



Transilvania  
University  
of Brasov

# **CHARTER TRANSILVANIA UNIVERSITY OF BRAȘOV**

**2025**

# TABLE OF CONTENTS

I. PREAMBLE.....	5
II. DEFINITIONS AND ABBREVIATIONS .....	5
THE FIRST PART .....	8
CHAPTER I. MISSION AND STRATEGY .....	8
Art. 1. The mission of UNITBV.....	8
Art. 2. The strategy of UNITBV .....	8
CHAPTER II. UNIVERSITY AUTONOMY.....	9
Art. 3. The institutional autonomy .....	9
Art. 4. The organizational autonomy.....	9
Art. 5. The teaching autonomy.....	10
Art. 6. The autonomy in scientific research.....	10
Art. 7. The administrative autonomy .....	10
Art. 8. The financial autonomy.....	11
Art. 9. Public responsibility.....	11
CHAPTER III. STRUCTURE OF TRANSILVANIA UNIVERSITY OF BRAȘOV .....	11
Art. 10. General provisions.....	11
Art. 11. The UNITBV community.....	12
Art. 12. Structures of UNITBV .....	12
Art. 13. Structures for education and training .....	12
Art. 14. Faculty.....	12
Art. 15. Department.....	13
Art. 16. Structures for scientific research .....	13
Art. 17. Research and Development Institute of Transilvania University of Brașov (ICDT).13	
Art. 18. Council for University Doctoral Studies (CSUD) .....	13
Art. 19. Interdisciplinary Doctoral School (SDI) .....	13
Art. 20. Support structures of UNITBV .....	14
Art. 21. Management structures of UNITBV .....	14
Art. 22. Management positions and supervisory positions.....	17
Art. 23. Election and appointment in management positions or as a member in the governance structures of UNITBV .....	23
Art. 24. Relegation, dismissal or removal from the management office or from the membership in the governance structures of UNITBV .....	26
Art. 25. Associative structures within UNITBV: student associations, professional associations, cultural and sports associations, trade unions. Principles of collaboration.....	27
CHAPTER IV. CONTINUING EDUCATION, TRAINING AND PROFESSIONAL DEVELOPMENT ....	28
Art. 26. Definition of the study and diploma system .....	28
Art. 27. Content and structure of the study programmes .....	28

Art. 28. Content and structure of the adult vocational training programmes .....	29
Art. 29. Student-centred education.....	29
Art. 30. Standards and performance indicators .....	29
Art. 31. Quality management and evaluation .....	30
CHAPTER V. SCIENTIFIC RESEARCH .....	30
Art. 32. Scientific research activity .....	30
Art. 33. Compulsory scientific research.....	30
Art. 34. Advanced scientific research .....	30
Art. 35. Scientific research fields.....	31
Art. 36. Human resource training through and for research .....	31
Art. 37. Standards and performance indicators in scientific research .....	31
Art. 38. Processes and tools for quality evaluation and management in scientific research	31
CHAPTER VI. HUMAN RESOURCE .....	32
Art. 39. Human resources of UNITBV .....	32
Art. 40. Academic teaching personnel and research scientists.....	32
Art. 41. Auxiliary teaching personnel and administrative staff.....	33
Art. 42. Incentives and sanctions for the UNITBV personnel.....	34
Art. 43. Students .....	34
CHAPTER VII. ACADEMIC ETHICS AND DEONTOLOGY .....	35
Art. 44. Academic ethics and deontology .....	35
Art. 45. Structures for ensuring the compliance with the ethics and deontology rules.....	35
Art. 46. Conflicts of interest and incompatibilities .....	35
CHAPTER VIII. THE UNIVERSITY'S RELATIONS WITH THE EXTERNAL ENVIRONMENT .....	36
Art. 47. General provisions.....	36
Art. 48. The relations of UNITBV with the external environment.....	36
Art. 49. Procedural rules .....	36
Art. 50. Association of UNITBV in consortia .....	36
CHAPTER IX. HERITAGE OF TRANSILVANIA UNIVERSITY OF BRAȘOV .....	37
Art. 51. Structure of UNITBV's heritage .....	37
Art. 52. Changes in the structure of UNITBV's heritage.....	37
CHAPTER X. MANAGEMENT OF THE FINANCIAL RESOURCES.....	37
Art. 53. Financial resources of UNITBV .....	37
Art. 54. Funds allocated from the state budget.....	37
Art. 55. Resources from the university's own income.....	38
Art. 56. Capitalization on the financial resources .....	38
Art. 57. Management of the financial resources .....	38
CHAPTER XI. HONORARY TITLES.....	39
Art. 58. Honorary titles .....	39

Art. 59. Conferral of honorary titles .....	39
Art. 60. Other diplomas and medals.....	40
Art. 61. Withdrawal of honorary titles .....	40
CHAPTER XII. PROCEDURES FOR THE ADOPTION, SUPPLEMENTATION AND AMENDMENT OF THE CHARTER .....	40
Art. 62. Adoption of the Charter .....	40
Art. 63. Amendment of the Charter .....	41
THE SECOND PART .....	42
CODE OF ACADEMIC ETHICS AND DEONTOLOGY.....	42
CHAPTER I. SCOPE AND OBJECTIVES OF THE ACADEMIC ETHICS AND DEONTOLOGY CODE	42
Art. 1. ....	42
Art. 2. ....	42
Art. 3. ....	42
Art. 4. ....	42
CHAPTER II. PRINCIPLES OF ACADEMIC ETHICS .....	42
Art. 5. Principles of academic ethics .....	42
Art. 6. Academic integrity .....	43
Art. 7. Loyalty .....	43
Art. 8. Academic freedom.....	44
Art. 9. Merit .....	44
Art. 10. Professionalism.....	45
Art. 11. Responsibility .....	45
Art. 12. Respect and tolerance .....	46
Art. 13. Good faith .....	46
Art. 14. Transparency.....	47
Art. 15. Confidentiality .....	47
Art. 16. Non-discrimination and equality of opportunities .....	47
Art. 17. Honesty .....	48
CHAPTER III. GENERAL RULES ON ACADEMIC ETHICS .....	48
Art. 18. General provisions .....	48
Art. 19. Incompatibilities .....	49
Art. 20. Conflicts of interest.....	49
Art. 21. The transgressions of the ethics and deontology rules in academic teaching and scientific research.....	50
Art. 22. The transgressions of the ethics and deontology rules in scientific communication, publication, dissemination and popularization.....	51
Art. 23. The transgressions of the ethics and deontology rules in the exercise of the management position-related powers and duties.....	51

Art. 24. The transgressions of the ethics and deontology rules on the respect for the human being and dignity.....	52
Art. 25. The transgressions of the ethics and deontology rules applicable to undergraduate, graduate and doctoral students, to postdoctoral researchers or to other categories of trainees .....	52
CHAPTER IV. SEVERE INFRINGEMENTS OF THE ACADEMIC ETHICS.....	52
Art. 26. General provisions.....	52
Art. 27. Conflicts de interests and incompatibilities .....	53
Art. 28. Corruption.....	53
Art. 29. Attempted corruption .....	54
Art. 30. Fabrication and falsification of data or results .....	54
Art. 31. Plagiarism .....	55
Art. 32. Fraud and facilitation of fraud.....	57
Art. 33. Harassment.....	58
Art. 34. Sexual harassment.....	59
Art. 35. Moral harassment.....	59
Art. 36 Intimidation and insulting behaviour .....	60
CHAPTER V. PROCEDURES AND SANCTIONS.....	60
Art. 37. Preventive role of UNITBV's Academic Ethics Committee.....	60
Art. 38. Procedures for reporting and, respectively, settling any possible infringements of the academic ethics and deontology .....	60
Art. 39. Sanctions .....	60

## I. PREAMBLE

The University Charter is the main instrument for the higher-education institutions to implement the values and principles governing the academic activity of initial education and continuing training, as well as of scientific research, and it also expresses the basic aspects of university autonomy and the academic community's major, structural, functional and organizational options.

This Charter was drafted and adopted in consideration that Transilvania University of Braşov is a state higher-education institution which is structured, organised, and operates based on the principle of university autonomy, in strict compliance with the rules of law.

This Charter was adopted by the Senate of Transilvania University of Braşov following a debate within the community of Transilvania University of Braşov, in compliance with the Law of Higher Education (Law no. 199/2023) with subsequent amendments and supplementations, which provides the framework for exercising the fundamental right to lifelong learning, regulating the structure, functions, organization and operation of the national higher-education system, respectively with the subsequent regulations in the field of academic ethics and deontology.

## II. DEFINITIONS AND ABBREVIATIONS

Within the context of this Charter, the terms below have the following meaning:

1. **ARACIS** - *Romanian Agency for Quality Assurance in Higher Education*.
2. **University autonomy** – the right of the community of Transilvania University of Braşov to independently establish its specific mission, institutional strategy, structure, activities, organization and operation, respectively the way of managing its material and human resources, in strict compliance with the applicable laws, under the conditions of assumption of public responsibility.
3. **University activities** – the activities of initial and continuous training, for the purposes of a person's development and professional insertion, by preparing him/her to meet the needs identified in the socioeconomic environment, as well as the activities of scientific research, development, innovation and technological transfer, capitalization on and dissemination of their results, but also any other auxiliary or complementary activities.
4. **Charter** – this document, approved by the Senate of Transilvania University of Braşov.
5. **Scientific Research Centre and Scientific Research Laboratory** – the functional unit of the Research and Development Institute within Transilvania University of Braşov, which

ensures the achievement of advanced scientific research in one or more scientific fields, in line with the University's mission and scientific research strategy.

6. **Compulsory research** - the scientific research activity which is conducted by the academic teaching personnel in the framework of the academic didactic load, and which lawfully rests with them.
7. **Education cycles** – the four education cycles within which the study programmes of Transilvania University of Brasov are organised, namely Short Cycle – short-term academic studies, Cycle I – Bachelor's academic studies, Cycle II – Master's academic studies, and Cycle III – Doctoral studies.
8. **CNATDCU** - *National Council for Attesting Titles, Diplomas and Certificates*.
9. **CNEMU** - *National Commission for Ethics in University Management*.
10. **The community of Transilvania University of Braşov**, hereinafter referred to as the **UNITBV community** - consists of undergraduate, graduate and doctoral students, trainees, academic teaching and research personnel, auxiliary academic teaching and research personnel, administrative staff, as well as of the persons who have been granted the membership of this community by decision of the University Senate.
11. **Consortium** – voluntary association, of general interest, established on the basis of a partnership agreement between the University and one or more higher education institutions, at least one of which is accredited.
12. **CSUD** – *Council for University Doctoral Studies*, which has the role to provide the management of the institution organising university doctoral studies – Transilvania University of Braşov (IOSUD-UNITBV).
13. **FRACS** – *Report Form for the Scientific Research Activity*.
14. **ICDT** – *Research and Development Institute of Transilvania University of Braşov*, a structure of the University which is not a legal entity, and which provides the framework for conducting scientific research activities.
15. **Tenured teaching and research personnel** – teaching and/or research personnel in legal labour relations with the University, who hold a teaching and/or research position within the University, occupied through a competition, for an indefinite period of time, as well as the teaching and/or research personnel who benefit from job reservation, under the law.
16. **Adjunct tenured teaching and research personnel** – teaching and/or research personnel in legal labour relations with the University, who hold a teaching and/or research position within the University for a fixed period, according to the staffing schedule.
17. **SDI** – *Interdisciplinary Doctoral School*, a structure of the University which is not a legal entity, and which provides the organizational framework necessary for the conduct of the doctoral and postdoctoral studies.
18. **University area** - the totality of the buildings, land, experimental teaching stations, research institutes, farms, botanical gardens, houses, campuses, hospitals and clinics, libraries, microproduction units, cultural and sports bases and complexes, student cultural centres, rest and treatment bases, radio and TV studios/stations, performance halls, as

well as other spaces intended for educational, training, and scientific research processes, including their related equipment, capitalised on by the University, regardless of the legal title under which it is entitled to use them, and for which this Charter applies. The online environment, consisting of the platforms or groups used for the teaching, extracurricular and research activities organised within the higher-education institution, is also considered as part of the university area.

19. **The University's structure** – the totality of the university and auxiliary entities, as well as the relations established between them in order to fulfil the assumed mission, in compliance with the law and with the national and international quality standards.
20. **The University**, hereinafter referred to as **UNITBV** – Transilvania University of Braşov.



# THE FIRST PART

## CHAPTER I. MISSION AND STRATEGY

**Art. 1. The mission of UNITBV** pursues education and advanced research. This mission involves the production and transfer of knowledge to society, through:

- (1) initial academic training, provided through short-term, bachelor's, master's and doctoral study programmes;
- (2) advanced scientific research, development, innovation and technological transfer;
- (3) postgraduate programmes;
- (4) development of the interaction between University and society, through partnerships in accordance with the principles of a knowledge-based society.

**Art. 2. The strategy of UNITBV** is designed for the fulfilment of its undertaken mission, through the achievement of the following strategic objectives:

- (1) continuous adaptation of the educational offer, in terms of content and study programmes, for the purposes of a higher vocational training and personal development, of the graduates' enhanced professional integration and fulfilment of the proficiency requirements specific to the socioeconomic environment;
- (2) development of UNITBV's resources, in view of a more extensive educational and scientific research offer, in international languages as well;
- (3) development of the communication, entrepreneurship, creativity and innovation skills, with a view to training the graduates of UNITBV to actively participate in a complex, constantly changing society;
- (4) greater integration of the scientific research into the teaching and learning activities, by training and developing the scientific research skills and implementing the research results at the level of the bachelor's and master's study programmes;
- (5) development of study and scientific research programmes in partnership with other universities or higher education and/or scientific research institutions, at regional, national and international level, through a higher number of mobilities for students and academic teaching personnel alike, too;
- (6) promotion of advanced scientific research through projects and partnerships at regional, national and international level, also by strengthening the direct relations with the economic and social environment. ICDT provides the framework for the conduct of advanced research within UNITBV and ensures the fulfilment of the mission undertaken by UNITBV;

- (7) provision of high-quality academic and scientific research processes, as well as of socially relevant results of the academic activity;
- (8) assumption of the major option to affirm UNITBV as an institution of advanced research, education and training;
- (9) continuing training of the human resource, with a view to their adapting to the labour market demands, through postgraduate study programmes;
- (10) promotion and development of the UNITBV community members' cultural-artistic and sports activities.

