

## Examination Regulations and Student Code of Conduct

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27 June 2016

### §1 Ambit

These regulations are valid for all study programs offered at MODUL University Vienna (MU).

### §2 Transfer of Credits

(2) Course and examination credits obtained at a vocational high school with a business focus, at a university, college, or any other post-secondary educational institution, or at an official partner university within MU's exchange program are eligible for transfer according to an equivalency evaluation that is based on review of course contents, outline, methods, and final grade.

(3) Course credits earned elsewhere will be transferred without the inclusion of a grade on the official MU student transcript.

(4) Practical experience acquired by the student prior to enrollment can only be credited towards an internship prior to the start of first semester and given that it meets the requirements outlined in the respective study regulations.

(5) The Admissions Committee rules upon a student's application for credit transfer prior to the beginning of his or her studies at MU. These courses are labeled with the abbreviation "CR" on the student transcript.

(6) **Study Abroad Credits:** Upon application and approval by the Dean, an exchange semester can be completed at one of MU's official partner universities. After completion of the semester abroad, the Dean will decide upon the applicability of the student's credits earned abroad. The Dean can delegate the task of approving the credits to the respective exchange program liaison officer. Any study abroad course credits earned at an MU partner university will be included among those necessary for the required minimum ECTS points (as outlined in the Study Regulations) needed to graduate. These courses are labeled with the abbreviation 'CT' on the transcript of records.

(7) Students are permitted to transfer into a new study program upon application and subsequent approval by the respective Dean. The student's transcript of record will reflect all positive courses applicable in the new study program. Courses will be listed by name and labeled "ICT", and the grade will be included. An administration fee may apply.

### §3 Academic Assessment and Processing Examinations

- (1) **Syllabi:** Details of expected course performance requirements must be outlined in individual course syllabi. Students will be informed of the weighting of specific course components at the onset of a course. The assessment of individual assignments and the final course grade must be reported as a percentage. Evaluations can occur outside of regularly scheduled class time.
- (2) A course syllabus must also include a summarized version of the MU Plagiarism Brochure [§9(2)].
- (3) The criterion for successfully completing a course is based on the instructor's final assessment. This assessment can be based on various measures including written assignments, oral or written examinations, presentations, active course participation, or other forms of assessment as specified by the lecturer in the course syllabus
- (4) **Final Grade:** The student's final course grade is determined by the points earned in all cumulative graded assessment components.
- (5) **Examination Formalities:** The maximum duration of all written and oral course examinations should not exceed the number of hours that the course lasts each week (according to the course schedule).
- (6) The duration of an oral examination outside of the ordinary course setting can be between 15 and 30 minutes for each student and must be witnessed by a second lecturer.
- (7) Oral examinations can be proctored as either individual examinations or group examinations consisting of a maximum of four candidates per group. In the latter case, the individual performance of each candidate during examination itself must be clearly visible and documented in the examination's assessment record.
- (8) Students enrolled in the course, as well as interested parties associated with MU who assert individual justified interests, are permitted to attend the oral examinations as observers (given the availability of adequate spatial conditions). This does not apply, however, to any private consultation between student and proctor, including the announcement of the examination results. Upon a student's request, any observer [with the exception of members of the Studies and Examinations Committee (SEC)] can be asked to leave the examination site. Observers cannot be excluded from presentations.
- (9) In the event that a disturbance caused by an observer occurs during an examination, the proctor is entitled to expel the observer from the examination space.
- (10) **Special Consideration:** If a student is unable to attend a written or oral examination or if the student fails to submit a required assignment by its predetermined deadline due to reasons beyond the student's control, the student will have the opportunity to fill out a "Special Consideration Form," present it to the lecturer, and request an alternative make-up assignment or exam. If this should occur, it is at the lecturer's discretion to decide – based on the student's individual case – whether or not to allow a make-up assignment or exam.

- (11) **Student Access to Examination Documents:** The examination questions, assessment criteria, and results of a written or oral course examination must be recorded in writing by the course lecturer and be given to the Academic Office for storage. The lecturer must retain all aforementioned course documents in electronic format.
- (12) Upon request, the student shall be informed in writing of the reasons for a negative assessment.
- (13) All students are obliged to adhere to MU's Examination Code of Conduct.

