

**CODE OF ETHICS AND UNIVERSITY  
DEONTOLOGY OF “OVIDIUS”  
UNIVERSITY, CONSTANȚA**

# CONTENTS

Field of application .....	3
Objectives .....	3
Terms .....	4
Principles governing the present code .....	5
Integrity and academic loyalty .....	5
Academic freedom .....	6
Anti- discrimination policies and equality of chance.....	7
Conflict of interests and incompatibility.....	7
Intellectual honesty .....	10
Respect and tolerance .....	11
Transparency.....	12
The university ethics committee .....	12
Final provisions.....	16



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## CODE OF ETHICS AND PROFESSIONAL DEONTOLOGY OF "OVIDIUS" UNIVERSITY, CONSTANȚA

Pursuant to art. 130 par. (1) of the National Education Law no. 1/2011 with subsequent amendments and according to Law 206/2004, the Senate of "Ovidius" University, Constanța has adopted the present Code.

### FIELD OF APPLICATION

#### Art. 1.

The code of ethics and university professional deontology governs the rules of professional and social conduct and comprises a set of general moral standards, responsibilities and rules of university practice related to the work carried out by the members of the academic community of "Ovidius" University, Constanța inside and outside the area of the institution.

#### Art. 2.

(1) The rules of professional conduct set forth in the present code shall be binding for all the members of the academic community of "Ovidius" University, Constanța.

(2) The Code of ethics and university professional deontology contains rules of administrative nature, which do not replace the law. The code of ethics and professional deontology does not exclude or replace legal rights and obligations incumbent on the members of the university community of "Ovidius" University, Constanța.

### OBJECTIVES

#### Art. 3.

(1) The objectives of this code are to ensure the ethical and deontological accountability of the university community members and to help increase the quality of education and research.

(2) No disposition in this Code of ethics and professional deontology shall be construed as restricting the rights entitled by law or collective work agreement.

#### Art. 4.

(1) "Ovidius" University, Constanța is organized and operates independent of any interference of ideological, political or religious nature.

- (2) Under the principles established by the National Education Law no.1 / 2011 with subsequent amendments, stipulated in the Charter of "Ovidius" University, Constanța, the institution respects the dignity of each of its members and promotes academic integrity.
- (3) Its members are committed to contributing to the development of the university community. For this, the rules of this Code of Ethics and professional deontology aim at:
- a) creating an environment of trust, respect and dignity among the members of the academic community and among the members of the university community and society.
  - b) regulating the conduct rules required for appropriate social and occupational relations and creating and maintaining a high-level prestige of "Ovidius" University, Constanța.

## TERMS

### Art. 5.

In the Code of academic conduct, the following definitions shall apply:

- a) **a member of the university community** - teaching and research staff, auxiliary teaching and research staff, students and employed persons to whom was conferred the membership of the university community by the decision of the University Senate;
- b) **public interest** – an interest that implies guaranteeing and respecting freedoms and legitimate interests of citizens, as acknowledged and guaranteed by the Constitution, the applicable national law and the international treaties to which Romania is a party;
- c) **personal interest** - any material advantage or other, sought or obtained for oneself or for others, by members of the university community by using reputation, influence, facilities, relationships, information they have access to thanks to their activities in "Ovidius" University, Constanța;
- d) **a conflict of interest** – a situation in which the person occupying a position in "Ovidius" University, Constanța has a personal interest that influences or appears to influence the performance of their official duties impartially and objectively. The private interests of a person occupying a position in "Ovidius" University, Constanța may include (but are not limited to) a benefit of material or moral nature for oneself or for the family, for close relatives, legal persons or organizations with which the member of the university community has political, organizational or business relations. The personal interest can refer to any duties that the member of the university community has towards those listed above;
- e) **incompatibility** – a situation in which a person in OUC is concurrently in charge of two or more functions whose overlapping is prohibited by law;
- f) **participation in decision making** - a situation in which the decision depends exclusively on the will of the person occupying a position in "Ovidius" University, Constanța and the situation in which the action of the person who occupies this position is only a link in decision making. The condition is met when the person occupying the position is part of a collective body that decides by vote, and they participate in debates and through vote;
- g) **harassment** - degrading, humiliating or intimidating behaviour that follows or leads to the damage of a person's ability to carry out professional activities and study naturally, or to exercise their rights;
- h) **plagiarism** - taking over all or part of a material made by another author, and presenting it as belonging to oneself. Plagiarism can be voluntary or involuntary (misuse of citation system, failure to indicate the source material).

