



**BUCHAREST UNIVERSITY OF ECONOMIC STUDIES**

# **CHARTER**

## **Bucharest University of Economic Studies**

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## Chapter I - IDENTITY ELEMENTS

- Art. 1.** (1) The official name of the University in Romanian is *Academia de Studii Economice din București* (ASE). The official name in English is: *Bucharest University of Economic Studies*.
- (2) ASE was established under Royal Decree no. 2978 of April 6, 1913, published in Official Gazette of the Kingdom of Romania no. 12 of April 13, 1913, by means of which King Carol I promulgated the Law establishing the Academy of High Commercial and Industrial Studies.
- (3) ASE's Headquarters is in *Romania, Bucharest, 6 Piata Romana, district 1*. Official website: *www.ase.ro*.
- (4) ASE is a legal entity, a nonprofit organization, of public interest, independent of ideologies, religious denominations and political doctrines, in keeping with free thinking tradition, academic freedom, recognition of fundamental human rights and freedoms, and with the supremacy of law.
- (5) ASE is accredited by the Romanian Agency for Quality Assurance in Higher Education, which has granted a *High Confidence Rating* to our University.
- (6) ASE's Anniversary is celebrated annually on April 6.
- (7) The identity elements - the official name and the abbreviations ASE and A.S.E. are registered with the State Office for Inventions and Trademarks (OSIM); therefore they represent ASE's property and may be used only in conformity with the law.
- (8) Elements of identity: seals, flags, hymn, ceremonial dress (robe and toque) and the following logos:



## Chapter II - UNIVERSITY MISSION AND VALUES AND FUNDAMENTAL PRINCIPLES

**Art. 2.** ASE operates under the Constitution of Romania, under national legislation and internal regulations.

**Art. 3.** As regards its organization and operation, ASE applies the following fundamental principles:

- a) academic autonomy;
- b) academic freedom;
- c) student-centered education;
- d) appreciation of academic staff's status as educators and trainers;

- e) public accountability and social responsibility;
- f) quality assurance;
- g) compliance with equity;
- h) managerial effectiveness and financial efficiency;
- i) transparent decision-making;
- j) subsidiarity;
- k) observance of the rights and freedoms of the members of the academic community;
- l) partnership with representative bodies from the institutional, business and social environment;
- m) independence from ideology, religion and political doctrines;
- n) freedom of national and international mobility of the members of the academic community;
- o) consultation with social partners for decision-making purposes.

**Art. 4.** The **Bucharest University of Economic Studies** aims to be recognized as one of the leaders of higher education and research in the fields of Economic Sciences, Business Administration, Information and Communications Technology, Administrative Sciences, Juridical Sciences, Philology and Sociology in Central and Eastern Europe, and to contribute to the development of smart, competitive and sustainable economy and of efficient public administration.

**Art. 5.** (1) The **Bucharest University of Economic Studies** undertakes the mission to train future generations, to contribute to the development of high quality research, to forming the elites of the social and economic environment and to develop advanced competences in the fields of Economic Sciences, Business Administration, Information and Communications Technology, Social Sciences, Administrative Sciences and Juridical Sciences necessary to support the development of competitive society and economy, by means of its:

- a) educational mission: training students to think critically and constructively in ways that combine an integrative, systemic and future-oriented perspective with detailed and in-depth exploration;
- b) research mission: contributing to the creation, improvement and application of knowledge, stimulation of creativity, encouragement of innovation and solving of concrete economic and social problems;
- c) community mission: cooperation with the local, national and regional community the University is part of, based on awareness of the challenges facing it and volunteering solutions to mitigate these challenges and contribute to the progress of the community in the age of technology and globalization.

(2) To fulfill its mission, the Bucharest University of Economic Studies ensures:

- a) a diversified, innovative and flexible portfolio of Bachelor's, Master's and Doctoral study programs, and a learning environment that stimulates creativity;
- b) the development of advanced scientific research in the field of Social Sciences, Economic Sciences, Business Administration, and Information and Communications Technology, and the creation of ideas and theories that contribute to a competitive and sustainable economy;

- c) a portfolio of creative and innovative services for the economic and social environment, that contribute to the progress of society at economic, social and cultural level;
- d) a competitive academic management that stimulates and develops the cognitive, emotional and spiritual capital of the members of ASE's academic community;
- e) a student-centered educational process;
- f) a long-standing and consolidated relationship with its ALUMNI;
- g) the joining of and integration into international educational, research and development and innovation networks;
- h) the proper conditions for promoting national and international partnerships;
- i) the development of an innovation-based entrepreneurial culture;
- j) the logistical and professional conditions for the continuing professional development of adults;
- k) a transparent institutional management;
- l) the strengthening of the academic community spirit.

**Art. 6.** The values that define the work of all members of the academic community in accomplishing ASE's vision and mission are:

- a) **professionalism** – orientation towards excellence, rigorousness in the conduct of academic activities;
- b) **responsibility** – accountability, ensuring credibility, accepting the consequences of one's actions;
- c) **integrity** – devotion to truth, honesty, fairness and honor, as per the Code of Ethics and Professional Conduct;
- d) **dedication** – passion and enthusiasm in conducting educational and research activities;
- e) **loyalty** – commitment to the elements defining the University's organizational culture;
- f) **trust** – the ability and courage to believe in oneself and in one's capacity for success.

### **Chapter III - THE ACADEMIC COMMUNITY**

**Art. 7.** (1) The academic community consists of students, trainees, postdoctoral researchers, academic and research staff, auxiliary academic staff.

(2) Membership in the academic community can be gained, according to the law, to the present Charter and to internal regulations, if the person requesting it meets the appropriate legal conditions demanded by the desired status.

(3) Personalities from Romania and from abroad who hold or acquire honorific degrees awarded by ASE Bucharest are considered members of the academic community of the University.

(4) Members of the University's academic community must cooperate to fulfill ASE's mission and strategic objectives and to promote the identity and prestige of the University.

**Art. 8.** The academic community is structured as follows:

- a) students – from all Faculties, all Bachelor's, Master's or Doctoral study programs, in and off

- campus, all years of study, series and study groups;
- b) post-doctoral researchers – from Doctoral schools, projects, thematic areas and tutors;
- c) trainees – from all postgraduate training programs and professional development programs;
- d) academic and research staff – from all departments, divisions, research centers or research institutes;
- e) auxiliary academic and research staff – from all divisions, departments, bureaus and offices.

**Art. 9.** The management structures in ASE promote the values of social dialogue with the representative unions of academic and research staff members, as well as of non-teaching staff, as follows:

- a) participation of union representatives – as permanent guests – in meetings of ASE’s management structures;
- b) negotiation of the collective agreement;
- c) participation of union representatives – with a consultative role – in the elaboration of the University’s internal regulations;
- d) ensuring the presence of union and staff representatives in the collective bargaining with ASE;
- e) amicable settlement of labor conflicts, by means of negotiations among the two parties involved;
- f) supporting union actions, in conformity with relevant legislation, with a view to developing the staff members’ personal careers and to enforcing the staff’s professional status;
- g) consulting unions with regard to the improvement of the work environment and climate;
- h) participation in the establishment of criteria for rewarding professional accomplishments and the like.

**Art. 10.** (1) The status of student, postdoctoral researcher or trainee is obtained as a result of passing an admission exam, after the issuance of the decision of registration and the signing of a study contract.

(2) The status of student is attributed to people who attend Bachelor’s Master’s and Doctoral study programs.

(3) The status of postdoctoral researcher is attributed to those who have obtained a PhD degree and have been admitted to an advanced postdoctoral research program offered by ASE, according to the legislation.

(4) The status of trainee is attributed to people who attend a postgraduate continuing training and professional development program, or a professional training program.

**Art. 11.** (1) The teaching and research staff may hold a tenured or a collaborative position.

(2) The tenured staff represents the academic and research staff that have been recruited indefinitely by ASE as a result of a public selection process or a promotion exam, including the teaching staff who keep the respective positions after reaching the retiring age, according to the law, and the academic staff members with reserved positions, in conformity with the laws in force.

(3) To be an academic or research staff member, one must meet certain requirements stipulated by the law, have full capacity of exercising their rights, as well as a moral conduct in line with professional deontology, and be medically and psychologically apt to perform their duties.

(4) The status of the staff hired for a definite period of time is that of consulting teacher or associate researcher.

(5) The teaching positions are: assistant lecturer, assistant professor, associate professor and professor.

(6) The research positions are: research assistant, scientific researcher, 3<sup>rd</sup> degree scientific researcher, 2<sup>nd</sup> degree scientific researcher and 1<sup>st</sup> degree scientific researcher.

(7) ASE can employ consulting teaching staff for the positions of: assistant lecturer, assistant professor, associate professor and professor, as well as associate research staff for the positions of 3<sup>rd</sup> degree scientific researcher, 2<sup>nd</sup> degree scientific researcher and 1<sup>st</sup> degree scientific researcher.

**Art. 12.** Research and academic positions may be equated as per the legislation in force.

**Art. 13.** The duties of the academic and research staff, of the auxiliary academic and non-teaching staff are detailed in individual job descriptions, approved by the hierarchical superior and sanctioned by the Rector. Individual job descriptions represent an appendix to individual employment contracts.

#### **Chapter IV - ACADEMIC AUTONOMY AND PUBLIC LIABILITY**

**Art. 14.** Academic autonomy is guaranteed by the Constitution of Romania and consists in the academic community's right to establish its own vision, mission, strategy, structure, organization, functioning and resource management.

**Art. 15.** ASE's academic autonomy is exercised cumulatively through:

- a) institutional and functional autonomy;
- b) financial and administrative autonomy;
- c) teaching and scientific autonomy.

**Art. 16.** (1) ASE's **institutional and functional autonomy** implies the responsible enforcement of rights and obligations stipulated by law, the current Charter and ASE's own regulations and methodologies, by all the legally established management structures of ASE and by the members of the academic community.

(2) Institutional autonomy is reflected by the following rights granted to the academic community:

- a) to elect managerial structures and positions and the people that can fill them in;
- b) to elaborate its own regulatory and institutional framework, in keeping with the legislation in force;
- c) to select the members of the academic community.

(3) ASE's functional autonomy is reflected by its right:

- a) to establish, decide upon and develop its own organizational structures, in keeping with the law;
- b) to decide upon curricula in keeping with the best national and international practices in the field;
- c) to establish the payrolls in keeping with the curricula and financial resources, according to the law;

- d) to confer academic and scientific titles, in keeping with the law;
- e) to set priorities for teaching and scientific research activities;
- f) to initiate and develop national and international partnerships;
- g) to facilitate national and international mobility for the members of the academic community;
- h) to publish teaching materials, treatises, compendia, to edit journals or other scientific works;
- i) to initiate and carry out any other activity according to legal provisions and international agreements.

