

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 11 June, 2013 under the file number. MSMT – 25753/2013-30.

Gondková

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DISCIPLINARY CODE FOR STUDENTS OF THE TECHNICAL UNIVERSITY OF LIBEREC OF 11 JUNE, 2013

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 (h) 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 (i. e. students at the Institute of Health Studies of TUL, hereinafter referred to as “institute“).

Article 2

Disciplinary Offence

- (1) 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 the fulfilment of study duties or involvement in creative activities,
 - c) Inappropriate behaviour towards a member of the academic community or any member of staff.
- (2) In agreement with Art. 65 of the Act, a disciplinary sanction can be imposed for a commission of a disciplinary offence.
- (3) The imposition of a sanction may be abandoned if the treatment of the disciplinary offence leads by itself to improvement, particularly if the offence was not serious and was committed out of negligence.
- (4) When imposing sanctions, account will be taken of the character of the disciplinary offence, the way of its commission and the student’s degree of involvement, circumstances and consequences, the student’s hitherto behaviour and whether s/he has showed an effort of will to remedy the harmful consequences caused.
- (5) The sanction imposed in the form of expulsion from studies is selected when it is obvious that a serious disciplinary offence has been committed deliberately.

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 Art. 16, Par. 3 and Art. 20 of the Statutes of TUL.
- (2) Disciplinary Committee has four members. One half of them is constituted by students.
- (3) The term of office of the Disciplinary Committee expires after two years from the date of its nomination.

- (4) Members of the Disciplinary Committee and its chairman are nominated by the Rector from the ranks of members of the academic community of TUL, academic staff and students from the Institute of Health Studies upon the approval of the Academic Senate of TUL.

Article 4 Disciplinary Proceedings

- (1) Pursuant to Art. 69 of the Act, the Rector puts forward a motion to open the disciplinary proceedings.
- (2) The Disciplinary Committee opens the proceedings on the basis of a proposal which 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 proceedings are opened on the day when the student is acquainted with the contents of the submitted motion to open the proceedings. The disciplinary proceedings are held in the presence of the student against whom they are to be conducted.
- (3) The disciplinary offence hearing cannot be held in the case defined in Art. 66 of the Act.
- (4) The disciplinary proceedings are not public; written minutes of the hearing are taken.
- (5) The Committee has a quorum if majority of its members are in attendance. The Committee's resolution is accepted if the majority of the present members have declared for it.
- (6) The student must be duly invited 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. His/Her apology must be based on a relevant ground; the chairman of the committee will judge the reasonableness of the excuse and, in the case of its acceptance, will fix a new date for the hearing.
- (8) The disciplinary proceedings may be held in the student's absence if s/he fails to appear for the proceedings without just excuse delivered to the committee in advance and in the written form in spite of the student having been invited.

Article 5 Decision-making on the Offence

- (1) The verdict is issued by the Rector within 7 working days after a decision proposal is provided by the Disciplinary Committee. 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 abandoned 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 concrete, explicitly stated sanction is to be imposed on the student who committed it,
 - b) the student has committed a disciplinary offence, but is released from having a sanction imposed on him/her pursuant to Art. 2, Par. 3, or
 - c) the disciplinary proceedings should be discontinued as the student concerned did not commit the offence, the respective act stated in the motion to open the disciplinary proceedings did not happen or is not a disciplinary offence, the produced evidence was unsatisfactory as to establishing whether the student committed the offence, 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 reasoning and instructions on how to submit an application for its review.
- (4) The decision to discontinue the disciplinary proceedings must explicitly state so, together with reasoning and instructions on how to submit an application for its review.

Article 6 Review of the Issued Decision

- (1) The student is entitled to appeal, within a term of 30 days from the delivery of the decision, to the Rector for the review of the issued decision. The appeal has suspensive effect.

- (2) The Rector will reject the appeal if it is submitted with a delay or by an unauthorised person.
- (3) The Rector may alter or cancel the original decision if it was issued in violation of the act or the internal regulations of TUL. The decision is also cancelled when new evidence emerges indicating that the proceedings should be discontinued.
- (4) If the decision is cancelled by the Rector, the case returns for re-assessment to the Disciplinary Committee.
- (5) The Rector's review resolution must contain the verdict of the decision, reasoning and clarification that it is definite.

Article 7
Concluding Provisions

- (1) The Disciplinary code registered by the Ministry of Education, Youth and Sports on 25 July 2006 under the file No. 18 508/2006-30 is annulled.
- (2) This code was approved, pursuant to Art.9, Par.1 (b) of the Act, by the Academic Senate of TUL on 14 May, 2013.
- (3) This code comes into force, 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