**PRINCIPLES GOVERNING THE PRESENT CODE**

**Art. 6.**

The principles governing the conduct of the academic community of "Ovidius" University, Constanța are:

- a) the supremacy of the Constitution and the law, the principle according to which all citizens have the duty to observe the Constitution and the laws;
- b) the public interest or principle according to which all members of the university community have the duty to consider public interest above personal interest in the exercise of their membership of the academic society;
- c) equal treatment of beneficiaries of university services, related to the authorities and public institutions, a principle according to which all members of the university community have the duty to apply the same legal regime in identical or similar situations;
- d) professionalism, a principle according to which all members of the university community have an obligation to perform their duties with responsibility, competence, efficiency, fairness and diligence;
- e) impartiality and independence, a principle according to which all members of the university community are required to have an objective attitude towards any political, economic, religious or otherwise interest, in the exercise of their quality;
- f) moral integrity, a principle according to which the members of the academic community of "Ovidius" University, Constanța are forbidden to solicit or accept, directly or indirectly, for themselves or for others, any advantage or benefit in consideration of the function / position they hold or abuse in any way by this function / position;
- g) freedom of thought and expression, a principle according to which all members of the university community can express their opinions in compliance with the rule of law and morality;
- h) honesty and fairness, a principle that states that in exercising and carrying out their duties, the members of the university community must act in good faith;
- i) openness and transparency, a principle according to which the activities of university community members in exercising their powers are public and can be monitored by citizens of the country;
- j) celerity in solving a petition addressed to any existing collective structure at "Ovidius" University, Constanța;

#### **INTEGRITY AND ACADEMIC LOYALTY**

##### **Art. 7.**

- (1) "Ovidius" University, Constanța promotes quality of education.
- (2) The members of the university community will be involved in developing professional skills and inner and outer services offered by "Ovidius" University, Constanța.
- (3) The members of the university community should show commitment to their profession and study, creativity, efficiency and effectiveness in their activities and respect towards each other but also towards "Ovidius" University, Constanța.

##### **Art. 8.**

- (1) To carry out its institutional mission, "Ovidius" University, Constanța develops and stands academic and scientific programs and professional responsibilities at high standards and acts against any acts or facts that contradict them.
- (2) "Ovidius" University, Constanța ensures the acknowledgement and compensation of personal and collective merits through which the members of the university community contribute to the fulfillment of its institutional mission.

##### **Art. 9.**

- (1) The members of the university community have a duty to faithfully defend the prestige of the institution and shall refrain from any act or action which causes or could cause harm to its image or interests.

(2) The members of the university community have an obligation to be objective in the statements they made public and will respect the confidentiality of all activity of "Ovidius" University, Constanța, as required by law.

(3) Members of the university community must not:

- a) express publicly inaccurate assessments (which cannot be supported by evidence) in relation to the work performed;
- b) make unauthorized remarks in connection with an ongoing litigation settlement the university is a party;
- c) advise individuals or legal entities to promote legal actions or other measures against "Ovidius" University, Constanța.

## **ACADEMIC FREEDOM**

### **Art. 10.**

(1) The members of the university community are guaranteed academic freedom. On this basis, they can freely express their opinions in the academic space and they have the freedom of teaching, research and creativity, according to academic standards.

(2) Any member of the university community can express freely inside or outside the university area opinions based on professional competence, without being censored, manipulated or persecuted, provided that he/she complies with scientific, legal and ethical standards. The critical approach, intellectual partnership and cooperation between members of the university community are encouraged.

(3) The teaching and research staff have the right to publish studies, articles, books or works of art, to apply for national and international grants, restrictions being only those expressly provided by law. Conflicting data, differences in experimental design or practical differences in the interpretation of data, differences of opinion are factors specific to academic freedom and do not constitute violations of the Code of ethics and professional deontology.

(4) Students are guaranteed the right to free choice of courses and study programs in accordance with legal norms and curricula.