**Art. 17.** ASE's **financial and administrative autonomy** is reflected by its right to decide upon:

- a) the elaboration of its own income and expenditure budget;
- b) the transparent use of material, financial and human resources at its disposal;
- c) the generation of own resources from scientific research, specialized consultancy activities or provision of services to the community;
- d) the level of fees, in keeping with the legal provisions;
- e) the attainment of investment objectives or the carrying out of endowment operations so as to ensure the fixed assets and stock items necessary for creating the best conditions for the carrying out of professional and scientific activities;
- f) the carrying out of financial and banking operations required by the implementation of national and international partnerships;
- g) the acceptance of donations and legacies, in keeping with the law;
- h) the affiliation to national and international organizations in the field;
- i) the granting of scholarships and other forms of support to ASE's students;
- j) the signing of sponsorship contracts with public or private entities;
- k) the administration of the academic campus and the entire patrimony, according to its own necessities;
- l) the establishment of its own production or service provision units that could generate income or other benefits, in keeping with the law and the provisions of the current Charter.

**Art. 18.** (1) ASE's **teaching and scientific autonomy** implies the enforcement of all responsibilities that can lead to offering study programs compatible with national and international programs, and to the University's international visibility.

(2) ASE's teaching autonomy is reflected in the right of ASE's functional structures to decide upon:

- a) the establishment, reorganization or dissolution of Faculties, Departments, specialization tracks, undergraduate, graduate or postgraduate study programs, in keeping with the law and the provisions of the current Charter;
- b) the content of study programs as reflected by the curricula, discipline sheets and other curricular documents;
- c) the management of teaching activities and objectives, in keeping with the Code of Practice for Quality Assurance;



- d) the criteria for admission to the study programs included in the educational offer, and the means of organization of ongoing training and development activities;
  - e) the quality evaluation standards in education (for study programs and academic and research staff);
  - f) the establishment of specific criteria for the selection, recruitment and promotion of the academic and research staff, in conformity with the law;
  - g) the participation in international education programs;
  - h) the issuance of degrees, and completion and other certificates.
- (3) ASE's scientific autonomy is reflected by its right:
- a) to initiate and carry out scientific research, innovation and technological development programs;
  - b) to ensure the conditions for the participation of the members of its academic community (individually or in teams) in national and international competitions for obtaining research grants;
  - c) to edit its own scientific publications and hold its own publishing house;
  - d) to establish institutes, centers, laboratories and research teams;
  - e) to participate in the activities of national and international scientific organizations;
  - f) to evaluate, on the basis of specific criteria, the scientific research activity of the members of the academic community and to adopt appropriate measures.

**Art. 19.** The University's public liability presupposes:

- a) observing national and European public policies, the laws in force in the field of education and scientific research, as well as the provisions of the current Charter;
- b) applying regulations in force in the area of higher education quality assurance and monitoring;
- c) observing the ethical principles in ASE's Code of Ethics and Professional Conduct;
- d) ensuring the efficiency of the management process including resource management;
- e) ensuring the transparency of all decisions adopted and all activities carried out;
- f) respecting the rights and freedoms of the members of the academic community.

## **Chapter V - ACADEMIC FREEDOM AND PROFESSIONAL CONDUCT**

**Art. 20.** (1) Academic freedom is manifested as:

- a) the right of the members of the academic community to freely produce, obtain, develop and transmit knowledge through research, debates, teaching, reading or publishing. Professional and scientific results obtained at home and abroad will be acknowledged by ASE;
- b) the right to select the members of the University's academic community, in conformity with the law, as well as with ASE's internal regulations;
- c) the right to research any topic which generates professional and scientific interest, provided that ethical norms and specific codes of conduct are observed;
- d) the right to ensure specialized consultancy, to participate in project management and business

- incubators;
  - e) the right of the members of the academic community to freely express their opinions regarding professional and scientific issues;
  - f) the right of the members of the academic community to associate in order to protect their social and professional interests;
  - g) the access of the members of the academic community to the University premises, during the established working hours and in conformity with the University's regulations.
- (2) On the University premises, it is permitted to carry out only those activities stipulated by the law in force and by internal regulations.
- (3) Management and public positions can be cumulated with teaching and research positions, in conformity with the law.

**Art. 21.** The professional code of conduct presupposes:

- a) assuming all the obligations that stem from the staff's status, professional position, administrative role, professional and scientific competence and authority;
- b) dignity, awareness of one's duties, moderation, tact, solidarity, diligence, correctness, loyalty, behavior that ensures a good reputation of the members of the academic community.

## **Chapter VI - STUDY PROGRAMS**

**Art. 22.** Study programs represent groups of curricular units of teaching, learning, research, practical applications and evaluation activities, organized in such a way that they lead to the obtaining of higher education qualification attested by means of the respective diploma and diploma supplement..

**Art. 23.** (1) ASE organizes graduate and postgraduate study programs, as well as graduate and postgraduate academic staff training programs to certify teaching competences, and adult professional training programs.

(2) Graduate programs are divided in three cycles: Bachelor's, Master's and Doctoral studies.

(3) The graduate and postgraduate academic staff training programs meant to certify teaching competences are divided in two levels: Level I, carried out throughout the Bachelor's cycle, and Level II, carried out after one obtains the Bachelor's diploma; both levels are also provided as postgraduate courses.

(4) Postgraduate studies are organized as advanced research postdoctoral programs, postgraduate programs, and adult professional training programs.

(5) Adult professional training programs are represented by initiation, training, retraining, development and further specialization programs.

**Art. 24.** (1) Graduate study programs may be organized as:

- a) full time/ on campus programs – in the case of Bachelor's, Master's and Doctoral studies;
- b) part time programs – in the case of Bachelor's and Master's and Doctoral studies;

c) distance education programs – in the case of Bachelor’s studies.

(2) Admission to ASE’s study programs is organized in accordance with its own relevant methodologies adopted by the University’s Senate, in conformity with the laws in force. Foreign citizens from other European Union Member States, from states pertaining to the European Economic Community and to the Swiss Confederation go through the same admission process as Romanian citizens.

(3) The organization and the prerequisite conditions for the unfolding of the postgraduate and adult professional training programs are established through internal regulations and methodologies and made public, in conformity with the laws in force.

**Art. 25.** (1) A study program presupposes students’ acquiring a specific number of transferrable credit units.

(2) Transferrable credit units represent the volume of assisted and/ or independent intellectual work, necessary for the completion of a certain subject in a study program, completed by the validation of the learning outcomes.

(3) The allocation of credit units is done in accordance with the methodology for the European Credit Transfer and Accumulation System (ECTS).

(4) The number of transferrable credit units corresponding to each subject is listed in the curriculum of each study program.

(5) The number of transferrable credit units is referred to and taken into account by ASE in the process of recognition of study programs or study periods previously completed in conformity with the law, in the same fundamental domain, with a view to recognizing study program equivalence, to transferring credit units and to allowing students to continue their studies.

(6) The number of transferrable credit units corresponding to each study program, the conditions that need to be fulfilled in order to obtain them, the recognition of previously obtained transferrable credits and previous studies, and the criteria for students’ passing to the next academic year are all established through regulations approved by the University’s Senate.

(7) Students may participate in summer schools and volunteering activities for which they can obtain a number of transferrable credit units. The number of transferrable credit units is approved by the University’s Senate.

**Art. 26.** The structure of the academic year is adopted by the University’s Senate, in conformity with the laws in force.

**Art. 27.** (1) The curricular documents of a particular study program are the curriculum and the discipline sheets, as well as other curricular documents stipulated by legislation in force.

(2) The structure of curricular documents is established through specific methodologies, approved by the University’s Senate, in conformity with the laws in force.

(3) The curriculum is elaborated at Faculty level, sanctioned by the Faculty Board and the Board of Trustees, and approved by University’s Senate, and it contributes to students’ obtaining the desired qualification by listing all the curricular components completed during a study program.

- (4) Each subject listed in the curriculum must have a corresponding discipline sheet or syllabus.
- (5) The discipline sheet or syllabus is elaborated at Department level and it specifies the effort content corresponding to the number of transferrable credit units, the competences it contributes to developing, curricular content and evaluation form.
- (6) The discipline sheet is elaborated before the beginning of each academic year and cannot be altered in the course of the respective academic year.

- Art. 28.** (1) The qualifications obtained by the graduates of ASE's study programs are certified by diplomas, certificates or other degrees, in keeping with the law in force.
- (2) The degrees and certificates issued by ASE are official, security printed, documents, which certify studies undertaken and acquired titles or qualifications.
- (3) In the case of study programs organized in cooperation with another university, degrees are released in conformity with national regulations and observing the requirements of inter-institutional agreements.
- (4) In keeping with the law, the degrees released by ASE for the same study program are equivalent, regardless whether the student graduated from a full-time/ part-time/ distance education program.

## **Chapter VII - THE ORGANIZATION OF THE TEACHING AND RESEARCH PROCESS**

- Art. 29.** (1) To ensure a proper teaching and research process, ASE is structured into Faculties, Departments, Doctoral and Postdoctoral Schools, Postgraduate Schools, research institutes and centers, the Center for distance and part time learning, service provision units, business incubators and other structures meant to facilitate the generation and transfer of knowledge.
- (2) To provide technical and administrative services, with a view to meeting the objectives established in strategic plans and operational programs, ASE also holds: a library, a publishing house, a printing house, museums, recreation and social facilities, sports units, as well as technical and administrative departments.
- (3) The establishment, functioning, dissolution and responsibilities of the structures mentioned in paragraphs (1) and (2) are based on legislation in force, and are regulated according to a Regulation for Organization and Operation put forth by the Board of Trustees and approved by the University's Senate.
- Art. 30.** (1) The Doctoral study programs are organized by accredited or provisionally authorized Doctoral Schools, structured according to fields of study.
- (2) The executive management of a Doctoral School is ensured by a Director (with a similar status as a Head of Department), whereas deliberative and decisional management is ensured by the Doctoral School Board, which is organized and operates in keeping with legislation in force, having a similar status with a Department Board.
- (3) Doctoral study programs may be undertaken as part of a Doctoral School and under the

supervision of a scientific advisor. The status of Doctoral scientific advisor is obtained and preserved according to the law.

- Art. 31.** (1) A Faculty is the functional unit which elaborates and manages study programs in one or more domains.
- (2) The establishment, functioning and dissolution of a certain Faculty is proposed and decided upon by the University's Senate, in keeping with the laws in force.
- (3) A Faculty may comprise one or more Departments, Doctoral Schools, Postgraduate Schools or university branches, which are responsible for the organization of various types and cycles of study programs.
- (4) A Faculty's decision-making entity is its Faculty Board.
- (5) A Faculty is represented by its Dean, who is in charge of its management.
- (6) Keeping track of the Faculty's students and their professional situation falls under the responsibility of a secretariate which functions at Faculty level.

- Art. 32.** (1) A Department is the academic functional unit meant to ensure the production, transmission and capitalization of knowledge in one or more specialized domains.
- (2) The establishment, functioning, reorganization or dissolution of a certain Department is proposed by the respective Faculty Board and approved by the University's Senate.
- (3) A Department may comprise research centers, Postgraduate Schools, laboratories, consultancy centers and any other components that facilitate the generation and transfer of knowledge.
- (4) A Department is run by a Head of Department assisted by a Department Board.
- (5) The organization and operation of Departments are established by means of a Framework Regulation adopted by the Senate. In keeping with this Framework Regulation, Departments can elaborate their own Regulations for Organization and Operation which can comprise specific organization details, the responsibilities of Department Boards, the functioning of research centers and other functional aspects.

