



## THE BABES-BOLYAI UNIVERSITY ETHICAL CODE

### Objective

**Art. 1.** The purpose of the present Code is to guide the demeanor of all members in the University community within the University and in their relation with it.

The ethical code operates as a moral contract between the members of the university community and the university community as a whole, enhancing the cohesion of its members, creating a cooperation and competition based climate and reinforcing the University prestige.

No disposition of the present Code is to be interpreted in terms of limiting rights entitled by means of law or by the collective employment contract.

### Fundamental principles

**Art. 2.** The present Code is based on the following fundamental principles: academic freedom, competence, integrity, comradeship, loyalty, responsibility.

### Academic Freedom

**Art. 3.** Academic freedom refers to the right owned by every member of the academic community to state freely his/her scientific and professional opinions in courses, seminars, conferences, debates but also in their published or lectured writings.

Any member of the academic community can state freely within or outside the University his/her opinions based on his/her professional competence without being submitted to any censorship. One encourages the critical approach, intellectual partnership and cooperation regardless of the political opinions or religious beliefs of those in question.

**Art. 4.** Academic freedom also implies at the same time respecting the others' academic freedom in all its components.

**Art. 5.** One will not accept within the academic freedom or academic area:

- political propaganda taking place within the University or in relation to the acts of the University.
- religious proselytism;
- promoting doctrines or ideas of racist, xenophobic, nationalistic, fascist, communist nature;
- defamation of the University by the members of the academic community;
- personal attacks or defamatory affirmations directed at other members of the academic community;

### Competence

**Art. 6.** The University creates a favourable atmosphere for competence and competitiveness. The University supports the development of academic programmes at high standards, which are liable to trigger an evolution

in knowledge, preparing exquisite specialists and enhancing the research prestige.

The University encourages and rewards the scientific, professional, pedagogical, managerial and administrative excellence.

**Art. 7.** Each member of the academic community takes the responsibility for the quality of the educational process.

Any academic must be highly conversant with the discipline he/she teaches, making sure that the entire content of the respective course is up to date, representative and adequate for the position held by the discipline in the educational plan. Therefore each academic must stay informed regarding the content of the courses included in the curriculum before or after his/her course and related to it.

The scientific arguments between the academics mustn't affect the students' preparation and results.

**Art. 8.** Any academic must allocate special attention to preparing and delivering the courses he/she was assigned, elaborating, preparing or providing the students with the necessary teaching materials for the course, seminar or lab, holding the established consultations, supervising and advising the elaboration of papers (projects, diploma papers or dissertations) by students, assessing and communicating the results in due time.

**Art. 9.** At pedagogical level, being competent refers to choosing the most adequate ways of dealing with each theme in the syllabus, communicating the course objectives, and choosing the appropriate assessment in accordance with these objectives.

It is also important to adapt the teaching manner to the requirements and level of the course.

**Art. 10.** Breaching of the competence principle include the following:

- assigning courses, seminars or lab projects to individuals who do not meet the adequate level of knowledge;
- spending a major part of the time allocated for the course or seminar with discussions that are not related to its topic;
- the intentional erroneous interpreting of research results with the purpose to found a theory the respective person supports;
- compelling the students to adopt exclusively the academic's point of view or the refusal to discuss different points of view regarding the same issue when arguments are offered;
- if the appointed academic in a fundamental course approaches only a portion of the subject matter, respectively only the aspects he/she is personally interested in;
- choosing ways of examination that do not meet the course objectives (e.g. setting tasks that require only to memorize data while the course objective is to acquire the necessary abilities to solve specific problems);
- not giving the student the chance to prepare himself in order to achieve the competences required by the course objectives and evaluated in the final examination;
- breaking the obligations mentioned in art 7-9.

## **Integrity**

**Art. 11.** The integrity of the academic community is essential to the functioning of the teaching and research activity in best conditions. Every member of the academic community must seek to avoid any situation that could be liable to shed doubt over its integrity, first and foremost being disputes over coinciding interests.

**Art. 12.** One can talk about a dispute over a coinciding interest when the personal interests of a member in the academic community (academic, student, member of the administrative body) clash with the obligations inherent to his/her position or by their nature can affect the independence and impartiality which are required in order to meet these obligations.

**Art. 13.** Concerning the teacher-student relationship, the following constitute a breaching of the obligation for integrity:

- demanding or accepting any favours of any kind, of sexual nature inclusive;
- demanding or accepting gifts or other material gains;
- lending or borrowing money between teacher and students;
- teacher providing remunerated services for the student, his/her spouse or up to a second degree relative;
- obtaining special favours from the student or his/her relatives up to second degree inclusive.

**Art. 14.** Teacher evaluating a spouse or a relative up to the third degree or another person with whom, the deciding part shares a similar affective relation is liable to give the other students the impression of favouritism. To avoid this situation one must accept the following:

- when other academics with the same speciality exist, the academic in question should make a statement of forbearing and the evaluation of the student would therefore be carried out by another academic, appointed by the head of department or by the dean, depending on the situation;
- if the replacement is not possible, another academic of the closest related speciality shall be appointed to assist the holder of the discipline while evaluating the student in question.

