

DISCIPLINARY CODE FOR STUDENTS OF THE FACULTY OF INTERNATIONAL RELATIONS, UNIVERSITY OF ECONOMICS, PRAGUE

This Disciplinary Code for Students of the Faculty of International Relations of the University of Economics in Prague (hereinafter referred to as the "Faculty"), in accordance with the Act No. 111/1998 Sb., to regulate higher education institutions and to change and amend other laws ("the Higher Education Act"), hereinafter referred to as the "Act", regulates procedures for dealing with disciplinary infringements of the Faculty students and the imposition of sanctions.

Article 1

Infringement of Disciplinary Code and Sanctions

- (1) An infringement of the Disciplinary Code is a violation of the obligations stipulated by law or internal regulations of the University of Economics in Prague (hereinafter referred to as "VŠE") and the Faculty.
- (2) An infringement of the Disciplinary Code cannot be discussed if a period of one year has elapsed since it was committed or since a pronouncement of a final judicial verdict in a criminal case. The one-year period does not include the time when a person was not a student.
- (3) An infringement of the Disciplinary Code can be sanctioned by:
 - a) warning
 - b) conditional exclusion from studies, setting the deadline and conditions for certification
 - c) exclusion from studies
- (4) When imposing a sanction, account shall be taken of the nature of the conduct by which the infringement was committed, the circumstances in which it occurred, the consequences, the degree of fault, the behaviour of the student who committed the infringement, and the attempt to remedy its consequences.
- (5) In the case of conditional exclusion from studies, the period and conditions for certification shall be determined according to the severity of the infringement. A breach of certification conditions is always considered if the student commits another infringement of disciplinary rules during the stipulated certification period, except for a minor infringement of disciplinary rules committed by negligence.
- (6) In the case of conditional exclusion, if the student meets the conditions for certification in the stipulated period, the Dean decides about finishing the sanction. In the opposite case, the Dean decides about final exclusion from studies, even within the stipulated period. If the Dean does not decide in two months after the expiration of the stipulated period, the student is regarded to be certified.
- (7) A student may be excluded from studies only for deliberately committing a disciplinary infringement.
- (8) Students who have been admitted to study due to their fraudulent behaviour will be excluded from studies.

Article 2

Disciplinary Board of the Faculty

- (1) The Disciplinary Board has six members. The members of the Disciplinary Board of the Faculty are appointed and dismissed by the Dean from the members of the Faculty academic community, with the prior approval of the Faculty Senate. Half of the Disciplinary Board members are students. The Disciplinary Board of the Faculty elects and recalls its Chairman from its members.

- (2) The term of office of a Disciplinary Board member shall end, if not dismissed earlier by the Dean, in 2 years from the date of his appointment.
- (3) The Disciplinary Board Chairman is responsible for the proceedings of the Board and for its conduct. In the case of his absence, he appoints one of the other Board members as his deputy. If the position of the Chairman is not occupied, the Dean convenes a Disciplinary Board meeting, where the Chairman shall be elected.
- (4) The Disciplinary Board meetings are not public.
- (5) The Disciplinary Board does have a quorum if an overwhelming majority of its members is present. The Disciplinary Board decides by an absolute majority of the present members.
- (6) A Disciplinary Board member who can reasonably be expected to have an interest in the outcome of the proceedings, i.e. he/she is to a certain extent related to the student or his legal representative or the case itself, shall be excluded from all related Disciplinary Board meetings and proceedings, so he/she cannot influence the results of the proceedings.
- (7) A student may object to the bias of a Disciplinary Board member as soon as he/she becomes aware of it. The objection shall be disregarded if the student demonstrably knew of the reason for the exclusion but did not apply the objection without an undue delay. The Disciplinary Board chairman decides on the objection to a bias without delay. If the Disciplinary Board Chairman is objected to for a bias, the other Disciplinary Board members decide on his/her objection by majority voting.
- (8) A Disciplinary Board member who learns of the circumstances indicating that he/she is excluded from the Board proceedings, is obliged to notify the Board Chairman immediately, who shall immediately decide whether the Board member is excluded. If the Chairman learns of the circumstances indicating that he/she is excluded, he/she is obliged to notify the Dean without delay, who shall decide without delay whether the Chairman is excluded.
- (9) A voting protocol is made and shall include a draft resolution about a sanction, or other solution for the debated disciplinary infringement. The protocol is signed by all present Disciplinary Board members.
- (10) Minutes signed by the Disciplinary Board Chairman shall be taken from the meetings of the Disciplinary Board. In case of his absence, a Board member, appointed by the Chairman according to the paragraph 3, signs the meeting minutes.
- (11) The Disciplinary Board Chairman shall hand the minutes and the voting protocol over to the Dean within five working days after the end of the Disciplinary Board meeting.
- (12) The Disciplinary Board members are obliged to maintain confidentiality about facts learned in connection with the disciplinary proceedings and which, in order to ensure the proper performance of the public administration or in the interest of other persons, require them to remain confidential unless otherwise provided by the law. The Disciplinary Board members shall be exempt from this duty only for reasons provided by a special law or the consent of the person affected by the matter.

