

In accordance with Act No. 111/1998 Coll., Article 36, subsection 2, concerning Higher Education and the Modification of and Amendments to Other Acts (the Higher Education Act), the Ministry of Education, Youth and Sport registered the Disciplinary Regulations for Students of the University of West Bohemia on April 11, 2017 under Ref. No. MSMT-9273/2017.

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Mgr. Karolína Gondková
Director of the Higher Education Division

**DISCIPLINARY REGULATIONS FOR STUDENTS
OF THE UNIVERSITY OF WEST BOHEMIA
DATED 11 APRIL 2017**

**PART ONE
General Provisions**

Article 1

(1) The Disciplinary Regulations of the University of West Bohemia (hereinafter referred to as “the Regulations”) regulate the status of the Disciplinary Committee of the University of West Bohemia (hereinafter referred to as “UWB”), consideration of disciplinary transgressions committed by students enrolled in accredited study programmes taking place at UWB (hereinafter referred to as “students”) and the imposition of penalties for such transgressions. Disciplinary proceedings concerning students enrolled in accredited study programmes taking place at the individual faculties are regulated by the disciplinary regulations of these faculties.

(2) A disciplinary transgression is a culpable violation of duties stipulated by legal regulations or internal regulations of UWB or its parts.

(3) Disciplinary powers over students are vested in the Rector.

(4) The decision to impose penalties on students for committing disciplinary transgressions is made by the Rector upon the recommendation of the UWB Disciplinary Committee.

(5) If all UWB students are enrolled to study at its faculties, the UWB Disciplinary Committee is not established.

**PART TWO
UWB Disciplinary Committee**

Article 2

(1) The members of the Disciplinary Committee are appointed and dismissed by the Rector from the UWB academic community. The Disciplinary Committee consists of eight 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) The term of office of the members of the Disciplinary Committee is two years. The Committee members can be reelected.

(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 Rector, 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 UWB Disciplinary Committee. The student is obliged to raise an objection of bias in writing at the first meeting of the UWB 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 UWB Disciplinary Committee refers an objection of bias and the response of the Committee member in question to the Rector, 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 UWB Disciplinary Committee is excluded from hearing the case under Section 3, the Rector appoints one of the substitutes to be a member of the UWB Disciplinary Committee considering the particular case. The Rector's decision on the objection of bias is final.

PART THREE

Disciplinary Proceedings

Article 3

(1) Disciplinary proceedings are initiated by the UWB Disciplinary Committee at the direction of the Rector. 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 UWB Disciplinary Committee discusses the student's transgression in his or her presence. The student is invited to take part in the meeting of the UWB 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/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 UWB 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 UWB Disciplinary Committee.

(3) The meetings of the UWB 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 UWB 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 Rector cannot impose a penalty more severe than the one proposed by the Disciplinary Committee.

(5) The disciplinary proceedings shall be suspended 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.

(6) 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 Rector'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. 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 UWB students, registered by the Ministry of Education, Youth and Sport on 11 February 2005 under Ref. No. 12 198/2005-301, are abrogated.

(2) These Regulations were approved by the UWB Academic Senate on 29 March 2017 in accordance with Article 9, subsection 1, letter b) of Act No. 111/1998 Sb. concerning Higher Education and the Modification of and Amendments to Other Acts (the Higher Education Act).

(3) These Regulations come into force on the day of their registration by the Ministry of Education, Youth and Sport in accordance with Article 36, subsection 4, of the Act concerning Higher Education.

(4) These Regulations become effective on the day of their registration by the Ministry of Education, Youth and Sport.

RNDr. Petr Tomiczek, CSc.

Chair of the UWB Academic Senate

Doc. Dr. RNDr. Miroslav Holeček

Rector