## **CHAPTER II. UNIVERSITY AUTONOMY**

**Art. 3. The institutional autonomy** ratifies the right of UNITBV:

- (1) to independently formulate and assume its own strategy of structural, functional and organizational development, as well as to determine the necessary tools and structures for the fulfilment of this strategy;
- (2) to enforce this Charter through decisions, regulations, methodologies and codes approved by the University Senate, with strict adherence to the principles and provisions hereof and to the compulsory rules of law on public order;
- (3) UNITBV is identifiable through specific elements, such as: the day of UNITBV, its logo and other elements contained in the visual identity manual. These identity elements are approved, as appropriate, by the University Senate.

**Art. 4. The organizational autonomy** ratifies the right of UNITBV:

- (1) to establish, modify and abolish the internal structures through which the UNITBV community operates;
- (2) to define the collaboration/subordination relationships between these structures, through the organization chart of UNITBV;
- (3) to regulate the conditions and procedure for appointment or election in/ removal from management positions, as well as the rights and obligations incumbent upon the members of the management structures;
- (4) to regulate the conditions and the procedure for the UNITBV community members' selection, promotion, reward and sanction;
- (5) to initiate and make regulations for any structural, functional or organizational aspects, with adherence to the provisions of this Charter;

- (6) to establish, modify or dissolve, respectively to participate in the cooperation structures set up with public or private law entities, at the local, regional, national and international level, also laying down the methods of organization and operation for these structures.

**Art. 5. The teaching autonomy** ratifies the right of UNITBV:

- (1) to design, propose for authorization/accreditation and manage study programmes for all four education cycles, in line with the university's own strategy and in compliance with the national standards;
- (2) to design, propose for authorization/accreditation and manage the university and postgraduate study programmes required by the socioeconomic and cultural environment, which can be conducted in partnership with public or private legal entities in the country and abroad.

**Art. 6. The autonomy in scientific research** ratifies the right of UNITBV:

- (1) to formulate and implement its own strategy and scientific research programmes;
- (2) to establish its own structures and tools, with a view to fulfilling the undertaken mission, subject to compliance with the institutional, national and international priorities in the field of scientific research;
- (3) to cooperate with similar or complementary structures, within the public or private sector, with a view to conducting its own or joint scientific research programs.

**Art. 7. The administrative autonomy** ratifies the right of UNITBV:

- (1) to exercise its authority through express regulations on the access to the university area for both UNITBV community members and persons outside the university;
- (2) to offer protection to all UNITBV community members in the university area;
- (3) to regulate order and discipline in the university area and within the UNITBV community;
- (4) to use its own assets and financial resources in associations which are allowed by the applicable rules of law, and which are intended to increase the competitiveness, visibility and/or efficiency of the teaching and scientific processes;
- (5) to regulate the way of using the university area so that it meets the UNITBV community's quality demands;
- (6) to regulate the access to the university area, considering that:
  - a) the university area is inviolable;
  - b) the UNITBV community members' access to the university area abides by the internal regulations of UNITBV;
  - c) the access to the university area of the people who do not belong to the UNITBV community abides by the internal regulations of UNITBV;

- d) the provisions of this Charter, of the internal regulations, methodologies and codes of UNITBV prevail within the university area.

**Art. 8. The financial autonomy** ratifies the right of UNITBV:

- (1) to make and adopt the budget of UNITBV, as well as to implement it, in compliance with the university's own strategy and needs, and with strict adherence to the legislative framework;
- (2) to set the system of fees applied by UNITBV, in compliance with the applicable rules of law;
- (3) to grant scholarships, social aids or other forms of support to the UNITBV community members or guests, within the limits of the applicable rules of law and internal regulations;
- (4) to design and implement tools for analysing and evaluating the quality and financial efficiency of the processes at the level of UNITBV's structures.

**Art. 9. Public responsibility**

- (1) University autonomy is exercised subject to compliance with the applicable rules of law, this Charter, the national and European policies in the field of higher education, especially in terms of quality assurance and evaluation, as well as with the university's equity and ethics policies contained in the Code of Academic Ethics and Deontology, a part hereof.
- (2) UNITBV also takes public responsibility for the efficiency of the management, resource use, expenditure of public funds, for the transparency of the academic decisions and activities, for the observance of the teaching, auxiliary-teaching and research personnel's academic freedom, as well as of the students' rights and liberties.

### **CHAPTER III. STRUCTURE OF TRANSILVANIA UNIVERSITY OF BRAȘOV**

**Art. 10. General provisions**

- (1) The structure of UNITBV is reflected in its organizational chart, approved by the University Senate.
- (2) The sanction of UNITBV's structure, as an essential attribute derived from the principle of university autonomy, requires for any establishment, modification, dissolution of a university or auxiliary entity, as well as for the arrangement of the subordination/collaboration relations between them to only be made with the approval of the University Senate, in compliance with the applicable rules of law.

#### **Art. 11. The UNITBV community**

- (1) A person's membership in the UNITBV community is attested with documents issued by UNITBV.
- (2) The UNITBV community members' rights and duties are set in agreement with the applicable rules of law, with the provisions of this Charter and of UNITBV's internal regulations.

#### **Art. 12. Structures of UNITBV**

UNITBV holds:

- a) education and training structures;
- b) scientific-research structures;
- c) support structures for the teaching and scientific-research activities;
- d) management structures;
- e) administrative structures;
- f) associative structures.

#### **Art. 13. Structures for education and training**

UNITBV has the faculty and department as its education and training structures.

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

- (1) The faculty is the functional unit which drafts and manages short-term study programmes, bachelor's and master's study programmes and which is responsible for coordinating the activities related to its students' educational process. One or more departments operate within the structure of the faculty.
- (2) The establishment of a new faculty within the structure of UNITBV depends on the fulfilment of the following requirements:
  - a) identification of its own mission, in agreement with the mission of UNITBV and the labour market demands;
  - b) a positive balance statement;
  - c) outstanding preliminary results for the scientific research in the field;
  - d) the personnel resources and infrastructure ensuring the fulfilment of the undertaken mission.
- (3) The establishment, organization, change of name or closure of a faculty occurs at the proposal of the Executive Board and with the approval of the University Senate, by decision of the national governance structures, according to the applicable legislation.

- (4) The faculty is organised and conducts its activity under this Charter, the regulations of UNITBV and its own regulations, approved by the University Senate.

#### **Art. 15. Department**

- (1) The department is the basic academic unit of UNITBV. The establishment and operation of the departments abides by the performance and efficiency criteria.
- (2) The department coordinates short-term, bachelor's and master's study programmes and provides the conditions for a high-quality education process.
- (3) The department monitors the fulfilment of the teaching and scientific research obligations and takes appropriate measures, in accordance with the regulations of UNITBV.
- (4) Within a department, scientific research is organised in research groups and/or scientific research centres. The organization of a group or centre and their development strategy rest with the department which they belong to. Scientific research can also be conducted individually or within a scientific research laboratory.
- (5) The establishment, dissolution and restructuring of a department can only occur with the approval of the University Senate and under the law.

#### **Art. 16. Structures for scientific research**

UNITBV conducts its scientific research activity in structures defined and approved by the University Senate under the applicable rules of law, mainly through ICDT and IOSUD-UNITBV.

#### **Art. 17. Research and Development Institute of Transilvania University of Braşov (ICDT)**

- (1) ICDT acts as a structure which is not a legal entity and which aims at supporting scientific research, innovation, and technological development.
- (2) ICDT conducts its activity according to the Regulations on the Organization and Operation of ICDT, approved by the University Senate.
- (3) ICDT conducts its research activity in centres and laboratories of scientific research.

#### **Art. 18. Council for University Doctoral Studies (CSUD)**

- (1) CSUD ensures the management of the Institution Organising University Doctoral Studies – Transilvania University of Braşov (IOSUD-UNITBV).
- (2) CSUD operates according to the Regulations on the Organization and Conduct of the Doctoral and Postdoctoral Studies, approved by the University Senate.

#### **Art. 19. Interdisciplinary Doctoral School (SDI)**

- (1) SDI provides the organizational framework necessary for the conduct of the doctoral and postdoctoral studies.

- (2) SDI operates according to the Regulations on the Organization and Conduct of the Doctoral and Postdoctoral Studies, approved by the University Senate.

#### **Art. 20. Support structures of UNITBV**

- (1) Within UNITBV, there are support structures for the teaching and scientific research activities and for the students' affairs, as well as administrative structures, according to the organization chart proposed by the Executive Board and approved by the Senate.
- (2) The establishment, mission, organization, subordination, restructuring and closure of the support structures for the teaching and scientific research activities, as well as of the administrative ones are approved by decision of the University Senate, at the proposal of UNITBV's executive board.
- (3) The organization and operation of the support structures abide by their own regulations, approved by the University Senate.

#### **Art. 21. Management structures of UNITBV**

- (1) The management structures of UNITBV are:
  - a) University Senate;
  - b) Executive Board of UNITBV;
  - c) Faculty Council;
  - d) Department Council;
  - e) Council for University Doctoral Studies (CSUD);
  - f) Council for the Interdisciplinary Doctoral School (C-SDI).
- (2) The Senate is organised and operates according to its own regulations, adopted by its members' majority vote. The Senate sets up permanent and special committees, including the ones through which it controls the activity of UNITBV's executive management and Executive Board.
- (3) **The University Senate** has the following powers and duties:
  - a) to approve the mission of UNITBV, at the Rector's proposal;
  - b) to guarantee academic freedom and university autonomy;
  - c) to draft and adopt the University Charter, pursuant to the debate with the UNITBV community;
  - d) to approve the Strategic Plan for Institutional Development and the Operational Plans, at the Rector's proposal;
  - e) to approve the structure, organization and operation of UNITBV, at the Rector's proposal and under the applicable rules of law;

- f) to approve the draft budget and the budget implementation;
- g) to make and approve the quality assurance policy, as well as the Code of Academic Ethics and Deontology
- h) to approve the procedures for internal quality assurance;
- i) to adopt the University's Code of Student Rights and Obligations, under the provisions of the Code of Student Rights and Obligations, as approved by order of the Minister of Education;
- j) to approve the methodologies and regulations on the organization and operation of UNITBV;
- k) to conclude the Contract of Management with the Rector;
- l) to control the Rector's activity and that of the Executive Board through specialised committees;
- m) to validate the public competitions for the positions in the Executive Board;
- n) to approve the methodology and results of the competitions for the employment of teaching and research personnel, and to periodically assess the human resource;
- o) to approve, at the Rector's proposal, the low performing personnel's sanctioning, based on its own methodology and the applicable legislation;
- p) to approve changes to the structure and organization chart of UNITBV;
- q) to approve the amendments to the Charter;
- r) to approve the fees to be charged by UNITBV;
- s) to approve UNITBV's establishing or taking over, as the case may be, either by itself or in association, companies, foundations, associations, pre-university educational establishments, consortia for dual education, university hospitals, research or performance structures;
- t) to endorse, at the proposal of UNITBV's Executive Board, the membership of the Academic Ethics Committees, and to approve the disciplinary analysis committees for the teaching and research personnel, auxiliary teaching and research personnel, administrative staff, students, as well as for the management, guidance and control staff within UNITBV, in line with the provisions in the regulations on the organization and operation of these committees.

**(4) The Executive Board** has the following powers and duties:

- a) to ensure, under the Rector's direction, the operational management of UNITBV and to apply the strategic decisions of the University Senate;
- b) to establish the institutional budget in operational terms;



- c) to endorse the budget implementation and the annual balance sheet;
  - d) to propose, as part of the draft budget, the level of protocol expenditure relating to the current activities;
  - e) to approve the proposals of the faculties to open for competition teaching and research positions;
  - f) to endorse the proposals for new study programmes and to submit the proposals to suspend/ discontinue those study programmes which no longer fall within the mission/ strategy of UNITBV to the University Senate for approval;
  - g) to approve the financial operations that exceed the ceiling set by the University Senate, informing the latter thereof;
  - h) to submit the fees to be charged by UNITBV to the University Senate for approval;
  - i) to submit the long-term and medium-term strategies and policies in fields of interest for UNITBV to the University Senate for approval.
- (5) **The Faculty Council** has the following powers and duties:
- a) to approve the structure, organization and operation of the faculty, at the Dean's proposal;
  - b) to approve the study programmes managed by the faculty;
  - c) to control the Dean's activity and approve his/her annual reports on the general state of the faculty, quality assurance and compliance with the academic ethics and deontology at faculty level;
  - d) to establish, together with the management of the departments, the strategy for the development of the teaching process;
  - e) to analyse the financial efficiency of the departments;
  - f) to approve the strategy for the teaching personnel's development.
- (6) **The Department Council** has the following powers and duties:
- a) to annually analyse the department management methods;
  - b) to validate the annual structure of the education plans and the staffing schedules;
  - c) to analyse the department members' research performance, in compliance with the regulations of UNITBV;
  - d) to analyse the results obtained within the study programmes under the coordination of the department, at the level of both students and teaching personnel;
  - e) to validate the results of the teaching personnel's regular assessment;

- f) to analyse the usability of the material basis and make proposals for its improvement;
  - g) to submit the teaching positions opened for competition to the Faculty Council for validation.
- (7) **The Council for University Doctoral Studies (CSUD)** has the following powers and duties:
- a) to draft the strategy of IOSUD-UNITBV;
  - b) to draft the University's Regulations on the Organization and Conduct of the Doctoral and Postdoctoral Study Programmes within IOSUD-UNITBV;
  - c) to make the proposals for the establishment or dissolution of doctoral schools within IOSUD-UNITBV and to select the doctoral supervisors who are members of a newly established doctoral school;
  - d) to appoint the Director of the Interdisciplinary Doctoral School (SDI);
  - e) to draft the methodologies and regulations on the operation of IOSUD-UNITBV;
  - f) to coordinate the implementation of the strategy for the promotion of the doctoral and postdoctoral studies, on a national and international level.
- (8) **The Council for the Interdisciplinary Doctoral School (C-SDI)** has the following powers and duties:
- a) to draft the Regulations of SDI and submit them to CSUD-UNITBV and the University Senate for approval;
  - b) to draft regulations, procedures and instructions on the activity of SDI;
  - c) other specific duties, under the rules of law.
- (9) The management structures of UNITBV will set up, as the case may be, their own operational entities, which will be submitted to the University Senate for approval.
- (10) The powers and duties of the management structures are set out in the applicable laws, as well as in the regulations of UNITBV, approved by the University Senate.
- (11) The decisions of the University Senate, Executive Board, Faculty and Department Councils require the present members' majority vote, if the number of attendees is at least two-thirds of the total number of members. The members of these management structures have equal deliberative voting rights. The aforementioned decisions will be published on the website of UNITBV or of the faculty concerned, as the case may be, within 7 working days.

