

*This Disciplinary Code for Students of the Technical University of Liberec was registered by the Ministry of Education, Youth and Sports according to Article 36, Par. 2 of Act No. 111/1998 Coll., on higher education and on alterations and amendments of other acts (Higher Education Act), on 3 January, 2017 under the file number. MSMT – 157/2017.*



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

---

## **DISCIPLINARY CODE FOR STUDENTS OF THE TECHNICAL UNIVERSITY OF LIBEREC OF 3 JANUARY, 2017**

### **Article 1**

#### **Introductory Provisions**

- (1) Disciplinary Code for students of the Technical University of Liberec (hereinafter referred to as “Disciplinary Code“) is an internal regulation of the Technical University of Liberec (hereinafter ”TUL“) according to Article 17, Par. 1 (i) of the Act No. 111/1998 Coll., on Higher Education and the amendments thereto (Higher Education Act), as amended, (hereinafter referred to as ”Act“).
- (2) This Disciplinary Code applies to students who are enrolled for studies in the accredited study programmes of TUL but are not registered for studies at any of its faculties.

### **Article 2**

#### **Disciplinary Offence**

- (1) A disciplinary offence is a conscious violation of the duties defined in legal regulations or internal regulations of TUL and its constituents, mainly:
  - a) Intentional damage to the property of the university,
  - b) Any form of dishonest conduct in connection with the study or participation in a creative activity,
  - c) Inappropriate behaviour towards a member of the academic community or any member of university staff.
- (2) In agreement with Art. 65 of the Act, a disciplinary sanction can be imposed for the commitment of a disciplinary offence.
- (3) The imposition of a sanction may be refrained from if the treatment of the disciplinary offence by itself leads to improvement, particularly if the offence was not serious or was committed out of negligence.
- (4) When imposing sanctions, account will be taken of the character of the disciplinary offence, the way of its commitment, the circumstances and consequences of it and the student’s degree of involvement, student’s hitherto behaviour and whether s/he has showed an effort of will to remedy the harmful consequences caused.
- (5) The sanction of expulsion from studies of a student is possible only in the case of a serious disciplinary offence committed intentionally.

### **Article 3**

#### **Disciplinary Committee of TUL**

- (1) The powers and competences of the Disciplinary Committee of TUL (hereinafter referred to as ”Disciplinary Committee“) are set by Art.13 of the Act and by the Statutes of TUL.
- (2) The Academic Senate gives the Rector prior consent to the appointment and dismissal of members of the Disciplinary Committee. Members of the Disciplinary Committee are appointed and dismissed by the Rector from the members of the academic community of TUL. The Disciplinary Committee elects and dismisses its chairperson from its members.
- (3) Disciplinary Committee has four members, half of them are students.
- (4) The term of office of the Disciplinary Committee expires after two years from the date of its nomination.

- (5) The Disciplinary Committee discusses the disciplinary offenses of TUL students if they are not registered for studies at any of its faculties and submits the proposal for decision to the Rector.
- (6) The meeting of the Disciplinary Committee is convened and chaired by its chairperson.
- (7) The chairperson of the Disciplinary Committee appoints a secretary who organizes the activity of the Disciplinary Committee, including the execution of documents.
- (8) The Disciplinary Committee has a quorum, if the absolute majority of its members are present. In the case of equal votes, the vote of the Chairperson of the Disciplinary Committee shall decide. A written record shall be made on the vote and signed by all members of the Disciplinary Committee.
- (9) The Disciplinary Committee decides by resolution.