## **Chapter VIII - THE UNIVERSITY'S MANAGEMENT STRUCTURES**

**Art. 33.** The academic management structures of ASE are: the University's Senate, the Board of Trustees, the Faculties' Boards, the Council for Doctoral Studies (CSUD), the Department Boards and the Doctoral School Boards.

- Art. 34.** (1) The University's Senate guarantees academic freedom and academic autonomy, it represents the academic community and it is the highest decision-making and deliberation forum at University level.
- (2) There are 97 members in the University's Senate.
- (3) The University's Senate consists of representatives of the academic and research staff – 75%, and student representatives – 25%. All the members of the University's Senate, without exception,

will be elected by means of universal, direct and secret suffrage by the entire tenured academic and research staff, or students respectively, in conformity with the principle of representativeness of each Faculty and Department. The number of representatives of each Faculty in the University's Senate is established function of a quota given by the ratio of tenured academic and research staff in the Faculty/ Department to the total ASE tenured academic and research staff in the academic year when the elections take place.

(4) The number of student representatives in the University's Senate is established function of a quota given by the ratio of each Faculty's students to the total number of students registered in ASE, based on a separate methodology.

**Art. 35.** (1) The University's Senate has a term of office of 4 years

(2) A member of the University's academic and research staff can be elected as part of the University's Senate provided they hold a tenured position, and they remain a member of the Senate only for as long as they hold a tenured position in ASE.

(3) An individual can be elected as a student representative in the University's Senate provided that, at the date of candidacy, they are registered as ASE students. They remain members of the Senate for 2 years, if they preserve their status from the election date.

(4) In case vacancies occur in the Senate, they will be filled by individuals from the same organizational structure, to maintain the representativeness of each Faculty, in keeping with the Methodology for Electing the University's Management Structures in force.

(5) The University's Senate is run by a President, elected by direct and secret suffrage by the Senate members. The President of the University's Senate chairs the Senate meetings and represents the Senate before the University's Rector.

(6) The University's Senate convenes for ordinary (usually quarterly) meetings and for extraordinary meetings.

(7) The University's Senate carries out its activity in keeping with its own Regulation for Organization and Operation.

(8) The University's Senate establishes the special committees which control the activity of the University's Rector and Board of Trustees.

**Art. 36.** The University's Senate adopts its own Regulation for Organization and Operation, within maximum 30 days from the time the President of the University's Senate is elected.

**Art. 37.** (1) Within minimum 6 months before the end of its term of office, the Senate in office is obliged to organize a referendum on the method of appointing a new Rector.

(2) Within maximum 60 days from the date of the referendum on the method of appointing a new Rector, the Senate in office is obliged to elaborate and approve the Methodology for Electing the University's Management Structures for the following term of office, such that the election process should be complete before the end of the mandate of the Senate in office.

(3) The Senate in office is considered dissolved on the day of the first meeting of the new Senate.

**Art. 38.** The University's Senate has the following responsibilities:

- (1) it elaborates and adopts the University Charter, following consultation with the members of the academic community;
- (2) it approves the *Strategic Plan for Institutional Development and the University's Operational Plans*, as proposed by the Rector;
- (3) it approves the University's Management Structure and organization, as proposed by the Rector;
- (4) it approves the budget planning and execution;
- (5) it elaborates and approves the academic Code of Practice for Quality Assurance and Code of Ethics and Professional Conduct;
- (6) it approves the Academic Code of ASE's Student Rights and Responsibilities, in conformity with the Code of Student Rights and Responsibilities elaborated in keeping with the law;
- (7) it concludes a management contract with the Rector;
- (8) through its special committees, the Senate controls the activity of the University's Rector and Board of Trustees;
- (9) it approves the list of vacancies for career promotion, following the proposal of the Board of Trustees.
- (10) it approves the nominal list of contest and exam committee members for career promotion vacancies, as well as of appeal committees;
- (11) it approves the equation of academic titles of the members from abroad in the career promotion exam committee with the academic titles of the members from Romania;
- (12) it validates the public contests for filling in the positions in the Board of Trustees;
- (13) it validates the results of the recruitment contests for academic and research staff and the results of the career promotion contests;
- (14) it approves the Rector's proposal for sanctioning the staff with poor professional performance, based on an internal methodology compliant with existing laws;
- (15) it approves a series of regulations and methodologies proposed by the Board of Trustees, the special committees or a third of ASE's tenured academic and research staff, as regards:
  - a) admission to (including the annual Educational Offer), organization, unfolding and completion of undergraduate and postgraduate study programs, as well as professional training programs;
  - b) the filling of academic and research vacancies;
  - c) the awarding of the honorary titles and distinctions;
  - d) tuition fees, deductions and exemptions;
  - e) measures referring to the sanctioning of the staff with poor professional performance;
  - f) the organization and functioning of the University's structures;
  - g) any other aspects related to professional and scientific activities.
- (16) In case the Ministry of National Education decides to revoke the Rector, the University's Senate appoints a vice-rector to represent the University and act as an Authorized Officer;

- (17) The University's Senate approves the establishment, functioning, reorganization and dissolution of teaching and research structures within ASE;
- (18) It approves the establishment of commercial organizations, foundations or associations and the granting of the right to administer and use patrimonial assets;
- (19) On an annual basis, at least three months before the beginning of a new academic year, it approves the structure of the new academic year, the Academic calendar specifying the teaching activities corresponding to each semester, as well as the Regulation regarding the students' professional activities;
- (20) It approves the curricula for each study program;
- (21) It establishes the membership and size of the Electoral Bureau appointed to coordinate the election process for the University's management structures;
- (22) Under special circumstances, it approves the duration for extending a candidate's Doctoral studies program following the proposal of the Board of Trustees, and in keeping with the legislation in force;
- (23) It approves the payroll for academic and research staff, as well as the number of positions for auxiliary teaching and research staff;
- (24) It may decide upon increases in the legally accepted minimum weekly teaching load, in keeping with the quality assurance standards, without exceeding the legally accepted maximum load;
- (25) It approves decreases in the teaching load for staff holding managerial positions within the University, or consultation and control positions within the Ministry of National Education, in conformity with the law;
- (26) Based on the proposals of the Board of Trustees, the Senate approves that the University's tenured staff members conduct teaching or research activities in other higher education or research institutions;
- (27) Based on the proposals of the Board of Trustees, the Senate approves the invitation to ASE for a definite period of time, of highly recognized academics and other specialists in the field from home or abroad, as visiting professors. In the case of specialists without a nationally recognized academic rank, the University's Senate approves the academic rank corresponding to the candidate's performance, in keeping with national standards and the legislation in force;
- (28) It approves staff's sabbatical leave, in conformity with the law;
- (29) It approves the granting of honorary distinctions;
- (30) It approves the student group membership and size, in keeping with the quality standards and the law;
- (31) It approves disciplinary sanctions, in conformity with the law;
- (32) It approves the membership of the disciplinary committees appointed by the Rector for investigating the disciplinary offences perpetrated by members of the academic community;
- (33) It decides upon the expenditure ceilings for the expenses ordered by the Rector only with the



approval of the Board of Trustees;

(34) It establishes the holidays of the members of the academic community, in keeping with the law;

(35) It establishes the number of Doctoral students that can be coordinated by a Doctoral scientific advisor at a given time;

(36) It decides upon any other aspect related to academic activity, in conformity with the legislation in force.

**Art. 39.** The individual requests of the members of the academic community which – according to the law or the University Charter – fall within the responsibility of the University’s Senate, are directly addressed to the latter, in writing, and the President of the Senate will solicit the necessary approval and, in due time, will present them to the members of the Senate during a plenary meeting.

**Art. 40.** (1) The Board of Trustees ensures the operations management of the University and enforces the decisions made by the University’s Senate.

(2) The Board of Trustees consists of: the Rector, the Vice-rectors, the Director of the Council for Doctoral Studies, the Deans, the Chief Administrative Director and a student representative. A representative of the union participates, as an observer, in the meetings of the Board of Trustees.

(3) The Board of Trustees is led by the Rector.

**Art. 41.** The Board of Trustees has the following responsibilities:

(1) It submits proposals to the University’s Senate regarding strategies and policies on areas of interest for the University;

(2) It submits proposals to the University’s Senate regarding the establishment, functioning, reorganization and dissolution of the University’s teaching and research structures;

(3) It elaborates and submits to the University’s Senate regulations and methodologies regarding:

a) admission to (including the Educational Offer), organization, unfolding and completion of undergraduate and postgraduate study programs, as well as of professional training programs;

b) the filling of teaching and research positions;

c) awarding honorary titles and distinctions;

d) tuition fees, deductions and exemptions;

e) recognition and equivalence of study programs or periods attended in Romania or abroad;

f) measures regarding the sanctioning of the staff with poor professional performance;

g) periodical evaluation of the University’s academic and research staff’s performance and results;

h) the use of conventional hours to quantify the various activities in the teaching work load, in conformity with the law;

i) the organization and functioning of the University’s structures;

j) the means of organizing international cooperation activities and the conditions regarding the conclusion of foreign partnership agreements, as well as the criteria for participation in European and international organizations;

k) other aspects related to professional and scientific activities.

- (4) It submits proposals to the University's Senate regarding the initiation of new study programs and the renunciation at study programs that no longer correspond to the University's mission or that are educationally or financially ineffective;
- (5) It establishes the means of cooperation between ASE's management structures and the legally constituted unions representing the academic and research staff, the technical and administrative staff and the student organizations;
- (6) By June each year, it submits proposals to the University's Senate regarding the structure of the new academic year, the Regulation regarding the students' professional activities, as well as the Academic calendar specifying the teaching activities corresponding to each semester;
- (7) It analyzes and submits to the University's Senate for approval the curricula for each study program;
- (8) Under special circumstances, it submits to the University's Senate the scientific advisor's proposal for extending a candidate's Doctoral studies program in keeping with the legislation in force;
- (9) It submits proposals to the University's Senate regarding the student group membership and size, in keeping with the quality and efficiency standards;
- (10) It submits to the University's Senate proposals regarding the payroll for academic and research staff, as well as for the number of positions for auxiliary teaching and research staff;
- (11) It approves the proposals submitted by the Departments for organizing recruitment and promotion contests for teaching and research vacancies;
- (12) It submits proposals to the University's Senate regarding the list of academic career promotion vacancies;
- (13) It validates the nominal list of members in the contest and exam committees for academic career promotion, as well as members in appeal committees;
- (14) It sets the terms and conditions for closing partnership contracts with public institutions or representatives of the business environment;
- (15) It submits proposals to the University's Senate regarding the establishment of commercial organizations, foundations or associations and the granting of the right to administer and use patrimonial assets;
- (16) It submits proposals to the University's Senate regarding staff's sabbatical leave;
- (17) It approves the Rector's proposals regarding the complete medical re-examination of the staff;
- (18) It prepares the annual budget and the balance sheet;
- (19) It approves the financial operations which exceed the expenditure ceilings established by the University's Senate;
- (20) It organizes the public recruitment process for the vacancy of Chief Administrative Director;
- (21) It submits to the University's Senate proposals regarding the membership and structure of the University's Ethics Committee;

- (22) It submits to the University's Senate proposals regarding increases in the legally accepted minimum weekly teaching load, in keeping with the quality assurance standards and the law;
- (23) At the end of each calendar year, it approves the Rector's Report on the overheads derived from research grants and the way they were spent;
- (24) It approves the tenured academic and research staff's requests for unpaid leave taken of the latter's free will for participation in training or research programs in Romania or abroad;
- (25) It fulfills other responsibilities given by the University's Senate, in conformity with the law.