## **Art. 22. Management positions and supervisory positions**

- (1) In accordance with the law, the management positions for the structures of education, scientific research and training within UNITBV are:

- a) Rector and Vice-Rectors, at the level of UNITBV;
- b) Dean and Vice-Dean, at faculty level;
- c) Director of Department, at department level;
- d) Director of CSUD;
- e) Director of SDI.

(2) **The Rector** has the following powers:

- a) to propose the mission of UNITBV to the University Senate for approval;
- b) to perform the operational management, to ensure the governance and leadership of UNITBV, based on the contract of management;
- c) to negotiate and sign the institutional contract with the relevant Ministry;
- d) to conclude the contract of management with the University Senate;
- e) to propose UNITBV's structure and regulations of operation to the University Senate for approval;
- f) to propose the draft budget and the report on the budget implementation to the University Senate for approval;
- g) to submit the Report on the State of UNITBV to the University Senate at the latest on the first working day of April each year. The University Senate validates the report based on the memos made by its specialised committees. The Report and the memos of the committees are public documents;
- h) to chair the Executive Board or to appoint one of the Vice-Rectors to chair the Executive Board for a definite period, on duly justified grounds;
- i) to appoint the Vice-Rectors and select the faculty deans;
- j) he is the authority for expenditure of UNITBV;
- k) to ensure the quality system of the academic processes;
- l) to represent UNITBV in the relations with third parties, and to ensure the development and implementation of the university's communication strategy;
- m) to perform other tasks set by the University Senate, in accordance with the contract of management, the University Charter and the applicable legislation.

(3) Any of the powers referred to in para. (2) of this article may be delegated, for a fixed period of time, to one of the Vice-Rectors.

(4) The Vice-Rectors of UNITBV amount to five.

- a) **Vice-Rector for Scientific Research and Informatization**, with the following powers and expertise:
- 1) to develop the strategy and monitor the scientific research results, in accordance with the Strategic Plan and annual operational plans of UNITBV;
  - 2) to coordinate and monitor the scientific research reporting to the national evaluation and monitoring structures;
  - 3) to draft and implement the development strategy for the IT infrastructure of UNITBV and to monitor the quality of the IT services;
  - 4) to perform other duties assigned by the Rector on the basis of the Strategic Plan and in agreement with the Contract of Management he concluded with the University Senate.
- b) **Vice-Rector for University Internationalization and Quality Evaluation**, with the following powers and expertise:
- 1) to develop and implement the internationalization strategy of UNITBV and the specific tools, in agreement with the University's Strategic Plan and annual operational plans;
  - 2) to provide the framework and necessary tools for implementing the internal quality assurance system within UNITBV;
  - 3) to perform other duties assigned by the Rector on the basis of the Strategic Plan and in agreement with the Contract of Management he concluded with the University Senate.
- c) **Vice-Rector for Didactic Activity**, with the following powers and expertise:
- 1) to draft the strategy for the development and optimal conduct of the teaching processes within UNITBV, in agreement with the Strategic Plan and annual operational plans of UNITBV;
  - 2) to provide the framework and necessary tools for the proper conduct of the teaching processes at all levels;
  - 3) to coordinate the activity of UNITBV's Library and Publishing House;
  - 4) to perform other duties assigned by the Rector on the basis of the Strategic Plan and in agreement with the Contract of Management he concluded with the University Senate.
- d) **Vice-Rector for Students and the Liaison with the Economic and Cultural Environment**, with the following powers and expertise:
- 1) to ensure the framework, tools and conduct of the activities for the allocation of scholarships and other forms of material support to the students;

- 2) to ensure the framework, tools and conduct of the activities for the allocation of accommodation spaces and transport facilities;
- 3) to provide the framework for the development of the students' cultural-artistic and sports activities, of the student scientific circles, and to support the activity of the student associations, in the terms of this Charter;
- 4) to develop the University's strategies for the collaboration with the economic environment and for the graduates' integration into the labour market, on a national and international level;
- 5) to support the development and conduct of the international programmes for students;
- 6) to ensure the development of UNITBV's Alumni structure and Student Entrepreneurial Society (SAS-UNITBV), as well as the Career Counselling and Guidance Centre (CCOC-UNITBV);
- 7) to perform other duties assigned by the Rector on the basis of the Strategic Plan and in agreement with the Contract of Management he concluded with the University Senate.

e) **Vice-Rector for Public Relations**, with the following powers and expertise:

- 1) to ensure the permanent relation and connection with the University Senate;
  - 2) to promote the University's relations with the public authorities;
  - 3) to coordinate the actions for the promotion of the University's image;
  - 4) to perform other duties assigned by the Rector on the basis of the Strategic Plan and in agreement with the Contract of Management he concluded with the University Senate.
- (5) In case of early cessation of the Rector's term of office, regardless of the reasons, the Senate shall appoint, within 5 working days, the Vice-Rector who will represent UNITBV and act as an interim Rector. Within 3 months of vacancy of this position, the University Senate completes the procedures for a new Rector's appointment, with adherence to the applicable rules of law, and sends the file for the new Rector's confirmation to the Minister of Education.
- (6) The Vice-Rectors' term of office begins on the date of their appointment by the Rector, based on the consultation with the University Senate, and ends on the date of cessation of the term of office for the Rector who appointed them. By way of exception, in the case referred to in para. (5) of this article, the Vice-Rectors' term of office will be lawfully extended until the Rector's confirmation by the relevant Ministry.

- (7) **The Dean** represents the faculty and is responsible for the management, governance and leadership of the faculty, having the following powers and duties:
- a) to draft the strategy for the development of the faculty and to provide the framework and tools for the implementation of this strategy, in accordance with the Management Plan;
  - b) to present annually, at the latest on the first working day of March every year, a report on the state of the faculty and stage of the management plan, which is a public document, with a view to being validated by the Faculty Council;
  - c) to chair the meetings of the Faculty Council and to enact the decisions of the Rector, Executive Board and University Senate.
- (8) The Executive Board of UNITBV establishes the number of Vice-Deans within 10 working days of validation of the competition for the Dean's selection by the Senate. The number of Vice-Deans depends on the number of students at that faculty, but does not exceed three.
- (9) The Vice-Deans' duties are assigned by the Dean and are brought to the notice of the Faculty Council during its first meeting after the Senate's validation of the Dean.
- (10) **The Director of Department** is responsible for the operational management, governance and leadership of the department. The Director of Department answers for:
- a) the education plans of the programmes coordinated by the department, and the staffing schedule of the department;
  - b) the management of the scientific research activity;
  - c) the quality management of the teaching process;
  - d) support for the management of UNITBV to financially administer the department;
  - e) organization and monitoring of the tutoring process for the students in the programmes of the department;
  - f) selection, employment, periodic evaluation, training, motivation and termination of the personnel's contractual labour relations;
  - g) representation of the department in the relations with the other management structures;
  - h) any other duties provided for in the applicable laws.
- (11) The Director of Department is supported in the exercise of his office by the Department Council.
- (12) **The Director of CSUD** has powers and duties provided for in the Regulations on the Organization and Conduct of the Doctoral and Postdoctoral Studies.

- (13) **The Director of SDI** has powers and duties provided for in the Regulations of the Interdisciplinary Doctoral School.
- (14) **The supervisory positions** for the other structures in the organization chart of UNITBV are:
- a) **Director of ICDT**, whose powers and duties are provided for in the Regulations on the Organization and Operation of ICDT;
  - b) **Scientific Director of ICDT**, whose powers and duties are provided for in the Regulations on the Organization and Operation of ICDT;
  - c) **coordinators of the scientific research centres**, whose powers and duties are provided for in the Regulations on the Organization and Operation of ICDT;
  - d) **Director of the UNITBV Library**, whose powers and duties are provided for in the Regulations on the Organization and Operation of the University Library;
  - e) **coordinators of the support structures** for the education, training and scientific research activity, whose powers and duties are provided for in the specific regulations;
  - f) **Director of the Technology and Business Incubator**, whose powers and duties are provided for in the Regulations of this structure;
- (15) At university level, for the administrative structures specific to the applicable laws and to the organization chart, **the management positions** are:
- a) General Administrative Director, at university level, whose powers and duties are provided for in the job description;
  - b) Directors/coordinators of the administrative services, whose powers and duties are provided for in the job descriptions;
  - c) Chief Secretary of UNITBV, whose powers and duties are provided for in the job description;
  - d) other management positions of the administrative structures, according to the applicable laws.
- (16) The powers and duties of the management and executive positions are provided for in the applicable laws, as well as in the regulations of UNITBV, approved by the Senate.
- (17) The persons who hold management and supervisory positions may benefit, during their term of office, from wage differentials, in accordance with the rules of law and the internal regulations, based on the criteria approved by the Executive Board, with the source of funding being provided for in the Framework Law on the Remuneration of the Staff Paid from Public Funds.

## **Art. 23. Election and appointment in management positions or as a member in the governance structures of UNITBV**

- (1) The procedure for the Rector's appointment is set by a referendum organised and conducted according to the applicable rules of law, at least 3 months before each aforementioned appointment, as follows:
  - (a) through public competition, on the basis of a methodology approved by the newly elected university Senate, under the applicable laws;
  - (b) through the universal, direct, and secret ballot cast by all tenured teaching personnel and tenured researchers of UNITBV, as well as by the student representatives in the University Senate and faculty councils.
- (2) The Rector is appointed according to the procedure resulting from the referendum. If the appointed Rector is not a UNITBV employee, s/he shall conclude an employment contract with UNITBV throughout his/her term of office.
- (3)
  - (a) The Rector confirmed by the Minister of Education appoints the Vice-Rectors, following consultation with the University Senate.
  - (b) The Deans are appointed through a public competition organised by the Rector of UNITBV at faculty level. This competition is open to the candidates of UNITBV or of any similar faculty within the country or abroad who, based on the hearing in the plenum of the Faculty Council, received a favourable opinion on their participation in the competition, through a simple majority vote. The Faculty Council must give a positive opinion to a minimum of two candidates. The result of the of the competition is validated by the University Senate.
  - (c) After the Dean's appointment by the Rector, s/he will designate his/her Vice-Deans.
  - (d) The Director of Department and the members of the Department Council are elected by the universal, direct and secret ballot of all tenured teaching and research personnel in that Department.
  - (e) The position of Director of CSUD is occupied through a competition organised by the Rector, in compliance with the Framework Regulation on University Doctoral Studies and the Methodology for the Organization and Conduct of the Public Competition for the Position of Director of CSUD.
  - (f) The Director of SDI is appointed by CSUD from among the tenured doctoral supervisors within SDI and must meet the minimum and compulsory standards for the award of the habilitation certificate in the field for which s/he is authorised to supervise doctorates, as per the applicable standards at the time of his/her appointment as Director of SDI.



(g) The University Senate members, tenured academic teaching personnel and research scientists, are elected, without exception, in the electoral constituencies set by the Senate in the Methodology for the Organization and Conduct of the Elections within UNITBV, by the direct and secret universal ballot of all tenured teaching and research personnel in those constituencies.

(h) The University Senate members who have the status of student, are elected, without exception, in the electoral constituencies set by the Senate in the Methodology for the Organization and Conduct of the Elections within UNITBV, by the direct and secret universal ballot of the students in those constituencies.

(i) The Executive Board consists of the Rector and Vice-Rectors of UNITBV, the Deans of the Faculties, the General Administrative Director, and a student representative. The meetings of the Executive Board may be attended, as permanent guests, with no voting rights, by the representative of the trade union at university level and a representative of the Senate.

(j) The Faculty Council consists of maximum 75% teaching and research personnel and minimum 25% students. The representatives of the teaching and research personnel in the Faculty Council are elected by the direct and secret universal ballot of all tenured teaching and research personnel in the departments of that faculty; and the student representatives are elected by the direct and secret universal ballot of the students at that faculty.

(k) The membership of CSUD is set according to the Methodology for the Election of the Members in the Council for Doctoral Studies, drafted on the basis of the provisions in the Framework Regulations on University Doctoral Studies and the Institutional Regulations on the Organization and Conduct of the Doctoral and Postdoctoral Studies. The doctoral students amount to 25% of the Council members and are elected by the direct and secret universal ballot of the doctoral students within IOSUD.