(5) The members of the university community are independent from any political, religious and material influence, in the academic space political or religious being forbidden.

### **Art. 11.**

Any member of the university community must avoid violation of the rights and freedoms of others. "Ovidius" University, Constanța encourages critical dialogue, intellectual partnership and cooperation regardless of political views, religious beliefs or sexual orientation.

### **Art. 12.**

Manipulation, indoctrination and unfounded criticism in the university area which result in infringement of members of the university rights to objectivity in research and education are forbidden.

### **Art. 13.**

(1) At "Ovidius" University of Constanta professionalism and responsibility are instilled and appreciated. Professional and social responsibility implies the achievement of the required duties in the interest of "Ovidius" University of Constanta.

(2) Every member of the University is held responsible for their own actions.

(3) All members of the University are guaranteed the fulfilment of confidentiality regarding the aspects connected to their personal life.

## **ANTI- DISCRIMINATION POLICIES AND EQUALITY OF CHANCE**

**Art. 14.**

At “Ovidius” University of Constanta there is the obligation of ensuring the equality of chance and treatment regarding personal development of all the members of the University.

**Art. 15.**

(1) The members of the University are obliged to examine and apply in an objective way the evaluation criteria of professional skills, excluding any form of favouritism, nepotism and discriminating treatment or any acts of persecution or revenge.

(2) To this purpose it is forbidden to use practices which break the legislation regarding the equality of chance, but without limiting oneself to: organising the competitions or exams; the selection of candidates for vacant positions; terminating, suspending, changing and/or terminating the juridical work report; setting or changing the attributes of the job description; setting the salary and the rewards or the benefits, other than those involving salaries; professional counselling; evaluating professional achievements; professional promotion; applying disciplinary measures; the right to be part of the union and access to the facilities offered by it.

**Art. 16.**

(1) At “Ovidius” University of Constanta all forms of direct or indirect discrimination are strictly prohibited. Discrimination based on criteria of gender, age, race, skin colour, ethnicity, religion, political option, social background, address, disability, HIV/AIDS infection, union affiliation, as well as any other criteria are forbidden.

(2) At “Ovidius” University of Constanta all forms of harassment and blackmail are prohibited.

**CONFLICT OF INTERESTS AND INCOMPATIBILITY****Art. 17.**

(1) A person who holds a position at “Ovidius” University of Constanta is in a conflict of interests when, based on their position, takes a decision or participates in taking a decision which involves a personal interest.

(2) Personal interest involves any advantage of a patrimonial or non-patrimonial nature, both for the person involved, or for the spouse, relatives or akin, directly or collaterally related, up to the fourth degree.

(3) Kinship is applied as follows:

3.1. first degree: children to parents;

3.2. second degree: siblings

3.3. third degree: nephew and uncle

3.4. fourth degree: primary cousins.

(4) Kinship appears between spouses and the relatives of the other spouse, the degree of kinship is calculated thus:

4.1. first degree: mother/father in relation to daughter-in-law/son-in-law

4.2. second degree: brothers and sisters-in-law

4.3. third degree: the uncle and wife of the nephew

4.4. fourth degree: primary cousins and their husbands and wives.

**Art. 18.**

(1) According to the incompatibilities mentioned in the National Education Law, number 1/2011, with the subsequent changes and additions, individuals who are spouses, akin and relatives up to the third degree cannot hold simultaneous positions of leadership, control, authority or evaluation at any university level.

(2) These relationships are as follows:



- a) The President of the Senate with the Rector, Vice-rectors, the Director of the Council for PhD studies, the members of the Administrative board, the Heads of Departments, the Directors of Doctoral Schools, the leaders of permanent or temporary structures which are under the direct subordination of the President of the Senate; the Rector with the Vice-rectors, the director of the Council for PhD studies, Deans, Vice-deans, the Administrative Director, the members of the board, the Head of Department, the Directors of Doctoral Schools, the leaders of the units of the university;
  - b) The Vice-rectors and the Director of the Council for PhD studies with the Deans, Vice-deans, the Administrative Director, the members of the board, the Heads of Departments, the Directors of Doctoral Schools, the leaders of the units which are under the subordination of that respective Vice-rector or Director;
  - c) The members of the board with the vice-deans; the Administrative Director, the Heads of Departments, the Directors of the Doctoral Schools, the leaders of the units of the university;
  - d) The Administrative Director with the deans, vice-deans, the individuals with leading positions within the department/technical-administrative services and the subordinate staff;
  - e) The dean with the vice-deans of the respective faculties, the Heads of Departments from a certain faculty, the Directors of the Doctoral Schools subordinated to the respective faculty, the leaders of the units subordinated to that respective faculty;
  - f) The Directors of the Doctoral Schools with the leaders of the units subordinated to that particular department;
  - g) The Head of Department with the leaders of the units subordinated to that particular department;
  - h) The Directors of the Doctoral School with the leaders of the units subordinated to that particular doctoral school;
  - i) The PhD supervisor with the PhD students supervised by him.
- (3) The members of the university community cannot be appointed in doctoral committees, evaluation committees or competition committees whose decisions fall under art. 17, 3<sup>rd</sup> paragraph of the current Code.
  - (4) It is forbidden to cumulate several leading positions by one person, if these positions are incompatible according to the law.
  - (5) Any individual is incompatible with the position of member in a committee of evaluation, appeal, contest or promotion of an employee or student of the Ovidius University of Constanta to whom that individual is a spouse, akin or relative up to the third degree.
  - (6) Within a department there is incompatibility of the positions of professor, associate professor, lecturer, assistant professor who are involved in educational activities belonging to the same discipline or courses from the curriculum plan of a university studies plan or of a post university program, respectively courses, seminars/laboratory seminars associated to the disciplines of the curriculum plan managed by the same department; these positions cannot be held simultaneously by individuals who are one to another in a position of leadership, control, authority or institutional evaluation at any level.
  - (7) In the situation in which, following a candidate's success in a contest, one or more individuals from the institution of higher education will be in a situation of incompatibility, the appointment in a position or granting a university title or the professional degree of research and development by the "Ovidius" University of Constanta can only take place after solving the situation of incompatibility.

**Art.19.**

- (1) The leadership and publicly-appointed positions can be cumulated with teaching and/or research positions.
- (2) The presence in the following collective leadership structures does not generate incompatibilities according to law:
  - a. The University Senate

- b. The Faculty Council
- c. The Department Council
- d. The Council for doctoral studies
- e. The Council of the doctoral school

**Art. 20.**

- (1) The individuals who are aware of the existence of one of the situations of conflict of interests and/or incompatibility have the obligation to notify the Professional Ethics and Deontology Committee and to abstain from fulfilling the procedure/administrative/evaluative act etc. The Committee will subsequently reach a decision regarding the respective situation.
- (2) If the conflict of interests/incompatibility refers to the leader of the institution, this individual is obliged to notify the Professional Ethics and Deontology Committee and to abstain from fulfilling the procedure/administrative/evaluative act etc. The Committee will subsequently reach a decision regarding the respective situation.
- (3) The individual who holds a public position can also be challenged from the leading position held at OUC by third parties in the procedure/ administrative/evaluative act etc, but only based on a decision issued by the Professional Ethics and Deontology Committee.

**Art.21**

In case of a conflict of interests all the legal and administrative documents signed directly or through intermediaries, with the breaking of the legal dispositions regarding the conflict of interests, are void.

**Art. 22.**

“Ovidius” University of Constanta is authorized to take the necessary measures with the aim of avoiding or solving the situation which can entail conflicts of interests that could compromise, directly or indirectly, the fulfilment of its duties.

**INTELLECTUAL HONESTY**

**Art. 23.**

The members of the university community are obliged to contribute through their activities to the fulfilment of the mission of “Ovidius” University of Constanta, to the creation and maintenance at a high level of its prestige.

**Art. 24.**

“Ovidius” University of Constanta defends the right to intellectual property. The members of the university community who have participated to studies and types of research will be mentioned when the results of their research are published, in the spirit of professional honesty and acknowledgement.

**Art.25.**

- (1) “Ovidius” University of Constanta sanctions any form of corruption, such as: exam trafficking of any type, demands of money by the members of the university, attempts of bribery, demands of personal favours, as well as favouritisms of any nature, including sexual.
- (2) Breaking the rules of civilized behaviour during the courses or during the working schedule will be sanctioned.
- (3) All forms of intellectual fraud in the educational and research activity are forbidden and will be sanctioned. These include: cheating during any kind of evaluation or

contest, fabrication of research, substituting personal ID documents during examination, fraud and facilitating fraud, attempts of corruption with the aim of fraud, as well as plagiarism or illegal estrangement of the results of educational activities and scientific research.

