdrawal of the honorary title awarded by the University;
  - f) the dismissal from the teaching management position;
  - g) disciplinary termination of the employment contract.
- (2) Sanctions that may be applied to students for violations of academic ethics or for deviations from good conduct in research and development are as follows:
  - a) written warning;
  - b) written warning with reprobation;
  - c) suspension of the scholarship for a period of 10 to 30 days;
  - d) suspension or withdrawal of the student's right to certain facilities (dormitory accommodation etc.);
  - e) cancellation of the examination to which the work should have been or has been presented, in the case of plagiarism of License or dissertations, and the registration of the student in a complementary year;
  - f) not to be granted the right to present the PhD thesis, with exmatriculation from the doctoral school, without the right to re-enroll at the University, in case of plagiarism of the PhD theses;
  - g) exmatriculation of the student.
- (3) Studies completed as part of the program of study interrupted as a result of exmatriculation for violation of the provisions of the University Code of Ethics and Professional Conduct cannot be recognized in the event of new matriculation.
- (4) Sanctions shall be applied in accordance with the legislation in force and the procedures established by this Code.

**Art. 243.**

The results of an examination or assessment may be annulled by the Dean of the Faculty, in accordance with the provisions of the University Charter, when it is proven that they were obtained fraudulently or in violation of the provisions of the University Code of Ethics and Professional Conduct. The Dean may order the rescheduling of the examination.

**Art. 244.**

The Rector may annul, with the approval of the University Senate, a certificate or degree when it is proven to have been obtained by fraudulent means or in violation of the provisions of the University Code of Ethics and Professional Conduct.

**Art. 245.**

The sanctions that may be applied in the event of a breach of integrity in administrative activity are those provided for the administrative staff in the Internal Regulations, in accordance with the Labor Code :

- a) written warning;
- b) demotion, with pay for the position to which the demotion was arranged, for a period not to exceed 60 days;
- c) 5 to 10% reduction in base salary for 1 to 3 months;
- d) 5-10% reduction in base salary and/or, if applicable, management allowance for a period of 1-3 months;
- e) disciplinary termination of the individual employment contract.

**Chapter 5. Final provisions****Art. 246.**

- (1) If a person who holds a leadership position or is a member of a University leadership structure is notified in writing of a situation involving a violation of the principles of this Code, he or she is required to submit that notification to the University Ethics Commission.
- (2) Anonymous notifications are not taken into account.

## TITLE XI. REGULATIONS OF THE UNIVERSITY ETHICS COMMISSION

### Chapter 1: General Provisions

#### Art. 247.

- (1) The University Ethics Commission is a structure of the University, which is organized and operates on the basis of these Regulations.
- (2) The structure and composition of the University Ethics Commission shall be proposed by the Board of Directors, endorsed by the University Senate, and approved by the Rector.
- (3) The University Ethics Commission is composed of 9 persons as follows
  - a) representatives of the teaching and research staff;
  - b) representatives of the administrative staff;
  - c) representatives of the students;
  - d) a member who is a legal counsel employed by the University.
- (4) The members of the commission are persons of professional prestige and moral authority.
- (5) Members of the University Ethics Commission may not be persons who hold any of the following positions: rector, vice-rector, dean, vice-dean, administrative director, head of a department or a research and development unit, a design unit or a micro-production unit.
- (6) A person who has been sanctioned for deviations from work discipline, academic ethics, or good conduct in research and development, or who has criminal convictions for which he or she has not been rehabilitated, may not be a member of the University Ethics Commission.

#### Art. 248.

The University Ethics Commission has the following responsibilities:

- a) contribute to the drafting of the University Code of Ethics and Professional Conduct, which is proposed to the University Senate for adoption and inclusion in the University Charter;
- b) receives proposed amendments and additions to the University Code of Ethics and Professional Conduct and submits them to the University Senate;
- c) monitors academic ethics in the university community;
- d) produces, by February 1 of each year, an annual report on the status of academic ethics and research ethics, which is submitted to the Rector, the University Senate, and is a public document;
- e) analyzes and resolves deviations from academic ethics, based on complaints or through self-referrals for “own initiative” investigations, in accordance with the University Code of Ethics and Professional Conduct;
- f) appoints review panels to investigate complaints of research and development misconduct brought to its attention as a result of complaints or on the basis of self-referrals for “own initiative” investigations, in accordance with the University Code of Ethics and Professional Conduct;
- g) reviews and approves the reports of the Review Panels regarding deviations from the rules of good conduct in research and development;
- h) other responsibilities provided for by the law or established by the University Charter, in accordance with the law.

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## Chapter 2: Organization and operation of the University Ethics Commission

### Art. 249.

- (1) The mandate of the University Ethics Commission is 4 years.
- (2) Members of the University Ethics Commission who are nearing the end of their mandate may be nominated and reconfirmed, but for no more than two consecutive mandate.
- (3) Membership on the University Ethics Commission is terminated early in the following cases:
  - a) termination of the employment or study relationship with the University;
  - b) the occurrence of an incompatibility situation;
  - c) resignation from his position;
  - d) revocation;
  - e) holding a management position at the University;
  - f) if the person is absent from the University for a continuous period of more than 12 months, with the exceptions provided by law and University regulations.
- (4) Removal of a member of the University Ethics Commission occurs if the member has been sanctioned for deviations from work discipline, academic ethics, or good research and development conduct, or if the member has been convicted of an offense during his or her mandate.
- (5) Revocation or other changes in the structure and composition of the University Ethics Commission shall be proposed by the Board of Directors, authorized by the University Senate, and approved by the Rector.