(l) The membership of C-SDI is set by the direct and secret universal ballot of the doctoral supervisors, and respectively doctoral students of SDI, according to the Methodology for the Election of Members in the Council of the Interdisciplinary Doctoral School within Transilvania University of Braşov. The doctoral students have at least one representative in the Council.

(m) The term of office for the management positions, as well as for the members in the governance structures is five years, under the applicable laws.

(n) A person may not hold the position of Rector of UNITBV for more than two terms of office, taking into consideration the incomplete 5-year terms of office as well, interrupted as a result of resignation, dismissal or suspension.

- (4) The election/appointment in the management positions listed in art. 22 para. (14)-(15) abides by the regulations of those structures, approved by the Senate, and by the applicable rules of law.
- (5) The election/appointment in the management positions of UNITBV abides by the applicable rules of law and the internal regulations approved by the Senate, and observes the principle of representativeness (shares of representation).
- (6) The number of members in the University Senate is provided for in the Methodology for the Organization and Conduct of the Elections within UNITBV, approved by the Senate at least 30 days prior to the start of the elections; minimum 25% of the total Senate members will be students, and maximum 75% tenured academic teaching personnel and research scientists.
- (7) Every faculty will be represented in the University Senate, with adherence to the principles of proportional representativeness. The number of Senate members – tenured academic teaching personnel and tenured research scientists of each faculty – is determined according to a representation rate calculated as: number of academic teaching personnel and research scientists who are members in the Senate/ number of tenured academic teaching personnel and tenured research scientists on January 1<sup>st</sup> of the year in which the elections take place. The number of student members in the Senate, representatives of every faculty, is set according to a representation rate calculated as: number of student members in the Senate/ total number of students on January 1<sup>st</sup> of the year in which the elections are held. The Methodology for the Organization and Conduct of the Elections within UNITBV, approved by the University Senate, will specify the number of the Senate members who represent each faculty and department.
- (8) The Senate elects its President by secret ballot. The President of the Senate chairs the plenary meetings and represents the Senate in the relations with the Executive Board and the Rector. The President of the Senate signs the management contract with the Rector.
- (9) The Senate sets in the specific regulations its way of organization and operation.
- (10) The number of members in the faculty councils, as well as the number of representatives of each faculty department will be provided for in the Methodology for the Organization and Conduct of the Elections within UNITBV, and have as their calculation basis the number of tenured academic teaching personnel and tenured research scientists in every faculty on January 1<sup>st</sup> of the year in which the elections take place. Each department will be represented in the council of that faculty, with adherence to the principles of proportional representativeness.
- (11) The students' term of office as members in the management structures of UNITBV or of the faculties is five years, being valid until the cessation of their student status. The

students who continue their studies at UNITBV in another education cycle retain their status of senators or faculty council members if they remain the representatives of the same structure that elected them, until the end of the term of office for which they were elected.

- (12) The number of members in the department councils, as well as the numerical composition of the management structures at department level will be provided for in the Methodology for the Organization and Conduct of the Elections within UNITBV.
- (13) If a management position falls vacant within UNITBV, it will be occupied for the remaining duration of the current term of office, by following the same procedure (by-elections or open competition) stipulated in the Methodology for the Organization and Conduct of the Elections within UNITBV, within three months of vacancy.
- (14) If the position of member in the management structures of UNITBV falls vacant, it will be occupied according to the same procedure stipulated in the Methodology for the Organization and Conduct of the Elections within UNITBV, with adherence to the representation rate for the current term of office, within three months of vacancy.

**Art. 24. Relegation, dismissal or removal from the management office or from the membership in the governance structures of UNITBV**

- (1) The Rector's relegation or removal from office by the relevant Minister or by the University Senate, according to the contract of management, as the case may be, must abide by the rules of law.
- (2) The University Senate may refer to CNEMU, by a two-thirds majority vote of its members, the Rector's possible transgression of art. 12 in the Law no. 199/2023.
- (3) The persons elected to management structures or positions may be removed from office at their request, which takes effect within 30 days of submission of the request.
- (4) The Rector and the Deans remove from office the persons appointed in their subordinate management positions, with adherence to the legal formalities and terms of investment.
- (5) Impeachment motions may be placed on the activity of persons appointed to management positions or elected as members of the management structures, at the initiative of at least 1/3 of the number of members in the structure to which those persons' appointment or election was made. Deliberation on the motion falls within the competence of that structure, which will decide accordingly. Those persons' revocation may be decided, with the vote of at least 2/3 of the members in the structure concerned, in compliance with the rules of law. The impeachment motions shall be settled within 30 calendar days of their registration.
- (6) A member of UNITBV's management structures is lawfully revoked if, throughout an academic year, s/he is absent without leave from more than half of the meetings of

the management structure which s/he is a member in. Elections will be organised for the now vacant position, under the law and in compliance with the Methodology for the Organization and Conduct of the Elections within UNITBV.

**Art. 25. Associative structures within UNITBV: student associations, professional associations, cultural and sports associations, trade unions. Principles of collaboration**

- (1) The UNITBV community members have the right to be part of professional associations, student associations, cultural and sports associations, or legally constituted trade unions.
- (2) In the university area, the students may organise themselves in associations or may open subsidiaries of national or international student associations, provided that they represent the students' interests regarding the training and social facilities, as well as the ones of national and international partnership in education and development.
- (3) UNITBV supports the operation of the Alumni Association and promotes the creation of its branches in the country and abroad, in agreement with the statute of the association.
- (4) All associative structures which are not legal entities, organised under the auspices of UNITBV, must have a status compatible with the provisions of the law and of this Charter. In this regard, their establishment and the modification of their articles of incorporation are subject to the endorsement of the Executive Board and to the approval of the University Senate. The organization of the activities in the university area by the associative structures is subject to the prior approval of UNITBV's Executive Board.
- (5) UNITBV encourages its students to get involved in volunteering activities, for which they can receive a number of additional transferable study credits to those provided for in the curriculum, under the conditions set in the internal regulations of UNITBV.
- (6) UNITBV may support materially and financially, under the law, the UNITBV community members' scientific, cultural and sports activities.
- (7) The collaboration between UNITBV and the associative structures that conduct their activity in the university area is based on the following principles:
  - a) mutual respect;
  - b) open and regular communication;
  - c) confidence-based and well-intentioned partnership;
  - d) transparency of decisions;
  - e) constructive debate on the differences of opinion;
  - f) mutual protection of the partners' image;

- g) apolitical nature;
- h) equal opportunities and non-discrimination.

## **CHAPTER IV. CONTINUING EDUCATION, TRAINING AND PROFESSIONAL DEVELOPMENT**

### **Art. 26. Definition of the study and diploma system**

- (1) UNITBV organises the following education cycles:
  - a) *short-term study programmes*, under the forms: full-time, part-time and distance learning;
  - b) *bachelor's study programmes*, under the forms: full-time, part-time and distance learning;
  - c) *master's study programmes*, under the full-time and part-time forms (for the fields and according to the terms set out by Government decision, initiated by the Ministry of Education, after consultation with ARACIS, master's study programmes may also be organised for the distance-learning form of education);
  - d) *university doctoral programmes*, under the full-time and part-time forms;
  - e) *postdoctoral programmes*;
  - f) *adult vocational training programmes*;
  - g) *training programmes within the residency*.
- (2) The diplomas obtained within the bachelor's and master's study programmes shall be issued along with the Diploma Supplement drafted in both Romanian and an international language.
- (3) The final exams for the provisionally authorised study programmes take place in accordance with the applicable rules of law.

### **Art. 27. Content and structure of the study programmes**

- (1) The study programmes are organised according to the four education cycles: short-term, bachelor's degree, master's degree, and doctorate.
- (2) All the bachelor's and master's study programmes are managed by the faculty which the coordinating departments come under.
- (3) The doctoral programmes are managed by SDI.
- (4) The activities in the education plan of the short-term, bachelor's and master's study programmes are conducted through the relevant departments.

- (5) The new study programmes are initiated at the proposal of the departments, with the approval of the Faculty Council, the Executive Board and the Senate.
- (6) The study programmes are authorised and accredited by the competent national/ international agencies.
- (7) The study programmes are interrupted by decision of the Senate or of the national evaluation bodies (ARACIS, CNATDCU).
- (8) The study programmes will operate without exceeding the limit of the approved tuition capacity.

#### **Art. 28. Content and structure of the adult vocational training programmes**

- (1) The postgraduate study programmes of adult vocational training may be organised only in the fields for which there are accredited bachelor's study programmes.
- (2) The postgraduate study programmes of adult vocational training are organised at the initiative of UNITBV's departments or at the request of business entities, and they are managed by the support structure governing the continuing training activity.
- (3) The programmes of adult vocational training are initiated, conducted and completed in accordance with the specific applicable regulations.
- (4) The tuition capacity of UNITBV for the continuing vocational training and development programmes is directly correlated to the institutional resources and quality assurance demands.

#### **Art. 29. Student-centred education**

- (1) UNITBV provides the framework and tools for implementing the student-centred education, as well as the necessary material, financial and human resources.
- (2) UNITBV permanently adapts its teaching and scientific research processes in order to promote student-centred education.
- (3) UNITBV provides concrete mechanisms to ensure tutoring within the bachelor's and master's study programmes. The Director of Department is responsible for the management of the tutorship system at the level of programmes, years and groups of students.
- (4) The tutoring activity is a duty provided for in the teaching personnel's job description.

#### **Art. 30. Standards and performance indicators**

- (1) Education:
  - a) The standards and performance indicators of the study programmes are set by considering, as priority reference, their values adopted at both national and UNITBV level.
  - b) The University Senate periodically revises the set of standards and indicators.

- c) The study programmes are subject to evaluation for the purposes of provisional authorization, accreditation and periodic re-accreditation.
  - d) The teaching personnel undergo periodic evaluation based on the quality management and assessment tools approved by the Senate.
- (2) Continuing professional training and development: the performance indicators and standards are set by the Executive Board and approved by the Senate.

#### **Art. 31. Quality management and evaluation**

- (1) The educational and continuing vocational training programmes are qualitatively managed and evaluated according to the reference system set at the European and national level and at UNITBV level.
- (2) The necessary strategy, procedures and instruments fall within the competence of the Executive Board and are included in the Quality Manual.
- (3) The results of the evaluation are annually analysed at department, faculty and Senate level, and this analysis underlies the teaching strategy for the near future.

## **CHAPTER V. SCIENTIFIC RESEARCH**

#### **Art. 32. Scientific research activity**

According to its assumed mission, UNITBV conducts research and development activities through the academic teaching personnel, doctoral students, post-doctoral researchers and employed research scientists.

#### **Art. 33. Compulsory scientific research**

- (1) Scientific research is a compulsory component of the academic teaching personnel's workload.
- (2) The share of the scientific research activity in the structure of the academic teaching personnel's workload is set by the University Senate.
- (3) Each teaching personnel member's research load will be specified in the staffing schedules of the departments.

#### **Art. 34. Advanced scientific research**

- (1) Advanced scientific research ensures competitiveness and visibility nationally and internationally.
- (2) ICDT is the structure that supports the development of the advanced scientific research activities within UNITBV.

- (3) The University's Technological and Business Incubator fosters advanced scientific research, too.

#### **Art. 35. Scientific research fields**

- (1) The main scientific research fields are determined according to the priorities of the research framework programmes undertaken at national and European level.
- (2) The scientific research strategy is drafted by the Executive Board of UNITBV and approved by the University Senate.

#### **Art. 36. Human resource training through and for research**

- (1) The research human resource develops through master's, doctoral, and postdoctoral research programmes.
- (2) From an organizational point of view:
  - a) the master's research programmes are managed by departments and faculties;
  - b) the doctoral and postdoctoral programmes are managed by SDI.
- (3) The structure and content of the master's research programmes are set by the departments under which they operate, are endorsed by the Executive Board and approved by the Senate.
- (4) The structure of the doctoral and postdoctoral programmes is set by SDI, through the doctoral supervisors/ mentors.
- (5) UNITBV may conduct, through SDI, postdoctoral programmes of advanced scientific research, financed by grants and contracts concluded with funding bodies and with economic or research entities in the country and abroad, or by its own revenue.
- (6) UNITBV supports, even financially, the students with outstanding scientific research results, in order for them to attend scientific events, competitions and contests.

#### **Art. 37. Standards and performance indicators in scientific research**

- (1) UNITBV adopts the national standards and indicators corresponding to its undertaken mission.
- (2) The performance indicators and standards for the fulfilment of the teaching and research personnel's scientific research duties are made by UNITBV's Executive Board and approved by the University Senate in early academic year, at the latest on the 30<sup>th</sup> of November, for the next calendar year.

#### **Art. 38. Processes and tools for quality evaluation and management in scientific research**

- (1) Each teaching or research personnel member's activity is evaluated every year, based on the data reported in FRACS.



- (2) The structure of FRACS reflects the scientific research obligations, it is proposed by UNITBV's Executive Board and approved by the University Senate.
- (3) The relevant Vice-Rector is responsible for organising the process of evaluation and reporting of the scientific research results.
- (4) The teaching personnel's failure to fulfil, for three consecutive years, their scientific research obligations may entail sanctions, according to the law.
- (5) The scientific research centres of ICDT are periodically evaluated, based on a series of standards and indicators set by the Coordination Council of ICDT, in agreement with the Research Strategy of UNITBV.
- (6) A research scientist's failure to fulfil, for three consecutive years, the scientific research obligations may entail the termination of his/her employment contract, under the law.
- (7) The retired academic teaching personnel who have the status of doctoral supervisors may request the continuation of their activity within ICDT.
- (8) In order to perform the processes of monitoring and evaluation on the quality of scientific research, adequate structures will be established within UNITBV.
- (9) The research activities financed under a relevant contract are remunerated in accordance with the law, University Charter and contractual provisions. The research contract establishes both the actual method of payment and the amounts.
- (10) UNITBV may, under the rule of law, enter into contracts with public institutions and other economic operators, with a view to organising fundamental and applicative research programmes or to raising the academics' qualification level.

