

**THE DISCIPLINARY CODE
FOR STUDENTS
AT THE FACULTY OF INFORMATICS AND STATISTICS
OF THE UNIVERSITY OF ECONOMICS, PRAGUE**

Article 1

General Provisions

The disciplinary code for students at the Faculty of Informatics and Statistics of the University of Economics, Prague (hereafter also as the “Faculty Disciplinary Code”) regulates the procedure for dealing with disciplinary transgressions by students at the Faculty of Informatics and Statistics and imposing sanctions, pursuant to Act No. 111/1998 Coll., on Universities and Changes and Amending Other Acts (Higher Education Act) as amended (hereafter also as the “Act”).

Article 2

Disciplinary Transgression and Sanction

- (1) A disciplinary transgression means a caused violation of obligations determined by legal regulations or internal regulations of the University of Economics, Prague (hereafter also as the “University”) and of the Faculty of Informatics and Statistics of the University of Economics, Prague (hereafter also as the “Faculty”).
- (2) A disciplinary transgression shall not be dealt with if more than a year has passed since the transgression was committed or since a condemning sentence in a criminal proceeding. The time when the person was not a student is not included in the period of one year.
- (3) One of the following sanctions may be imposed upon the student for a disciplinary transgression:
 - a. a reprimand;
 - b. conditional expulsion from the study with a determined period and terms for satisfaction;
 - c. expulsion from study.
- (4) When imposing a sanction, the character of the conduct by which the disciplinary transgression was committed shall be assessed, as well as the circumstances under which the transgression took place, the caused effects, the degree of guilt, the conduct to date of the student who committed the transgression, and the expressed efforts to rectify its consequences.
- (5) In the case of conditional expulsion from the study, the period and terms for satisfaction shall be determined depending on the seriousness of the disciplinary transgression. If a student in the period for satisfaction commits another disciplinary transgression, with the exception of a minor disciplinary transgression committed in negligence, such a conduct is always considered violation of the terms for satisfaction.
- (6) If a conditionally expelled student meets the terms for satisfaction within the period for satisfaction, the Dean shall decide that the student has satisfied the terms; otherwise, the Dean shall decide, even in the period for satisfaction, to carry out the sanction of expulsion. The student is considered to have satisfied the terms, unless the Dean makes a decision as described in the previous sentence within two months upon the end of the period for satisfaction.
- (7) A student may be expelled from study only for committing a deliberate disciplinary transgression.
- (8) A student shall be expelled from study if the student has been accepted to the study due to the student’s fraudulent conduct.