**Art. 42.** (1) The Council for Doctoral Studies (CSUD) is the decision-making body comprised of 17 members, teaching and research staff as well as Doctoral students, and coordinates ASE's Doctoral study programs.

(2) The members of the Council for Doctoral Studies who are academic or research staff members must be entitled to advise Doctoral theses in Romania or abroad, and meet the minimum and compulsory standards for the granting of the habilitation certificate in force at the time of their appointment as members of the Council for Doctoral Studies, approved by Order of the Minister of National Education.

(3) The mandate of the members of the Council for Doctoral Studies lasts for 4 years, whereas the mandate of the Doctoral students lasts for 2 years.

(4) The main responsibilities of the Council for Doctoral Studies are as follows:

- a) It elaborates the institutional Regulation for the Organization and Operation of ASE's Doctoral study programs;
- b) It submits to the Board of Trustees proposals regarding the establishment, reorganization and dissolution of ASE's Doctoral Schools;
- c) It selects Doctoral scientific advisors for newly established Doctoral Schools;
- d) It coordinates the partnerships that ASE's Doctoral Schools are part of;
- e) other specific responsibilities, established by means of the institutional Regulation for the Organization and Operation of ASE's Doctoral study programs, according to the law.

(5) The Council for Doctoral Studies is led by a Director, whose position equates that of a Vice-rector.

(6) The Director of the Council for Doctoral Studies is appointed following a public selection contest organized by the Rector, based on a methodology approved by the University's Senate, in conformity with the Code of Doctoral Studies.

**Art. 43.** (1) The Faculty Board is a Faculty's decision-making and deliberation forum.

(2) The Faculty Board consists of representatives of the tenured academic and research staff – maximum 75%, and student representatives – minimum 25%.

(3) A member of the academic and research staff can be elected as part of the Faculty's Board if they hold a tenured position in ASE, and they remain a member of the Board only for as long as they hold a tenured position in ASE.

- (4) An individual can be elected as a student representative in a Faculty's Board if, at the date of candidacy, they are registered as students at that Faculty, and they remain a member of the Board only for as long as they maintain the status they had at the date of the election.
- (5) The representatives of the academic and research staff are elected by means of universal, direct and secret suffrage by the tenured academic and research staff of the respective Faculty. In order to elect and be elected, the members of ASE's tenured academic and research staff are enlisted on the electoral rolls in keeping with the Methodology for Elections approved by the University's Senate.
- (6) The student representatives are elected by means of universal, direct and secret suffrage by all the students registered for the respective Faculty's study programs.
- (7) In conformity with ASE's Methodology for Elections, partial elections will be organized within maximum 3 months' time from the moment when a vacancy occurs in a Faculty's Board.
- (8) The meetings of the Faculty's Board are chaired by the Dean of the respective Faculty.
- (9) The Faculty's Board convenes for ordinary quarterly meetings and for extraordinary meetings requested by the Dean or by a third of the Board's members.
- (10) The meetings of the Faculty's Board take place only if two thirds of its members are present, and the decisions of the Faculty's Board are made by means of a majority vote obtained from the attendees.
- (11) Each of the Faculty's Board members has the right to cast one vote.
- (12) The Faculty's Board may establish special committees to improve its performance.
- (13) The Faculty's Board has the following responsibilities:
  - a) it proposes strategies and policies on areas of interest for the Faculty;
  - b) it approves the Faculty's Management Structure proposed by the Dean;
  - c) it approves the study programs organized by the Faculty;
  - d) it submits proposals to the Board of Trustees regarding new study programs and the renunciation at study programs that no longer correspond to the University's mission or that are educationally or financially ineffective;
  - e) it annually analyzes and submits to the Board of Trustees proposals regarding the accredited and provisionally authorized Master's study programs;
  - f) it analyzes, sanctions and submits to the Board of Trustees proposals regarding curricula for each study program;
  - g) it controls the activity of the Dean, the Deputy-deans, the Director of the Doctoral School and the Heads of Department and it approves the Annual Report on the Faculty's state of affairs, quality assurance and observance of the University's ethical standards at Faculty and Department level;
  - h) it submits to ASE's Board of Trustees proposals regarding the establishment, reorganization and dissolution of Departments;
  - i) it approves the payroll for academic and research staff within the Faculty's Departments and submits them for approval to the Board of Trustees;

- j) following a Head of Department's proposal, it decides upon increases in the teaching load of academic staff who do not undertake research or equivalent activities, as well as upon exceptional decreases in the staff's teaching load, compensated by research activities, in conformity with the law;
- k) it approves the proposals submitted by the Departments for organizing public recruitment and career promotion contests for teaching and research vacancies;
- l) it approves the recruitment of specialists as visiting professors, if the latter's scientific and professional activity in the field is recognized in Romania or abroad;
- m) it approves the examination and re-examination committees for students' performance;
- n) it approves minimum 2 candidates for the recruitment process organized with a view to filling in the vacancy for Dean of the Faculty, in conformity with the law;
- o) it establishes the disciplinary sanctions, in conformity with Law nr. 1/2011, article 312 paragraph 2 clauses a) and b);
- p) it fulfills other responsibilities established by the University's Senate.

**Art. 44.** (1) A Department's Board is a Department's management structure.

(2) A Department's Board is elected by means of universal, direct and secret suffrage expressed by all the tenured academic and research staff within that Department.

(3) The Department's Board assists the Head of Department in the operations management of the Department. The Department's Board activities will be conducted as stipulated by means of a specific Board Regulation for Operation.

(4) In conformity with ASE's Methodology for Elections, partial elections will be organized within maximum 3 months' time from the moment when a vacancy occurs in the Department's Board.

**Art. 45.** (1) The Doctoral School Board is a Doctoral School's management structure.

(2) The Doctoral School Board is elected by means of universal, direct and secret suffrage of all the members of the respective Doctoral School.

(3) The Doctoral School Board assists the Director of the Doctoral School with the latter's operations management. The activities of the Doctoral School Board will be conducted as stipulated by means of a specific Board Regulation for Operation.

(4) In conformity with its own Regulation for Operation, partial elections will be organized within maximum 3 months' time from the moment when a vacancy occurs in the Doctoral School Board.

## **Chapter IX - MANAGERIAL POSITIONS**

**Art. 46.** (1) ASE's managerial positions are: Rector, Vice-Rector, Director of the Council for Doctoral Studies, Chief Administrative Director, Dean, Vice-Dean, Head of Department and Director of Doctoral School.

(2) The positions under (1) above cannot be cumulated.

**Art. 47.** In case of a managerial position vacancy, partial elections or a public recruitment processes is held, as appropriate, within maximum 3 months from the occurrence of the vacancy, based on the methodology in force at the date the vacancy was filled.

**Art. 48.** (1) The Rector is the legal representative of ASE in relation to third parties, performs the executive duties and is the University's Authorized Officer. The Rector can delegate responsibilities and the capacity as Authorized Officer towards Vice-Rectors, in keeping with their respective portfolios.

(2) The Rector is appointed by the academic community in the manner approved by universal, direct and secret suffrage of all tenured academic and research staff, as well as of the student representatives in the University's Senate and Faculty Boards.

(3) The duration of the Rector's term of office is 4 years.

(4) A person may not be the Rector of the University for more than two full consecutive terms of office.

(5) In case of holding a membership position in the Government or a state secretary position, the Rector is obliged to suspend oneself from office during the time he/she holds the respective dignitary position.

(6) The nominated Rector is appointed by Minister's Order, according to the law.

(7) The appointed Rector concludes an institutional contract with the Ministry of National Education.

(8) For the term of his/her office, the appointed Rector concludes a management contract with the University's Senate, depicting the management performance indicators.

**Art. 49.** The Rector undertakes the following responsibilities:

(1) conducts the operations management of the University;

(2) chairs the Board of Trustees;

(3) convenes the University's Senate in extra-ordinary meetings;

(4) submits ASE's structure and operations regulations for the approval of the University's Senate;

(5) organizes public recruitment processes to select the Deans of the Faculties and issues the decisions on their appointment;

(6) organizes the recruitment contests for the filling of teaching and research vacancies;

(7) annually, submits the draft budget and the report on budget execution for the approval of the University's Senate;

(8) accounts for the good management of the University's assets and their proper financial management;

(9) allocates funds (from the University's resources) to stimulate mainly the best performing Departments and structures;

(10) based on internal assessment, he/she makes proposals to the University's Senate regarding the re-organization or dissolution of low-performing Departments, research centers or institutes, without any prejudice to students or the education or research process;

- (11) signs official documents, degrees and financial and accounting documents prepared and issued by ASE;
- (12) issues decisions on the students' registration system;
- (13) issues written decisions on employing, sanctioning, modifying and ceasing employment for ASE's staff members;
- (14) upon approval from the University's Senate, he/she cancels a certificate or a degree when proved to have been obtained by fraudulent means or in violation of the University's Code of Ethics and Professional Conduct;
- (15) approves the responsibilities of auxiliary and administrative staff, as defined in their individual job description;
- (16) ensures the appropriate organization of recruitment processes to fill the teaching and research positions, as well as academic career promotion contests, in compliance with the University quality and ethical standards, as well as the legislation in force;
- (17) approves the membership and structure of the University's Ethics Committee proposed by the Board of Trustees and sanctioned by the University's Senate;
- (18) submits to the Board of Trustees proposals regarding the complete medical re-examination of the staff in case psycho-behavioral issues arise;
- (19) oversees the application of the Internal Regulation, of the University's Code of Ethics and Professional Conduct, as well as of the other internal decisions;
- (20) chairs the Recruitment Committee established to select the Chief Administrative Director and appoints him/her in office, according to the law;
- (21) presents before the University's Senate Reports on fulfilling the mission and strategic objectives of the University;
- (22) exercises other duties established by the University's Senate, as per the Management Contract and the legislation in force;
- (23) As regards public accountability, the Rector:
  - a) presents before the University's Senate the Annual Report on the University's state of affairs, in March every year;
  - b) makes his decisions public, as well as those of the Board of Trustees;
  - c) annually declares on own account, the schooling capacity of the University in compliance with the law.

- Art. 50.** (1) The Rector can be dismissed by the University's Senate when at least one of the following situations occurs:
- a) failure to meet the performance indicators agreed under the management contract and non-compliance with the other requirements specified therein;
  - b) breach of legislation and academic ethics standards;
  - c) causing detriment to the interests and prestige of the University;

d) being in one of the incompatibility situations stipulated by law for the Rector's position.

(2) The Rector may also be revoked by the Minister of National Education, in conformity with the law, after consultation with the University's Senate.

