

**ACT NO. 111/1998 Coll.  
(AMENDED AND CONSOLIDATED)  
ON HIGHER EDUCATION INSTITUTIONS  
AND ON AMENDMENTS AND SUPPLEMENTS TO SOME OTHER ACTS  
(THE HIGHER EDUCATION ACT)**

AS RESULTING FROM AMENDMENTS MADE BY ACT NO. 210/2000 Coll., ACT NO. 147/2001 Coll.,  
ACT NO. 362/2003 Coll., ACT NO. 96/2004 Coll., ACT NO. 121/2004 Coll., ACT NO. 436/2004  
Coll., ACT NO. 473/2004 Coll., ACT NO. 562/2004 Coll., ACT NO. 342/2005 Coll., ACT NO.  
552/2005 Coll., ACT NO. 161/2006 Coll., ACT. No. 165/2006 Coll., ACT NO. 310/2006 Coll., ACT  
No. 624/2006 Coll., ACT No. 261/2007 Coll., ACT No. 296/2007 Coll., ACT No 189/2008 Coll.  
AND ACT NO. 110/2009 Coll., ACT NO. 419/2009 Coll., ACT NO. 159/2010 Coll., ACT NO.  
365/2011 Coll., ACT NO. 420/2011 Coll., ACT NO. 48/2013 Coll., ACT NO. 64/2014 Coll.,  
ACT NO. 137/2016 Coll., ACT NO. 230/2016 Coll., ACT NO. 24/2017 Coll., ACT NO.  
183/2017 Coll., ACT NO. 200/2017 Coll. and ACT NO. 303/2017 Coll.

*Complete current version of the Act – not published as such in the official Collection of Acts*

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**Section 71  
Appointment of Associate Professors**

An associate professor in a particular field is appointed by the Rector on the basis of the procedure for conferring “*venia docendi*” (the habilitation procedure).

**Section 72  
Procedure for Conferring “*Venia docendi*” (Habilitation Procedure)**

- (1) The aim of the habilitation procedure is to confirm the scholarly, scientific or artistic qualifications of the applicant, particularly on the basis of a habilitation thesis and its defence and of other scholarly, scientific, specialist or artistic work, as well as the applicant’s competence as a teacher, based on an evaluation of his/her habilitation lecture and previous teaching experience.
- (2) The habilitation procedure is initiated at the request of the applicant. The proposal must include a curriculum vitae, documents attesting to the higher education acquired and pertinent academic degrees awarded, documents proving teaching experience, a list of scholarly, scientific, specialist or artistic work, a list of scholarly, scientific, specialist or artistic research fellowships both at home and abroad, and any other documents demonstrating scholarly, scientific or artistic qualifications. The proposal must also

specify the field in which the habilitation is being sought. In addition, the applicant must submit a habilitation thesis.

- (3) A habilitation thesis may be:
  - a) a written thesis offering new scholarly or scientific knowledge; or
  - b) a collection of already published scientific or scholarly papers or technical papers supplemented with a commentary; or
  - c) a published monograph introducing new scholarly or scientific knowledge; or
  - d) a work of art or an artistic achievement or a collection of these, for example an outstanding public artistic activity.
- (4) The proposal is submitted to the Dean of the faculty that is accredited in the relevant habilitation field, or to the Rector, should it be the higher education institution that is accredited in the relevant field. If all of the required components of the proposal are not submitted and the applicant, having been informed of this, fails to provide them in due time, the Dean or the Rector will terminate the habilitation procedure.
- (5) If the habilitation procedure is not terminated pursuant to Subsection (4), the Dean or the Rector submits the proposal to the Scientific or the Artistic Board of the faculty or the higher education institution along with a proposal to set up a five-member Habilitation Board. The Habilitation Board consists of professors, associate professors and other distinguished representatives in the relevant or a related field. The Board must be chaired by a professor and at least three members of the Board must be experts from an institution other than that carrying out the habilitation procedure.
- (6) The Scientific or the Artistic Board may waive the requirement of higher education in the case of applicants in artistic fields.
- (7) The Habilitation Board as approved by the Scientific or the Artistic Board appoints three readers for the habilitation thesis, one of whom at most may come from the higher education institution carrying out the habilitation procedure. The bodies and faculties of the higher education institution or, as the case may be, the higher education institution's department, and the Habilitation Board act with the appropriate urgency.
- (8) The Habilitation Board assesses the scholarly, scientific or artistic qualifications of the applicant in the relevant field and his/her previous teaching experience. It assesses the quality of the habilitation thesis on the basis of the readers' reports. The Habilitation Board then votes by ballot on whether to nominate the applicant as an associate professor. If the proposal does not obtain a majority of the votes of all members of the Habilitation Board, the Board recommends termination of the habilitation procedure. An approved nomination is presented to the Scientific or the Artistic Board by the Chair of the Habilitation Board or a member of this board designated by its Chair.
- (9) The habilitation lecture and the defence of the habilitation thesis take place at a public session of the Scientific or the Artistic Board. After a discussion, during which the applicant has the opportunity to comment on the readers' reports, defend his/her habilitation thesis and enlarge upon his/her previous scholarly, scientific or artistic and

teaching work, the Scientific or the Artistic Board votes by ballot on whether to nominate the applicant as an associate professor.