#### **§4 Type of courses**

##### **Lecture (LE)**

- (1) **Lectures** are courses which culminate with one final examination.
- (2) The examination can be proctored in either written or oral form. The location and the exact date of the examination shall be announced to students in an accessible manner at least four weeks prior to the examination date.
- (3) For each lecture, a total of three examination dates will be offered. An examination date shall be offered at the end of the course; the other two dates shall be offered during the subsequent semester.
- (4) For each examination, the student's individual ability to take the examination shall be determined. A student is required to sign that he or she is physically and mentally fit to take the examination before the examination begins. If it is determined that the candidate is unable to take the examination, the examination will not be assessed. In this case, the student shall be treated as though he or she had not taken part in the examination.
- (5) The examination can be divided into two parts. One part may take place in the middle of the course (midterm exam) and the other during the subsequent exam period (final exam). The points earned in both parts of the exam are combined (added up) and assessed as one examination. If a student completes a midterm exam but misses the final exam (therefore earning 50% of the overall course points or less), he or she will fail the course.
- (6) Exams given on the second and third examination dates cannot be divided into multiple parts.
- (7) In the event of a negative assessment on a LE course examination, the student will have the opportunity to retake the examination up to two more times. LE exams can be taken three times in total.
- (8) In the event that a student is taking the last allowed retake of a written or oral examination, a second assessor must be brought in by the Studies and Examinations Committee.
- (8a) In the case of a written examination, the first assessor must inform the second assessor about the content of the examination questions at least one week prior to the scheduled exam.

(8b) In the case of a written examination, the first assessor will grade the examination and submit the results and any comments to the second assessor. The second assessor can either approve or disapprove the first assessor's grade. If the grade is not agreed on, both assessors would need to submit a report to the Dean of the study program who then will assign the student's final grade.

(8c) In the case of an oral examination, both assessors must be present for the administering of the exam, and the final grade should be mutually agreed upon. If the assessors do not reach an agreement on the grade, both must submit an individual report to the Dean of the study program who then will assign the final grade.

(9) If a positively passed examination is retaken, the last assessment will replace the former one, regardless of whether or not the new result is higher or lower than the original grade earned.

(10) Following the announcement of examination results, the period of time before the next examination date should be appropriate for the course material and workload. A minimum of two weeks advance notice is required.

### **Interactive Lecture (IL)**

(11) **Interactive Lectures** are courses consisting of multiple assessments of a student's performance. At least two assessment components (quizzes, assignments, presentations, or other forms of assessment specified by the instructor) which are independent from each other must be conducted. Attendance is not mandatory. According to the curriculum, this course is referred to with an abbreviation IL.

### **Courses with Continuous Assessment of Performance: Combined Lecture and Exercises (LX), Lecture and Exercise (LE + EX), Combined Lecture and Seminars (LS), Seminars (SE) and Practical Training (PT):**

(12) In courses designated as LX, LE+EX, LS, SE and PT, at least three independent assessments of performance must be conducted.

(13) For courses with continuous assessment of performance, attendance is mandatory with the exception of the LE part of LX and LS combined courses in which attendance is not mandatory. For courses with mandatory attendance, an absence of more than 20% of the scheduled course time will negatively impact a student's final grade. In the event that more than 20% of a course with mandatory attendance has been missed due to reasons beyond the student's control, the student has the opportunity to submit an "Application for Special Consideration – General Form" to present to the lecturer, explaining his or her previous and – if already known – future absences. If this should occur, the lecturer may decide, based on the individual case, whether the student is allowed to continue attending the course. The granting of special consideration is at the discretion of the lecturer. Exceeding the 20% limit typically entails some additional work completed by the student to compensate for any parts missed.