## **CHAPTER VI. HUMAN RESOURCE**

### **Art. 39. Human resources of UNITBV**

The human resource of UNITBV include academic teaching personnel, research scientists, auxiliary teaching personnel, administrative staff and students, according to the internal regulations. Their rights and duties are provided for herein and in other regulations of UNITBV.

### **Art. 40. Academic teaching personnel and research scientists**

- (1) The academic teaching personnel conduct the activities set out in the academic rules, according to the staffing schedule and the job description.
- (2) The scientific researchers conduct the activities set out in the job description.
- (3) The academic teaching and research personnel have all the rights and duties that derive from the applicable laws, the provisions of this Charter and the regulations of UNITBV.

- (4) The personnel of the departments, and respectively, of the faculties, of ICDT or SDI are selected, employed, periodically assessed, trained, motivated, and cease their contractual labour relations in accordance with the applicable laws and regulations of UNITBV.
- (5) The academic teaching and research personnel are employed and promoted within UNITBV with strict adherence to the legal framework, to the nationally set criteria, and to the specific standards and indicators of UNITBV.
- (6) Based on criteria of professional performance and financial situation, the Senate may lawfully decide to continue a teaching or research personnel member's activity after his/her retirement, under a fixed one-year contract, but with the possibility of annual extension.
- (7) The collaboration with adjunct professors, respectively research scientists complies with the rules of law, on the recommendation of the Director of Department or Director of SDI, with the approval of the higher hierarchical structures.
- (8) The UNITBV teaching and research personnel's results and performances in the corresponding activities are periodically assessed, in compliance with the methodology approved by the University Senate.
- (9) The teaching and research personnel's remuneration may be differentiated, considering the professional results and performances within UNITBV, with adherence to the rules of law and internal standards.
- (10) The teaching personnel's professional performance is assessed by the students every semester, according to the procedure approved by the University Senate. The statistical results of these assessments is public information.

#### **Art. 41. Auxiliary teaching personnel and administrative staff**

- (1) The auxiliary teaching personnel and administrative staff of UNITBV perform the activities set out in the job description and have all the rights and duties deriving from the applicable rules of law, the provisions of this Charter, and the University's own regulations.
- (2) The auxiliary teaching personnel and administrative staff are employed through a competition, under the applicable rules of law.
- (3) The auxiliary teaching personnel and administrative staff are evaluated every year by their direct superior, based on a series of specific indicators set by the Executive Board and approved by the Senate.
- (4) The auxiliary teaching personnel and administrative staff must attend professional training courses in the field of their position, organised either within UNITBV or by authorised professional institutions.

#### **Art. 42. Incentives and sanctions for the UNITBV personnel**

- (1) The base salary is set under the applicable rules of law and within the budget resources approved by the Senate.
- (2) For activities related to the teaching, scientific and professional training processes, UNITBV can grant its own personnel incentives in the form of wage differentials or in some other material form, respectively financial support, within the limits of the available funds, in compliance with its own regulations and the applicable laws.
- (3) The teaching and research personnel's failure to fulfil their duties is sanctioned according to the university's own regulations and to the applicable laws.
- (4) A possible disciplinary offence may be reported and the corresponding sanction may be proposed either by the direct hierarchical superior, or by any of the higher hierarchical structures, or upon notification of the legitimate parties, under the applicable rules of law and internal regulations.
- (5) The teaching or research personnel's contractual labour relations with UNITBV may cease upon request, by retirement, upon the expiry of a fixed-term labour contract or by disciplinary termination of the labour contract, based on a decision of the University Senate voted by at least 2/3 of its members, as a result of a disciplinary investigation procedure completed under the law and the regulations of the relevant committee.
- (6) The ethical conflicts involving the academic community members may be amiable settled. Where this is not possible, the settlement of the conflict abides by the applicable rules of law and internal regulations.

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

- (1) The UNITBV students develop specific skills, necessary for them to successfully occupy the jobs on the labour market and to become active citizens of the knowledge-based society, capitalising on the resources and facilities offered by UNITBV.
- (2) The UNITBV students have all the rights and duties that derive from the applicable laws, the provisions of this Charter, and the regulations of UNITBV.
- (3) The admission to, conduct and completion of the studies abide by the legal framework, the decisions of the University Senate and the regulations of UNITBV.
- (4) The appeals submitted by the candidates to admission, the examined students, as well as the graduates during the final exams, are analysed according to the internal regulations of UNITBV.
- (5) UNITBV may award prizes to students or groups of students who obtain outstanding professional, artistic, sports results, or who perform important civic activities.

- (6) UNITBV helps the students with special social issues, by fee exemptions or discounts, and other forms of support, under the law and the internal regulations of UNITBV. The conditions for granting various forms of social support to the students are set by the Executive Board for each academic year.

## **CHAPTER VII. ACADEMIC ETHICS AND DEONTOLOGY**

### **Art. 44. Academic ethics and deontology**

- (1) UNITBV is the area where the respect for the country's laws, for the internal regulations of UNITBV, as well as for the ethical and moral values, principles and rules prevails.
- (2) The UNITBV community members' values, principles and ethical rules of conduct are provided for in the Code of Academic Ethics and Deontology, part of the UNITBV Charter (Second Part).

### **Art. 45. Structures for ensuring the compliance with the ethics and deontology rules**

- (1) The Academic Ethics Committee operates within UNITBV, with a 4-year mandate. The Academic Ethics Committee acts independently of any other structure or person within the higher education institution.
- (2) The membership of the Academic Ethics Committee is proposed by the Executive Board, endorsed by the Senate and approved by Rector's decision. The membership of the Academic Ethics Committee amounts to a maximum of 75% teaching and research personnel and a minimum of 25% students.
- (3) The powers, duties and operation of this committee are governed by its own regulations approved by the Senate.
- (4) With the approval of the Senate, at the proposal of the Academic Ethics Committee and after consultation with the academic community, measures will be taken to develop and strengthen a moral organizational culture. These measures also aim at setting the principles and internal framework for ethical risk prevention and management, respectively the methods for training and assisting the academic community members in their preventive actions against the transgressions of the national or internal ethics and deontology rules, with due regard for specifically regulated reporting and protection mechanisms.

### **Art. 46. Conflicts of interest and incompatibilities**

The conflicts of interest and the incompatibilities are specified in the rules of law and Art. 19, Art. 20, Art. 26 in the Code of Academic Ethics and Deontology, a part hereof (Second Part).

## **CHAPTER VIII. THE UNIVERSITY'S RELATIONS WITH THE EXTERNAL ENVIRONMENT**

### **Art. 47. General provisions**

- (1) In all types of relations with the external environment, UNITBV is represented by the Rector or by a deputy designated by the Rector.
- (2) UNITBV is subordinated to the relevant Ministry and to the national committees with responsibilities for the management of the academic activities, in compliance with university autonomy and the legal framework.
- (3) The official documents that record the collaborations with the economic and social environment shall be signed by the Rector, Economic Director, legal adviser and, as appropriate, the coordinator of those academic activities.

### **Art. 48. The relations of UNITBV with the external environment**

- (1) At a local, regional, national and international level, UNITBV may establish collaboration and partnership relations with public or private organizations of joint interest, with national structures for the evaluation of the academic process and with academies.
- (2) These collaborations and partnerships must contribute, under sustainability conditions, to raising the quality and competitiveness of the academic processes, and the visibility of UNITBV, in accordance with its assumed mission.
- (3) Depending on its functional needs, its lawful obligations, or the agreements which it is a party to, UNITBV may develop advisory structures consisting of representatives of the socioeconomic environment and personalities from the external academic, cultural and professional environment, subject to the approval of the Senate.

### **Art. 49. Procedural rules**

- (1) The collaborations with the external environment are initiated at the proposal of UNITBV's structures and are approved by the Rector.
- (2) The records of all collaborations with the external entities will be kept within UNITBV.

### **Art. 50. Association of UNITBV in consortia**

- (1) UNITBV may associate in consortia with other universities, under performance and efficiency conditions, with the approval of the University Senate.
- (2) UNITBV may establish consortia with scientific research institutions or entities which include scientific research in their scope of activity, in order to jointly conduct scientific research programmes in the fields of interest and/or to develop study programmes aimed at training highly qualified human resources.

## **CHAPTER IX. HERITAGE OF TRANSILVANIA UNIVERSITY OF BRAȘOV**

### **Art. 51. Structure of UNITBV's heritage**

- (1) The heritage of UNITBV includes real rights of ownership, use, usufruct, easement or superficies exercised by UNITBV on the movable and immovable assets that make up the material basis of UNITBV, as well as rights of administration or use on several assets, inclusively within the State's public or private sector, acquired by lease, concession or bailment.
- (2) Moreover, the heritage of UNITBV includes receivable rights arising from contracts or court decisions, intellectual and industrial property rights, as well as any other patrimonial rights the holder of which is UNITBV.
- (3) The ways in which the elements of UNITBV's material basis may be built, owned and used abide by the applicable laws, the Strategy of Development and the internal regulations approved by the University Senate.

### **Art. 52. Changes in the structure of UNITBV's heritage**

- (1) The changes in the structure of UNITBV's heritage for the purposes of acquiring, alienating, demolishing or building immovable assets abide by the legal framework, through a decision of the University Senate, adopted by simple majority, in the presence of at least 2/3 of the Senate members.
- (2) UNITBV will take the necessary steps to obtain a certificate of ownership or to include in its property, under the law, the assets in its heritage on which it exercises one of the aforementioned rights.

## **CHAPTER X. MANAGEMENT OF THE FINANCIAL RESOURCES**

### **Art. 53. Financial resources of UNITBV**

The financial resources of UNITBV include funds allocated from the state budget, revenues from both its own and other sources, under the applicable rules of law. All funds for the basic and supplementary financing of the state universities are considered their own revenues.

### **Art. 54. Funds allocated from the state budget**

- (1) UNITBV is financed from the state budget through the annual Institutional Contract for the core financing, for the students' scholarship and social protection fund, for UNITBV's development fund, as well as for the investment fund, through the additional contract for the financing of capital repairs, endowments and other investment expenses, as well as through subsidies for board and lodging, under the rules of law.

- (2) The funds allocated from the state budget are processed through the State Treasury.

#### **Art. 55. Resources from the university's own income**

- (1) The university's own revenues come from: fees, administration, grants and contracts of research, development and innovation, microproduction, consultancy, expert reports, services, donations, sponsorship, and other sources.
- (2) All fees are set and modified by the University Senate, at the proposal of the Executive Board, within the legal framework.
- (3) The academic teaching and research personnel with outstanding scientific research performance may benefit from financial support for the development of the scientific research programmes, depending on the existing resources.
- (4) The spaces of UNITBV may be rent with the agreement of the Senate, in accordance with the applicable rules of law, unless the core activities are affected.

#### **Art. 56. Capitalization on the financial resources**

- (1) The financial resources cover the expenses of UNITBV's structures and services, the payment of the utilities, and provide the maintenance and development fund of UNITBV. The budget of UNITBV is proposed by the Executive Board based on the rationale of the main structures, and is approved by the Senate in early financial year.
- (2) The budgetary funds ensure the teaching, auxiliary-teaching and administrative personnel's remuneration, the material resources necessary for the organization, administration and conduct of the educational process, as well as the support for the activities that enhance the scientific development of this process.
- (3) The funds from the complementary and supplementary financing are allocated to UNITBV's structures they were directly intended for, and are strictly used for the activity concerned.
- (4) The funds from the university's own revenues are used to support the process of education, the scientific research, as well as the administrative operation of the institution, depending on the nature of their source.
- (5) The budget implementation of the university is public.

#### **Art. 57. Management of the financial resources**

- (1) Both the budgetary and the university's own resources are managed in the same way, regardless of their source, with adherence to the principle of university autonomy and within the legal framework.
- (2) The Rector holds direct responsibility for the allocation of UNITBV's resources, in accordance with the Strategic Plan adopted by the Senate.

## CHAPTER XI. HONORARY TITLES

### Art. 58. Honorary titles

The following honorary titles are conferred upon within *Transilvania* University of Braşov:

- a) Doctor Honoris Causa;
- b) Honorary Senator;
- c) Honorary Professor;
- d) Professor Emeritus;
- e) Academic merit;
- f) Diploma of Loyalty;
- g) Diploma of Excellence;
- h) Other diplomas and medals.

### Art. 59. Conferral of honorary titles

(1) These titles are awarded as follows:

- (1.1) Doctor Honoris Causa - to the internationally acknowledged scientific personalities, who have made a concrete contribution to the development of education and scientific research within UNITBV.
- (1.2) Honorary Senator - to the personalities in the academic, economic and social environment who have made a substantial contribution to the economic and/or social development at a local, regional, national level, but also to the promotion of UNITBV internationally.
- (1.3) Honorary Professor – to the international personalities who have performed collaborative activities in scientific and didactic terms within UNITBV.
- (1.4) Professor Emeritus – the teaching and scientific personalities of UNITBV who have had nationally and/or internationally acknowledged scientific, teaching and managerial performances and who have contributed to the promotion of UNITBV's image nationally and/or internationally.
- (1.5) Academic Merit – to the teaching and scientific personalities of UNITBV who have had scientific, teaching and managerial performances within UNITBV.
- (1.6) The Diploma of Loyalty and the Diploma of Excellence are awarded to the teaching and scientific personalities of UNITBV who performed activities acknowledged by the academic community of UNITBV.