- (10) If the nomination does not obtain a majority of the votes of all members of the Scientific or the Artistic Board, one of the Boards terminates the habilitation procedure.
- (11) The Scientific or the Artistic Board passes the approved nomination of an associate professor to the Rector. If the Rector disagrees with the proposal, he submits the proposal together with his/her reasons for rejecting it to the Scientific or the Artistic Board of the higher education institution. The Scientific Board discusses the issue and votes by ballot on whether to nominate the applicant as an associate professor. If the nomination does not obtain a majority of the votes of all members of the Scientific or the Artistic Board, the habilitation procedure is terminated. Otherwise, the Rector appoints the applicant an associate professor.
- (12) If the habilitation procedure is terminated, the habilitation thesis together with the accompanying documents are returned to the applicant.
- (13) The habilitation procedure is not subject to the Code of Administrative Procedures. Details of the habilitation procedure will be set by the higher education institution in its internal regulations.
- (14) The applicant is entitled to raise objections to the course of the habilitation procedure within thirty days. If the Dean disagrees with the objections, he/she passes them on to the Rector. The decision of the Rector is final. The Dean's or the Rector's decision must be justified.
- (15) If permitted by the internal regulations of the higher education institution, the habilitation procedure may take place before the Scientific Board of an institute of the higher education institution. In this case, the duties of the Dean are performed by the director of the institute.
- (16) A higher education institution can set a fee for operations related to the habilitation procedure up to a maximum of four times the amount of the basis pursuant to Section 58 (2). The higher education institution is obliged to announce the amount of the fee on its office board. The fee constitutes a part of the income of the higher education institution.

### **Section 73** **Appointment of Professors**

- (1) A professor in a specific field is appointed by the President of the Czech Republic upon the recommendation of the Scientific or the Artistic Board of a higher education institution in compliance with the Section 74.
- (2) Such a recommendation of the Scientific or the Artistic Board of a higher education institution is presented by the Minister.
- (3) The Minister shall return a proposal for the appointment of a professor back to the

Scientific or Artistic Board of the higher education institution if it has not respected the proceedings for the appointment of a professor in accordance with Section 74. Any returning of the proposal must be justified.

- (4) The appointment of professors is not subject to the Code of Administrative Procedures.
- (5) The appointment of professors takes place at least twice a calendar year.

#### **Section 74**

#### **Procedure for the Appointment of Professors**

- (1) The aim of the procedure for the appointment of a professor is to show the teaching and scholarly, scientific or artistic qualifications of the applicant, who must be an outstanding and recognized figure in his/her particular field. The initiation of this procedure is conditional upon the person's previous appointment as an associate professor through the habilitation procedure, as long as the presentation of a habilitation thesis formed part of this procedure. In exceptional cases, when the individual concerned is already a professor at a prestigious higher education university abroad, the Rector, acting upon a recommendation from the Scientific or the Artistic Board of the higher education institution, may waive the provision that the applicant must have been appointed an associate professor before the procedure for his/her appointment as a professor can begin.
- (2) The procedure for the appointment of a professor is initiated at the request of the applicant, whose proposal must be supported by at least two written references from professors in the same or a related field, or at the request of a Dean or the Rector in the form of a proposal submitted to the Scientific or the Artistic Board of the faculty that is accredited in the relevant field, or to the Scientific or the Artistic Board of the higher education institution if accreditation for this field has been awarded to the higher education institution. The procedure may also be initiated by the Scientific Board of a faculty or of the higher education institution on its own accord. The proposal must include the requirements itemized in the second sentence of Section 72 (2); it must also specify the field in which the procedure for the appointment of a professor is being initiated.
- (3) In order to examine the proposal, the relevant Scientific or the Artistic Board, acting upon a proposal from the Dean or the Rector, approves a five-member Board consisting of professors, associate professors and other distinguished representatives in the relevant or a related field. The Board must be chaired by a professor and at least three members of the Board must be experts from an institution other than that carrying out the procedure for the appointment.
- (4) The Scientific or the Artistic Board may waive the requirement of higher education in the case of applicants in artistic fields.
- (5) The Board assesses the qualifications of the applicant and votes by ballot on whether to nominate the applicant as a professor. If the proposal does not obtain a majority of the votes of all members of the Board, the Board recommends termination of the habilitation procedure. An approved nomination is presented to the Scientific or the Artistic Board

that authorized the Board by the Chair of the Board or a member authorized by him/her. The Scientific or the Artistic Board invites the applicant to give a lecture at one of its public sessions presenting his/her conception of the scholarly, scientific or artistic work and teaching in the relevant field.

- (6) After the lecture, the Scientific or the Artistic Board votes by ballot on whether to nominate the applicant as a professor. In the case of the Scientific or the Artistic Board of a higher education institution, approved nominations are submitted to the Minister. In the case of the Scientific or the Artistic Board of a faculty, the nomination is passed to the Scientific or the Artistic Board of the higher education institution, which votes by ballot on submitting the nomination to the Minister. The provisions of Section 72 (10) are applicable in both cases by analogy.
- (7) The procedure of the appointment of a professor is not subject to the Code of Administrative Procedures. The details of the procedure for the appointment of a professor will be set by a higher education institution in its internal regulations. The bodies of the higher education institution or the faculty or, as the case may be, the higher education institution's department, and the Board shall act without any undue delay during the professor appointment procedure.
- (8) The applicant is entitled to raise objections to the course of the procedure for appointment as a professor at the faculty and higher education institution levels within thirty days. Any objections are evaluated by the Rector, whose decision is final.
- (9) If permitted by the internal regulations of the higher education institution, the procedure for the appointment of a professor may take place before the Scientific Board of an institute of the higher education institution that performs the same functions as the Scientific Board of a faculty. In this case, the duties of the Dean are performed by the director of the institute.
- (10) A higher education institution can set a fee for the operations associated with the professor appointment procedure.