

DISCIPLINARY REGULATIONS FOR THE STUDENTS OF THE FACULTY OF ARTS OF THE UNIVERSITY OF WEST BOHEMIA

On August 10th, 2017, the Academic Senate of the Faculty of Arts of the University of West Bohemia approved the proposed Disciplinary Regulations for the Students of the Faculty of Arts of the University of West Bohemia, in accordance with section 27, article 1, letter b) of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments and Supplements to Some Other Acts (the Higher Education Act), as amended.

On September 27th, 2017, the Academic Senate of the University of West Bohemia approved the Disciplinary Regulations for the Students of the Faculty of Arts of the University of West Bohemia, in accordance with section 9, article 1, letter b), point 2 of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments and Supplements to Some Other Acts (the Higher Education Act), as amended.

PART ONE General Provisions

Article 1

- (1) The Disciplinary Regulations for the Students of the Faculty of Arts (hereinafter referred to as “FA”) of the University of West Bohemia (hereinafter referred to as “UWB”) regulate the status of the FA Disciplinary Committee, consideration of disciplinary transgressions committed by students enrolled in accredited study programmes taking place at FA (hereinafter referred to as “students”) and the imposition of penalties for such transgressions.
- (2) The number of members of the Disciplinary Commission, including the length of the term of office and the powers of the Committee, is determined in particular by section 31 of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments and Supplements to Some Other Acts (the Higher Education Act), as amended (hereinafter referred to as the “Act”), and by Article 11 of the Statute of the Faculty of Arts.
- (3) A disciplinary transgression is a culpable violation of duties stipulated by legal regulations or internal regulations of UWB or its parts.
- (4) Disciplinary powers over students are vested in the Dean.
- (5) The decision to impose penalties on students for committing disciplinary transgressions is made by the Dean upon the recommendation of the Disciplinary Committee.
- (6) Any of the following penalties may be imposed for a disciplinary transgression:
 - a) Admonition,

- b) Conditional expulsion from studies with determination of the term and conditions for the qualification,
- c) Expulsion from studies.

PART TWO

Disciplinary Committee

Article 2

- (1) The members of the Disciplinary Committee are appointed and dismissed by the Dean from the FA academic community with prior consent of the FA Academic Senate. The Committee consists of ten members and the same number of substitutes. Students represent one-half of the members of the Committee. The Disciplinary Committee chair is elected from and dismissed by the Disciplinary Committee members.
- (2) Committee members can be re-elected.
- (3) Excluded from all activities of the Disciplinary Committee are those of its members who are, on reasonable grounds, suspected of being biased in a particular case, based on their relationship to the case, participants in the disciplinary proceedings or their representatives.
- (4) If a member of the Disciplinary Committee learns about facts leading to his or her exclusion from the case hearing under Section 3, he or she immediately informs the Dean, who appoints a new member of the Disciplinary Committee from among the substitutes, so that the given case can be heard. Until the time of the new member's appointment, the only actions that can be taken are those that allow no delay.
- (5) The student against whom the disciplinary proceedings are conducted is entitled to pronounce on the members of the Disciplinary Committee. The student is obliged to raise an objection of bias in writing at the first meeting of the Disciplinary Committee. Should the student be unaware of a reason for excluding the Committee member from the hearing of the case, or should this reason arise later than at the first meeting of the Committee, he or she can raise an objection of bias within 15 days after the day he or she learned about the reason. The objection must specify the member of the Committee against whom the objection is aimed, the possible reason for the bias and the evidence to prove the bias.
- (6) The Disciplinary Committee refers an objection of bias and the response of the Committee member in question to the Dean, who then makes the final decision. Until the time the decision is made, the only actions that can be taken within the proceedings are those that allow no delay. If a member of the Disciplinary Committee is excluded from hearing the case under Section 3, the Dean appoints one of the substitutes to be a member of the Disciplinary Committee considering the particular case. The Dean's decision on the objection of bias is final.

PART THREE

Disciplinary Proceedings

Article 3

- (1) Disciplinary proceedings are initiated by the Disciplinary Committee at the direction of the Dean. The directive contains a description of the act, possibly any supportive evidence, as well as the reasons for which the act is considered to be a violation of disciplinary regulations. The disciplinary proceedings are initiated upon notifying the student of the directive.
- (2) The Disciplinary Committee discusses the student's transgression in his or her presence. The student is invited to take part in the meeting of the Disciplinary Committee in time; the written invitation is delivered to the student not later than 7 days before the date set for the Committee meeting. Should the student be absent although invited, the meeting can take place only in case he or she did not make an excuse. The minimum number of members of the Disciplinary Committee taking part in the meeting is half of the members, usually including its chair. Meetings of the Disciplinary Committee are oral and closed to the public. Meetings to consider the recommendation to impose a penalty can only be held by the members of the Disciplinary Committee.
- (3) The meetings of the Disciplinary Committee are based on facts of the case that are free of any reasonable doubts. The student whose disciplinary transgression is being considered has the right to be heard and is given an opportunity to comment on all evidence presented, as well as an opportunity to submit evidence in support of his or her statements.
- (4) A decision on the penalty to be imposed or on a proposal to suspend the disciplinary proceedings is made by the Disciplinary Committee through a majority of votes of its members. In case votes are equal, the Chair must decide the question by using a casting vote. The Dean cannot impose a penalty more severe than the one proposed by the Disciplinary Committee.
- (5) A sanction may be waived if the discussion of the disciplinary offence itself leads to a remedy.
- (6) Penalties shall be imposed taking into account the nature of the conduct in which the disciplinary offence was committed, the circumstances in which it was committed, the consequences caused, the degree of fault, as well as the previous conduct of the student who committed the disciplinary offence and the efforts shown to remedy its consequences. A student can only be expelled if he or she has intentionally committed a disciplinary offence.
- (7) The disciplinary proceedings shall be suspended by the Dean should it become clear that the act in question does not represent a disciplinary transgression, or there is no evidence it was committed by the student, or this person is no longer a student.
- (8) A disciplinary transgression cannot be considered if a period of one year elapsed since the transgression was committed or since a related legally effective judgment was issued in a criminal case. This one-year limitation period does not include time during which the person concerned is not a student.

Article 4

- (1) The Dean's decision in the case of a disciplinary transgression must be issued in writing and must include the reasoning behind the decision, as well as information on the possibility of an appeal against the decision. The decision must be delivered to the student's own hands.
- (2) The student can, within 30 days after the day the decision under Section 1 was delivered, appeal against the decision to the Rector through the Dean. The Rector reviews the decision to see if the challenged decision and the related disciplinary proceedings conform to legal regulations and internal regulations of the university and faculty.
- (3) The appeal always has a suspensive effect.

PART FOUR

Final Provisions

Article 5

- (1) The Disciplinary Regulations for the FA Students approved by the UWB Academic Senate on the 27th June 2007 are abrogated.
- (2) These Disciplinary Regulations for the FA Students come into force on the day of their ratification by the UWB Academic Senate.
- (3) These Disciplinary Regulations for the FA Students come into effect on the day of their ratification by the UWB Academic Senate.

.....
PhDr. Linda PIKNEROVÁ, Ph.D.

Chairperson of the Academic Senate of the Faculty of Arts of the University of West Bohemia

.....
doc. PhDr. Pavel VAŘEKA, Ph.D.

Dean of the Faculty of Arts of the University of West Bohemia