### **Lecture and Exercise (LX)**

(14) The **Lecture and Exercise** format combines an Interactive Lecture with a practically- orientated exercise course, both of which are assessed together. The lecture provides the theoretical background of a subject, whereas the exercise trains the application of theoretical knowledge. Positive assessment of the course is only possible if the requirements for both the lecture and the exercise have been met. The combined Lecture and Exercises is referred to in the study schedule with the abbreviation LX. The ratio between an Interactive Lecture and Exercise is expressed by the two digits following the abbreviation (e.g. 21=2:1, 12=1:2, and 11=1:1).

### **Lecture and Exercise (LE + EX)**

(15) **Lecture and Exercise** courses combine a Lecture with a more practically orientated exercise course, both of which are assessed separately. However, unlike in the non-combined Lectures, attendance to the lecture is compulsory, and the lecture has to be attended in the same semester as the exercise. The student's performance in the lecture will be assessed through an examination at the end of the course, whereas the student's performance in the exercise course will be based on continuous assessment by the lecturer. Positive assessment of the exercise is only possible if the attendance requirements for both the Lecture and the Exercise have been met. In order to register for the lecture's final examination, students must have already completed the Exercise earning a passing grade. The combined Lecture and Exercise is referred to with the abbreviation LE+EX.

### **Lecture and Seminar (LS)**

(16) The **Lecture and Seminar** course format combines an Interactive Lecture with a more project orientated seminar, both of which are assessed together. The lecture provides the theoretical background of a subject, whereas the seminar engages students in projects where theoretical knowledge is applied. Positive assessment of the course is only possible if the requirements for both the lecture and the seminar have been met. The combined Lecture and Seminar is referred to with the abbreviation LS; the ratio between and interactive lecture and seminar is expressed by the two digits following the abbreviation (e.g. 21=2:1, 12=1:2, and 11=1:1).

### **Seminar (SE)**

(17) **Seminars** are courses with continuous assessment of performance. They are referred to with the abbreviation SE.

### **Practical Training (PT)**

(18) **Practical Training** courses give students the opportunity to gain insight into practical activities of the industry. Practical trainings are referred to with the abbreviation PT.

### **Examinations (ES)**

(19) **Examinations**, referred to with the abbreviation ES, are used in undergraduate, graduate and

postgraduate programs to represent curriculum requirements including placement tests, preliminary examinations, research proposal defenses, and thesis/dissertation defenses.

#### **§5 Registration for Lectures (LE), Interactive Lectures (IL) and courses with continuous assessment of performance (LX, LE +EX, LS, SE, PT)**

(1) **Registration Period:** Students are required to register for all courses within the official Registration Period prior to the start of the subsequent semester. If a student registers late or requests changes (drops a course, adds a course, or switches groups) after the closing of the Registration Period, a fee will apply. Details on any special extensions to the registration period will be available on the individual course syllabus.

(2) **Canceled Registration or Withdrawing from a Course after the Registration Period:** For compulsory courses, faculty members are allowed to cancel a student's course registration. This opportunity must be clearly stated on the syllabus and should only be granted when: 1) the student has not yet participated in any course-related assessment and 2) when no disadvantage to other students arises from the student's withdrawal. A fee will apply.

(3) Any withdrawal requests made after the period indicated on a syllabus [§5(2)] must be addressed to the Dean.

#### **§6 Registration for the Examinations of Lectures (LE)**

(1) In order to be able to participate in final examinations of Lectures, the student is obliged to register in advance for the respective examination date. Registration is made possible upon announcement of the examination date.

(2) If the examination is split into a midterm and final exam, registration has to take place before the midterm exam and is considered valid for both examination parts.

(3) **Deadlines:** A student can register for and cancel registration of exams up until 11 p.m. two working days prior to the date of the examination. If the cancelation is not done in time or if the student does not sit the examination, the student will receive a failing grade.

(4) **Special Consideration:** Only in cases of either acute illness or other unforeseen (emergency) reasons can an "Application for Canceling an Exam Registration Form" be submitted after the examination has taken place. This application must be submitted to the Academic Office by the student or his or her representative to no later than 14 days after the examination date. The "Application for Canceling an Exam Registration" will be assessed by the Dean. In case of the Dean's absence, the President will assess the appeal. If the "Application for Canceling an Exam Registration" is not submitted in time, the application will not be assessed, and the student will receive a failing grade.