**Art. 51.** (1) The Vice-Rectors are appointed by the Rector, upon consultation with the University's Senate, from among the members of the academic community; they carry out duties and obligations established by the Rector, after having expressed their written consent to support the execution of his/her management plan.

(2) There are 6 Vice-Rector positions in the University's management structure.

(3) Vice-Rectors' duties are established by the Rector and they concern:

a) organization of undergraduate and graduate study programs, as well as of professional training programs;

b) scientific research, development and innovation;

c) international relations;

d) public relations and promotion of the University's image;

e) partnerships at national level;

f) quality assurance;

g) student life;

h) social, cultural and sports activities;

i) organizing the process of obtaining European funds;

j) financial management;

k) management of academic logistics and infrastructure;

l) preserving the University's patrimony;

m) financing investments and regular activities;

n) other duties.

(4) A Vice-Rector's term of office is 4 years.

(5) A Vice-Rector is accountable for his/her activity to the Rector.

(6) A Vice-Rector may be dismissed by the Rector, upon consultation with the University's Senate, if he/she fails to meet the duties provided in the appointment decision and the job description, breaks the legislation and the academic ethics standards, finds oneself in one of the incompatibility situations stipulated by law or causes prejudice to the interests of the University.

**Art. 52.** (1) The Chief Administrative Director leads ASE's administrative structure and is responsible for the proper economic and financial management of the University.

(2) The position of Chief Administrative Director is filled by means of a selection contest organized by the Board of Trustees, and the results of the contest are validated by the University's Senate.

(3) The Chief Administrative Director can be dismissed by the Rector, after consultation with the Board of Trustees, when: he/she does not comply with the responsibilities stipulated in the



appointment decision and the job description, he/she breaks the law or academic ethics standards or causes prejudice to ASE's interests.

- Art. 53.** (1) The Dean represents the Faculty in relation to third parties and is responsible for its management.
- (2) The Dean is selected through a public contest, organized by the new Rector and validated by the University's Senate.
- (3) The Dean appointed by the Rector's decision becomes a lawful member of the Board of Trustees throughout his/her mandate.
- (4) The Dean undertakes the following duties:
- a) chairs the meetings of the Faculty Board;
  - b) enforces the decisions of the University's Senate, of the Board of Trustees, of the Rector and the Faculty Board;
  - c) appoints the Deputy-deans and establishes their duties.
  - d) accounts for the selection, employment, periodical evaluation, development, motivation and termination of employment contract for Faculty staff, according to the law;
  - e) accounts for the fair organization of public recruitment processes and academic career promotion for teaching and research positions, in compliance with quality and ethical standards and the legislation in force;
  - f) approves the individual job description for academic and research staff, as well as for auxiliary teaching staff of the Faculty, according to the law;
  - g) signs the documents regarding Faculty activity, degrees and certificates, according to legal provisions, accounting for their accuracy;
  - h) proposes and implements disciplinary sanctions established by the Faculty Board or the University's Ethics Committee, according to the law;
  - i) decides upon the cancellation of an assessment, in case it was obtained by violation of the University's Code of Ethics and Professional Conduct;
  - j) presents before the Faculty Board the Annual Report on the Faculty's state of affairs, in February each year;
  - k) presents reports to the Board of Trustees on an annual basis or on request;
  - l) requests that the Heads of Departments present annual reports before the Faculty Board, after the reports have been debated by the Department members;
  - m) publishes his/her own decisions and those of the Faculty Board;
  - n) accounts for quality management and the management of the financial resources obtained by the Faculty;
  - o) performs any other duties established by the Faculty Board, the Board of Trustees and the University's Senate.
- (5) The Dean may be dismissed by the Rector after consultation with the Faculty Board, if at least one of the following situations occurs:

- a) he/she has violated the provisions of the University's Code of Ethics and Professional Conduct as regards conflict of interests;
- b) is found in one of the situations of incompatibility under the law in force and the University's Code of Ethics and Professional Conduct;
- c) fails to meet the managerial performance indicators established by the appointment decision;
- d) fails to meet the responsibilities established by the job description;
- e) breaks the law and the academic ethics standards;
- f) brings prejudice to the interests and prestige of the University.

- Art. 54.** (1) A Faculty has three Deputy-deans, appointed by the Dean following consultation with the Rector.
- (2) The Deputy-deans' duties are set by the Dean.
- (3) A Deputy-dean may be dismissed by the Rector, following a proposal submitted by the Dean, if at least one of the following situations occurs:
- a) he/she has violated the provisions of the University's Code of Ethics and Professional Conduct as regards conflict of interests;
  - b) is found in one of the situations of incompatibility under the law in force and the University's Code of Ethics and Professional Conduct;
  - c) fails to meet the responsibilities established by the job description;
  - d) breaks the law and the academic ethics standards;
  - e) brings prejudice to the interests and prestige of the University.

- Art. 55.** (1) The Head of Department ensures the operations management of the Department.
- (2) The Head of Department is elected by universal, direct and secret suffrage expressed by all tenured teaching and research staff in the Department.
- (3) Following the validation of election results by the University's Senate, the Head of Department is appointed by the Rector's decision.
- (4) The Head of Department has the following duties:
- a) elaborates the payrolls, as required by law, and controls the fulfillment of tasks provided in the job descriptions;
  - b) contributes to the development and implementation of curricula;
  - c) elaborates the job descriptions for the teaching and research staff, as well as for the auxiliary teaching and non-teaching staff from the Department;
  - d) coordinates the research activity within the Department;
  - e) accounts for the quality management and the financial management of resources of obtained by the Department;
  - f) accounts for the selection, periodical evaluation, development, motivation, and proposes the termination of employment contracts of the Department staff, according to the law;
  - g) makes proposals regarding the filling of vacant teaching and research positions, as well as the list of academic career promotion openings;

- h) makes proposals regarding the filling of teaching vacancies by hourly-paid staff, according to the law;
- i) accounts for the proper organization of public recruitment processes for filling vacancies and career promotion in the Department, in compliance with the quality and ethical standards as well as with the law in force;
- j) submits to the Faculty Board proposals regarding increases in the teaching load of academic staff who do not undertake research or equivalent activities, as well as upon exceptional decreases in the staff's minimum teaching load, compensated by research activities, in conformity with the law;
- k) participates in establishing the general, specialized and transferrable competences, related to the curricula of the disciplines coordinated by the Department;
- l) approves the staff sabbatical leave requests, in compliance with the law;
- m) performs the responsibilities specified in the job description;
- n) undertakes any other duties regarding the improvement of educational and research activities carried out within the Department.

**Art. 56.** The Head of Department may be dismissed by the Rector, upon the approval of the Senate, if at least one of the following situations occurs:

- a) he/she has violated the provisions of the University's Code of Ethics and Professional Conduct as regards the conflict of interests;
- b) is found in one of the situations of incompatibility under the law in force and the University's Code of Ethics and Professional Conduct;
- c) he/she has broken the obligations specified in the job description, with regard to the performance standards of the Department's teaching and research activity;
- d) causes prejudice to the interests and prestige of the University;
- e) upon the request of the simple majority of the tenured teaching and research staff in the Department.

**Art. 57.** (1) The Director of the Doctoral School ensures its operations management.

(2) The Director of the Doctoral School is appointed by the Council for Doctoral Studies (CSUD), following the proposal of the Doctoral School Board, after the elections attended by all Doctoral scientific advisors who are members of the Board.

(3) The Director of the Doctoral School is responsible for the following:

- a) he/she represents the Doctoral School in relation to other managerial structures within the University;
- b) he/she coordinates the process of elaborating and/or revising the Doctoral School Regulation, whenever necessary;
- c) he/she is accountable for the proper conduct of the process of granting membership in the Doctoral School;

- d) he/she is accountable for the proper conduct of the process of revoking membership in the Doctoral School, by consulting all tenured Doctoral scientific advisors;
  - e) he/she coordinates the process of substantiation of proposals for Doctoral students' enrollment in and expulsion from the Doctoral School;
  - f) he/she coordinates the process of substantiation of proposals for Doctoral students' interruption or extension of the Doctoral study program, based on thorough grounds;
  - g) he/she coordinates the process of evaluation of habilitation applications and proposes the habilitation committee;
  - h) he/she decides upon changing a Doctoral students' scientific advisor, based on thorough grounds and in keeping with legal provisions;
  - i) he/she sanctions the committee membership for the public defense of Doctoral theses;
  - j) he/she ensures the periodical self-evaluation of the Doctoral School, with a view to the latter's classification, according to the law;
  - k) he/she assists evaluators in the process of external and internal evaluation of the Doctoral School.
- (4) The Director of the Doctoral School may be dismissed by the CSUD, if at least one of the following situations occurs:
- a) he/she has violated the provisions of the University's Code of Ethics and Professional Conduct as regards the conflict of interests;
  - b) is found in one of the situations of incompatibility under the law in force and the University's Code of Ethics and Professional Conduct;
  - c) he/she has broken the obligations specified in the job description, with regard to the performance standards of the Doctoral School's teaching and research activity;
  - d) causes prejudice to the interests and prestige of the University;
  - e) upon the request of the simple majority of Doctoral scientific advisors members in the Doctoral School.

## **Chapter X - UNIVERSITY FUNDING AND ASSETS**

- Art. 58.** (1) ASE operates as an institution financed from funds allocated from the state budget, funds from tuition fees, charges for academic and scientific activities, interests, donations, legacies, sponsorships and other funds attracted according to the law, such as contributions of other Ministries, loans or external sources. Incomes are managed entirely by the University, under the law. All financial resources of the University are its own incomes.
- (2) AE's funding from the state budget is based on contracts concluded with the line Ministry.
- (3) ASE can benefit from a separate fund for institutional development in the budget allocated by the line Ministry, based on competitive criteria according to national and international standards.

(4) The funding of University research is done under specific Research - Development – Innovation legislation in the field.

(56) The funds remaining at the end of the fiscal year for the budget execution specified in the institutional and additional contract, as well as the funds related to University research and off-budget incomes, remain available to the University and are included in the income and expenditure budget of the institution, without transfers to the state budget, and without affecting the allocations from the state budget for the following year, in keeping with the law.

**Art. 59.** (1) University expenditures are in compliance with the legal provisions in force.

(2) The financial and material means obtained through sponsorship by the members of the academic community can be spent only in strict conformity with the respective sponsorship contracts, as provided by law.

(3) The manner of establishment, development and use of the material assets of the University, necessary for education and scientific research, are proposed by the Board of Trustees and approved by the Senate.

(4) At the level of all management structures and positions, the principle of prudence and transparency must be consistently observed in managing the University's resources.

**Art. 60.** (1) The University has its own patrimony, which is managed according to the law.

(2) The University has the legal right to manage the assets of public or private state ownership, acquired under the law.

(3) The University can lease the available assets, observing the legal provisions in force.

(4) Upon approval from the Senate, the Board of Trustees may decide on the University's participation in the establishment of foundations, associations and companies. The Senate approves the proposals of the Board of Trustees regarding the amount and structure of the contribution, where appropriate, to the respective assets, i.e. the share capital of the above-mentioned structures.