- (4) The co-ordinators of BA, MA dissertation and PhD theses will co-operate with their authors in order to ensure originality of content.
- (5) The results of an exam or of an evaluation obtained through fraud or by breaking the stipulations of the University Charter can be annulled by the dean of a faculty.
- (6) The rector can annul, with the approval of the Senate of “Ovidius” University of Constanta, a certificate or a diploma of studies when it is proved that it was obtained by means of fraud or by breaking the stipulations of the current Professional Code of Ethics and Deontology.
- (7) The destruction, alteration or faking of documents and data bases of OUC, as well as their use for illicit purposes are sanctioned.
- (8) Deliberately providing false information to the University structures of leadership is sanctioned.
- (9) Hindering educational activities, scientific research, administrative or any type of activities is sanctioned.

**Art. 26.**

Selling and providing scientific papers with the purpose of illicitly obtaining authorship of BA diploma, MA dissertation or PhD theses is forbidden.

**Art.27**

The following activities are considered to be severe deviations from the good practices of scientific research and university practice:

- a) Plagiarizing results or publications of other authors
- b) Fabricating results or replacing results with fake data
- c) Introducing false information when applying for grants, PhD supervision candidacy, teaching positions or research and development positions.

**Art.28.**

The following are considered deviations from professional ethics and deontology as long as they are not criminal offences according to the penal code:

- a) The abuse of authority in order to obtain authorship or co-authorship of the publications of people under their subordination;
- b) The abuse of authority in order to obtain salaries, money or other financial benefits from projects run or co-ordinated by people under their subordination;
- c) The abuse of authority in order to obtain authorship or co-authorship of publications of people under their subordination or in order to obtain salaries, money or other financial benefits for their spouses, akin or relatives up to the third degree;
- d) The abuse of authority in order to impose unjustifiably their own theories, concepts or results upon people under their subordination;
- e) The inclusion in the list of authors of a scientific publication of one or more authors who did not contribute significantly to the publication or the exclusion of some authors who contributed significantly;
- f) The inclusion of a person in the list of authors of a scientific publication without their written consent;
- g) The unauthorised publication or dissemination of certain results, hypotheses, theories or scientific methods unpublished so far by the other authors;
- h) Self-plagiarism.

**Art. 29.**

The following situations can also entail the ethical and deontological responsibility:

- a) The active participation in infringements committed by others;
- b) Awareness of the infringements committed by others and the lack of notification of the University commission of ethics and deontology;
- c) Co-authorship of publications containing fabricated or false data.

Art. 30. (1) Students are obliged to respect the authority of the teaching and research staff, the non-teaching staff, as well as the authority of the leadership structures of the faculties and university.

(2) Students are obliged not to receive, offer and tolerate the usage of illegal means in the evaluation activity, in preparing the projects, BA theses, MA theses, PhD dissertations and not to commit intellectual fraud.

**Art. 31.**

- (1) "Ovidius" University of Constanta will apply educational, administrative and technical measures, according to the specifics of each faculty, in order to guarantee the originality of BA, MA, PhD dissertations, scientific articles and/or other papers.
- (2) If these measures are not respected according to line (1) the individuals found guilty will be sanctioned.

**RESPECT AND TOLERANCE****Art. 32.**

"Ovidius" University of Constanta is an academic institution of higher education which promotes scientific activity and professional development. To this purpose, "Ovidius" University of Constanta respects the dignity of each member and ensures a climate free of any manifestation and form of exploitation, humiliation, contempt, threat or intimidation.

**Art. 33.**

Teaching and research at the university respect human dignity, as well as animal suffering, which must be prevented or reduced to the minimum.

**Art. 34.**

Teaching and research should be mindful of environmental protection and ecological balance, protecting these against any aggression

**Art. 35.**

All members of the university community are required to comply with the values of tolerance towards difference of views, preferences or religion.