Article 3

Initiation of Disciplinary Proceedings

- (1) The Disciplinary Proceedings shall be initiated by the Disciplinary Board upon the Dean's proposal.
- (2) The Dean's Proposal includes, in particular:
 - a) an act description
 - b) the reason why the act is considered a disciplinary infringement
 - c) proposed evidence
- (3) If the Proposal does not contain the elements referred to in paragraph 2, the Disciplinary Board Chairman shall ask the Dean to remove the imperfections of his Proposal. If the Dean fails to remove the imperfections within a reasonable period of time, such a defective proposal shall be disregarded. The Dean's entitlement to submit a new proposal is unaffected.

- (4) An oral hearing shall take place on the disciplinary infringement. The Disciplinary Board Chairman, or a Board member appointed by the Chairman, convenes the Disciplinary Board hearing without undue delay upon receipt of the Dean's Proposal, guaranteeing the proper invitation of all members of the Disciplinary Board.
- (5) Disciplinary Proceedings shall be started on the day of the Proposal submission to the student.
- (6) The student must be invited to the oral hearing; if there is no danger of delay, he/she must be invited at least five days in advance of the hearing. The invitation must include the day, hour and place where the meeting will be held.
- (7) If a student has a representative, an invitation is also sent to him/her.

Article 4

Discussing the Disciplinary Infringement

- (1) The oral hearing shall be held in the presence of the student. The student may be represented by a representative. The student is required to appear in time at the designated place; if he/she cannot do so for serious reasons, he/she shall be obliged to excuse himself/herself to the Disciplinary Board Chairman without delay. The Disciplinary Board shall decide on the reasons for the absence.
- (2) In the absence of a student, a disciplinary infringement may be discussed if the student or his/her representative fails to attend the hearing without a proper excuse, despite having been invited to do so in accordance with Article 3 (6) and (7).
- (3) The Commission shall be required to ascertain the issue in fact, in particular the nature of the conduct by which the disciplinary infringement was committed, the circumstances in which it occurred and the consequences thereof.
- (4) The Disciplinary Board Chairman may invite witnesses to the hearing, or other persons who may help in the objective assessment of the disciplinary infringement.
- (5) The student is entitled to propose evidence and to make other proposals throughout the proceedings until the decision is taken. Students have the right to express their opinion in the proceedings. The student and his/her representative have the right to inspect the file, even if the decision on the matter is already in force. The student has the right to be present at the meeting of the Disciplinary Board, except for the time of the discussions and voting.
- (6) After the discussion of the case, the Disciplinary Board decides on the Proposal that the Dean:
 - a) decides that the student has committed a disciplinary infringement and at the same time proposes a sanction under Article 1 (3);
 - b) decides that a student has committed a disciplinary infringement, and at the same time, the Disciplinary Board proposes to waive the imposition of a sanction, or;
 - c) the disciplinary proceedings have stopped.
- (7) The Disciplinary Board decides that the Dean shall stop the disciplinary proceedings if:
 - a) it becomes clear that it is not a disciplinary infringement;
 - b) it fails to prove that a disciplinary infringement has been committed by the student, or;
 - c) the person suspected of having committed a disciplinary infringement has ceased to be a student.
- (8) The resolution referred to in paragraph 6 shall be communicated by the Disciplinary Board to the student and his/her representatives, if they are present at the meeting.