Article3

Disciplinary Board of the Faculty

- (1) The Disciplinary Board of the Faculty (hereafter also as the "Board") has four members. The Dean appoints and dismisses the Members of the Board. The Dean selects the Board Members from the Faculty academic staff with prior agreement by the Academic Senate of the Faculty. Students compose half of the Board. The Board elects and dismisses its head.
- (2) A Board Member's office ends 2 years as of the day of the Member's appointment unless the Dean dismisses the Member before that.
- (3) The Head of the Board (hereafter also as the "Head") directs the Board's meetings and is responsible for the course of the meetings. If the Head is not present, a Board Member appointed by the Head directs the Board's meetings and is responsible for the course of the meetings. If the position of the Head is vacant, the Dean shall summon a meeting of the Board for the purpose of electing the Head and appoints a Member of the Board to direct the meeting until the Head is elected.
- (4) The Board meetings are not public.
- (5) The Board is quorate with an absolute majority of its Members present. A Board resolution is adopted if more than a half of the present Board Members approve of it.
- (6) If a well-founded presumption arises that a Board Member has a relation to the matter at hand, a given student, or the student's legal representative, which prevents the Member from being unbiased in deciding on the result of the proceeding, such a Member is excluded from all acts in the disciplinary proceeding through which the Member might influence the result of the proceeding.
- (7) A student may object of a Board Member's bias once the student learns of the fact. Such an objection is not taken into consideration if the student had known about the reason for exclusion but did not act upon such fact without unnecessary delay. If an objection is raised of a Board Member's bias, the Head shall decide on the objection by adopting a resolution without unnecessary delay. If an objection is raised of the Head's bias, the other Board Members shall decide on the objection immediately by adopting a resolution.
- (8) The Board Member who learns of circumstances potentially disqualifying him- or herself shall immediately notify the Head. The Head shall decide immediately on the Board Member's exclusion from the Board. If the Head learns of circumstances potentially disqualifying him- or herself, the Head shall immediately notify other Board Members who decide immediately on the Head's exclusion from the Board.
- (9) The resolution on the proposal of a sanction or another procedure with regard to the disciplinary transgression at hand is recorded into the voting record. The record shall be signed by all present Board Members.
- (10) A Board meeting shall be recorded into minutes signed by the Head. If the Head is not present, the Board Member appointed by the Head with directing the meeting pursuant to paragraph 2 signs the minutes.
- (11) The Head delivers the meeting minutes to the Dean within five days of finishing the meeting, as well as the voting record on the sanction proposal or another procedure with regard to the disciplinary transgression at hand.
- (12) Board Members shall maintain confidentiality of the facts dealt with in a disciplinary proceeding that require confidentiality in the interest of proper execution of public administration or in the interest of other parties unless the law states differently. Board Members are exempted from this obligation only for reasons specified in a special law or if the person concerned by the matter at hand gives consent to it.

Article 4

Initiating a Disciplinary Proceeding

- (1) The Board initiates a disciplinary proceeding upon a Dean's proposal.
- (2) Above all, the Dean's proposal shall include:
 - a. The description of the act,
 - b. Substantiation of why the act is considered a disciplinary transgression,
 - c. Proposed evidence.
- (3) If the Dean's proposal lacks the requisites stated in paragraph (2), the Head asks the Dean to rectify the flaws in the proposal. Such a proposal shall not be reflected, unless the Dean rectifies the flaws in the proposal in adequate time. The Dean's right to submit another proposal remains intact.
- (4) A disciplinary transgression is dealt with in a personal meeting. The Head or a Board Member appointed by the Head summons a Board meeting without unnecessary delay upon the receipt of a Dean's proposal in a way which ensures proper invitation for all Board Members.
- (5) A disciplinary proceeding commences on the day of delivering the proposal on initiating a disciplinary proceeding to the student.
- (6) The student shall be invited to the personal meeting; if no danger of a holdup arises, the student shall receive the invitation at least five days prior to the meeting. The invitation shall include the day, time and venue of the meeting.
- (7) If a student has a representative, the invitation shall be delivered to the representative as well.

Article 5

Dealing with a Disciplinary Transgression

- (1) A personal meeting takes place in the given student's presence. A student may be represented by a representative. A student shall come to the venue in time; if the student may not be present for serious reasons, the student shall excuse him- or herself to the Head without delay, stating the reasons. The Board shall assess the legitimacy of the excuse.
- (2) The disciplinary transgression may be dealt with in the student's absence if the student or the student's representative fail to present themselves at the meeting without proper excuse despite having been properly invited, in line with Article 4, par. 6 and 7.
- (3) The Board shall ascertain the state of facts, especially the character of the conduct leading to committing the disciplinary transgression, the circumstances under which the transgression happened, and the consequences caused.
- (4) The Head may invite witnesses to the meeting or other persons who can assist in objective assessment of the disciplinary transgression at hand.
- (5) A student is entitled to putting forward evidence and other proposals throughout the whole time of proceeding until a decision is taken. A student has a right to present his or her standpoint in the proceeding. A student and the student's representative have a right to look into the file, even if the decision in the matter at hand is already in legal power. A student is entitled to be present at the meeting of the Board, with the exception of the time of deliberation and vote.
- (6) Upon debating the matter at hand, the Board shall agree on a proposal for the Dean to:
 - a. Decide that the student has committed a disciplinary transgression, with the Board proposing the sanction to be imposed, or
 - b. Decide that the student has committed a disciplinary transgression, with the Board proposing a sanction not to be imposed, or