- (2) The honorary titles are conferred within UNITBV at the proposal of the department, are assumed by the Faculty Council through secret ballot, and are approved by the Executive Board. As regards the titles of Doctor Honoris Causa, Honorary Senator, Honorary Professor, Professor Emeritus and the Academic Merit, the Executive Board will transmit these proposals to the Senate, for consideration and approval. The proposals for the award of these titles must be duly motivated, and the essence of these motivations is recorded in the diploma accompanying the title.
- (3) The titles of Doctor Honoris Causa, Honorary Senator, Professor Emeritus and the Academic Merit are awarded in a festive setting by the University Senate. The title of Honorary Professor, the Diploma of Loyalty and the Diploma of Excellence are awarded in a festive setting by the Faculty Council or by the Executive Board.
- (4) The records of the titles, the documents underlying the award thereof, as well as a copy of the awarded diplomas will be kept at the Senate Secretariat, as regards the titles of Doctor Honoris Causa, Honorary Senator, Honorary Professor, Professor Emeritus and the Academic Merit, respectively by the Vice-Rectorate for Public Relations, as regards the Diploma of Loyalty and Diploma of Excellence.

#### **Art. 60. Other diplomas and medals**

Commemorative diplomas/medals, distinctions meant to mark the anniversary of the University's jubilee events may be instituted at the proposal of the Faculty Council, the Rector's or of the Executive Board Bureau, and with the approval of the Executive Board; they are awarded in the period set out in the relevant decision of the Executive Board.

#### **Art. 61. Withdrawal of honorary titles**

If one of the holders of the titles under Art. 58, subsequent to the award, commits serious transgressions of the academic ethics or criminal offences, the University Senate or the Executive Board, as appropriate, have the right to withdraw their title.

## **CHAPTER XII. PROCEDURES FOR THE ADOPTION, SUPPLEMENTATION AND AMENDMENT OF THE CHARTER**

#### **Art. 62. Adoption of the Charter**

- (1) The University Charter reflects the academic community's major options and applies throughout the university area. It is adopted by the Senate with an absolute majority (50%+1 of the Senate members), where the attendance quorum for the meeting is 2/3 of the total members, after its having been submitted to debate within the UNITBV community. The Charter enters into force after the relevant Ministry's positive resolution on the legal notice, within the time limits set out in the applicable laws.

- (2) After its adoption, the Charter will be published in Romanian and English on the website of UNITBV.
- (3) Upon the entry into force hereof, the Charter approved by the Senate on 06.07.2016, as well as all internal provisions contrary hereto shall be repealed.

**Art. 63. Amendment of the Charter**

- (1) The initiative to amend the Charter rests with the President of the Senate or at least one third of the Senate members. Any amendment to the Charter will be adopted by the Senate with an absolute majority (50%+1 of the Senate members), where the required quorum for the meeting is 2/3 of the total members.
- (2) The provisions of the Charter on the election of the management structures may not be changed in the last 6 months of the Senate's mandate.

## THE SECOND PART

### CODE OF ACADEMIC ETHICS AND DEONTOLOGY

#### CHAPTER I. SCOPE AND OBJECTIVES OF THE ACADEMIC ETHICS AND DEONTOLOGY CODE

**Art. 1.** UNITBV is an area in which the future specialists are trained as responsible citizens, guided by ethical values, principles and rules. Therefore, UNITBV is continuously preoccupied for its members' activity to take place in accordance with the values and principles of academic ethics.

**Art. 2.** The Code of Academic Ethics and Deontology (hereinafter referred to as "the Code") is intended for the UNITBV community members' support in identifying and solving the ethical problems, for morally guiding the relations between the UNITBV community members, their relations with the university, with the institutional partners, as well as with the local, national and international community, and for creating a climate of confidence and respect within and outside the UNITBV community.

**Art. 3.** The Code of Academic Ethics and Deontology and its application do not exclude and do not replace the UNITBV members' lawful rights and obligations, nor the ethical codes for both profession and scientific research. All persons who conduct activities in the UNITBV area, regardless of their status, shall abide by its provisions.

**Art. 4.** The status of academic community member confers social prestige, but also entails professional and moral obligations. The transgression of the ethical and/or academic rules of conduct is sanctioned according to the applicable rules of law and to the Regulations on the Organization and Operation of the Academic Ethics Committee (hereinafter referred to as "the Regulations").

#### CHAPTER II. PRINCIPLES OF ACADEMIC ETHICS

##### **Art. 5. Principles of academic ethics**

The UNITBV community's life and activity relies on the following principles: academic integrity, loyalty, academic freedom, merit, professionalism, moral, social and professional responsibility, respect and tolerance – independence of any influence (moral, scientific, religious, political, economic or other) in the teaching or scientific activity, good faith, transparency, confidentiality, non-discrimination and equality of opportunities, honesty, equity, lawfulness, public responsibility, right to defence, guarantee of all academic community members' cultural identity and intercultural dialogue, impartiality and objectivity, the direct beneficiary's best interest.

## **Art. 6. Academic integrity**

- (1) Academic integrity implies the UNITBV community members' honesty and reliability, and is evaluated by reference to its specific system of values and principles. Academic integrity contributes to maintaining the standards of excellence in research, education and community service.
- (2) Within UNITBV, the aforementioned integrity is the essence of academic deontology; the UNITBV community members must exercise their profession and position in honesty, good faith, respect, responsibility and honour.
- (3) The UNITBV community members must know the laws, codes and regulations on their activity in the university area and abide by them.
- (4) The UNITBV community members shall not bring prejudice to UNITBV's prestige and legitimate interests, to the legitimate interests of the persons with whom institutional legal relations have been established, and shall adopt, under all circumstances, appropriate behaviours to avoid and eliminate the conflict of interest, corruption, fraud, plagiarism and any other transgression of the academic ethics principles.
- (5) The academic teaching personnel shall educate the students in the spirit of academic integrity, explicitly communicate UNITBV's expectations in this regard, and make sure that the values, principles and rules of conduct in the Code will be observed under all circumstances.

## **Art. 7. Loyalty**

- (1) Loyalty to UNITBV implies each UNITBV community member's obligation to act in the University's interest, to support its objectives, strategies and policies, in order to achieve its mission and to ensure its competitiveness.
- (2) The UNITBV community members shall defend the prestige of the institution where they conduct their activity and abstain from any manifestation that could prejudice its image or interests.
- (3) The students must behave loyally towards UNITBV and honestly in fulfilling their professional duties, as provided for in the specific regulations.
- (4) The transgressions of loyalty include:
  - a) to purposefully perpetrate actions that entail or might entail UNITBV's loss of patrimonial and non-patrimonial personal rights;
  - b) to get involved, outside of UNITBV, in activities that are acts of unfair competition;
  - c) to publicly make defamatory comments on UNITBV regarding the institution's organization, conduct of its specific activities, or the institution's actions;

- d) to disclose information to which they have access by exercising their official duties, if undue advantages are thereby obtained or UNITBV's image or rights are thereby prejudiced, etc.

#### **Art. 8. Academic freedom**

- (1) UNITBV promotes academic freedom under the conditions of the rule of law and respect for human rights.
- (2) Academic freedom implies each UNITBV community member's right to express openly and in accordance with the academic quality criteria, his/her scientific and professional opinions during the courses, seminars, conferences, debates, but also in the papers written and defended or published in the university environment, but also beyond it, in terms of the teaching, research or intellectual creation activity, as well as of any other activities targeting UNITBV, under the law. The forms of expression of the academic freedom are, without being a limitative enumeration, the freedom to learn, teach and research, each of which implies the freedom to think, question and share ideas, inside and outside UNITBV.
- (3) The UNITBV community members have the right to formulate critical opinions, publicly expressed, based on scientific, pedagogical, ethical or legal arguments. Academic freedom implies, at the same time, the respect for other people's academic freedom in all its components, and should not be used as an argument for rejecting scientific or ethical criticism, justified and necessary for the evolution of the research activities in any scientific field.
- (4) Scientific objectivity is above any form of pressure arising from personal or group interests, including the financial ones.
- (5) Each UNITBV community member must avoid infringing on the freedom of others, based on the respect for differences. UNITBV encourages critical approaches, dialogue, intellectual partnership and cooperation, regardless of political views, religious beliefs or sexual orientation.
- (6) In the university area, religious beliefs, political attachments and other categories of beliefs may not be imposed on others by abuse of power and authority, as they are a dimension of the UNITBV community members' private life.
- (7) The academic teaching personnel have the freedom to adhere to one view or another in their field of expertise, but without imposing that particular trend on students in the teaching process, and without ignoring any refutations from within the same field.

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

- (1) The only criterion of hierarchization accepted in UNITBV is merit, which is assessed according to the professional activity results, by using transparent assessment mechanisms.

- (2) As regards the academic teaching and research personnel, merit can be determined by reference to criteria such as: quality of the activity conducted within the research and education projects in which they participate, evaluation made by students, peers, management, involvement in the development of the faculty, of the study programme, prestige brought to the institution and the field of expertise in which they conduct their activity, etc.
- (3) As regards the students, merit can be determined by applying performance evaluation criteria, according to their level of involvement in social and associative life, in civic actions, etc.
- (4) As regards the auxiliary teaching personnel and administrative staff, merit can be determined according to level, complexity and quality in the fulfilment of the duties set out in the job description.

#### **Art. 10. Professionalism**

- (1) The UNITBV community members' professionalism expresses itself through the quality of their performance both in the field of research and education and in the services provided to the academic and/or professional community.
- (2) Professionalism implies: competence and exigency in the exercise of one's profession, dedication to the teaching and research activity, solidarity and fair competition with one's colleagues within UNITBV and in the same field, pursuit of permanent professional development and maintenance of high professional standards, avoidance of amateurism, dilettantism and imposture in exercising one's professional role, avoidance of arbitrariness and preferential treatment in the relations with the UNITBV community members or with persons outside it.
- (3) Maintenance of academic excellence in the teaching-learning and research activities is the UNITBV community's institutional and moral obligation applicable to all its members.

#### **Art. 11. Responsibility**

- (1) Responsibility is fostered within the institution in both its professional and ethical dimensions, and implies the UNITBV community members' commitment and compliance with the ethical and professional standards under all circumstances, inclusively where they publicly represent the institution.
- (2) Responsibility does not preclude the UNITBV community members' right to formulate public criticism – in department, council, Senate and other meetings– regarding the transgression of the deontological, ethical, scientific and pedagogical standards, if these criticisms are well-grounded and supported by evidence.

- (3) Responsibility supposes the UNITBV community members abstaining from publicly formulating opinions that might be construed as attempts at disinformation, slander or denigration of programmes and/or persons within the same institution.
- (4) Responsibility also involves individual liability for the deeds of the UNITBV community members with whom the person concerned is in relations of guidance, tutoring, mentoring, coordination, etc.
- (5) Responsibility also extends towards the institutions with which the UNITBV community members are in relations of scientific and professional cooperation, as well as towards the local, regional, national, international community.

## **Art. 12. Respect and tolerance**

- (1) UNITBV is an environment dedicated to study and research, equally open to all its community members. In this regard, respect and tolerance are among the moral values that UNITBV constantly promotes in order to create and maintain a favourable climate for harmonious, balanced and rational relations between its academic community's groups and members.
- (2) The prerequisite of any interaction in the UNITBV area is the manifestation of respect towards one's interlocutor.
- (3) For this purpose, within UNITBV, each of its members' dignity must be paid the due respect, in a climate free of any form of exploitation, humiliation, contempt, threat or intimidation. Consequently, no one has the right to prejudice the dignity of others; suburban language, offensive, irreverent attitudes or vulgar gestures are undesirable; humiliation, intimidation, threat and personal attack are unacceptable; exploitation and harassment, in any form of manifestation, are reprehensible; intolerance, especially the one based on the natural differences between people, is a serious violation of the basic moral rules; and inherent misunderstandings, disputes and conflicts must be exclusively worked out through dialogue and civilised debate, resorting to rational arguments, consistent with reality and always oriented towards mitigation or settlement.
- (4) The academic environment encourages the exchange of arguments and the diversity of opinions, against the backdrop of mutual respect, tolerance and cooperation.
- (5) Offensive behaviour, manifested through insulting, humiliating, intimidating and other such expressions, is deemed unacceptable and goes against the UNITBV community's ethics, regardless of the hierarchical positions of the ones involved, since it might escalate into abuse of power when exercised over hierarchical inferiors, or into harassment when repeatedly targeted at the same person or group of persons.

## **Art. 13. Good faith**

Each UNITBV community member must exercise his/her rights and perform his/her

obligations in good faith, in accordance with public order and good morals, so that the exercise of his/her rights does not affect the other community members' rights. Good faith is presumed until proven otherwise.

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

The principle of transparency implies access to all information categories of interest for the UNITBV community members, for the institutions with which UNITBV collaborates, for the potential candidates and general public, under the legal provisions. Equal opportunities in competitions and fair access to UNITBV's resources is thereby ensured. All information of interest to the UNITBV community members and general public will be available under the law.

#### **Art. 15. Confidentiality**

- (1) Confidentiality imposes to the UNITBV community members the obligation not to disclose the confidential information obtained from professional activities, failing the required and appropriate uthorization, unless the members concerned have the right or obligation not to conceal it, provided that they don't use them for their personal advantage or for the benefit of third parties.
- (2) Each UNITBV community member shall respect confidentiality in matters related to the community members' professional activity and private life and shall not provide information on the data and information thus obtained, unless authorised by law or by the data subject.

#### **Art. 16. Non-discrimination and equality of opportunities**

- (1) UNITBV encourages, supports and respects its community members' equality of opportunities and equal treatment.
- (2) Within UNITBV, unequal treatment of one person in relation to others is prohibited, as a treatment which pursues or leads to that person's violation or limitation of rights, on grounds of: gender, race, age, disability, sexual orientation, nationality, ethnicity, religion, social status, material condition or origin, and any other criterion provided for in the relevant legislation.
- (3) People's discrimination or unequal treatment is prohibited, regardless of its forms of manifestation; however, the application of these principles also implies that they cannot and should not be interpreted and used in such a way as to cause reverse discrimination.
- (4) Acts and deeds of discrimination, exclusion, restriction, or preference, based on race, nationality, ethnicity, language, religion, social category, beliefs, gender, sexual orientation, age, disability, chronic non-communicable disease, HIV infection, membership in a disadvantaged group, as well as any other criterion which has as its purpose or effect the UNITBV community's restriction, removal of recognition, use or



exercise, under conditions of equality, of the UNITBV community members' lawfully acknowledged rights, are considered discrimination within the meaning of this Code.