#### **Article 4 Disciplinary Proceedings**

- (1) Pursuant to Art. 69 of the Act, the Rector puts forward a motion to open the disciplinary proceedings in the case of a disciplinary offense of a student who is not enrolled at any of TUL faculties.
- (2) The proposal contains the description of the alleged offence, evidence in support of the motion, together with reasoning as to why the respective act is considered to be a disciplinary offence. The disciplinary proceeding is commenced on the day when the student is acquainted with the contents of the submitted motion. The oral disciplinary proceedings are held in the presence of the student. Should the student not appear at the proceeding, the oral hearing may be held only if he does not provide an excuse for his/her absence despite having been properly invited.
- (3) The disciplinary offence hearing cannot be held in the case defined in Art. 66 of the Act.
- (4) The Disciplinary Committee may suspend disciplinary proceedings if the alleged offence is the subject of investigation against the student by another institution. The disciplinary proceeding may be suspended till that institution issues a final decision.
- (5) The disciplinary proceedings are not public; written minutes of the hearing shall be taken.
- (6) The invitation to the hearing of the committee and the decision on sanctions imposed must be delivered to the student via the delivery to the addressee only (Art 68 of the Act).
- (7) The student can apologize no later than three days prior to the date set for the committee proceedings. The apology must be supported by evidence; the chairperson of the committee will judge the evidence provided and will make a decision on its justifiability and, in the case of its acceptance, will set a new date for the hearing.

#### **Article 5 Decision-making on the Offence**

- (1) The verdict in matters of disciplinary proceedings is issued by the Rector based on the proposal of the Disciplinary Committee usually within 7 working days after the proposal has been received by the Rector. The Rector cannot impose a heavier type of sanction than the one proposed by the Committee, but a lighter sanction can be imposed or the imposition of a sanction may be refrained from altogether.
- (2) After hearing the case, the Disciplinary Committee will propose that the Rector should issue a decision that:
  - a) the respective act stated in the motion to open the proceedings was found to be a disciplinary offence and thus a specific, explicitly stated sanction is to be imposed on the student who committed it,
  - b) the student has committed a disciplinary offence, but the sanction is refrained from pursuant to Art. 2, Par. 3, or
  - c) the disciplinary proceedings shall be discontinued as the student concerned did not commit the offence, the respective act stated in the motion to open the disciplinary proceedings is not a disciplinary offence, it has not been proven that the act was committed by a student, or the respective student has ceased to be a student.

- (3) The decision about imposing a sanction for committing a disciplinary offence must be done in writing and it must contain the verdict about the assessment of the disciplinary offence and the imposed sanction. Furthermore, it must contain the grounds for decision and instructions on the possibility to file an appeal.
- (4) The decision to discontinue the disciplinary proceedings must explicitly state so, together with the justification and instructions on the possibility to file an appeal.
- (5) The decision on a disciplinary offence becomes effective on the date of expiry of the time limit for filing an appeal.

**Article 6**  
**The Institution of Appeal**

- (1) The student is entitled to appeal against the decision within 30 days of his / her notification. Delaying effect of the appeal cannot be excluded.
- (2) The appeal body is the Rector.
- (3) The Rector shall review the conformity of the contested decision and the proceedings that preceded the decision with the legal regulations and internal regulations of the TUL.
- (4) The Rector will reject the appeal without delay if it is submitted with a delay or by an unauthorised person.
- (5) The Rector may alter or cancel the original decision if it was issued in violation of the legal regulations or the internal regulations of TUL. The decision is also cancelled when new evidence emerges indicating that the proceedings should be discontinued.
- (6) If the decision is cancelled by the Rector, the case returns for re-assessment to the Disciplinary Committee.
- (7) The Rector's decision on appeal must include the verdict, a justification, and an instruction that it is final.

**Article 7**

Delivery of documents is governed by the law and the TUL statutes.

**Article 8**  
**Concluding Provisions**

- (1) The Disciplinary code registered by the Ministry of Education, Youth and Sports on 11 June 2013 under the file No. 25753/2013-30 is cancelled.
- (2) This code was approved, pursuant to Art.9, Par.1 (b) of the Act, by the Academic Senate of TUL on 13 December, 2016.
- (3) This code becomes valid, pursuant to Article 36, Par. 4 of the Act on the day of registration at the Ministry of Education, Youth and Sports.
- (4) This code becomes effective fifteen days after its registration at the Ministry of Education, Youth and Sports.

Prof. Dr. Ing. Zdeněk Kůs,  
Rector