- c. Stop the disciplinary proceeding.
- (7) The Board shall agree on a proposal for the Dean to stop the disciplinary proceeding if:
 - a. No disciplinary transgression was apparently committed,
 - b. There is not enough evidence that the student committed the disciplinary transgression at hand, or
 - c. The person suspected of committing the disciplinary transgression ceased to be a student.
- (8) The Board shall communicate the decision pursuant to paragraph 6 to the student and the student's representative if they are present at the meeting.

Article 6

Decision on the Disciplinary Transgression

- (1) The Dean shall decide on the disciplinary transgression without unnecessary delay, based on the Board's proposal.
- (2) Before issuing a decision, the Dean shall invite the student to give his or her opinion on the materials regarding the decision on the disciplinary transgression, giving the student adequate time for reaction.
- (3) If the Board agree on a proposal pursuant to Article 5, paragraph 6, letter a., with the exception of a sanction for a disciplinary transgression stated in Article 2, paragraph 8, the Dean can:
 - a. Impose a sanction proposed by the Board, or
 - b. Impose a milder sanction, or
 - c. Decide not to impose a sanction if the hearing of the disciplinary transgression itself leads to rectification.
- (4) The Dean decides according to the Board's proposal if the Board agrees on a proposal:
 - a. Pursuant to Article 5, par. 6, letter a. in the matter specified in Article 2, par. 8, or
 - b. Pursuant to Article 5, par. 6, letter b. or c.
- (5) The decision shall be made in writing and delivered to the student. The decision shall include a statement of ascertaining a disciplinary transgression was committed and specification of a sanction; or a statement of ascertaining a disciplinary transgression and decision not to impose a sanction; or a statement of stopping the disciplinary proceeding. Further, the decision shall include a substantiation and information on the possibility to appeal. If a student is represented in the proceeding, the decision shall be delivered to both the student and the representative, while delivering the decision to the student has no effect on the time limits.

Article 7

Appellate procedure

- (1) A student can appeal against the Dean's decision on the disciplinary transgression within 30 days of the receipt of the decision. The Dean can change or cancel the challenged decision if by doing so the appeal gets fully complied with. An appeal against this decision is possible. The suspensive effect of the appeal cannot be ruled out.
- (2) The Rector represents an executive authority of appeal.
- (3) The Rector investigates the compliance of the challenged decision and the proceeding that preceded to issuing the decision with law and internal regulations of the University and the Faculty.

- (4) If need be, authorities of the University or its parts shall adopt such measures with regard to the Rector's decision to restore the student's rights and rectify or mitigate the consequences caused by the flawed decision.

Article 8

Final Provisions

- (1) The Disciplinary Code of the Faculty shall be interpreted in line with appropriate provisions of law and internal regulations of the University and Faculty.
- (2) A running proceeding that has not been concluded by the day of this Disciplinary Code becoming valid shall be concluded according to the currently existing Disciplinary Code of the Faculty. The Members of the Disciplinary Board of the Faculty appointed in accordance with the previous Disciplinary Code of the Faculty are considered Board Members appointed in accordance with this Disciplinary Code of the Faculty. The office of such Board Members remains as specified at the time of their appointment according to the previous Disciplinary Code.
- (3) The Disciplinary Code for Students of the Faculty of Informatics and Statistics of the University of Economics, Prague, from 31st March 2014 is annulled.
- (4) This Disciplinary Code of the Faculty becomes valid on the day of its approval by the Academic Senate of the University of Economics, Prague.
- (5) This Disciplinary Code of the Faculty comes into force on the day of its approval by the Academic Senate of the University of Economics, Prague.