(5) Within 14 days of submitting an "Application for Cancelling an Exam Registration Form" to the

Academic Office, the student will be informed in writing of the outcome regarding his or her request.

(6) In the case of a negative decision regarding the request to cancel an exam registration, the student can submit a written appeal to the SEC to justify the withdrawal, interruption, or absence from the examination. The formal “Appeal Form “has to be submitted to the Academic Office within 14 days of the original issuing date of the negative decision.

**§7 Examination Assessment and Determination of the Examination Grades**

(1) **Grading:** Examinations shall be assessed using a percentage system. Percentages for the examinations are determined by the examiner.

(2) If several examiners participate in an examination, each assessor is called on to assess the overall examination performance together, as long as no other assessment method is subsequently determined. When the examiners’ assessments differ, the average of the sum of the individual assessments is calculated.

(3) Assessments with a decimal value greater than 0.5 are rounded up; otherwise, the value is rounded down.

(4) For students enrolled in study programs commencing in 2013, the following grading scale is used in the assessment of examinations:

%	Austrian	
90 - 100	1	Excellent
80 - 89	2	Good
70 - 79	3	Average
60 - 69	4	Sufficient
< 60	5	Fail

**Remarks:**

- <sup>1</sup> Excellent - Outstanding performance with only minor errors
- <sup>2</sup> Good - Generally sound work with a number of notable errors
- <sup>3</sup> Average: Fair but with significant shortcomings
- <sup>4</sup> Sufficient: Performance meets the minimum criteria
- <sup>5</sup> Fail: Some more work required before the credit can be awarded

(5) For students enrolled in study programs before 2013, the following grading scale is used in the assessment of examinations:

%	Austrian	
<b>80 - 100</b>	1	Excellent
<b>70 - 79</b>	2	Good
<b>60 - 69</b>	3	Average
<b>55 - 59</b>	4	Sufficient
<b>51 - 54</b>		
<b>&lt; 51</b>	5	Fail

**Remarks:**

- <sup>1</sup> Excellent - Outstanding performance with only minor errors
- <sup>2</sup> Good - Generally sound work with a number of notable errors
- <sup>3</sup> Average: Fair but with significant shortcomings
- <sup>4</sup> Sufficient: Performance meets the minimum criteria
- <sup>5</sup> Fail: Some more work required before the credit can be awarded

(6) In the event of a violation against the process of examinations (as outlined in this document), a suspected case of a discrimination-based assessment by a lecturer, or a disturbance during the examination procedure, a student has the right to appeal an examination assessment. Students who consider themselves wrongly assessed can apply to countermand the examination assessment using the “Appeal Form.” This must be submitted to the Academic Office within 14 days after receiving the grade.

(7) The course type “Examinations” (§4 (19)) is evaluated using the denotation of “Pass” (P\*) or “Pass with Distinction” (PD\*) or Fail (F) rather than a numeric percentage.

**§8 Disturbance of the Examination Procedure**

(1) An examination will be assessed as “failed” if any of the following occur without credible reason.

- (1a) A student withdraws from the examination after the proctor already has begun administering the examination.
- (1b) A student fails to hand in the written examination within the exam’s allotted time.
- (1c) A student interrupts the written or oral examination without credible reasons.

(2) If the ongoing examination is disrupted by a student acting disorderly, the proctor can prohibit the student from continuing the examination. In this case, the examination will be assessed as “failed.”



(3) If a student is not able to fully or partially take the examination in either its prescribed form or the exam's allocated time due to the existence of special circumstances, the student can apply (using the "Application for Special Consideration") to either take the examination within an extended period of time or be administered an equivalent examination in an alternative format. The application must be submitted to the respective lecturer 14 days prior to the scheduled examination date. It is at the lecturer's discretion whether or not to accept the "Application for Special Consideration," and the lecturer must inform the student of his or her decision in writing within 14 days. If the lecturer rejects the application, the student has the possibility to appeal to the respective Dean using the "Appeal Form."

