



OSTRAVSKÁ UNIVERZITA
FILOZOFICKÁ FAKULTA

DISCIPLINARY REGULATIONS FOR STUDENTS OF THE FACULTY OF ARTS, UNIVERSITY OF OSTRAVA

Approved by the Academic Senate, Faculty of Arts: 29 June 2017

Approved by the Academic Senate, University of Ostrava: 18 September 2017

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Article 1

Introductory provisions

1. The Disciplinary Regulations for students of the Faculty of Arts, University of Ostrava (hereunder “the(se) Disciplinary Regulations”) are internal regulations of the Faculty of Arts (hereunder “the Faculty”) of the University of Ostrava (hereunder “the University”).
2. These internal regulations are issued in accordance with Section 33, Subsection 2 e) of Act no.111/1998 Sb. on higher education institutions and on amendments and supplements to other acts (the Higher Education Act), as amended (hereunder “the Act”) and in accordance with Article 20, Paragraph 1 e) and Article 33, Paragraph 5 of the Statute of the Faculty, and in accordance with Article 1, Paragraph 3 of the Disciplinary Regulations for students of the University.
3. These Disciplinary Regulations cover issues related to disciplinary offences, disciplinary proceedings and the imposition of disciplinary sanctions on students matriculated at the Faculty in all degree programmes.

Article 2

Disciplinary offences

1. A disciplinary offence is a culpable breach of obligations stipulated by legal regulations or internal regulations of the Faculty or the University, particularly:
 - a) behaviour which damages the good reputation of the University;
 - b) behaviour which causes general offence or causes insult to another member of the academic community or a University employee;
 - c) deliberate damage to University facilities/equipment;
 - d) dishonest/fraudulent behaviour in connection with studies or with academic, scholarly, development/innovation-related, artistic or other creative activities, apart from fraudulent behaviour on the basis of which the student was admitted to study;
 - e) failure to respect Section 63, Subsections 2 and 3 a), c) and d) of the Act.

Article 3

The Disciplinary Committee of the Faculty

1. Provisions relating to the Disciplinary Committee of the Faculty are set out in Article 11 of the Faculty Statute.
2. The Disciplinary Committee (hereunder also “the Committee”) is a self-governing academic body of the Faculty.
3. The Disciplinary Committee discusses disciplinary offences committed by students matriculated at the Faculty and presents proposals for decisions to be taken by the Dean.
4. Members and substitute members of the Disciplinary Committee are members of the academic community of the Faculty and are appointed and dismissed by the Dean following the prior consent of the Academic Senate of the Faculty.
5. The Disciplinary Committee consists of six members, one half of whom are students. One member of academic staff and one student are nominated as substitute members of the Disciplinary Committee. When appointing members of the Disciplinary Committee, the Dean takes account of the principle of continuity in the Committee’s activities.
6. The period of office for members of the Disciplinary Committee lasts two years.

7. If a member of the Disciplinary Committee ceases to be a member during the course of their period of office, the Dean appoints a new member only for the remaining duration of the current period of office.
8. The Dean convenes the first session of the Disciplinary Committee within 30 (thirty) days after appointing its members; the Chairperson of the Disciplinary Committee is elected at this first session. The Committee elects and dismisses its Chairperson; the Chairperson is a member of the Committee.

Article 4

Sessions of the Disciplinary Committee

1. Sessions of the Disciplinary Committee are convened by the Chairperson of the Committee, who is in charge of the sessions. If there are serious grounds preventing any members of the Committee from being present at a session, the Chairperson invites the appropriate substitute member to participate in the session in order to maintain parity of representation (i.e. so that half of the members present are academic staff and half are students). The invited substitute member has the same entitlements and obligations as the other members of the Committee.
2. The Disciplinary Committee conducts secret ballots to decide on:
 - a) culpability for an offence committed, and the degree of the offence;
 - b) the sanctions to be imposed.
3. Sessions of the Disciplinary Committee are conducted orally, and written minutes of the sessions are taken. These minutes must include the Committee's proposal for decisions to be taken by the Dean.
4. The Disciplinary Committee is quorate if a majority of its members are present. A proposal for a decision to be taken by the Dean is accepted if a majority of the members present are in favour of the proposal.

Article 5

Commencement of disciplinary proceedings

1. A proposal for the commencement of disciplinary proceedings (including proposed evidence) is submitted to the Dean of the Faculty.
2. If the student in question is deemed to have breached their obligations as per Article 2 of these Disciplinary Regulations, the Dean presents a proposal to the Disciplinary Committee for the discussion of the disciplinary offence.
3. The Dean's proposal must be presented in written form as a hard copy. It must include a description of the behaviour/act, the proposed evidence on which the proposal is based, and the grounds on which the behaviour/act is deemed to constitute a disciplinary offence.
4. Simultaneously with the act described in Paragraph 2, the Dean issues a notification informing the student of the commencement of disciplinary proceedings. This notification includes a copy of the proposal as per Paragraph 2. Disciplinary proceedings are commenced on the date on which this notification is delivered to the student. The Dean immediately informs the Chairperson of the Disciplinary Committee regarding the date of commencement of disciplinary proceedings and the person who submitted the proposal (if this person's identity is known).
5. The only participant in the disciplinary proceedings is the student in question.

6. The student may choose to be represented by an appointed agent (“zmocněnec”) or curator (“opatrovník”). An appointed agent who presents to the Committee a written power of attorney issued by the student appointing them to represent the student, or who is appointed by the student in the presence of the Disciplinary Committee, has the entitlements set out in Article 6, Paragraph 3. A curator who presents to the Committee the relevant final decision issued by a court has the entitlements set out in Article 6, Paragraph 3.