**Art. 61.** (1) The University's resources consist in: human resources, the stock of knowledge, financial resources, material and other resources, and the management and protection of these resources is conducted according to the law, in keeping with the strategic and operational plan for institutional development.

(2) The Board of Trustees will take all the necessary measures to ensure the good management of the University's material and financial resources, by applying prudential management rules.

(3) If damages incur to the University's patrimony, they will be recovered from the ones accountable, in keeping with the law.

## Chapter XI - PARTNERSHIP RELATIONS

- Art. 62.** (1) In carrying out its mission and in promoting the values that define the European Area of Higher Education and Research, ASE develops national and international partnerships.
- (2) The conditions under which contracts with public institutions and economic units can be concluded regarding financial operations, in view of fundamental and applied research programs or increasing the qualification level of highly skilled specialists, are adopted by means of an operating procedure.
- (3) To accomplish its mission, ASE may participate in establishing associations, or it can set up consortia with other higher education and scientific research institutions, following the proposal of the Board of Trustees and the approval of the University's Senate.
- (4) The terms and conditions for implementing the actions of international cooperation or participation in European and international organizations in the field are determined by means of an operating procedure.

## Chapter XII - QUALITY MANAGEMENT IN HIGHER EDUCATION

- Art. 63.** (1) ASE promotes the following basic principles in quality management, in keeping with the current European and international trends, as regards:
- a) *student- and other stakeholders- centered learning*: the University identifies the current and future demands of stakeholders, ensuring that the former are met accordingly.
- b) *competitive management that supports*: the establishment of a clear vision on ASE's future; a proactive attitude and personal example; the understanding of changes occurring in the external environment and the response to such changes; the ensurance of trust among the members of ASE's community; the encouragement and recognition of each individual's contribution; the promotion of open and honest communication.
- c) *staff involvement*: by capitalizing on skills, knowledge and experience in relation to stakeholders.
- d) *the procedural approach to all activities*.
- e) *the systemic approach to management*, by: integrating the processes arising in relation to stakeholders with processes corresponding to ASE's internal activities (from the definition of aspects related to the management, identification and ensurance of necessary resources, to carrying out processes, and to the analysis and evaluation of results). The analysis and evaluation of results are undertaken by top management and by the heads of ASE's functional units, with a view to identifying opportunities for innovation and improvement of the quality of educational services, by measuring and evaluation.
- f) *the continuous improvement of the quality of educational and scientific research services*: the continuous improvement of the quality of all processes; the periodical evaluation of the established

evaluation criteria, to identify areas for which the need for improvement arises; the continuous improvement of efficacy and efficiency in all processes undertaken by ASE; the promotion of activities based on systemic risk prevention; the recognition of the contribution of each member of ASE's community to the continuous improvement of processes.

g) *argumentation of management decisions*: ensuring a competitive system for the collection of data and information considered relevant for the objectives set; taking the necessary measures such that the data and information be sufficiently clear, available and accessible;

h) *fostering creativity and innovation*: generating value and high performance by means of systemic innovation relying on the creativity of stakeholders, as potential sources for the development of ASE.

i) *development of resilience capacity*: permanent adaptation to current conditions and challenges.

(2) Quality assessment procedures are contained in the Code of Quality Assurance, adopted by the Senate.

(3) The results of the educational and scientific activities of the University, Faculties and Departments are made public through the annual reports of self-evaluation of the quality of the academic activities undertaken.

(4) Students are full members in the quality assurance process and draw up, through their representatives in the University's Senate, an annual evaluation report on University quality assurance, which they make public.

(5) The quality of teaching and research activities undertaken by the University is internally assessed and externally certified, under the law, and the results are made public.

(6) The teaching and scientific research activities of academic and research staff is reviewed at least every five years, based on the University's own methodology approved and enforced by the University's Senate. Assessment of the results obtained and individual merits in the teaching and research activity will be based on the qualitative aspects of the academic career path.

(7) The students' assessment of the teaching activities carried out by the academic staff is mandatory, the results of this process being made public.

### **Chapter XIII - RIGHTS AND OBLIGATIONS OF THE ACADEMIC AND RESEARCH STAFF**

**Art. 64.** (1) In addition to the rights and obligations under the applicable labor laws in force, ASE's academic and research staff members have rights and obligations under the National Education Law, the University Charter, the University's Code of Ethics and Professional Conduct, the employment contract and the job description.

(2) The rights of the academic and research staff relate to:

a) the right to free expression of academic opinions on University premises, and the right to conduct teaching, research and creation, observing the University's quality criteria;

- b) the right to elect and be elected in the University management structures and positions;
  - c) the intellectual property right over their scientific creation;
  - d) the right to publish studies, articles in ASE's journals and to edit works related to the teaching process in ASE's Publishing House;
  - e) the right to compete for national and international grants;
  - f) the right to join national and international professional associations and trade unions, in keeping with the law;
  - g) the right to teaching position reservation, according to the law;
  - h) the right to unpaid leave, under the law;
  - i) the right to paid leave, under the law;
  - j) the right to paid holiday, under the law;
  - k) the right to be paid for the work done, under the law;
  - l) the right to be protected on the University premises, under the law;
  - m) the right to enter the competition to obtain the distinction of merit;
  - n) the right to participate in the public recruitment process organized to fill a managerial position in higher education, under the law;
  - o) the right to international mobility for teaching and research activities, according to the law.
- (3) The obligations of the teaching and research staff are:
- a) the obligation to contribute to the fulfillment of the University's mission through quality teaching and research activities;
  - b) the obligation to undertake teaching and research activities in keeping with the criteria for academic quality;
  - c) the obligation to fulfill the duties provided by the individual employment contract and the job description and to meet the established performance criteria;
  - d) the obligation to observe the University's Code of Ethics and Professional Conduct and the criteria for originality in elaborating teaching and scientific works;
  - e) the obligation to periodically self-evaluate, in accordance with the internal methodology and the law;
  - f) the obligation to undergo regular medical examinations, under the law;
  - g) the obligation to observe the provisions of the University's Code of Ethics and Professional Conduct, as well as the legislation in force, as regards the conflict of interests.

#### **Chapter XIV - STUDENT RIGHTS AND OBLIGATIONS**

- Art. 65.** (1) The student quality is attributed to those registered in Bachelor's, Master's and Doctoral study programs.
- (2) A person may be simultaneously admitted to and registered as a student of at most two study



programs, regardless of the higher education institution under consideration. Any financial subsidy or scholarship from public funds is granted under existing laws, only by a single higher education institution for a single study program. If students transfer to another University or study program, they preserve their scholarship.

(3) A person may receive funding from the budget in keeping with the legislation in force.

**Art. 66.** Students are full members of the academic community, as partners in the management of ASE, including the quality assurance activity.

**Art. 67.** ASE's students have the following rights:

(1) to benefit from the provisions of the National Education Law no. 1/2011, with subsequent amendments and completions, the University Charter and University regulations approved by the University's Senate;

(2) to have free access to decisions made by the management structures of the University and the Faculties;

(3) to participate, through their representatives, in the elaboration and approval of regulations and methodologies relating to all aspects of University life;

(4) to benefit from funding from the budget, following the admission process and the annual assessment of professional performance (for first year students in Bachelor's and Master's programs), in keeping with the law;

(5) to benefit from financing of tuition fees and scholarships, based on contracts with businesses or other natural or legal persons;

(6) to freely choose study programs, in accordance with legislative norms and curricula; each study program will have a minimum number of elective and optional courses from the total number of courses offered by the University;

(7) to benefit from access by means of the personal page and/ or ASE's website to the curriculum and discipline sheets before the beginning of each academic year, and to be informed, during the introductory classes for each discipline, on the discipline sheet, the discipline structure and objectives, the expected competences, as well as on the means of evaluation and assessment; any amendments to the means of evaluation and assessment are to be made only with students' approval;

(8) to benefit from objective and non-discriminatory evaluation of the competences acquired during studying for one discipline, in keeping with the discipline sheet, and to be aware of the grid used to evaluate them;

(9) to benefit from alternative means of evaluation if a temporary or permanent disability is medically certified, provided that the respective disability makes it impossible for the student to prove the acquired knowledge in the manner established by the tenured lecturer, so that the respective alternative method does not infringe upon the evaluation standards;

(10) to appeal evaluation results for written examinations, in keeping with the University's Regulations for academic activities; the settlement of the appeal will be ensured by an examination

committee different from the initial evaluation committee, before the appealing student, if the latter requests to be present;

(11) to be aware of the results of the defense of the Bachelor's/ Master's thesis within maximum two days from the date of the defense; the results are published on the student's personal webpage;

(12) upon request, to be returned one copy of the Bachelor's/ Master's thesis previously submitted and registered at the University, on condition that they submitted two identical copies of the respective thesis, and filed a request for return of documents;

(13) to have intellectual property on various works / materials published during the study program they are enrolled in;

(14) to benefit from mobility programs, in accordance with the rules governing transferable credits;

(15) to use laboratories, auditoriums, lecture and seminar rooms, reading rooms, libraries, information points, housing facilities, gyms, sports facilities and other facilities or services made available by ASE, free-of-charge or in exchange of a charge approved by the University's Senate;

(16) to participate in competitions organized by ASE and the line Ministry for the selection of beneficiaries of mobility and fellowships abroad;

(17) to participate in professional internships during the study cycle they are registered in, according to the objectives of the respective study program, and to benefit from the material resources, transportation and meals provided in keeping with the law;

(18) to participate in competitions for allocation of internships, as mentioned in the curriculum; at Faculty/ University level, the allocation committee will comprise at least one student representative;

(19) to benefit from recognition of internship undertaken individually, following the assessment of the extent to which they met the internship objectives as per the study program they are enrolled in;

(20) to receive and fill in the questionnaires on the evaluation of academic staff's teaching, lectures, seminars and laboratories; the results of the evaluation will be made public on ASE's intranet;

(21) to participate in scientific, professional competitions, cultural and sports activities;

(22) to elect and be elected in consultative, deliberative and management structures at Faculty/ University level, in keeping with the Methodology for the election of ASE's student representatives, approved upon by the student representatives in the University's Senate;

(23) to be part of student organizations;

(24) to establish workshops, clubs, sports and arts groups, organizations and publications, according to law;

(25) to perform extra-curricular activities that contribute to their professional and/ or moral and civic development and, function of their effort, to receive a number of transferable credits, which are recorded in the diploma supplement in accordance with the law in force and on the basis of a methodology proposed by the student representatives in the University's Senate and approved upon by the Board of Trustees and the University's Senate;

(26) to receive scholarships and other forms of material support in accordance with the regulations

