

DISCIPLINARY CODE

of

Faculty of Education University of Hradec Kralove

PART ONE

Basic Provisions

Article 1

Introductory Provisions

- (1) According to Section 33 (2) d) of Act No 111/1998 Coll., On Higher Education Institutions and On Amendments and Supplements to Some Other Acts ("The Higher Education Act," hereafter "Act") by a) Disciplinary code of the Faculty of Education University Hradec Kralove (hereafter "PdF UHK") has been adopted as an internal regulation of PdF UHK and is valid for students of PdF UHK.
- (2) Issues concerning disciplinary infringements are treated in Sections 64 – 69 and Section 69 of the Act.

PART TWO

Disciplinary Code

Article 2

Disciplinary Infringement

- (1) According to Section 64 of the Act a disciplinary infringement is a breach of duties provided in generally binding legislation or the internal regulations of UHK and PdF UHK.
- (2) A disciplinary infringement can be considered in particular:
 - a) falsification of study-related document,
 - b) fraudulent activity to complete credit and examination requirements (e.g. manipulation with drawn questions, exchanging of written assignment task, providing of work to another examinee, use of prohibited study materials or aids, submission of somebody else's work and claiming its authorship, etc.),
 - c) destruction, damage, stealing or abuse of property, a student or an employee of PdF UHK,
 - d) aggressive or disturbing behaviour towards an employee or a student of UHK,

- e) infringement of copyright (according to Act No 121/2000 Coll., on Copyright and Rights Related to Copyright and on Amendment to Certain Rights ("The Copyright Act"), as amended,
- f) fraudulent behaviour during completion of study-related duties.

Article 3

Disciplinary Board

- (1) The Disciplinary Board of Faculty of Education University of Hradec Kralove (hereafter "the Board") is an independent academic body of the faculty. Membership in the Board and its operation is governed by Sections 27 and 31 of the Act.
- (2) The board is quorate when a majority of its members are present. The Board agrees by vote; a resolution of the Board is passed when a majority of members present vote for it. In the case of equality of voices, it is the right of the chairperson of the Board to decide.
- (3) The stage of sessions of the Board when the facts of the case are being examined is public unless the board decides otherwise.

Article 4

Disciplinary Infringement Proceedings

- (1) The Board commences proceedings concerning a student's infringement of disciplinary rules by a proposal presented by the Dean of PdF UHK.
- (2) Disciplinary proceedings can be proposed by any member of the academic community in written form addressed to the Dean. The proposal must include the date or dates when the activity happened, its description, evidence upon which the proposal relies, and justification why the action is considered to be a disciplinary infringement. Should the suggestion miss any of the requisites, the Dean returns it for completion. If the suggestion is incomplete a second time, the Dean postpones the case.
- (3) If legal regulations are breached, the disciplinary proceeding can be commenced only after a legitimate decision by the given authority.
- (4) The student facing the disciplinary infringement charge must be invited to the session of the Board where their case will be discussed.
- (5) The student facing the disciplinary infringement charge must be present during the disciplinary proceedings (exceptions are treated in Disciplinary Code, Article 4 (6)). After the commencement of the proceeding the student must be informed about the proposal concerning their disciplinary infringement charge. The student has the right to express their opinion, submit evidence in their favour and choose someone to be their witness.

- (6) Disciplinary proceedings can take place without the student present only if the student did not appear without justification despite having been duly invited.
- (7) If the student's absence is duly justified, the proceeding concerning their disciplinary infringement is postponed to another Board proceeding. The justification of absence must be submitted to the chairperson of the Board no later than the commencement of the proceeding. The reasons for absence must be germanely substantiated (e.g. work incapacity substantiated with medical certificate resulting in the student being unable to participate at the proceeding). In such a case the Board sets an alternate proceeding date.
- (8) If it becomes apparent that no infringement of disciplinary rules was committed, or if the Board fails to prove that an infringement of disciplinary rules was committed by the student, or if the person ceases to be a student of PdF UHK, the disciplinary proceeding is discontinued.
- (9) After having discussed the proposal, the board agrees on the decision of the disciplinary proceeding. The Board may propose to discontinue the disciplinary proceeding in accordance with Section 69 (2) of the Act, or impose a sanction under Section 65 (1) of the Act, or possibly waive the imposition of a sanction in accordance with Section 65 (2) of the Act.
- (10) Scholarship for outstanding academic achievement will not be paid if a decision to impose a sanction for an infringement of disciplinary rules takes effect according to Sections 64 – 69 of the Act. The Dean decides about not paying the scholarship.

Article 5

Decision of disciplinary proceeding

- (1) The Dean issues a decision of the disciplinary proceeding; the sanction must not be stricter than proposed by the Board.
- (2) If the sanction results in conditional expulsion from studies, the decision must include a period determining the length of conditional expulsion. If the student breaches disciplinary rules within the period so that they would be charged with an infringement of disciplinary rules, the Dean will expel the student from their studies.
- (3) If the subject of the disciplinary proceeding is behaviour according to Section 67 of the Act, and if the Board arrives at the decision to sanction the student for an infringement of disciplinary rules, the Dean imposes the sanction of expulsion from study, according to Section 67 of the Act.
- (4) The decision to impose disciplinary sanctions is saved in personal record of the student kept at the Faculty Study Department PdF UHK.

Article 6

Decision and Decision Review

- (1) The decision of the Dean of PdF UHK concerning disciplinary proceedings must be in writing and must include requisites under Section 68 (3) of the Act.
- (2) If the student whose case was the subject of a disciplinary proceeding does not file an appeal for the review of the decision in the lawful period, Dean's Decision will be posted on the Official Boards of PdF UHK.
- (3) The period to file an appeal for the review, resp. for a renewal of the proceedings is under Section 68 (4), resp. (1) of the Act.
- (4) The appeal for review must be submitted in writing to the Dean of PdF UHK. The appeal has a suspensive effect.
- (5) Proceedings concerning appeals are governed under Section 68 (4) of the Act.
- (6) If new facts additionally appear to justify the discontinuation of the proceeding, the decision of disciplinary sanctions can be waived. In such a case, the authorities of PdF UHK will adapt measures to renew the rights of the student and remove or at least reduce the consequences which would otherwise be caused by the decision.

PART THREE

Transitional and Final Provisions

Article 7

- (1) This Code is available at the Dean's office of PdF UHK, Faculty Study Department at PdF UHK and at homepage of PdF UHK.
- (2) In accordance with Section 27 (1) b) of the Act, this Code was passed by the Academic senate of PdF UHK 10 January 2013.
- (3) In accordance with Section 9 (1) b) of the Act, this Code was passed by the Academic senate of UHK on 13 February 2013.
- (4) In accordance with Section 9 (1) b) of the Act, the Code comes into legal force on the date of its passing by the Academic senate. Hereby it cancels the validity of Disciplinary Code of PdF UHK from 9. 5. 2007.

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