## §9 Academic Misconduct and Related Consequences

- (1) The **definitions** of commonly used terms below are outlined and explained in the MU Plagiarism Brochure formulated by the Studies and Examination Committee. A summarized version of the brochure is a mandatory element of any MU course syllabus. An affidavit form referring to the content of the MU Plagiarism Brochure is made available to students and can be assigned for any written MU assignment at an instructor's discretion. Even when an instructor does not use the highly recommended affidavit form, students are still required to adhere to university standards regarding academic misconduct and plagiarism. Unless the instructor specifies otherwise, any document submitted by a student at any time may be subject to a plagiarism check.
- (2) **Academic misconduct** refers to any action or attempted action intended to give a student an unfair advantage (or a disadvantage to others) regarding academic work. This includes fraud and acts of deception such as cheating, plagiarism, the fabrication of material or data, collusion, and the facilitation of academic dishonesty.
- (3) MU defines **cheating** as an individual making any attempt to influence the results of academic work through fraudulent performance or the use of unapproved aids.
- (4) The **covert sharing or unauthorized use of another student's materials** is also considered academic misconduct.
- (5) **Plagiarism:** MU recognizes four forms of plagiarism: 1) failure to cite another source's (or one's own) words or ideas, claiming authorship; 2) copying or borrowing another individual's work or structure without proper referencing; 3) false paraphrasing (failing to use quotation marks, despite citing a source) or patchwork paraphrasing (splicing together parts of sentences without using quotation marks); 4) hiring or asking someone to write or complete a work on your own behalf and claiming it as your own. If the student copies passages out of texts that already have been submitted for other assignments at MU or elsewhere without proper referencing, this is considered self-plagiarism – also a form of academic misconduct.
- (6) **Minor or Serious Plagiarism:** The act of plagiarism itself is considered academic misconduct. If the accusation of plagiarism is confirmed through the procedure for investigating academic misconduct

[\$9(8)], the SEC will then assess whether the act is minor or serious. The extent of plagiarism, the importance of the plagiarized assignment, and the intent behind the act are factors that can differentiate the case as being either minor or serious. An act of plagiarism committed unintentionally may be considered minor; an act of plagiarism done intentionally is considered a serious case of academic misconduct.

(7) **Informal Handling of Plagiarism:** When a lecturer judges that there has been an insignificant case of plagiarism occurring in his or her course that is seemingly not a disciplinary issue, faculty involved are encouraged to address the issue one on one with the student – taking into consideration grading consequences [\$9(12)]. It is entirely at the instructor’s discretion to decide upon whether to informally resolve the suspected minor violation of academic misconduct or to instead forward the violation to the Academic Office [\$9(8)].

(8) **Procedures for Investigating and Processing Violations of Academic Misconduct:** When an instructor or thesis supervisor detects what he or she suspects as being a case of academic misconduct that constitutes a disciplinary issue, the instructor must notify the student that a formal *notification of academic misconduct* will be filed. Along with the notification, the instructor must submit accompanying material that provides evidence for the accusation to the Academic Office. The Academic Office will create a document naming the involved parties and indicating the misconduct, and the office will inform both the Studies and Examinations Committee and the student of the formal processing of the incident. The student will be notified about the potential consequences of the accusation and informed of possibilities for an appeal. The Academic Office will provide instructions concerning the timeline for and process of appealing an instructor or supervisor’s decision by email to the student’s MODUL University account.

(9) **Academic Probation:** Academic Probation serves as a warning system to alert students that they are no longer considered in good academic standing, either due to lack of progress towards earning a degree or for reasons of academic misconduct.

(10) A student found guilty of any serious instance of academic misconduct or two reported minor instances of academic misconduct will be placed on Academic Probation. If a student is found guilty of first having committed a minor infraction followed by a serious one, the student will be placed on Academic Probation, and the SEC can propose additional punitive measures including the termination of the student’s Study Contract to the University Board. This opportunity to assign punitive measures is at the sole discretion of the Studies and Examination Committee and only can be applied once during a student’s MU career.

(11) A student who has been placed on Academic Probation [\$9(9)] will be notified about the consequences of any repeated case of academic misconduct and pending termination by both postal mail and an e-mail to his or her MODUL University account.

