

On 15 June 2012, pursuant to Section 36(2) of Act No. 111/1998 Sb., on higher education institutions and on the amendment and modification of other acts (the Higher Education Act), the Czech Ministry of Education, Youth and Sports registered the Disciplinary Code for Students of Palacký University Olomouc under Ref. No. 26 198/2012-30.

In accordance with Section 36(2) of the Higher Education Act, amendments to the Disciplinary Code of Palacký University Olomouc were registered by the Ministry of Education, Youth and Sports on 16 May 2017 under Ref No. MSMT-12202/2017.

I.
CONSOLIDATED VERSION OF
DISCIPLINARY CODE FOR STUDENTS OF
PALACKÝ UNIVERSITY OLOMOUC
of 16 May 2017

Article 1
Introductory Provisions

The present Code is issued pursuant to Section 17(1)(i) of Act No. 111/1998 Sb., on higher education institutions and on the amendment and modification of other acts (the Higher Education Act), as amended (hereinafter the “Act”) and in accordance with Article 57 of the Constitution of Palacký University 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 Section 13 and Section 31 of the Act, which also govern the appointment of their 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 requiring 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 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) Two thirds of the members of the Disciplinary Committee constitute quorum for its meeting.

(5) Resolutions of the Disciplinary Committee are adopted by a majority of all 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 disciplinary infraction and enable the student, whose disciplinary infraction is being considered, to give testimony.

(7) The 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 on camera.

(8) The Disciplinary Committee of a faculty submits to the Dean (or to the Rector in case of the Disciplinary Committee of UP) a proposal for a decision on the disciplinary infraction, in either of 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 proves the commission of the disciplinary 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 proves the commission of the disciplinary 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 proves the commission of the infraction of which the student was accused in the motion to commence disciplinary proceedings, but it subsequently transpires that it was not a disciplinary infraction as defined in 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) The proposals under Paragraph 8 are adopted by the Disciplinary Committee as its 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 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 a minimum extent as required by the Rector's guideline.

(11) In the absence of an express provision to the contrary herein, Act No. 500/2004 Sb., Administrative Procedure Code (hereinafter the "Administrative Procedure Code") applies to disciplinary proceedings.

Article 4 Appeal

(1) Section 68(4)-(7) of the Act together with the applicable provisions of the Administrative Procedure Code apply to appeals.

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. 13 163/99-30 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 comes into force upon its registration by the Ministry of Education, Youth and Sports.

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

1. Pursuant to Section 9(1)(b) of Act No. 111/1998 Sb., on higher education institutions and on the amendment and modification of other acts (the Higher Education Act), as amended, the Academic Senate of Palacký University Olomouc approved amendments to the Disciplinary Code for Students of Palacký University Olomouc on 26 April 2017.
2. Pursuant to section 36(4) of the Act, the amendments to the Disciplinary Code for Students of Palacký University Olomouc will come into force upon their registration by the Ministry of Education, Youth and Sports.
3. The amendments to the Disciplinary Code for Students of Palacký University Olomouc will come into effect on 1 September 2017.

Prof. Mgr. Jaroslav Miller, M.A., Ph.D.
Rector

doc. Mgr. Jiří Langer, Ph.D.
Chairperson of the Academic Senate of UP