

THE DISCIPLINARY CODE FOR STUDENTS
THE FACULTY OF ARTS AND PHILOSOPHY, UNIVERSITY OF PARDUBICE
OF JUNE 6, 2017

Introductory Provisions

The Disciplinary Code for Students of the Faculty of Arts and Philosophy (hereinafter referred to as the "Disciplinary Code") is issued in accordance with Act No. 111/1998 Coll., On Higher Education Institutions and on the Amendment and Supplementation of Other Acts (Higher Education Act), as amended, hereinafter referred to as the "Act", and is an internal regulation of the Faculty of Arts and Philosophy (hereinafter referred to as the "Faculty").

Article 1

Subject Matter

- (1) This Disciplinary Code applies to disciplinary proceedings concerning the handling of disciplinary offenses by students of the Faculty.
- (2) For the purpose of debating disciplinary offenses by students of the Faculty, the Disciplinary Board of the Faculty (hereinafter referred to as the "Disciplinary Board") is established in accordance with Article 15 of the Statutes of the Faculty, which is a self-governing body of the faculty under Section 25 of the Act.

Article 2

Disciplinary Offense

- (1) Disciplinary offenses are culpable actions of students who intentionally or negligently breached their obligations under the laws or regulations of the University of Pardubice (hereinafter referred to as the "University") or those of the Faculty.
- (2) Only the sanctions provided in Section 65 (1) of the Act may be imposed on the student for a disciplinary offense. Article 65 of the Act applies to the determination of the type of sanction and its imposing.
- (3) Only one sanction may be imposed for a disciplinary offense. A disciplinary offense cannot be dealt with if a period of one year has elapsed since it was committed or since a final verdict of guilty was passed in a criminal case. The time when the person is not a student shall not be included in the one-year period.

Article 3

Sessions of the Disciplinary Board

- (1) The members of the Disciplinary Board shall be appointed and removed from office by the Dean in accordance with Section 31 of the Act and Article 15 of the Statutes of the Faculty upon approval by the Academic Senate of the Faculty of Arts and Philosophy (hereinafter referred to as the "Faculty Senate"). The Disciplinary Board elects and removes from office its Chairperson from among its members. The term of office of the Disciplinary Board is two years. During his/her absence, the Chairperson shall be deputized with all his/her powers by a member of the Disciplinary Board appointed by the Chairperson.
- (2) The Disciplinary Board has at least six members. The Disciplinary Board shall always have an even number of members, half of which must be students.
- (3) The Disciplinary Board is competent to act if there is an overwhelming majority of members present, at least one of whom is a student. The Disciplinary Board sessions shall be presided over by the Chairperson or a member appointed by him/her who is an academic.
- (4) Disciplinary Board sessions are closed. If a student who is subject to the hearing of a disciplinary offense (hereinafter referred to as the "student") proposes that the hearing be public, the Disciplinary Board shall honour such a request. The student's proposal for a public oral hearing shall be decided by the Disciplinary Board in a resolution which shall only be noted in the file.

(5) The Disciplinary Board shall initiate disciplinary offense proceedings at the Dean's suggestion. The written proposal shall be delivered in two copies to the Chairperson of the Disciplinary Board and shall contain, in accordance with § 69 of the Act, a description of the facts or the evidence proposed on which it relies, as well as the reason why the act is considered a disciplinary offense. One copy of the proposal shall be delivered to the student by the Disciplinary Board.

(6) Disciplinary proceedings shall be opened by acquainting the student with the proposal, which the submission of one copy of the proposal to the student is considered to be. Once a disciplinary procedure has been initiated or is in progress, the student has the right to inspect the written materials and make notes from them. Throughout the disciplinary proceedings until the Disciplinary Board decides, the student is authorized to propose evidence and make other suggestions.

(7) Disciplinary offenses shall be heard in the presence of the student. If the student should excuse himself/herself from the hearing, the justifiability of his/her excuse shall be assessed by the Disciplinary Board. In the absence of the student, the oral hearing may be held only if he/she fails to appear without a justifiable excuse, although duly invited. The Chairperson shall notify the student of the oral hearing of the Disciplinary Board at least five days in advance.

(8) After the opening of the oral hearing of the Disciplinary Board, a brief summary of the proposal shall be presented. Before a decision is made by the Disciplinary Board on the disciplinary offence, the student has the right to comment on the proposal, the background to the decision, and the course of the proceedings. The student may choose a proxy from among the members of the academic community of the Faculty.

(9) The motion for the sanction shall be decided by the Disciplinary Board in a resolution of an absolute majority of the present members, all members being obliged to vote. In the case of equal votes, the Chairperson's vote shall be decisive. In addition to members of the Disciplinary Board, nobody else shall be present at the session.

(10) The Disciplinary Board shall always decide on the motion to impose a sanction. In its proposal, it shall indicate which sanction for the disciplinary offense it proposes. If it turns out that it is not a disciplinary offense or if it is not proved that a disciplinary offense has been committed by the student or if the person ceased to be a student, the Dean shall stop the disciplinary proceedings by a resolution.

(11) The Disciplinary Board is obliged to make a written record of its session, which is verified by the member who has presided the hearing. The voting record shall be kept separately and shall not be published. All written documents relating to the handling of disciplinary offenses shall be kept at the University for 10 years after the document has been processed or the case has been closed.

(12) The results of the Disciplinary Board proceedings and the motion for imposing the sanction with the grounds thereof shall be submitted by the Chairperson to the Dean within 5 days after the end of the hearing.

Article 4

Decision to Impose a Sanction

(1) The Dean shall issue a decision to impose a sanction within 30 days of receiving the motion of the Disciplinary Board to impose a sanction.

(2) On the basis of the course and outcome of the disciplinary commission, the Dean may impose the proposed sanction or, in accordance with Section 65, Subsection 3 of the Act, reduce the proposed sanction. The Dean may waive the imposition of a sanction, if the hearing of the disciplinary offense itself leads to correction. The Dean shall not impose a stricter sanction than the Disciplinary Board has proposed.

(3) Disciplinary proceedings and decisions on rights and obligations in matters of disciplinary offenses are subject to Section 68 and Section 69 of the Act.

(4) The decision to impose a sanction shall be made in writing, it shall contain a statement of the decision with a determination of the sanction, grounds thereof and instructions on the possibility of appealing and shall be delivered to the student in his/her own hands. If the sanction imposed is conditional exclusion from studies, the time-limit and conditions for certification of the sanction shall be set in the operative part of the decision.

Article 5

Final Provisions

(1) The Disciplinary Code for Students of the Faculty of Arts and Philosophy of March 13, 2007 is hereby

revoked.

(2) This draft of the Disciplinary Code of the Faculty of Arts and Philosophy was approved pursuant to Section 27, Subsection 1, Clause b of the Act by the Faculty Senate on April 10, 2017.

(3) This Disciplinary Code of the Faculty of Arts and Philosophy was approved under Section 9, Subsection 1, Clause b), Subclause 2 of the Act by the Academic Senate of the University of Pardubice on June 6, 2017.

(4) This Disciplinary Code of the Faculty of Arts and Philosophy enters into force on the day of its approval by the Academic Senate of the University of Pardubice.

(5) This Disciplinary Code of the Faculty of Arts and Philosophy takes effect on the date of its approval by the Academic Senate of the University of Pardubice.

prof. PhDr. Karel Rýdl, CSc., by his own hand
Dean