- in force and the regulations and methodologies approved by the University's Senate;
- (27) to receive treatment to recover health in resorts or student camps, according to the conditions determined by the line Ministry;
- (28) to benefit from at least 5 working days of registration for the contests organized by the University, including scholarships, camps, accommodation and international mobilities, as stipulated by the Student Calendar;
- (29) to benefit from information and counseling services on academic, professional and social issues free of charge;
- (30) to benefit from free of charge medical and psychological assistance in university doctor's and psychological offices or in clinics and specialized units, according to the law;
- (31) to benefit from housing facilities, except when they study in the home town, according to the law and to the provisions of the Accommodation Regulation and Methodology approved upon by the University's Senate;
- (32) to benefit from protection on the University premises from authorities responsible for public order; protection is requested by any student member of the academic community;
- (33) to receive free of charge certificates and study documents issued by ASE as well as other documents that attest to the status of student, under the law;
- (34) to benefit from 75% discounts off for various fees/ fares (charged by museums, concerts, theater, opera, film, other cultural and sports events organized by public institutions), within approved budgets, according to law;
- (35) to have unrestricted access to information on the number, type and amount of each fee charged by ASE, and to the mechanisms for establishing these issues;
- (36) to benefit from other rights and freedoms mentioned in ASE's University Charter and in other internal regulations;
- (37) to benefit from the protection of personal data, according to Regulation No. 679/27.04.2016 on the protection of individuals with respect to the processing and the free movement of personal data and from the repeal of Directive 95/46/CE;
- (38) to benefit from a Student Guide at the beginning of the first year of study, comprising information on: student rights and obligations, disciplines in the curricula; services made available to students by ASE, evaluation procedures, fees, University and Faculty material resources, legally established student organizations, means to access scholarships and other financial support opportunities, mobilities, other facilities and subsidies; this Guide is elaborated by ASE's Students' Union (USASE), with the help of ASE's specialized structures; the printing costs for this Guide is to be borne by the University, and the number of copies to be printed is to be established in accordance with the number of students enrolled in the first year of Bachelor's, Master's, Doctoral studies in the respective academic year;
- (39) to benefit from a year/ study series adviser, from among the academic staff members from the

Faculty they study at;

(40) to study in a modern language, within the limits of accredited enrolment numbers;

(41) to have a daily schedule that does not exceed 8 hours from beginning to end;

(42) to discontinue and resume studies, according to the legislation and ASE's Regulations on academic activities;

(43) to report on abuse and irregularities, especially on those concerning the teaching and learning process and related activities, but also on issues that might impede on self study activities, and to benefit from identity protection.

**Art. 68.** Doctoral students have the following specific rights:

(1) to benefit from the support, guidance and advice of the Doctoral advisor, as well as of the advisory committee;

(2) to participate in seminars and workshops organized by the research and development staff from the Doctoral Schools, when they debate topics that are relevant to the respective Doctoral studies;

(3) to be represented in decision-making fora from Doctoral Schools and the Council for Doctoral Studies, in keeping with the provisions of the Methodology for the election of ASE's student representatives approved upon by the student representatives in the University's Senate;

(4) to benefit from the Doctoral Schools' logistics, documentation centers, libraries and equipment with a view to elaborating research projects and the Doctoral dissertation;

(5) to enroll for courses and seminars organized by other Doctoral Schools;

(6) to work together with research teams from the Doctoral Schools or the Research and Development Units that have concluded agreements or institutional partnerships with ASE's Institute for Doctoral Studies (IOSUD);

(7) to benefit from national and international mobilities;

(8) to benefit from institutional support to participate in scientific conferences or congresses, workshops, summer or winter schools and national and international seminars in the scientific field of the Doctoral Dissertation, within available funds;

(9) to participate in the scientific events organized by the Doctoral Schools;

(10) to be informed on the curriculum of the doctoral studies from the Doctoral Schools.

**Art. 69.** Students who belong to the Romanian ethnicity and live abroad, beneficiaries of grants awarded by the Romanian state, benefit from free access to all events taking place in Romania, according to the law.

**Art. 70.** ASE Bucharest can ensure at least one tuition-exempt study facility for Baccalaureate graduates coming from orphanages, according to the law in force, as well as to the regulations and methodologies approved by the University's Senate.

**Art. 71.** (1) Candidates coming from environments with a high social and economic risk or marginalized from a social point of view – members of the Roma community, graduates from high schools in the rural areas or towns with less than 10,000 inhabitants – can benefit from a number of tuition-exempt study

facilities (financed from the state budget), under the law. For this category of students, ASE ensures free of charge educational path tracking services, so as to facilitate academic, social and cultural integration to the community.

(2) For physically disabled students, ASE ensures adapted access routes on all University premises, as well as normal conditions for academic, social and cultural activities.

**Art. 72.** Students have the following obligations:

(1) to prepare and actively participate in courses, seminars and laboratories, as well as to attend the periodical evaluations stipulated in the curriculum;

(2) to draw up and defend projects and practical tests;

(3) to pass the forms of assessment in the sessions established in the University regulations;

(4) to verify their academic situation at the end of each semester and academic year;

(5) to observe the quality standards set by ASE;

(6) to have a civilized behavior and respect their colleagues, as well as the academic, auxiliary academic and administrative staff;

(7) to refrain from language and behavior that is not adequate to the academic environment;

(8) to adequately use all the facilities and subsidies bestowed upon them, in keeping with their specific destination;

(9) to maintain and carefully use the material resources provided by ASE; otherwise students will bear the costs of the damages incurred;

(10) to keep the University's premises clean, quiet and orderly;

(11) to observe the regulations on fire prevention and civil defense;

(12) to refrain from smoking on ASE's premises; otherwise, students will bear the sanctions established by the University's Senate, in keeping with the law in force;

(13) to participate in academic activities without having drunk alcoholic beverages or having used banned substances;

(14) to pay the fees they owe to the University on time, as per the study contract or other contracts signed with the University;

(15) to observe any other obligations stipulated in the current Charter and other internal regulations;

(16) to read the discipline sheet and meet the self-study requirements;

(17) to regularly access the University's and Faculty's websites, one's own webpage and notice boards;

(18) to observe the University's Code of Ethics and Professional Conduct.

**Art. 73.** Doctoral students have the following specific obligations:

(1) to observe the calendar for individual training established with the scientific advisor and meet the requirements regarding paper presentation and dissemination of research findings;

(2) to present activity reports before the scientific advisor and the advisory committee as often as required;

(3) to maintain permanent contact with the scientific advisor;

(4) to observe institutional discipline.

**Art. 74.** (1) Students' rights, freedoms and obligations are presented at large in the Academic Code of ASE's Student Rights and Responsibilities.

(2) Other aspects regarding student life are referred to in the Regulation for student representativeness and social activities, approved by the University's Senate.

**Art. 75.** (1) Students have the right to choose their representatives in ASE's consultative, deliberative and management structures, in compliance with the law, and in keeping with the Methodology for the election of ASE's student representatives.

(2) Students have at least one representative on the Board of Trustees, the bodies that manage social services, the Ethics Committee, the committee for the approval of the results of housing processes, the Quality Assurance Committee and other committees.

(3) Students have representatives participating in the procedures meant to establish the means for electing the Rector, as well as in the election process, regardless of the means for electing the Rector.

(4) Student representatives are elected by universal, direct and secret suffrage at all levels – study groups, programs and cycles.

(5) The student representative on the Board of Trustees is elected by secret ballot by the student representatives in the University's Senate, in keeping with the provisions of the Methodology for the election of ASE's student representatives. The process of electing the student members in any other consultative, deliberative and management structures than those stipulated in the National education Law no. 1/ 2011, with subsequent amendments and completions, is carried out on the basis of the principle of academic autonomy, and is established in keeping with the provisions of the aforementioned Methodology for the election of ASE's student representatives.

(6) Academic and auxiliary academic staff, administrative staff and the University's management structures cannot condition the student representative status on academic performance, attendance to lectures, seminar and labs; the student representative status is obtained as per the Methodology for the election of ASE's student representatives.

(7) Academic staff members are not involved in the procedures for electing student representatives, irrespective of the level of representation.

(8) To participate in the decision-making process of the management structures student representatives are members of and to make these decisions known, they consult and, respectively, inform the other students.

**Art. 76.** (1) ASE encourages students to perform cultural, educational and sports activities. To this end, cultural and sports events, professional and scientific conferences, health education activities, scientific circles etc. can be organized.

- (2) The activities can be organized only as extra-curricular activities, without hindering, directly or indirectly, the scientific and professional activity.
- (3) The responsibility of organizing and carrying out the cultural, educational and sports activities lies with the initiators.
- (4) The use of the University premises for the cultural, educational and sports events is authorized by the University management.
- (5) ASE provides financial and logistic support, within the limits of the available resources, to student organizations for their activities – scientific research, conferences, summer schools, etc.
- (6) Student organizations act as partners in all the activities organized by ASE, both as regards promotion, and as regards scientific research and national and international partnerships.

- Art. 77.** (1) (1) ASE is a founding member of ASE’s Students’ Union (USASE) and supports the latter’s activity. Through the student representatives in the University’s Senate and the Student Councils (one for each Faculty and one for the Doctoral students), USASE represents the interests of ASE’s students, in their relation with the University, the Faculties, the Departments, and the technical and administrative structures.
- (2) Through its structures from Faculty and University level, and in keeping with existing legislation, USASE is represented at the level of collegial management structures, in keeping with legislation in force, and actively participates in decision-making.
  - (3) Through its structures from Faculty and University level, USASE is a partner in the organization and carrying out of elections for academic management structures, and hence it designates representatives in the relevant committees.

## **Chapter XV - UNIVERSITY CODE OF ETHICS AND PROFESSIONAL CONDUCT**

- Art. 78.** (1) The Code of Ethics and Professional Conduct is based on the following principles:
- a) *Loyalty towards ASE* – The members of ASE’s academic community exert well-intended efforts to achieve ASE’s mission and do not prejudice ASE’s image;
  - b) *Moral and professional integrity* – in any given context, ASE’s employees adopt a moral conduct that is in keeping with ASE’s Code of Ethics and make efforts to increase ASE’s prestige;
  - c) *Community cooperation and non-conflictuality* - The members of ASE’s academic community cooperate with each other and evince a non-conflictual attitude so as to avoid generating and participating in conflicts within ASE;
  - d) *Fair competition* – competition among the members of ASE’s academic community, at individual or team level, is undertaken only to increase ASE’s prestige, avoiding conflict;
  - e) *Respect for scientific authority* - The members of ASE’s academic community respect the scientific achievements of colleagues and support these achievements in any context;

- f) *Moral responsibility and commitment towards ASE.* Individually and as part of teams, the members of ASE's academic community adhere to ASE's mission and objectives, use the latter as a guide for their professional activity, and support the definitive decisions made by ASE's decision-making fora.
  - g) *Non-discrimination and fairness, equal opportunity, free and equal access to material resources and services.*
  - h) *Proper moral behavior in relation to students.* ASE's academic, research, auxiliary academic and non-teaching staff always treat students in an objective, fair, unbiased and non-discriminatory manner.
  - i) *Balanced behavior.* The members of ASE's academic community avoid, in any context related to ASE, abusive or uninvolved behavior.
- (2) The Code of Ethics and Professional Conduct comprises the rules of academic conduct and the accountability for breaking them.
  - (3) The Code of Ethics and Professional Conduct expresses the principles and rules which the members of ASE's academic community agree to observe and follow in their professional activity, sets the reference standards and the sanctions to which the members of the academic community are exposed and its role is to establish the moral profile and desirable behavior of the members of ASE's academic community.
  - (4) The University's Ethics and Professional Conduct Committee is established and run so as to ensure that the current Code is respected.
  - (5) The membership and structure of the Ethics and Professional Conduct Committee are proposed by the Board of Trustees, sanctioned by the University's Senate and approved by the Rector.
  - (6) The persons occupying one of the following positions: Rector, Vice-Rector, Director of CSUD, Dean, Deputy-Dean, Chief Administrative Director, Head of Department, Director of Doctoral School, other positions stipulated by law, cannot be part of the Ethics and Professional Conduct Committee.
  - (7) The activity of the Ethics and Professional Conduct Committee is based on the regulation adopted by the University's Senate.
  - (8) The Ethics Committee has the following responsibilities:
    - a) analyzes the deviations from academic ethics, based on the complaints received from members of the academic community, from any person outside the University or based on self-notification;
    - b) answers the complaints received and makes proposals, if the case be, regarding the sanctions to be applied;
    - c) elaborates and makes public an Annual Report on the observance of academic and research ethics.