(12) If a student on Academic Probation is accused of academic misconduct, the student may choose to appeal (using the “Appeal Form”), and the SEC must allow the student to present his or her appeal in person. If a student on Academic Probation is found guilty of another incident of academic misconduct,

the Studies and Examination Committee has to recommend the termination of a student's Study Contract and separation from MU to the University Board. Only in situations when a student is being placed on Academic Probation for first a minor and then a serious case of academic misconduct can the SEC consider alternative punitive measures.

(13) If a student considers himself or herself wrongfully accused by a lecturer, that student can submit an appeal within two weeks after the notification of being accused of academic misconduct to the Academic Office (§13).

(14) **Grading Consequences:** It is entirely at the instructor's discretion to decide upon the consequences of a suspected minor case of academic misconduct, especially considering any formal appeal that the accused student may have submitted. In all minor cases – both those informally handled and cases submitted to the SEC for further processing – the student may be given the opportunity to resubmit an assignment (with or without points being deducted from the grade) or accept a zero for the work but continue with the course. The option for allowing a resubmission for minor infractions is entirely at the lecturer's discretion. If a student has been found guilty of serious academic misconduct occurring during a course (deemed serious by the decision of the SEC), the instructor must assess the student's final course grade as "fail."

(15) **Formal Investigation:** The Studies and Examination Committee will investigate each notified incident of academic misconduct, especially considering any formal appeal that the accused student may have submitted and taking into account any previous infractions. The SEC will decide on whether a suspected student has committed an act deemed to be (1) minor; (2) serious; (3) not a case of academic misconduct. The outcome of the SEC's decision must be entered onto the student's academic record.

(16) Being found guilty of any instance of serious academic misconduct carries the consequence of being placed on Academic Probation, as does being found guilty of having committed two minor infractions of academic misconduct [§9(10)].

(17) Upon the disclosure of new evidence, the Studies and Examination Committee may agree at a later time to reexamine a closed case. If an incident should not have been judged as being a case of academic misconduct, then the disciplinary entry on the student's academic record would be deleted, and any Academic Probation or other consequences having resulted from the original decision would be revoked. If evidence regarding a case originally ruled as not having been academic misconduct is later reconsidered, the verdict may be changed to reflect the new evidence.

## **§10 Invalidity of Examinations and Final Grades**

(1) If any work produced during an examination has been plagiarized or if the permission to enroll for an examination has been unjustly manipulated, and if these facts are not made known before the grade has been announced, the Studies and Examinations Committee can subsequently declare the course or examination under question as "failed." Before a change in the grade, the student will be given an

opportunity to submit an “Appeal Form” for consideration with the Studies and Examinations Committee.

(2) Upon notification of an error on the transcript or record, any incorrect grade reported on the transcript is to be declared invalid and replaced by a corrected grade.

(3) A final transcript and diploma will be declared invalid as a result of a late-discovered assignment of an incorrect grade. If academic misconduct is suspected following the bestowal of an academic degree and causes the degree’s prerequisites to no longer be fulfilled, then the final issued transcript and diploma will be declared invalid and has to be returned. In cases where the degree is still valid, a new transcript and diploma will be issued to the student with the addition of the corrected grades, and the original inaccurate transcript must be returned to the Academic Office.

### **§11 Information on Grade Results, Certificates and Attestation**

(1) The results of an examination and final course grades are to be announced as quickly as possible. Specifically, grades should be made available to students no later than two weeks following the date of the examination or assignment submission.

(2) Upon request, students are entitled to access all examination documents, protocols, written tests, and result records relevant to the examination. Students can also make copies of these documents at their own expense. The university is obliged to store and archive all examination records for a maximum of one year.

(3) Upon request, the positive result of a course can be certified with a certificate of participation. This document is to include the student’s data, course title, number of hours of weekly participation, number of ECTS credits, and the final course grade.

(4) In place of a confirmation of each individual course, a transcript of all positively or negatively assessed courses can be issued.

### **§12 Termination of Enrollment, Course Retake, and Examination Reattempt**

(1) The decisive body responsible for a student’s termination of enrollment, retake of a course, or examination reattempt is either the Dean or participants of a Semester Conference (as specified in the respective Study Regulations).