It is forbidden to bring in any examination commission within the University a person who is in the situation discussed in paragraph 1 with one of the candidates. Given the situation in which the incompatibility was not known when the commission was assigned, the academic in question must pass and request his/her replacement in the commission.

It is forbidden that a doctoral advisor should accept to coordinate a doctoral student that shares with him/her the type of relation mentioned in paragraph 1.

**Art. 15.** In the scientific research activity, integrity involves the following:

- a. accepting and mentioning as authors of a certain work only the persons who factually participated in its achievement.
- b. indicating the source of an idea, expression or result of a previous research, regardless of their having been published or not. This rule also applies for issues taken from any type of papers belonging to students or doctorate students and used subsequently by an academic in his/her own research.
- c. admitting explicitly the contribution of any person who participated actually in a research activity. In the situation when the contribution consisted only of supervising or counselling, it is not required a formal recognition of the person's contribution. In such cases though including an appreciation message is recommended.
- d. strictly respecting the destination of the funds allocated for a research project. The sources providing the necessary money for a research shall be mentioned in the publications the results of the research led to.
- e. respecting the ethical special codes regarding the research that involves human subjects or animal oriented experiments, and any other elements that are related to the research ethic.

**Art. 16.** The following constitute research ethic breaches:

- plagiarism;
- failing to admit either by mentioning as author of a work, or by indicating the source or the contribution of a third party in issuing a work;
- compelling the authors of a work to mention as authors persons that did not participate in its creation;

- channelling the research activities of the students, masterate students, and doctorate students with the purpose of achieving a personal advantage for the advisor. This happens when an academic imposes one or several research themes that are meant to serve a personal research project, the preparation of a conference or article, or is to be used for a private endeavour.
- breaching the other rules mentioned in art. 15.

**Art. 17.** In the administrative activity, integrity involves the following:

- the correct development of all the procedures of selection, election or appointing the personnel that undertakes administrative responsibilities. It is forbidden to receive, accept, solicit, give or offer money, possessions or any other gains or favours in exchange for supporting the access to an administrative position.
- fulfilling earnestly and to the advantage of the University any administrative responsibility. Using an administrative position to obtain personal benefits of any nature constitutes a breach of the obligation for integrity.
- when an administrative responsibility is handed over, the former holder of the position will offer the new holder of the position all the instruments, information and items up to date that are required for immediately taking over the responsibility in question.
- if, for any reason, a person is no longer able to comply adequately with the administrative duties he/she was assigned, the person in question must bring the situation to the knowledge of his/her superiors.

**Art. 18.** Other than the situations mentioned above, one speaks of existing or prefiguring conflicting interests when:

- a person decides to offer an award or a distinction to someone who is his/her spouse or a relative up to the third degree or another person with whom, the deciding part shares a similar affective relation.
- a position is put up for a job selection to be occupied by a person that has the type of relation mentioned in paragraph **a.** with the head of department or section the job is ascribed to or with another member that can influence decisively the outcome of the job selection.
- a person holds several positions within the University and the interests he/she must meet for every one position do not converge.
- a person within the University hires or participates in the contractual hiring of the institution he/she manages in favour of a company owned exclusively or partially by someone with whom he/she is in one of the relations mentioned in paragraph **a.**;
- a student is hired for a company owned by the examiner academic or one of the persons as mentioned in paragraph **a.**

**Art. 19.** In any situation of conflicting interests the person involved must inform, preferably in writing, his/her hierarchical superior about the existing conflicting interests and abstain from getting involved in taking any decision that would grant or be susceptible of serving a personal interest.

### **Comradeship**

**Art. 20.** The activity within the academic community implies the collaboration between its members displaying comradeship and mutual respect.

Comradeship implies the following:

- courtesy and respect towards every one member of the academic community. The breaching of this obligation by someone does under no circumstance give the harmed party the right to adopt a similar demeanour;
- the obligation that the members of the academic community have to assist each other with colleague substitution, offering support in the teaching and administrative activity, cooperating in their earnest in projects that require the participation of several persons;
- mutually respecting the linguistic, religious, social differences among the members of the academic community;
- empathy, respect and support for the people with disabilities;
- obligation to keep the confidentiality concerning the data and information transmitted from a member of the academic community to another member as such. Regarding a student's school results, the obligation to confidentiality operates within the limits established by the decision of the Senate in dealing with the Law concerning the personal data protection.