### Art. 250.

- (1) The University Ethics Commission is chaired by a chairperson and its work is recorded and archived by a secretary, both of whom are appointed from among the members of the Commission.
- (2) The Chairperson of the University Ethics Commission shall convene and conduct meetings of the Commission, sign Commission documents, draft and submit the annual report of the Commission, and represent the Commission in its dealings with the University's management structures and functions.
- (3) The Secretary of the University Ethics Commission shall keep minutes of its meetings and shall maintain and archive all data collected in case files, whether resolved or not, for the duration of the Commission's mandate.

### Art. 251.

- (1) All members of the University community are under the jurisdiction of the University Ethics Commission.
- (2) Acts that take place both internally and externally are under the jurisdiction of the University Ethics Commission to the extent that they involve members of the University community and affect the prestige of the University.

### Art. 252.

- (1) Expenses related to the operation of the University Ethics Commission are covered by University funds, by the Rector's decision.
- (2) These expenses consist of:
  - a) resources to provide secure storage space for documents and to pay for material expenses (office expenses, postage, phone calls etc.);

- b) the resources necessary to remunerate the members of the Commission.
- (3) The compensation of the members of the Commission may be determined by an hourly rate, as proposed by the Rector and approved by the Board of Directors, based on the work performed by each member.

**Art. 253.**

- (1) The Commission shall retain the records indefinitely in an appropriate space provided by the University administration.
- (2) When a new University Ethics Commission is appointed, the chair whose term has ended shall ensure that all documents are turned over to the chair of the new Commission.

**Art. 254.**

- (1) The University Ethics Commission meets every six months in a regular meeting and whenever necessary in a special meeting.
- (2) The Commission shall meet and work in extraordinary meetings, when convened by its Chairperson, to deal with referrals and self-referrals for “own initiative” investigations in such a way as to comply with the time limits provided for in Articles 241 and 242 of this Charter.

**Art. 255.**

- (1) The quorum of the Commission shall be one-half plus one of its members.
- (2) The decisions of the Commission are taken by an absolute majority (half plus one of the number of members of the Commission) by secret ballot.

**Art. 256.**

- (1) All members of the Commission have the right to attend meetings, unless they have a conflict of interest in the case under analysis.
- (2) Any member of the Commission who has a conflict of interest in a case to be reviewed shall recuse himself or herself from the analysis of such case.
- (3) The subject of a complaint or self-referral for “own initiative” investigation may request that a member of the Commission be recused from the analysis of the case on the grounds of conflict of interest.
- (4) The Commission shall consider and decide whether the request for recusal is justified.

**Art. 257.**

In the case of complaints and self-referrals for “own initiative” investigations of deviations from good conduct in research and development, the University Ethics Commission appoints a Review Panel composed of experts in the field concerned, members of the university community.

**Art. 258.**

The analysis of a complaint or self-referral shall be finalized by the adoption of a case report by the University Ethics Commission or the Review Panel, as appropriate, in accordance with article 241 or article 242 of this Charter.

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## TITLE XII. FINAL PROVISIONS

### **Art. 259.**

The University Charter may not contain provisions contrary to the legislation in force. Failure to comply with laws in the content of the University Charter shall result in the legal nullity of the act in question.

### **Art. 260.**

- (1) The University Charter is drafted and adopted by the Senate only after a debate with the university community.
- (2) In preparation for the debate to adopt the Charter or its amendment, the Senate shall publish the documents on the University's website and the Board of Directors shall inform the University community.
- (3) The documents will remain available for discussion for at least 10 calendar days from the date of their publication on the University's website.
- (4) The Senate approves the University Charter or its amendments and submits them to the appropriate department for the opinion of legality.
- (5) The University Charter shall be adopted by the Senate only after the affirmative resolution of the appropriate ministry on the notice of legality.

### **Art. 261.**

In order to adopt or amend the Charter, a quorum of the University Senate consisting of a qualified majority of its members is required.

### **Art. 262.**

The Charter or amendments thereto shall be adopted by a qualified majority of the members of the University Senate by an open roll call vote.

### **Art. 263.**

- (1) The University Senate, through its appropriate committee, oversees the manner in which the University Charter is maintained in accordance with current law.
- (2) Amendment of the University Charter to keep it in compliance with current legislation is initiated by the Senate or the Rector.
- (3) Other amendments to the University Charter may be initiated upon proposal by members of the Senate or upon proposal by the Rector.

### **Sec. 264.**

The Board of Directors shall provide the necessary conditions for the maintenance, supervision and amendment of the University Charter, including legal advice and secretarial staff.

### **Art. 265.**

The Board of Directors shall ensure that during University Senate meetings, each member of the Senate has unrestricted access to the University Charter.

**Art. 266.**

The Board of Directors shall inform the University community of the adoption or amendment of the University Charter by publishing the respective Senate decision on the University website no later than 15 calendar days after the date of its adoption.

**Art. 267.**

The University Charter or amendments thereto shall become effective on the date of publication of the respective Senate decision on the University's website.

**Art. 268.**

- (1) The legal guardian of the University Charter is the Rector.
- (2) The original copy of the University Charter is kept in the office of the Rector, each page signed by the Rector and stamped with the official University insignia.
- (3) The amendments to the Charter are subject to the same regime.

**Art. 269.**

The most recently adopted version of the University Charter is permanently available on the University's website.

**Art. 270.**

No decision of the Senate or other management structures of the University may violate the provisions of the University Charter, under penalty of nullity.

**The President of the Senate of the U.M.F. "Iuliu Hațieganu" Cluj-Napoca**