(2) A student’s enrollment is terminated at the end of a semester/term under the following conditions:

(2a) The student has failed to obtain at least 16 ECTS within the last two semesters (or three terms for MBA students only).

- (2b) The student has exhausted all three possibilities of taking an examination in a Lecture (LE).
- (2c) The student has failed an Interactive Lecture (IL) or a course with continuous assessment of performance (SE, PT, LX, LS) for the second time.
- (2d) The student has had an internship contract terminated for a third time, regardless of whether or not the contract was terminated by the employer or the student.
- (2e) A graduate, post-graduate, or executive student (MSc, PhD, MBA) who enrolled in 2013 or later has failed more than two courses.
- (2f) A student's thesis has received a failing grade for the second time.
- (2g) The student has failed two or more foundation program courses for the second time.
- (3) A student's enrollment can be terminated at any time by the University Board as a result of student misconduct if the student obstructs university activities; shows disorderly conduct by violating the MU House Rules or Fire Safety Regulations; demonstrates other forms of dishonesty; commits acts of forgery or theft; commits acts of physical abuse or violence; engages in sexual, racial, verbal, or other forms of harassment, including stalking; or participates in hazing.
- (4) The student will be notified about a pending termination by both postal mail and an e-mail to his or her MODUL University account. The student has the opportunity to submit a letter of justification in order to justify why a recommendation to the University Board for termination of enrollment should be reversed. The letter must be sent to the respective Program Manager based on the details below.
- Programs with a Semester Conference: The letter of justification must be received by the Academic Office no less than one week before the biannual Semester Conference is scheduled to take place.
  - All Other Programs: The letter of justification must be received by the Academic Office within two weeks of the date of the notification of the student's pending termination.
- (5) If the student submits the letter of justification within the allocated time period, then the appeal will be considered.
- (6) Retake of a previously failed course(s) is possible in exceptional cases, such as when the student's overall academic performance is deemed excellent or if the student recently has shown significant progress in his or her studies. According to the respective Study Program Regulations, either the Dean or the Semester Conference decides upon:
- (6a) **Retake of a Failed Lecture (LE):** The Dean or the Semester Conference may allow the student to retake the lecture (LE) and grant one additional, final opportunity for the student to attempt the exam.
- (6b) **Retake of an Interactive Lecture (IL) or a Course with Continuous Assessment of Performance (SE, PT, LX, LS):** The Dean or the Semester Conference may grant the student one additional, final opportunity to retake the Interactive Lecture (IL) or a course with continuous assessment of performance

(SE, PT, LX, LS).(6c) **Thesis Reattempt:** At the discretion of the Dean or Semester Conference, the student may be granted a third attempt to write and submit the final thesis, despite having received negative assessments on the first two attempts of the thesis.

(6d) **Waiving Fees:** At the discretion of the Dean or Semester Conference, retake fees may be waived for courses to which a student is readmitted as a result of failing the course during a previous attempt.

(6e) **Exceptional Situations:** Events that would prevent a student from reaching the required 16 ECTS per academic year (e.g. severe medical reasons, a student is in the final phase of their studies and only need to complete a thesis, etc.) may be considered as grounds on which not to terminate a Study Contract.

(7) The Academic Office will inform a student regarding the decisions made in the Semester Conference or by the Dean. The students can appeal decisions made by the Dean or Semester Conference to the Studies and Examination Committee by submitting an “Appeal Form” to the Academic Office [§12(4)]. Decisions can only be appealed on formal grounds (i.e. violations of university regulations).

(8) Unless otherwise waived, [§12 (6d)], the student must cover all expenses arising from readmission to a course or program of study.

### **§13 Studies and Examination Committee**

(1) The Studies and Examination Committee makes decisions regarding a student’s appeal in instances stated in these Examination Regulations or the Study Regulations of the respective study program.

