

*Internal Regulations of the Faculty of Arts of the University of South Bohemia in
České Budějovice*

*On 24 October 2006 the Academic Senate of the University of South Bohemia in
České Budějovice approved pursuant to Section 9 (1) b) of Act no.111/1998 Coll., On
Higher Education Institutions and on Amendments and Supplements to Some Other
Acts*

*_____ (Higher Education Act) and the Rectorate of the UUniversity of South
Bohemia in České Budějovice registered on under reference
number..... a Disciplinary Code for Students of the Faculty of Arts of the
University of South Bohemia in České Budějovice.*

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**Disciplinary Code for Students
at the Faculty of Arts of the University of South Bohemia in České Budějovice**

**Article 1
Introductory Provisions**

This Code regulates the procedure for dealing with disciplinary offenses committed by students of the Faculty of Arts of the University of South Bohemia in České Budějovice (hereinafter referred to as "FA USB").

**Article 2
Disciplinary Offenses and Sanctions .**

- (1) A disciplinary offense is a culpable violation of the obligations stipulated by Act no.111/1998 Coll., On Higher Education Institutions and on Amendments and Supplements to Other Acts (Act on Higher Education Institutions), as amended, or by the internal regulations of the Faculty and University or a culpable breach of obligations under other legislative measures. .
- (2) For a disciplinary offense, the following sanctions may be imposed on the student:
 - a) a warning,

- b) conditional exclusion from studies, setting the date and the conditions to be certified,
 - c) expulsion from studies.
- (3) When imposing sanctions, the nature of the act of the disciplinary offense committed is taken into account, the circumstances in which it occurred, the consequences, the level of culpability of the offender, as well as the previous behaviour of the student who has committed the disciplinary offense and any attempt to remedy its consequences.
- (4) Imposition of a sanction may be waived if the discussion of the disciplinary offense in itself leads to a remedy, in particular if the disciplinary offense has been committed by negligence or a less serious disciplinary offense is concerned.
- (5) The sanction of exclusion from studies may be imposed only if the disciplinary offense was committed deliberately.

Article 3

Disciplinary Board

- (1) An accusation of a disciplinary offense is dealt with by the Disciplinary Board of the FA USB. The Chair and other members of the Disciplinary Board are appointed by the Dean from among the members of the FA USB Academic Community. The Dean appoints and recalls them with the approval of the Academic Senate of the FA USB.
- (2) The Disciplinary Board has a Chair and five members. Three members of the Board are students.
- (3) The term of office of the members of the Disciplinary Board is two years. The Dean, in establishing the Board, takes care of the principle of continuity of its activities.
- (4) Members are required to attend the meetings of the Disciplinary Board to which they have been invited.
- (5) Meetings of the Disciplinary Board are managed by its Chair.
- (6) The Disciplinary Board has quorum if a majority of its members are present. If the present students do not constitute a half of the present members of the Board, the Chair of the meeting will adjourn the meeting if so proposed by one of the members of the Board. The resolution of the Board is accepted if majority of its members present approved of it.

- (7) Minutes are kept on the meetings of the Disciplinary Board and a protocol taken on the voting.
- (8) All members of the Disciplinary Board as well as alternate members are required to maintain confidentiality about all facts learned during disciplinary proceedings, even after termination of their membership in the Board.
- (9) Only the members of the Disciplinary Board where there is no doubt about their impartiality regarding the matter under consideration or the accused student or the person representing them or any other circumstances can take part in the Disciplinary Board proceeding. Such exclusion is decided by the Chair of the Disciplinary Board. Exclusion of the Chair is decided by the Dean.

Article 4

Initiation of Disciplinary Proceedings .

- (1) The disciplinary proceedings are initiated by the Disciplinary Board at the Dean's proposal. The proposal must include a description of the act and where appropriate, the proposed evidence, as well as the reasons why the act is deemed as a disciplinary offense.
- (2) Disciplinary proceedings are commenced on the day on which the student received a copy of the Dean's proposal.
- (3) sent by the Chair of the Disciplinary Board. If the proposal has not been accepted by the student within 14 days, it shall delivered by posting on the official board for 14 days.
- (4) Disciplinary proceedings may be initiated within one year of committing a disciplinary offense or a final judgement in a criminal case.
- (5) If the person ceases to be a student under the Act during the disciplinary proceedings, the proceedings shall be suspended. The proceedings shall be suspended also if:
 - a) the act proves not to be a disciplinary offense,
 - b) it is impossible to prove that the student committed the disciplinary offense.