**Art. 36.**

- (1) Intellectual debate at Ovidius University is based on rational and scientific arguments
- (2) Interaction between members of the university community should not include offensive language, personal attacks or insulting behavior
- (3) Members of the university community are required to dress appropriately.

**TRANSPARENCY****Art. 37.**

Ovidius University Constanta respects the principle of transparency with regards to all categories of information that may interest members of the university community, potential

candidates, graduates, institutions or the general public, and offers correct information, in accordance to legal requirements and to the set of rules for the organization and functioning of the university ethics committee.

#### **Art. 38.**

Transparency is assured in all activities related to admission, evaluation, employment and university resources. All relevant information is published on the university website.

### **THE UNIVERSITY ETHICS COMMITTEE**

#### **Art. 39**

- (1) Within Ovidius University of Constanta functions the Ethics Committee, composed of seven members (six teaching staff and one student) from different faculties.
- (2) During the first work session the members of the committee elect their president by secret vote.
- (3) The University Ethics Committee is a collegial body without juridical personality. It acts autonomously, in accordance with national education law no.1/2011, law no.206/2004, as well as the present charter and the regulation of organization and functioning of the University Ethics Committee.
- (4) In exerting its attributions, the University Ethics Committee draws up procedural acts, session reports and adopts decisions.

#### **Art.40**

- (1) The structure and compenence of the University Ethics Committee are proposed, in accordance with the charter, by the board of administration, are endorsed by the university senate and approved by the chancellor.
- (2) The committee members which are teaching staff must be employed by Ovidius University of Constanta with a permanent contract, must prove an undisputed professional prestige and moral authority.
- (3) Chancellor, vice-chancellor, president of the senate, dean, vice-dean, general administrative director, department director or head of a research-development/ micro research/ micro-production unit cannot be members of the University Ethics Committee.

#### **Art.41**

- (1) The University Ethics Committee coordinates and monitors the application of norms expressed by the present charter, having the following attributions:
  - a) analyzes and solves any deviation from university ethics based on complaints or at its own initiative, establishing the sanctions set by legislation, proportional to the gravity of the deeds under investigation.
  - b) establishes the sanctions according to the national law of education no.1/2011 and law 206/2004 regarding the good conduct in scientific research, technological development and innovation and presents them for application to the chancellor or the dean, as the case requires.
  - c) writes an annual report regarding the situation of how the university ethics are being respected, which is presented to the chancellor and the university senate and then published.
  - d) proposes and promotes eventual modifications or amendments of the university ethics code.
  - e) informs the university administration and notifies the proper legal authorities in cases which are subjected to criminal law and provides all the information on these cases.
  - f) elaborates studies and research regarding university ethics.
- (2) Members of the University Ethics Committee have the obligation to respect the applicable regulations and norms of professional ethics.
- (3) Members of the University Ethics Committee have the obligation to maintain the confidentiality of the petitioners, of the documents presented and of the opinions expressed during these debates.

#### **Art.42**

- (1) Under the jurisdiction of the University Ethics Committee fall the actions which are against proper conduct, norms of university professional ethics, as they are defined in the present code and also in the applicable legislation, committed by any member of the university community.
- (2) The University Ethics Committee functions on the base of complaints/ petitions or at its own initiative and adopts decisions that establish the guilt or innocence of the person or persons in question. In the case of establishing guilt, the decision will specify the sanctions applied, according to the law.
- (3) Anonymous complaints will not be accepted for analysis.
- (4) The legal responsibility for the decisions and activity of the University Ethics Committee is held by the institution.
- (5) The entire activity of the University Ethics Committee shall be based on correctness, principles and responsibility.

#### **Art. 43.**

- (1) The Ethics Committee will meet once a trimester, or at any other time following a complaint, or at its own initiative, as deemed necessary.
- (2) The Committee's decisions are taken with a simple majority of present members, as long as 5 out of 7 members are present.
- (3) While analyzing a complaint or notification, the Committee may schedule hearings of persons involved directly or indirectly. These persons will receive written summons.
- (4) Any Committee members who are in a conflict of interest will not take part in debates and will be unable to vote.
- (5) Within 48 hours from receiving of a complaint, the Committee is required to notify the person who is the subject of the complaint.
- (6) In reaching a decision, the Committee will take into account all information, data, documents and material evidence from the complaint, as well any other relevant elements requested by its own analysis or hearings.
- (7) The Committee's decisions are final, and include reasons of fact and law for any sanction prescribed, as well as the methods of applying the sanction.
- (8) Committee members who have more than three non-motivated absences over an academic year lose their membership. Committee members are required to notify the Committee President in writing about any absence, explaining their reasons. In exceptional situations, absence notifications can be submitted after the meeting. On reaching three non-motivated absences over an academic year, members receive a written warning from the Committee president. On reaching their fourth non-motivated absence, they automatically lose membership