(2) **Appeal:** A student must be given the opportunity to submit a formal statement to the SEC by means of a completed “Appeal Form.” As stated in the “Appeal Form”, the appeal itself must be submitted to the Academic Office within 14 days following the notification of the pending issue. The “Appeal Form” requires students to submit details including: (a) the full name of the individual appealing; (b) the subject matter of the appeal (date and description of the decision a university authority has made); (c) the reason why the student considers the accusation of academic misconduct false. Students who make a formal appeal using other forms of written communication (without use of the form) must include the word “Appeal” either in the heading or subject line of the document and include all of the same information required by the “Appeal Form.”

(3) The Dean, the lecturer, the student, and - in case of recommended termination - the University Board, have to be notified in written form about a decision by the SEC. Decisions by the Studies and Examination Committee are final and cannot be appealed.

(4) The SEC has a two-month window from the date an appeal has been submitted in which to confer and come to a decision on the appeal’s outcome.

(5) The committee can countermand a previously made decision, but it cannot replace any negative

assigned grade with a positive one.

(6) In cases when the Dean is called on to make a decision but when there is a conflict of interest for the Dean, the Studies and Examination Committee will be called upon for a resolution.

#### **§14 Reapplying to MODUL University Vienna**

(1) When an individual Study Contract has been terminated, a student is eligible to apply for readmission in either the original or a different program of studies. All readmitted students will receive a new Study Contract but may be granted Conditional Admission if the grounds for the original termination warrant admitting the student conditionally.

(2) **Readmissions Following Termination of Study Contract:** When a Study Contract has been terminated on academic grounds [i.e. by recommendation of the Semester Conference/Dean or when a student has achieved less than 16 ECTS within two semesters (three terms for MBA)], the student must wait a minimum of two semesters (three terms for MBA) after the date of termination before he or she may be readmitted.

(3) **Readmissions Following Dismissal for Reasons of Academic Misconduct:** When a Study Contract has been terminated because of academic misconduct, the student must wait a minimum of four semesters (six terms for MBA) following the date of termination before he or she may be considered for readmission.

(4) **Conditional Admission:** Following the termination of a Study Contract as a result of a student having failed one or more courses multiple times, the student may be granted Conditional Admission and first must pass the original course(s) in question before being allowed to continue with the program of study. As some courses are not offered by MODUL University Vienna each semester, the actual waiting period might be more than two semesters (three terms for MBA). In addition to the application documents, the student is required to present both evidence and documentation that the reasons for his or her poor academic performance have been meliorated (§15).

(5) **Other Readmission:** When a Study Contract has been terminated by an individual student because of personal or medical reasons, the student may apply for readmission at any time.

(6) When a Study Contract has been terminated because of either failure to submit original documents for admission or failure to comply with the financial obligations of the Study Contract, the student must wait a minimum of one semester (or one term) after the date of termination before he or she may be readmitted.

(7) **Waiting Period:** The official waiting period following a student's termination is valid immediately following the completion of the semester during which the student's Study Contract was violated.

(8) Applications for readmission must be submitted to the Admissions Office at least two months prior

to the subsequent semester's start date.

(9) The University may grant an individual student readmission to MODUL University Vienna only once.

### **§15 Conditional Admission**

(1) The MU Admissions Committee may decide on conditionally admitting students to a study program. Each conditional admission decision must include a predetermined limited timeframe indicating how long the student has before he or she must fulfill the missing criteria for full admission.

(2) A student who has been conditionally admitted (or readmitted) to a study program has to demonstrate every effort to overcome the missing requirements for not being granted full admission.

(3) If a student fails to fulfill the predetermined criteria accompanying conditional admission within the Admission Committee's allocated time limit, the student will not be allowed to continue with other courses, exams, or any other academic activities (e.g. internship, graduation) until he or she has completed the missing prerequisite criteria.

(4) With the exception of the aforementioned criteria, a student's record of failed courses or examinations will no longer be considered valid.

(5) The Study Contract of a conditionally admitted student who has exceeded the predetermined time limit for fulfilling the missing criteria by more than one academic year will automatically become void, resulting in termination of the Study Contract.

(6) The Academic Office will inform students when the criteria for a student's conditional admission have been fulfilled or when a student's Study Contract becomes void.

### **§16 Public Announcement Taking Into Effect**

The University Board publicly announces these Examination Regulations which take effect on 1 August 2016.