Article 5

Examining the Proposal

- (1) The Chair of the Disciplinary Board convenes a meeting of the Board without delay immediately after the disciplinary proceedings have been initiated. .

- (2) The student must be invited to each meeting of the Board.
- (3) The student has the right to be present at the meeting of the Disciplinary Board with the exception of the voting part, to comment on all the documents, to propose and to provide evidence, to consult the written documents and, with the exception of the voting protocol, to consult the minutes of the Board's proceedings and to extract them.
- (4) The student can choose their representative. The representative who provides a written authorization of the student or whom the student grants their authorization before the Disciplinary Board shall have the rights referred to in paragraph 3.
- (5) The Disciplinary Board may act in the absence of the student only if the accused student or their chosen representative do not attend the meeting without excuse, although they were duly invited. An excuse must be written and must be delivered to the Board no later than by the commencement of the Board's meeting.
- (6) The Disciplinary Board is required to provide the necessary evidence and to discuss the case so that it can be conclusively ascertained whether the student has committed a disciplinary offense. Negotiations must be conducted in such a way that the Board can act under paragraph 7 within 30 days of its first meeting.
- (7) After discussing the matter, the Disciplinary Board will decide on the proposal that the Dean:
 - a) shall decide that the student has committed a disciplinary offense and impose a sanction for them pursuant to Article 22,
 - b) shall determine that the student has committed a disciplinary offense and, in accordance with Article 2 (4), the imposition of a sanction shall be waived
 - c) shall decide to impose expulsion from studies if the student is already in a parole regime and they have not fulfilled the specified conditions,
 - d) shall suspend the disciplinary proceedings.
- (8) In the resolution of the Disciplinary Board, the draft sanction shall also be presented and the resolution shall be communicated to the student, or their elected representative, if present.

Article 6

Decision

- (1) The decision in the disciplinary proceedings is issued by the Dean within 30 days of receiving the resolution of the Disciplinary Board.
- (2) The Dean may, before taking a decision, return the matter to the Disciplinary Board with a written reasoning for further examination if they consider it necessary for a proper clarification of the case.
- (3) The Dean can:
 - a) impose the sanction proposed by the Disciplinary Board,
 - b) impose a milder sanction,
 - c) waive the sanction.
- (4) The Dean's decision must be made in writing and must contain a determination of a disciplinary offense, determination of the sanction, justification and instruction on the possibility of filing a request for review of the decision.

Article 7 Review Proceedings

- (1) The student or - based on the attached power of attorney, their chosen representative - may, within 30 days of the date of delivery of the decision, request a review of the decision. The time limit begins on the day following the day on which the decision was delivered to the student. The request is made to the Dean.
- (2) Filing of the request has a suspensive effect.
- (3) The Dean:
 - a) shall amend or revoke the decision if it was issued in violation of the Act or an internal regulation of the FA USB or USB,
 - b) shall revoke the decision if additional information emerges that would justify the cessation of the proceedings,
 - c) shall reject the application and confirms the original decision.
- (4) The Dean's decision must be made in writing and must include a statement, a justification, and the information that this decision is final.

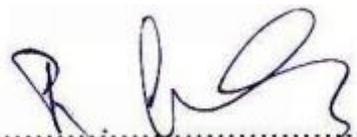
Article 8 Decision

- (1) Notifications of the Dean's proposal under Article 4 (2) and the Dean's decisions shall be delivered by registered mail delivered to the addressee only.

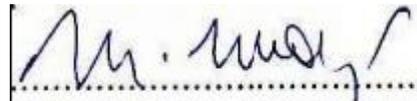
- (2) The Dean's decision, which is final and which has become effective, becomes a part of the student's file at the FA USB.
- (3) The decision takes effect on the day after the expiry of the time limit for filing a review request or on the day on which the student waives in writing the right to such request or on the date after the day on which the Dean's final decision was delivered.

Article 9
Final Provisions

- (1) This Code was discussed and approved by the Academic Senate of the FA USB on 14th June 2006 and by the AS of the USB on 24th October 2006.
- (2) This Code shall enter into force on the date of its registration at the USB Rectorate ☐


..... PhDr.

Rostislav Smíšek
Chair of the AS FA USB


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PhDr. Miroslav Nevotný, CSc.
responsible for management of the FA
USB