Article 6

Discussion of disciplinary offences by the Disciplinary Committee

1. Immediately after the commencement of disciplinary proceedings, the Chairperson of the Committee convenes a session of the Committee.
2. The student against whom the disciplinary proceedings are directed is invited to participate in the session at which the disciplinary offence is to be discussed; this invitation must be issued at least 7 (seven) calendar days prior to the date of the session.
3. The student must be present at the session of the Disciplinary Committee at which the proposed disciplinary offence is discussed. The student is entitled to give a statement on the matter under discussion, to propose witnesses, to submit evidence in their own favour, to view written supporting documentation and the minutes of the session (with the exception of the records of voting), and to take extracts from these minutes.
4. Disciplinary proceedings may only take place in the absence of the student if the student (or their appointed agent or curator) fails to appear at the proceedings without giving proper written or oral notification of their absence (said notification being recorded in the minutes no later than at the beginning of the proceedings) despite being duly invited. The acceptability of this notification of absence is assessed by the Disciplinary Committee.
5. A disciplinary offence cannot be discussed if one year or more has elapsed since the offence was committed or since a final verdict of conviction was issued in a criminal case. Periods during which the person in question was not a student are not counted as part of this one-year period.
6. When imposing sanctions, account must be taken of the nature of the behaviour/act constituting the disciplinary offence, the circumstances in which the offence took place, the consequences of the offence, the degree of culpability, the student’s previous behaviour, and the student’s efforts to rectify the consequences of their behaviour/act.
7. If it becomes apparent that the behaviour/act did not constitute a disciplinary offence, or if it is not possible to prove that the student committed the disciplinary offence, or if the person has ceased to be a student, the Dean usually terminates disciplinary proceedings on the basis of a proposal by the Disciplinary Committee.
8. The following sanctions may be imposed for a disciplinary offence:
 - a) a formal caution;
 - b) suspended expulsion from studies, including specification of the duration of the probationary period and the conditions of the probation;
 - c) expulsion from studies.
9. Only one sanction may be imposed for a particular disciplinary offence.
10. The sanction may be waived if the discussion of the disciplinary offence itself leads to the rectification of the offence.

11. A student may be expelled from studies only if the disciplinary offence was committed deliberately.
12. In cases of suspended expulsion from studies, the duration of the probationary period must be stipulated, as must the conditions of the probation; these are stipulated in accordance with the gravity of the offence. The maximum probationary period is two years. If the student fulfils the conditions of the probation throughout this period, the Dean rules that the conditions have been fulfilled and dismisses the sanction of expulsion; if the student fails to fulfil the conditions of the probation at any point during the probationary period, the Dean rules that the sanction of expulsion is to be applied. If the Dean does not rule as above within two months following the termination of the probationary period as per the previous sentence, the student is deemed to have fulfilled the conditions of the probation.

Article 7

Decisions in disciplinary proceedings at the first instance

1. Decisions in disciplinary proceedings at the first instance are issued by the Dean, taking into consideration the proposal submitted by the Disciplinary Committee.
2. The Dean may not impose a stricter sanction than that proposed by the Disciplinary Committee.
3. The Dean may:
 - a) impose the sanction proposed by the Committee;
 - b) impose a more lenient sanction;
 - c) waive sanctions.
4. Before issuing a decision in a particular case, the Dean must give the student the opportunity to make a statement regarding the documentation on which the decision is based.
5. The decision is issued in written form. The decision includes an operative part, the grounds for the decision, and instructions.
6. The operative part of the decision states the name, surname, date of birth, permanent residence and degree programme of the participant in the proceedings, the subject of the proceedings, and the solution of the issue forming the subject of the proceedings:
 - a) information on the disciplinary offence found to have taken place, and a statement of the sanction imposed;
 - b) information on the disciplinary offence found to have taken place, and a statement of the decision to waive sanctions;
 - c) a statement of the termination of the disciplinary proceedings.
7. If the student has been found guilty of committing a disciplinary offence, the Dean may issue a further statement imposing on the student the obligation to reimburse the costs incurred as a result of the disciplinary proceedings.
8. The instructions state whether an appeal against the decision is admissible, within what period of time, the date on which this period commences, the administrative body which rules on the appeal, and the administrative body to which the appeal is to be submitted.
9. The decision in the matter of the disciplinary offence is held in the student's file.

Article 8
Appeals and decisions at the second instance

1. The student is entitled to file an appeal against the Dean's decision.
2. The administrative body to which appeals are submitted is the Rector. Appeals are submitted to the Rector via the Dean.
3. The appeals process is stipulated in Article 8 of the Disciplinary Regulations for students of the University.
4. The decision-making process in disciplinary proceedings at the second instance is stipulated in Article 9 of the Disciplinary Regulations for students of the University.

Article 9
Temporary and concluding provisions

1. The Disciplinary Regulations for students of the Faculty issued on 1 September 2008 are revoked.
2. These Disciplinary Regulations for students of the Faculty were approved by the Academic Senate of the Faculty on 29 June 2017 in accordance with Section 27, Subsection 1 of the Act.
3. These Disciplinary Regulations for students of the Faculty were approved by the Academic Senate of the University on 18 September June 2017 in accordance with Section 9, Subsection 1 b) of the Act.
4. These Disciplinary Regulations for students of the Faculty become valid on the date on which they are approved by the Academic Senate of the University.
5. These Disciplinary Regulations for students of the Faculty become effective on the first day of the calendar month following the month in which they become valid.

prof. PhDr. Aleš Zářický, Ph.D., in his own hand
Dean