- (5) Apparently neutral provisions, criteria or practices that disadvantage certain persons on the basis of the benchmarks referred to in para. (4) in relation to other persons are discriminatory, unless these provisions, criteria or practices are objectively justified by a legitimate aim and the methods of achieving that aim are appropriate and necessary.
- (6) In observing the principle of non-discrimination and equality of opportunities, the UNITBV community members also consider the regulations by which UNITBV establishes its strategies and policies in this field.

#### **Art. 17. Honesty**

Intellectual honesty and reliability are ethical values strongly promoted by UNITB as, in their absence, the right to intellectual property and the correct assessment on the performance of the students, academic teaching personnel and all other employees - UNITBV community members - would suffer from unacceptable practices such as cheating, copying, plagiarism, fabrication of research results, attempts at corruption, etc.

### **CHAPTER III. GENERAL RULES ON ACADEMIC ETHICS**

#### **Art. 18. General provisions**

- (1) In teaching and scientific research activities, as well as in management activities, adherence to the principles of academic ethics and deontology is binding.
- (2) Academic ethics and deontology include the following categories of rules:
  - a) rules of ethics and deontology in the activity of academic teaching and scientific research;
  - b) rules of ethics and deontology in the activity of scientific communication, publication, dissemination and popularization;
  - c) rules of ethics and deontology in the exercise of the powers and duties associated with the management positions;
  - d) rules of ethics and deontology as regards the respect for the human beings and human dignity;
  - e) rules of ethics and deontology applicable to undergraduate, graduate and doctoral students, postdoctoral research scientists, or other categories of trainees;
  - f) rules of ethics specific to the canonical and dogmatic principles of the cult concerned, which do not conflict with the rules referred to in lett. a)-e).

- (3) These general rules on academic ethics are defined by the legislation in force, according to Art. 15 - 19 of GD no. 305/2024, and any subsequent amendments thereto, where applicable, will be taken into account.

#### **Art. 19. Incompatibilities**

- (1) In the UNITBV community members' activity, the following situations are incompatibilities:
- a) the situation where a person concurrently holds or exercises the management positions of Rector, Vice-Rector, Dean, Vice-Dean, Director of Department or Director of research and development, design or microproduction unit, Director of university subsidiary/ extension or the position of President of the University Senate and a management position referred to in Art. 131 para. (2) of Law 199/2023;
  - b) the situation where a person holds or exercises one of the management positions of Rector, Vice-Rector, Dean, Vice-Dean, Director of Department or Director of university subsidiary/ extension and is appointed or elected to the position of Minister, Secretary of State, Mayor, Deputy Mayor or President of County Council;
  - c) the situation where an authority of expenditure of UNITBV holds or exercises, in parallel, another position of authority of expenditure in a central or local public institution;
  - d) the situation where a person concurrently holds the status of member in the Executive Board of UNITBV and the status of associate or shareholder in a company established by UNITBV as per the provisions of Art. 16 para. (1) of Law 199/2023.
- (2) A student enrolled in a bachelor's or master's study programme, who has concluded an individual labour contract with UNITBV is incompatible with the status of student representative in the management structures of the faculty or UNITBV.

#### **Art. 20. Conflicts of interest**

- (1) In the UNITBV community members' activity, the following situations are conflicts of interest:
- a) simultaneous occupation of positions by persons who are in a relationship of spouses, in-laws and relatives up to and including the third degree, with one of them in a direct position of management, control, authority or institutional evaluation over the other, at any level within UNITBV;
  - b) participation as a member in doctoral committees, evaluation committees or competition committees, in the situation where the decision directly impacts spouses, in-laws or relatives up to and including the third degree;
  - c) membership in the same lawfully established committee of persons who are spouses, in-laws or relatives up to and including the third degree;

- d) participation of a person who is a member in committees under the Ministry of Education in analysing a situation related to UNITBV.
- (2) In the event of a conflict of interest, academic the teaching or research personnel member is bound to discontinue any activity referred to in para. (1) lett. a)-c) and to immediately inform the hierarchical superior whom s/he is directly subordinated to. S/he shall take the necessary measures for the impartial exercise of the specific activities, within 3 days of acknowledgement.
  - (3) In the cases referred to in para. (2), another person, who has the same training and level of expertise, is appointed at the proposal of the hierarchical superior whom that teaching or research personnel member is directly subordinated to.
  - (4) In the event of a conflict of interest as referred to in para. (1) lett. d), that person shall refrain from taking part in the committee's decision-making on the case concerned by the conflict of interest.

**Art. 21. The transgressions of the ethics and deontology rules in academic teaching and scientific research include:**

- a) fabrication of results or data and their presentation as experimental data, as data obtained through calculations or numerical computer simulations, or as data or results obtained through analytical calculations or deductive reasoning;
- b) falsification of the experimental data, of the data obtained through calculations or numerical computer simulations, or of the data or results obtained through analytical calculations or deductive reasoning;
- c) deliberately hindering, preventing or sabotaging other persons' teaching or research activity, by unduly blocking the access to the spaces intended for academic research, by damaging, destroying or tampering with the experimental apparatuses, equipment, documents, computer software, electronic data, organic or inorganic substances or living matter necessary for other persons to conduct, perform or complete teaching or research activities;
- d) encroachment on the legal system related to the conflicts of interest and incompatibilities, and failure to disclose the conflicts of interest or incompatibilities in the activity of evaluation;
- e) breach of confidentiality in the evaluation;
- f) discrimination in the evaluation, as per the criteria referred to in Art.2 para. (1) of the Government Ordinance no 137/2000, approved with amendments through the Law no. 48/2002, republished, with subsequent amendments;
- g) defrauding of the evaluation;
- h) plagiarism;

- i) failure to comply with the legal provisions and procedures on the academic ethics and deontology provided for in the applicable laws and in this Code, as appropriate, including the failure to implement the sanctions set by the academic ethics committees, CNATDCU or CNEMU;
- j) failure to abide by the dogmatic and canonical specificity of the founding cult, in the case of the confessional education;
- k) impairment of the integrity in the process of evaluation by failing to comply with the assessing methods set out in the job description, as well as through an academic teaching personnel member's examination of a person who is his/her spouse, in-law or relative up to and including the third degree, without prior notification of the faculty management so that possible solutions might be found to guarantee the integrity of the evaluation.

**Art. 22. The transgressions of the ethics and deontology rules in scientific communication, publication, dissemination and popularization include:**

- a) a person's inclusion in the list of authors for a scientific publication, without his/her consent;
- b) the authors' unauthorised publication or dissemination of unpublished scientific results, hypotheses, theories or methods;
- c) introduction of false information in the applications for grants or funding, as well as in the applications for habilitation, for teaching or research positions;
- d) failure to indicate all sources resorted to;
- e) omission of some persons involved in the research or creation activity, as they cannot benefit from all the rights arising from it;
- f) omission of mentioning the financing sources for the research projects, as regards all results from those projects.

**Art. 23. The transgressions of the ethics and deontology rules in the exercise of the management position-related powers and duties include:**

- a) encroachment on the legal system of public liability;
- b) abusive use of one's position to acquire the status of author or co-author for publications of one's subordinates;
- c) abuse of authority to obtain wages, remuneration or other material benefits from the research and development projects managed or coordinated by one's subordinates;
- d) abuse of authority to acquire the status of author or co-author for the publications of one's subordinates, or to obtain wages, remuneration or other material benefits from the research and development projects managed or coordinated by

one's subordinates, for one's spouses, in-laws or relatives up to and including the third degree;

- e) obstruction of the activity of an academic ethics committee or of an analysis committee during the investigation of encroachments on the academic ethics and deontology;
- f) failure to comply with the legal provisions and procedures on the academic ethics and deontology as set out in the applicable laws and this Code, as appropriate, inclusively by not enforcing the sanctions established by academic ethics committees, CNATDCU or CNEMU.

**Art. 24. The transgressions of the ethics and deontology rules on the respect for the human being and dignity include**

- a) encroachments on the protection of the direct beneficiaries' right to education;
- b) encroachments on the dignity of the direct beneficiaries of the right to education and professional prestige;
- c) encroachments on the acknowledgement for one's profession, responsibility, and confidence conferred by society, as well as of the internal obligations arising from this confidence.

**Art. 25. The transgressions of the ethics and deontology rules applicable to undergraduate, graduate and doctoral students, to postdoctoral researchers or to other categories of trainees include:**

- a) transgressions of the ethics and deontology rules applicable to undergraduate, graduate and doctoral students, to postdoctoral researchers or to other categories of trainees as referred to in Art. 19;
- b) encroachment on the integrity of the evaluation process, by the assessed persons' resorting, in the process of evaluation, to materials that were not made by themselves, or to the same materials that they made for different evaluations, as well as by their not disclosing a kinship relationship up to the third degree with the assessing teaching personnel member.

## **CHAPTER IV. SEVERE INFRINGEMENTS OF THE ACADEMIC ETHICS**

**Art. 26. General provisions**

- (1) Within UNITBV, the following deeds and actions are serious infringements of the ethical rules: conflict of interest, corruption, attempted corruption, data fabrication, plagiarism and self-plagiarism, fraud and facilitation of fraud, unfairly obtained advantages, harassment, sexual harassment, intimidation and insulting behaviour.

- (2) For the purposes of this Code, the following terms have a significance to be detailed, which does not exclude their significance enshrined by legal documents.

#### **Art. 27. Conflicts de interests and incompatibilities**

- (1) All UNITBV community members, regardless of their position in the UNITBV hierarchy, must adopt, under all circumstances, the appropriate attitudes to mitigate the conflicts of interest that could influence their judgments, evaluations, decisions, both personal and of the organizational structure they belong to. In such situations and in others likely to lead to conflicts of interest, the UNITBV community members shall bring the conflicts of interest to the attention of the forums and, where applicable, discontinue any activity or abstain from participating in making decisions within the committees they belong to.
- (2) The persons in the situations of incompatibility referred to in this Charter and the applicable laws have 15 days to eliminate the situation of incompatibility, inclusively by suspension from one of the positions.
- (3) In addition to the situations of conflict of interests and incompatibilities expressly set out in the applicable rules of law, the following situations may also be considered transgressions:
  - a) when a person has multiple roles susceptible to altering his/her objectivity;
  - b) when a UNITBV community member's external collaborations and commitments prevent the fulfilment in good conditions, with good faith and professionalism, of the duties set out in the staffing schedules and in their job descriptions;
  - c) when a UNITBV community member participates in commercial negotiations with companies or organizations in which s/he has direct or indirect material interests, etc.;
  - d) when a tenured teaching or research personnel member registers for a bachelor's or master's study programme organised by the faculty to which s/he belongs;
  - e) when an auxiliary teaching or administrative personnel member registers for a bachelor's or master's study programme organised by the structure s/he belongs to.

#### **Art. 28. Corruption**

- (1) Corruption generates unfair treatment, injustice and favouritism, undermines the application of the principle of merit, and creates suspicion and mistrust in the value of the diplomas, in the professional competence of UNITBV's both graduates and community members.
- (2) All UNITBV community members have the moral obligation to prevent and fight, under all circumstances, the corruption which, by generating favouritism, inequity, injustice,

suspicion, mistrust and adversity, impairs the cohesion and feeling of belonging, spoils the academic climate at large, and prejudices the institution's image.

- (3) The acts of corruption, apart from those referred to in the rules of law, include the monopolization of UNITBV or the faculty, department etc., by persons or groups of interest that hold power and distribute the material resources in a discretionary manner.
- (4) UNITBV is committed to severely sanctioning, from an institutional point of view, both the obvious acts of corruption, such as bribery and attempted bribery, and the less obvious, but equally harmful ones, such as influence peddling, customer trafficking (buying and selling for money or trade-off) as regards the exams or competitions, including hierarchical, collegial or other subjective criteria-based favouritism, nepotism, application of double standards in the evaluation, acts of persecution or retaliation, etc.
- (5) Favouritism must not be mistaken for the preference based on proven skills.
- (6) The following might fall within the acts of corruption:
  - a) bribery and attempted bribery;
  - b) monopolization of the departments by groups of interest;
  - c) clientelist trafficking of the exams or competitions for positions;
  - d) hierarchical or collegial favouritism etc.

#### **Art. 29. Attempted corruption**

The following come under attempted corruption: the offering of money, gifts or personal services to the UNITBV community members, when the acceptance of these gifts and/or services explicitly or implicitly pursues the provision of the services that the person offering the gift has the legal right to receive, the influence on the process of evaluation, hiring or promotion.

#### **Art. 30. Fabrication and falsification of data or results**

- (1) The fabrication and falsification of data and results is a serious misconduct in research and dissemination, as regards both the academic teaching and research personnel, and the undergraduate, graduate and doctoral students.
- (2) The fabrication of results or data refers to: reporting of fictitious results or data, which are not the actual result of a research and development activity; use of unrealistic data in a research or experiment; purposeful alteration of research or experimental data; citing of inexistent articles, etc.
- (3) The falsification of results or data implies: selective reporting or refutation of the undesired data or results, interference with the images or illustrations, alteration of

the experimental or numerical apparatus, so as to obtain the desired data, without reporting those alterations, with a view to distorting scientific truth.