**Art. 21.** Breachings of the comradeship principle include the following:

- discrimination, gender, ethnic or any other form of harassment, exerting physical or psychological violence, offending language or authority abuse towards a member of the academic community, regardless of his/her position within the University (student, academic, member of the University managerial board, member of the administrative staff);
- encouraging or tolerating such behaviour as described here by the management of the faculties, branches, departments or administrative sections;
- discrediting unjustly a colleague's ideas, hypotheses or research results;
- making unconsiderate comments in front of the students on a colleague's professional training, moral conduct or aspects regarding his/her personal life;
- advising students not to attend a colleague's course out of aversion;
- repeatedly filing obviously unfounded complaints or accusations regarding a colleague;
- making use of or divulging in the teaching or research activity information confidentially entrusted by another colleague (personal data, life experience, etc);
- discussing with other students the school, social or medical situation of a student.

**Art. 22.** In matters of students examination, the comradeship implies offering students prior and detailed information regarding the objectives and requirements of the course and the evaluation methods and periods. Therefore:

- at the beginning of every semester each course holder will display or hand out to students a course theme comprising the theme of each lecture, compulsory and optional bibliography, further specification regarding the examination method and the evaluation basis;
- the courses and the seminars will cover the entire theme required for the examination;
- students' knowledge is evaluated continuously throughout the semester and through a final evaluation at the end of the semester during the exam session. The scheduled ongoing evaluation during the semester will be communicated at the beginning of the semester;

- after the examination the marking standard will be posted at the very least altogether with the examination results. at student's request the examining academic will present the student with his/her paper and explicitly account for the given mark by referring to the posted marking standard.

## **Loyalty**

**Art. 23.** Loyalty towards the University implies the obligation on part of each member of the academic community to take action in the interest of the University, to support its objectives, strategies and policies with the object of achieving its

**Art. 24.** Breachings of the loyalty obligation include the following:

- engaging in activities that are meant to result in the loss of patrimonial or un-patrimonial rights legally acquired by the University;
- performing teaching or research activities in other universities or institutions that compete with those organized by the University;
- advising students during teaching activities to abandon the courses offered by the University in favour of another teaching institution;
- engaging in activities outside the confines of the University, which affect significantly the time allocated for teaching and research duties within the University by the person in question;
- engaging in activities that are meant to discredit the University or seriously harm its image and prestige.

## **Responsibility**

**Art. 25.** The responsibility for respecting the present Code is a duty of each and every member of the academic community.

The status of being a member in the academic community imposes upon each member to take the responsibility for his/her actions or omissions.

Breaching the stipulation of the present Code will result in disciplinary action in accordance with the Law no 128/1997 dealing with the University Employment Code and internal regulations.

### **Procedural rules**

**Art. 26.** The body in charge to supervise that the stipulations of the present Code are applied is the Ethics Commission of the Babes-Bolyai University, which is established and functions under the authority of the Senate.

**Art. 27.** The Ethics Commission is appointed by the Senate for the term of its mandate and consists of 9 members as follows:

- four representatives for the teaching academics, all languages of study being represented;
- two representatives for the non-didactic and auxiliary didactic staff;
- head of juridical office;
- two representatives for the students.

The General Chancellor of the University is present in the Commission's meetings in an advisory capacity. Based on the vote of the majority the Commission elects a chairman for the term of its mandate.

The secretarial activities of the Commission are provided by the General Secretary of the University.

**Art. 28.** The Ethics Commission has the following responsibilities:

- providing or, if required, modifying and appending the University Ethical Code;

- examining the notifications regarding the breachings of the university ethics;
- elaborating notes regarding the ethical aspects implied by the University internal regulations;
- presenting the University Senate with annual reports.

**Art. 29.** The Commission may be notified in writing by any individual, body or unit that observed a breaching of the ethical rules in case of any member of the academic community. The Commission can also take notice on its own accord.

The notice will explicitly indicate the name of the person culpable for the breaching, the name of the claimant and the deeds imputed to the person in question.

The notices will be filed at the registry of the University or put in the boxes meant for suggestions and notices. The Commission can decide not to pay attention to anonymous notices.

**Art. 30.** Any person that holds a managerial position in the University and who receives a notice regarding the breaching of the ethical rules must send it to the Ethics Commission for examining.

**Art. 31.** Following the notice the Commission will summon the person or the representative of the body that filed the complaint and the accused person.

The Commission may decide to summon for the hearing, on the request of the parties or on its own accord, any person who might hold information that is necessary to settle the cause. The identity of the persons will remain confidential on their request.

The hearings will be held in a secret meeting and the members of the commission must not divulge the secret hearings and deliberations until the final report is issued.

**Art. 32.** Following the underlying investigation the Commission will issue a report. When the accusations are partially or entirely confirmed, the report is submitted to the Rector's office suggesting the measures that are to be taken.

When the accusations are not confirmed the report stays with the Commission. A copy of this report can be handed over to the accused party on request.

In either situation the person who filed the complaint will be informed of the investigations result by issuing a copy of the report.

### **Final and transitory dispositions**

**Art. 33.** The present Code comes into operation the moment it is sanctioned by the University Senate on. Coinciding with this date any contradicting dispositions within University regulations will be abrogated.