(9) The decisions of the Ethics and Professional Conduct Committee are approved by the legal advisor of the University. The University management has the legal liability for the decisions and activity of the Ethics Committee.

**Art. 79.** (1) The conflict of interests is the situation in which the person has or could have a personal interest of a patrimonial or non-patrimonial nature, which could influence him/her in carrying out objectively and impartially his/her attributions.

(2) The personal interest represents any advantage, material or of another nature, followed or obtained, directly or indirectly, for himself/herself or for another, by the academic or research staff who permanently or temporarily hold, in any capacity, a position of management, administration, control, through the use of reputation, influence, facilities, relations and information he/she has access to, while exercising it.

(3) Decisions or documents are considered adopted or concluded in a context of conflict of interests if made by the deliberative structures in which at least one of the members is in a conflict of interests and has not abstained from voting or participating in the debates.

(4) In case a person is in a situation of conflict of interests, the person has the obligation to immediately inform in writing the deliberative structure or person holding a hierarchically superior executive position.

(5) If, within 6 months' time, a person is forced to abstain at least 3 times from adopting a decision or concluding some documents due to the imminence of a conflict of interests, the Ethics and Professional Conduct Committee verifies, at the request of the Rector, the existence of incompatibility and of other prohibitions stipulated by law.

(6) Spouses, in-laws or relatives to the third degree inclusively, cannot occupy at the same time positions which would place family members in a position subject to the management, control, authority or institutional evaluation of one another, at any level in ASE and cannot be appointed in doctoral committees, evaluation or contest committees, the decisions of which will affect the spouses, relatives or in-laws to the third degree inclusively.

**Art. 80.** (1) Incompatibility is the ban on the existence of direct hierarchical relations among academic, research or auxiliary academic staff members that hold a managerial position in ASE, and their spouses, in-laws or relatives to the third degree inclusively. According to the law, incompatibility comes with restrictions on simultaneous holding of positions and dignitary positions.

(2) According to related legislation, incompatibility in ASE refers to the following aspects, as regards management, control, authority and evaluation issues:

a) the ban on the Rector's spouse, in-laws or relatives to the third degree inclusively holding one of the following positions: Vice-rector, Director of CSUD, Dean, Deputy-dean, Head of Department, Director of Doctoral School and Chief Administrative Director;

b) the ban on a Vice-rector's/ Director of CSUD's spouse, in-laws or relatives to the third degree inclusively holding one of the following positions: Dean, Deputy-dean, Head of Department,

- Director of Doctoral School and Chief Administrative Director;
- c) the ban on a Chief Administrative Director's spouse, in-laws or relatives to the third degree inclusively holding one of the following positions: Director, Chief Accountant, Head of Office, Head of Bureau;
  - d) the ban on a Dean's spouse, in-laws or relatives to the third degree inclusively holding one of the following positions: Deputy-dean, Head of Department, Director of Doctoral School within the same Faculty;
  - e) the ban on a Deputy-dean's spouse, in-laws or relatives to the third degree inclusively holding the position of Head of Department, Director of Doctoral School within the same Faculty;
  - f) the ban on a Head of Department's spouse, in-laws or relatives to the third degree inclusively holding a lower-level position within the same Department/ Doctoral School;
  - g) the ban on spouses, in-laws or relatives to the third degree inclusively holding a position in the same collegial management structure;
  - h) the ban on the participation in the evaluation of spouses, in-laws or relatives to the third degree inclusively by a person holding a managerial position;
  - i) the ban on a Doctoral School Director's spouse, in-laws or relatives to the third degree inclusively holding a lower-level position in the same Doctoral School;
  - j) the ban on a Doctoral Advisor advising the Doctoral thesis of a spouse, in-laws or relatives to the third degree inclusively.

**Art. 81.** (1) The persons facing a situation of incompatibility must immediately submit a written statement on it to the management of the institution and resolve the situation within 30 days from the date it appeared..

(2) The failure to meet this obligation is ascertained by the person in a hierarchically superior position, who will order the cessation of the direct hierarchical rapports between the persons in incompatibility.

(3) The tenured academic and research staff, as well as the auxiliary academic staff, may find themselves in a context of conflict of interests if one of the following situations arises:

- a) he/she is called upon to address requests, make decisions or participate in decision-making as regards the natural or legal persons he/she has patrimonial relations with;
- b) he/she is called upon to address requests, make decisions or participate in decision-making as regards the natural persons that he/she is related to (spouse, in-laws or relatives to the third degree inclusively);
- c) is part of the same committee or collegial management structure established according to the law as other academic, research or auxiliary academic staff members that he/she is related to (spouse, in-laws or relatives to the third degree inclusively);
- d) his/her own patrimonial or other interests, as well as similar interests of spouses, in-laws or relatives to the third degree inclusively, may influence the decisions he/she has to make while in

office;

- e) he/she holds a University management position and shares and stocks in trading companies that have trading, works or service contracts with the University.

**Art. 82.** The following conduct principles are characteristic of ASE's Code of Ethics and Professional Conduct:

- a) the members of ASE's academic community have an adequate moral conduct in any context, including outside office hours, as they are constantly preoccupied with increasing ASE's prestige;
- b) to address any personal or group discontent among the members of ASE's academic community, all steps in the hierarchical ladder will be successively taken;
- c) the members of ASE's academic community have the moral duty to take the necessary measures to avoid work burnout, among such measures, we mention the enforcement of anticipatory and prudent managerial practices that aim at diminishing the risk that such situations occur, and the timely performance of job-related tasks.
- d) the members of ASE's academic community adopt a moral attitude that leads to the avoidance of harassment of any member of ASE's academic community by a group of members of ASE's academic community or of harassment of any member of ASE's academic community by another member of ASE's academic community

**Art. 83.** The following represent transgressions of the academic ethics standards by the members of the academic community:

- a) for academic staff members to request or accept favors of any kind, gifts or material gain from students;
- b) for academic staff members to perform activities paid by and to the benefit of students, outside the institutional framework;
- c) to condition students' participation in any kind of examination on the purchase of bibliographical materials;
- d) for students to perform unpaid activities to the benefit of academic staff members, their spouses or relatives to the third degree;
- e) to discriminate among members of the academic community on the basis of age, ethnicity, gender, social background, political or religious beliefs, sexual orientation or other kinds of aspects, except for positive measures stipulated by the law;
- f) physical or psychological violence, the use of offending language, or abuse of authority against any member of the academic community;
- g) personal attack, intimidation, threat, humiliation, blackmail or defamatory statement against other members of the academic community;
- h) repeated manifestly unfounded complaints against a colleague;
- i) activities that are based on conduct which is contradictory to the provisions of this Code or

cause prejudice to the image of the University, such as propaganda in favor of institutional chaos, disinformation campaigns in the mass-media, or other activities that may impinge upon the University's mission.

**Art. 84.** (1) The following represent serious transgressions of the stipulations regarding proper conduct in scientific and professional activity and are sanctioned according to the existing legislation:

- a) to plagiarize the results or publications of other authors;
- b) to self-plagiarize results or publications;
- c) to contrive scientific results or replace the results with fictive data;
- d) to make use of false information in applications for grants or funding, as well as in any official documents;
- e) to commercialize scientific papers with a view to facilitating plagiarism by the buyer;
- f) to attempt to pass an examination by bribery or pressure made *intra-muros* or *extra-muros*, regardless of the means used to this end.

(2) According to existing legislation on research ethics, plagiarism is the use in a written or oral work (in electronic format inclusively) of texts, expressions, ideas, demonstrations, data, hypotheses, theories, scientific results or methods taken from written works (in electronic format inclusively) by other authors, without mentioning authorship and the original source.

(3) Students and doctoral students are sanctioned by expulsion if they submit copied or falsified papers to meet professional requirements.

(4) If students submit a graduation paper that is copied or falsified, they are expelled without the right to ever re-enroll in ASE.

(5) The academic staff member who acts as advisor for such a paper is to be subject to disciplinary sanctions if proven guilty following disciplinary enquiry.

(6) In case a Doctoral Dissertation is copied or falsified, the Doctoral student is expelled and the Doctoral advisor is to be subject to disciplinary sanctions if proven guilty following disciplinary enquiry, in keeping with the law.

(7) In case the respective Doctoral advisor holds a University management position, he/she is to be sanctioned as stipulated in par. (5) and (6) above, and also revoked from the respective managerial position.

**Art. 85.** The sanctions that can be applied to academic and research staff and auxiliary academic and research staff by the Ethics and Professional Conduct Committee for breaking academic ethics standards or transgressions on good conduct in scientific research are the following:

- a) written warning;
- b) withdrawal and/or correction of all works publishes by breaching the norms on good conduct;
- c) decrease in the base salary, cumulated (if the case by) with the earnings for management, advisory and control activities;
- d) suspension, for a definite period, of the right to participate in contests for a higher academic rank,

or a management, advisory and control position, for membership in Doctoral, Master's or Bachelor's defense committees;

- e) dismissal from the management position in education;
- f) termination of the labor contract for disciplinary reasons.

**Art. 86.** The sanctions that can be applied to students and Doctoral students for breaking academic ethics standards are the following:

- a) written warning;
- b) expulsion;
- c) other sanctions stipulated in the existing laws.

**Art. 87.** The Committee will confidentially address the complaints that it receives, to protect the identity of the people who are considered victims of such a behavior, to minimize the fear of possible repercussions felt by people dealing with (sexual) harassment.

**Art. 88.** The sanctions established by the Ethics and Professional Conduct Committee are enforced by the Rector, within 30 days from receiving a written notice on them.

## **Chapter XVI - TRANSITORY AND FINAL PROVISIONS**

**Art. 89.** (1) The current Charter can be amended at the initiative of the Board of Trustees, of a third of the members of the Senate, or a third of the number of tenured academic and research staff, and the number of students enrolled in ASE, respectively.

(2) The current Charter is approved upon by the University's Senate after debating it with the academic community, by means of open vote by absolute majority, provided a working quorum of minimum two thirds of the total number of Senate members is established.

**Art. 90.** The current Charter was approved during the meeting of ASE's University's Senate of March 27, 2019, and becomes effective after the positive resolution of the Ministry of National Education.

**President of the University's Senate**

**PhD Prof. Pavel Năstase**

**Rector,**

**PhD Prof. Nicolae Istudor**