### **Art. 31. Plagiarism**

- (1) The knowledge of the legal provisions on intellectual property and of the academic writing rules is a professional duty of the academic teaching personnel, of the research scientists, of the undergraduate, graduate and doctoral students. Failure to know these regulations and rules is not an excuse for plagiarism.
- (2) For the purposes of a good dissemination of the general and field-specific legal requirements, the University, in accordance with the provisions of Law no. 199/2023, with subsequent amendments, ensures the educational, administrative and technical measures that contribute to guaranteeing the originality of the bachelor's and master's theses and dissertations, of the projects, artistic creations and productions, research projects, inventions and patents, scientific articles, books and all publications under Transilvania University of Braşov Publishing House, or of other such works, as well as the related sanctions.
- (3) The educational measures, developed through internal regulations, include:
  - i. the academic teaching personnel's professional and moral obligation to make explicit the rules of academic writing to the undergraduate, graduate and doctoral students, and to ensure the compliance therewith under all circumstances;
  - ii. to inform the UNITBV community on the cases of plagiarism and on the situations that may generate suspicions of plagiarism;
  - iii. to periodically inform the UNITBV community on the rules of academic ethics and deontology in scientific research.
- (4) Plagiarism is defined as the act of presenting other authors' texts, ideas, demonstrations, data, theories, results or scientific methods taken from written works, inclusively in electronic format, as an allegedly personal creation or scientific contribution to a written work, inclusively in electronic format, without mentioning this and without referencing the original sources.
- (5) The following might be deemed instances of plagiarism:
  - a) compilation of excerpts from several sources/authors, without clear references to the source texts;
  - b) interpenetration of plagiarised excerpts and one's own material;
  - c) taking texts without clear references, modification of expressions in the text, and/or inversion of paragraphs/sentences/chapters;
  - d) omission of clear in-text citation marks, and of the accurate and complete mention of the source in the bibliography;



- e) republication of the same work or substantial parts of one's own previous publications, without proper acknowledgment to or citation of the original, is referred to as self-plagiarism; the topic of the work may be resumed, whereas its content may not;
  - f) plagiarism can be on purpose (actual plagiarism) or by negligence (misuse of the citation system or failure to accurately and completely acknowledge the source of a material).
- (6) The material which is plagiarised could be a book or part of a book, an article, an internet page, a course, another work (in the case of reports, for example, a colleague's).
  - (7) In preparing an academic paper of any kind or an oral presentation, the distinction between paraphrase and actual citation will be considered. The presentation of a quotation (text block from the material of another author or even the author of the work concerned, but in a previous publication) as a paraphrase (rendering of an author's idea/argument) without resorting to the cues that conventionally signal the presence of a citation is also plagiarism.
  - (8) The use of short phrases or definitions, deemed by the community of specialists as part of the fund of basic, common notions of that discipline, is not plagiarism. Nevertheless, given that such an assessment implies a degree of subjectivity, it is advisable for the authors to exercise their discernment and to pay increased attention to the use of such phrases or definitions.
  - (9) In order to be considered valid, an allegation of plagiarism must be substantiated with clear evidence, by indicating the specific text or texts which were plagiarised; the indicated material need not be the primary source of plagiarism: if two (or more) simultaneously presented reports/articles contain common excerpts, without explicit references to the sources, this suffices to substantiate an allegation of plagiarism; if the material presented as one's own contribution or an excerpt thereof is identified on an internet page and the source (indicated or not) is the same, this suffices to substantiate an allegation of plagiarism.
  - (10) The use of the university's software to prove similitudes that might entail the suspicion of plagiarism must be complemented by some competent persons' critical judgment.
  - (11) Intellectual fraud reporting is the UNITBV community members' moral duty. The reporting of such offences may not entail sanctions, relegation, demotion or any other forms of repression from the management of the department/faculty or other persons.
  - (12) The ascertainment and discussion of possible copyright infringements must rely on the principle of good faith and transparency. The initiators of such ascertainment and

related discussions should pursue the sole purpose of protecting academic integrity, and not personal goals or undue interests. This type of initiative shall result in clarifying the facts and in restoring the property rights.

- (13) The infringement of the intellectual property rights takes various forms; and their context and seriousness from a moral and institutional point of view will be taken into account in evaluating and sanctioning the facts.
- a) Accidental and insignificant errors shall be detected and properly treated, but they may not be put on the same level as the systematic practices of fraudulent appropriation of the other authors' results. As in any situation created through reprehensible behaviours, it is essential to establish the existence or non-existence of culpable intent and purposefulness. All assessments and decisions on the infringement of the intellectual property or of the academic good practices will consider this difference.
  - b) The absence of an intention to fraudulently appropriate other authors' contributions and merits rules out the moral guilt of those involved and (proportionately) diminishes the due institutional sanction, but it does not exonerate from all responsibility, it does not annul the regrettable nature of the deed, and it does not account for overlooking it. In this case, it is necessary to ascertain whether the deed was committed against the background of the lack of professionalism, frivolity, or lack of the necessary academic rigour.
  - c) the purpose and results of the committed deeds, the seriousness of which increases with the weight of their consequences, will be taken into consideration; for example, the occupation of academic positions, the reception of awards, prizes or benefits (academic titles, degrees, etc.) by copyright infringement has a higher level of seriousness than other transgressions of the discussed category.
  - d) UNITBV primarily aims at playing a constructive part, that is, educating the community in the spirit of the respect for intellectual property and full academic integrity; especially as regards the students and all involuntary deviations, priority is given to the educational objectives, not to the punitive ones.

#### **Art. 32. Fraud and facilitation of fraud**

- (1) Deceit in academic evaluation supposes fraud in the assessment, which seriously affects the quality of academic education and the community's moral standards. Any deed by which its beneficiary submits for evaluation knowledge or skills that s/he does not actually have, seeking to obtain undue marks or merits, is deemed deceit. In this regard:
- a) the students shall submit for evaluation only papers reflecting their own work, skills and competences;

- b) the substitution of people within an exam in order to get a pass or an undue mark is deemed deceit;
  - c) the purchase of papers in order for them to serve as scientific articles, reports, projects, graduation papers, bachelor's theses, dissertations or doctoral theses, or in order to pass an evaluation, is strictly prohibited.
- (2) Fraud reporting is the UNITBV community members' moral duty. Reporting such transgressions shall not entail sanctions, relegations, or any other such forms of repression from the management of the department/faculty or other people.
- (3) Other forms of fraud might be:
  - a) inclusion in one's CV or other documents of fictitious data, or submittal of inaccurate or inexistent references;
  - b) inclusion of unrealistic data in the applications for financing or projects.
- (4) Any person who purposefully provides assistance to another perpetrator of fraud within the meaning of this Code is deemed to be facilitating fraud.

### **Art. 33. Harassment**

- (1) UNITBV condemns harassment in its general meaning of degrading, intimidating or humiliating behaviour that pursues or entails serious impairment of a person's ability to naturally conduct his/her professional and study activities (by causing stress or suffering) or to exercise his/her rights, regardless of the forms they might take.
- (2) Harassment in forms such as: misogyny, sexism, racism, chauvinism, xenophobia, homophobia, harassment for religious or political beliefs is not in accordance with UNITBV's policies of non-discrimination and equal opportunities and annuls the respect for the right of both personnel and students to fair and respectful treatment
- (3) The acts of harassment as referred to in this Code shall be sanctioned although they take place outside of the university area, if they are directly related to the activity conducted within UNITBV, regardless of whether they are committed personally or through intermediaries.
- (4) Power abuse-based harassment, exercised by the victim's hierarchical superiors, by teaching personnel members on the students, or by assessors on the assessed, is a serious offense.
- (5) Harassment usually implies a repeated behaviour consisting of physical and verbal threats, humiliating criticism, sexual advances, etc., but also of singular deeds, when they have an aggressive nature whereby the aggressed person feels humiliated and/or threatened (acts of psychological violence – bullying).

- (6) Harassment might be directed against a specific person or imply acts that create a hostile academic environment, which entails serious impairment of the group members' ability to conduct their academic activities or exercise their individual rights.

#### **Art. 34. Sexual harassment**

- (1) The actions that create a climate of intimidation, fear and hostility are deemed offensive to any person. Each UNITBV community member must be aware that UNITBV opposes sexual harassment, and that such behaviour is strictly prohibited both by law and by academic policies and regulations.
- (2) Sexual harassment implies unwelcome sexual advances, requests for sexual favours and other sexual manifestations, verbal or physical:
  - a) when the acceptance or rejection of such a behaviour conditions tuition, evaluation, employment, promotion or participation in academic activity, and/or
  - b) which, by intimidation, hostility, insult, affect a person's work, performance, living conditions or his/her operating environment.
- (3) The following may come under the manifestations of sexual harassment:
  - a) insistence on obtaining sexual services or benefits by any means, when the harassed person has made it clear s/he does not want this;
  - b) obviously sexual remarks insistently made a person within the UNITBV community and their repetition despite reactions of rejection;
  - c) conditioning a student's pass for the exam, evaluation, or other advantages, on his/her meeting with the teaching personnel member in a private context, regardless of whether the venue is public or private;
  - d) systematic utterance of sexist remarks, jokes with sexual connotations, or sexual fantasies, despite the disapproval and protests of those around;
  - e) sending unsolicited or unwanted pornographic or obscene materials;
  - f) physical touch, with erotic-sexual connotations, on a person, without his/her consent.

#### **Art. 35. Moral harassment**

- (1) Moral harassment in the workplace, sanctioned as a serious transgression of the ethical rules, implies any behaviour exercised towards an employee by another employee who is his/her hierarchical superior, by a subordinate, and/or by a hierarchically comparable employee, in relation to the labour relations, which aims at or results in a deterioration of the operating conditions, by infringing the employees' rights or dignity, by impairing his/her physical or mental health, or by compromising his/her professional future, which behaviour may take any of the following forms: a) hostile or unwanted conduct; b) verbal comments; c) actions or gestures.

- (2) Moreover, moral harassment in the workplace implies any behaviour that, by its systematic nature, might harm the dignity, physical or mental integrity of an employee or group of employees, endangering their work or degrading the operating climate.

#### **Art. 36 Intimidation and insulting behaviour**

UNITBV does not allow insulting behaviours, respectively acts of injurious, intimidating or humiliating speech, directed at the participants in the activities within UNITBV, regardless of who they are. Insulting behaviour conflicts with academic ethics when occurring both between peers and between employees in different hierarchical positions. Such acts, directed at one's hierarchical inferiors, is a form of abuse of power. Repetition of such a behaviour towards the same person or group might be a form of harassment. Firmness and strictness are not insulting behaviours, unless they become excessive, and unless they are systematically and unfairly directed at the same people, in which case they turn into acts of persecution.

## **CHAPTER V. PROCEDURES AND SANCTIONS**

#### **Art. 37. Preventive role of UNITBV's Academic Ethics Committee**

The Academic Ethics Committee of UNITBV has the role and conducts the related activities of preventing and ruling out the facts that may generate unethical elements or practices, either following a written complaint or at the request of a management structure within the university.

#### **Art. 38. Procedures for reporting and, respectively, settling any possible infringements of the academic ethics and deontology**

- (1) Any person may notify the Academic Ethics Committee of UNITBV on the perpetration of a deed that might come under the transgression of the academic ethics and deontology, either in writing or online. Any complaint shall be lodged with Registry Office of UNITBV. The complainant's confidentiality will be maintained confidential.
- (2) The procedure for reporting and, respectively, settling any possible infringements of the academic ethics and deontology is provided for in the Regulations on the Organization and Operation of the Academic Ethics Committee, approved by the Senate of Transilvania University of Braşov.

#### **Art. 39. Sanctions**

- (1) Based on the decision of the Academic Ethics Committee, UNITBV applies sanctions to the teaching, auxiliary teaching and research personnel, inclusively in management

positions, to the undergraduate, graduate and doctoral students, postdoctoral researchers or other categories of personnel.

- (2) The sanctions are enforced by the Rector's decision.
- (3) The types of sanctions for the infringement of the academic ethics and deontology rules by the teaching, auxiliary teaching and research personnel, inclusively in management positions, are:
  - a) written warning;
  - b) withdrawal and /or correction of all papers published through infringement of the academic ethics and deontology rules;
  - c) removal from the management office;
  - d) prohibition, for a fixed period, of the access to financing from competitive public funds;
  - e) suspension, for a fixed period, between one and five years, of the right to enter a competition for a higher position or a management position, or of any competition committee membership;
  - f) removal from the teaching or research position.
- (4) The types of sanctions for the infringement of the academic ethics and deontology rules by the undergraduate, graduate and doctoral students, or other categories of trainees, are:
  - a) written warning;
  - b) annulment of the evaluation results;
  - c) suspension, for a fixed period (from one month to one semester), or revocation of the scholarship or financing, as the case may be, granted from the institution's own sources;
  - d) denial, for a fixed period (from one semester to one academic year), of the access to scholarships or financing, as the case may be, granted from the institution's own sources;
  - e) denial of the access, for a fixed 1-year period, at the most, or for an indefinite period, in the student dormitories;
  - f) expulsion.
- (5) The types of sanctions for the infringement of the academic ethics and deontology rules by the postdoctoral researchers, are:
  - a) written warning;
  - b) annulment of the evaluation results;

- c) suspension, for a fixed period (from one month to one semester), or revocation of the financing granted from the institution's own sources;
- d) denial, for a fixed period (from one semester to one academic year), of the access to the financing granted from the institution's own sources;
- e) denial of the access, for a fixed 1-year period, at the most, or for an indefinite period, in the student dormitories;
- f) termination of the labour contract and notification of the financier, if the financing is granted from other sources than the institutional ones.

The Charter was adopted in the meeting of the Senate of Transilvania University of Braşov on 11.06.2025.

RECTOR

Prof. Eng. Ioan Vasile Abrudan, PhD



PRESIDENT OF THE UNIVERSITY SENATE,

Prof. Eng. Mircea Horia Tierean, PhD

A blue ink signature of Prof. Eng. Mircea Horia Tierean, PhD.