Article 5

Decision on disciplinary infringement

- (1) On the basis of a proposal from the Disciplinary Board, the Dean shall decide without undue delay on a disciplinary infringement.
- (2) Before the decision is made, the Dean asks the student to comment on the grounds of the decision on a disciplinary infringement and sets a reasonable time period for it.

- (3) If the Disciplinary Board decides on a proposal according to Article 4 (6) (a), except for the disciplinary infringement referred to in Article 1 (8), the Dean may:
 - a) impose a sanction which the Disciplinary Board has proposed;
 - b) impose a more moderate sanction; or
 - c) refrain from imposing a sanction if the discussion of a disciplinary infringement itself leads to remedy.
- (4) The Dean shall decide, on the basis of a proposal of the Disciplinary Board, if the Disciplinary Board decides on the proposal:
 - a) according to Article 4 (6) (a) in the case referred to in Article 1 (8); or
 - b) according to Article 4 (6) (b) or (c).
- (5) The decision must be made in writing and delivered to the student. The decision must include an opinion on the determination of a disciplinary infringement and the determination of a sanction, or an opinion on the finding of a disciplinary infringement and refraining from imposing a sanction, or an opinion on the cessation of disciplinary proceedings. In addition, it must contain justification and instruction on the possibility of appealing. If the student is represented in the proceedings by a representative, the decision is delivered to the student as well as to the representative. The delivery to the student has no effect on the running of the deadlines.

Article 6

Appeal Procedure

- (1) The Dean's decision on a disciplinary infringement may be appealed by the student within 30 days from the date of its delivery. The Dean may cancel or change the contested decision if it fully complies with the appeal. An appeal may be brought against this decision. The suspensive effect of an appeal cannot be ruled out.
- (2) The Refereeing Authority is the Rector.
- (3) The Rector examines the conformity of the contested decision and the proceedings that preceded the decision with the legal regulations and internal regulations of the University of Economics and the Faculty.
- (4) The Bodies of the University or any part thereof shall, upon the Rector's decision, take such measures as necessary to ensure that the student's rights are renewed and the consequences of the defective decision have been eliminated or at least mitigated.

Article 7

Final Provisions

- (1) This Disciplinary Code of the Faculty shall be interpreted in accordance with the relevant provisions of the legislation, the VŠE Statute and other internal regulations.
- (2) Procedures which have not been completed by the date of effect of this Disciplinary Code of the Faculty shall be completed according to the previous Disciplinary Code. Members of the Disciplinary Board of the Faculty appointed under the previous Disciplinary Code of the Faculty are considered to be members appointed under this Disciplinary Code of the Faculty, for the term of office specified in their appointment according to the previous Disciplinary Code.
- (3) The Disciplinary Code of the Faculty of International Relations of the University of Economics in Prague from September 22, 2014 is repealed.
- (4) The Disciplinary Code of the Faculty becomes effective on the date of approval according to § 9 (1) b) of the Act by the Academic Senate of the University of Economics in Prague.
- (5) The Disciplinary Code of the Faculty was approved by the Academic Senate of the Faculty of International Relations on October 12, 2017 and by the Academic Senate of the University of Economics in Prague on October 30, 2017.