

**DISCIPLINARY CODE FOR STUDENTS OF
PALACKÝ UNIVERSITY IN OLOMOUC OF
15 JUNE 2012**

On 15 June 2012, pursuant to Section 36 (2) of Act No. 111/1998 Sb., on universities and on the amendment and modification of other acts (the Universities Act), the Czech Ministry of Education, Youth and Sports registered the Disciplinary Code for Students of Palacký University in Olomouc under Ref. No. 26 198/201230.

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Mgr. Karolína Gondková
Director of the Department of Higher Education Institutions

DISCIPLINARY CODE FOR STUDENTS OF PALACKÝ UNIVERSITY IN OLOMOUC

of 15 June 2012

Article 1 Introductory Provisions

The present Code is issued pursuant to Section 17 (1) h) of Act No. 111/1998 Sb., on universities and on the amendment and modification of other acts (the Universities Act), as amended (hereinafter the “Act”) and in accordance with Article 57 of the Constitution of Palacký University in Olomouc (hereinafter “UP”) as an internal regulation and applies to UP students.

Article 2 Establishment of Disciplinary Committees

The Disciplinary Committee of UP and the Disciplinary Committees of individual faculties are established pursuant to the provisions of Section 13 and Section 31 of the Act, which also govern the appointment of its chair and the term of office. Disciplinary Committees consist of six members.

Article 3 Meetings of Disciplinary Committees

(1) A student’s disciplinary infraction is considered by the Disciplinary Committee of the faculty at which the student is enrolled. A disciplinary infraction of a student not enrolled at any of the faculties is considered by the Disciplinary Committee of UP. A disciplinary infraction of a student enrolled at more than one UP faculty is only considered by the Disciplinary Committee of the faculty whose Dean has been authorized by the Rector in writing to file a motion to commence disciplinary proceedings pursuant to Paragraph 2.

(2) Meetings of the Disciplinary Committee of UP are convened upon the proposal of the Rector/Dean, by whom it is required that the disciplinary infraction be considered. The proposal that a disciplinary infraction be considered (a motion to commence disciplinary proceedings) shall contain all particulars as required by Section 69 (1) of the Act and shall also include all particulars and be of a minimum extent as required by the Rector's methodological guideline. The student whose disciplinary infraction is to be considered is invited to an oral consideration of the disciplinary infraction in writing by registered mail with an advice of delivery through a licensed postal service provider not later than 14 days before the meeting of the Disciplinary Committee is to be held. The invitation shall include the motion to commence disciplinary proceedings filed by the Rector or the Dean pursuant to Section 69 (1) of the Act.

(3) Meetings of the Disciplinary Committee are convened and presided over by its chair, or as the case may be, by a member of the Disciplinary Committee authorized by the Rector/Dean.

(4) Meetings of the Disciplinary Committee are quorate if a minimum of two thirds of its members is present.

(5) Resolutions of the Disciplinary Committee are adopted by a majority of the members of the Disciplinary Committee; in the case of a tie, the presiding member has a casting vote.

(6) The Disciplinary Committee shall ascertain all relevant details related to the infraction and enable the student, whose disciplinary infraction is being considered, to give testimony.

(7) Part of the meeting in which the Disciplinary Committee ascertains all facts related to the given act constituting a disciplinary infraction of which the student is accused, and where evidence is produced, is open to the public. The discussion about the proposal for a decision on the disciplinary infraction is held in camera.

(8) The Disciplinary Committee of a faculty submits to the Dean (or to the Rector in the case of the Disciplinary Committee of UP) a proposal for a decision on the disciplinary infraction, in the following modalities:

- a) a proposal to impose a penalty for a disciplinary infraction in accordance with Section 65 (1) of the Act if the Disciplinary Committee succeeds in proving the commission of the infraction of which the student was accused in the motion to commence disciplinary proceedings,
- b) a proposal to waive the penalty if the Disciplinary Committee succeeds in proving the commission of the infraction of which the student was accused in the motion to commence disciplinary proceedings, but the consideration of the infraction itself constitutes a sufficient remedy,

- c) a proposal to stay the disciplinary proceedings if the Disciplinary Committee fails to prove that the student has committed the act of which he or she was accused in the motion to commence disciplinary proceedings,
- d) a proposal to stay the disciplinary proceedings if the Disciplinary Committee succeeds in proving the commission of the infraction of which the student was accused in the proposal to commence disciplinary proceedings, but it subsequently transpires that it was not a disciplinary infraction in accordance with Section 64 of the Act, or
- e) a proposal to stay the disciplinary proceedings, if the person accused of having committed the infraction has ceased to be a student.

(9) Proposals under Paragraph 8 are adopted by the Disciplinary Committee as a resolution. Furthermore, the Disciplinary Committee shall also draft the decision, including all particulars and being of the minimum extent as required by the Rector's methodological guideline, and submit such a draft to the Rector/Dean together with the proposal under Paragraph 8 and a record under Paragraph 10.

(10) A written and dated record of the meeting of the Disciplinary Committee is drawn up, including a proposal for the Rector's or the Dean's decision and a draft of the decision with all particulars and of minimum extent as required by Rector's methodological guideline.

11) Where it is not stated otherwise, the misdemeanours law and the administrative code in force are used as a subsidiary law.

Article 4 Decision Review

(1) Section 68 (4) - (5) of the Act applies to the review of decisions issued in the disciplinary proceedings.

(2) If a penalty has been imposed by the Rector upon a recommendation by the Disciplinary Committee in a situation where a disciplinary infraction has been committed by a student not enrolled at any of the UP faculties, an application to have the decision on the disciplinary infraction reviewed shall be submitted to the Rector. The Rector decides on the review of such a decision upon a proposal by a special committee consisting of the Vice-Rector for Study Affairs, the Vice-Rector for Internal Organization and an authorized employee of the UP legal department. Such a committee is convened upon the Rector's request.

Article 5 Final Provisions

(1) The Disciplinary Code for Students of UP registered by the Ministry of Education, Youth and Sports on 1 February 1999 under Ref No. 13 163/9930 is hereby repealed.

(2) The present Code was approved by the Academic Senate pursuant to section 9 (1) b) of the Act on 21 March 2012.

(3) Pursuant to section 36 (4) of the Act, the present Code shall come into force upon its registration by the Ministry of Education, Youth and Sports.

(4) The present Code shall become effective upon its publication on the UP website.

prof. RNDr. Miroslav Mašláň, CSc., in his own hand, Rector

Doc. Mgr. Miroslav Dopita, Ph.D., in his own hand, Chairperson of the Academic Senate