#### **Art. 44.**

- (1) Committee members are required to report to the president any situation in which they might find themselves in a conflict of interest and abstain from decisions which might be affected by the conflict of interest.
- (2) Conflict of interest is defined by the present Code, by existing laws, as well as by the situation in which a Committee member is faced with a complaint which involves him personally or relatives up to the fourth degree.

#### **Art. 45.**

- (1) The decisions of the committee are presented to the university Legal Department, and approved within 2 working days if they conform to legal standards.
- (2) When submitting decisions to the Legal Department, the Committee will attach a final report for each complaint.
- (3) The Legal Department may refuse to approve a Committee decision if the the penalty does not

conform to the stipulations of the present Code.

- (4) The final report for each complaint contains the following elements:
  - a) a synthesis of the content of the complaint;
  - b) an analysis of the information, data and material evidence attached to the complaint, as well as any relevant details resulting from the inquiry and/or hearings;
  - c) a well-argued decision on whether there was a breach of university ethics;
  - d) if violation of ethics has been detected, the report identifies the guilty party and the appropriate sanction (the guilty party may be another person than the one identified in the complaint)
- (5) The Ethics Committee will communicate its decisions to all parties involved, after approval by the Legal Department, within 48 hours.

**Art. 46.**

- (1) The penalties issued by the Ethics Committee will be enforced by the Dean or Rector, where appropriate, within 30 days after the decision.
- (2) Those who are unsatisfied by Committee decisions have the right to take their complaints to the relevant courts.

**Art. 47.**

Committee members have access to all necessary institution documents relevant to the case.

**Art. 48.**

- (1) Complaints to the Ethics Committee are submitted in writing to the university's Registrar's Office.
- (2) The complaint will explicitly indicate the name of the person alleged to be guilty of the ethics violation, the name of the person submitting the complaint, and the nature of the violations.
- (3) The accused is notified of the complaint, granted access to the documentation, and summoned to respond to the accusations.
- (4) If the Committee decides that the complaint is not within its jurisdiction, it communicates its decision to the plaintiff and to the leadership of the university.

**Art. 49.**

- (1) The sanctions which may be issued by the Ethics Committee are:
  - a) written warning;
  - b) reduction of the base salary, cumulated, where applicable, with leadership and supervision bonuses;
  - c) temporary suspension of the right to apply for a higher academic position, leadership position, or membership in doctoral, MA or BA committees;
  - d) dismissal from leadership positions;
  - e) disciplinary termination of the guilty party's employment contract.
- (2) When establishing penalties, criteria include: gravity of the ethics violation, damages incurred, method of perpetration, persistence in unethical behavior. If the accused violates ethic rules using a superior hierarchical position in relation to the plaintiff, that constitutes an aggravating circumstance.

**Art. 50.**

The following sanctions are applicable for students in breach of university ethics:

- a) written warning;
- b) temporary suspension of scholarship payment;
- c) exmatriculation

**Art. 51.**

The Ethics Committee may revise its decisions only if new evidence is presented, which proves the

innocence of the accused .

**Art. 52.**

The rehabilitation of sanctioned persons, with the effect of removing the consequences of the penalties established by this Charter, is carried out according the stipulations of the statute of the Ethics Committee.

**FINAL PROVISIONS**

**Art. 53.**

The present Ethics Code was approved by the Ovidius University Senate on September 1<sup>st</sup>, 2014, and is an integral part of the Ovidius University Charter.

***Rector,***

***Prof. Sorin Rugină, PhD***

***Senate President,***

***Prof. Ion Botescu, PhD***

Approved by  
Head of Legal Department,  
C.j. Loredana Maximiliana Dan



