

Under Section 36 paragraph 2 of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments of and Supplements to Other Acts (the Higher Education Act), the Ministry of Education, Youth and Sports registered the following Code of Discipline for Students of the University of Chemistry and Technology, Prague under ref. code MSMT-12710/2017 on May 22, 2017.

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Higher Education Institutions
Head of Department

**CODE OF DISCIPLINE FOR STUDENTS
of the University of Chemistry and Technology, Prague and its faculties
as at May 22, 2017**

PART I

**Article 1
Introductory provisions**

This Code of Discipline governs disciplinary misconducts of all students of the University of Chemistry and Technology, Prague (hereinafter “UCT Prague”) and its faculties, process of dealing with such misconducts, decisions regarding them and their penalization.

PART II

**Article 2
Disciplinary offense**

- (1) A disciplinary offense is an intentional breach of obligations stipulated by legal regulations or internal regulations of UCT Prague and the parts thereof, namely if the student:
- a) commits a fraud in connection with study or participation in a scientific activity,
 - b) commits falsification, fabrication, plagiarism,
 - c) repeatedly does not respect decisions of bodies of UCT or its parts,
 - d) repeatedly does not respect instructions and decisions of academic staff of UCT Prague,
 - e) seriously and intentionally or by gross negligence damages equipment of UCT Prague,
 - f) commits repeated or serious breach of generally binding rules of safety and health protection at work (hereinafter “occupational safety and health”) and occupational safety and health regulations,
 - g) intentionally breaches generally binding rules and regulations for computer systems and electronic data,
 - h) has been given a final sentence in a criminal case,
 - i) does not act in compliance with honour of a member of academia of UCT Prague and breaches the internal regulation “Ethical Code of UCT Prague” (Etický kodex VŠCHT Praha).

- (2) Disciplinary offense cannot be dealt with if the term of one year has elapsed from commitment of the offense or from final sentence given in criminal proceedings. The period of one year does not include the time when the respective person is not a student.

Article 3

Sanctions for disciplinary offense

- (1) A student may be charged for a proved disciplinary offense with the following sanctions:
- a) warning,
 - b) conditional expulsion from study with a defined probation period and conditions,
 - c) expulsion from study.
- (2) A sanction may be waived if discussion regarding the disciplinary offense has resulted in the student's correction.
- (3) When sanctions are being imposed, the aspect taken into account are: the nature of behaviour by which the disciplinary offense has been committed, circumstances of the offense, caused consequences, degree of culpability, as well as previous behaviour of the student and his/her explicit willingness to remedy the consequences of the offense.
- (4) A student may be expelled from the study only in case of intentional commitment of disciplinary offense.
- (5) A student may be conditionally excluded if the conditions for such sanction are met, and with regard to the student, namely taking into account his/her previous behaviour and the circumstances of the case, it may be reasonably assumed that the student will restrain from any other serious breach of discipline.
- (6) The terms and conditions in case of conditional expulsion are determined depending on the seriousness of the disciplinary offense. The probation period starts on the date when the decision regarding the disciplinary offense becomes final, the probation period being no shorter than six months.
- (7) The Rector or Dean cannot impose a sanction stricter than the one proposed by the disciplinary panel.

Article 4

Special provision on expulsion from study

A student who has been admitted to study due to his/her fraudulent act will be expelled from study.

PART III

Article 5

Disciplinary panel of faculty

- (1) Misconducts of students enrolled in study programmes provided by a faculty are dealt with by the faculty's disciplinary panel, which submits a proposal to the Dean to decide.
- (2) Members of the disciplinary panel of a faculty are appointed and removed by the Dean from the academia of the faculty. A half of the members of the disciplinary panel are students of the faculty.

- (3) A disciplinary panel of a faculty has six members with a two year term of office.
- (4) A disciplinary panel of a faculty elects the chairperson from its members and removes him/her.
- (5) When appointing the members of the disciplinary panel, the Dean may also appoint a secretary of the disciplinary panel of the faculty, who is not a member of the disciplinary panel. The secretary performs organizational and administrative tasks necessary for ensuring the activity of the disciplinary panel of the faculty. The secretary namely keeps records of hearings of the disciplinary panel of the faculty in compliance with Article 10 paragraph 4.
- (6) To reach a quorum, two thirds of the disciplinary panel of the faculty must be present. A resolution is adopted if a majority of the present members agrees. If absent, a member of the disciplinary panel cannot be represented by other person.

Article 6

Disciplinary panel of UCT Prague

- (1) Members of the disciplinary panel of UCT Prague are appointed and removed by the Rector from the academia of UCT Prague. A half of the members of the disciplinary panel of UCT Prague are students of UCT Prague.
- (2) The disciplinary panel of UCT Prague has six members with a two year term of office.
- (3) The disciplinary panel of UCT Prague elects the chairperson from its members and removes him/her.
- (4) When appointing the members of the disciplinary panel of UCT Prague, the Rector may also appoint a secretary of the disciplinary panel of UCT Prague, who is not member of the disciplinary panel. The secretary performs organizational and administrative tasks necessary for ensuring the activity of the disciplinary panel of UCT Prague. The secretary namely keeps records of hearings of the disciplinary panel of UCT Prague in compliance with Article 10 paragraph 4.
- (5) To reach a quorum, two thirds of the disciplinary panel of UCT Prague must be present. A resolution is adopted if a majority of the present members agrees. If absent, a member of the disciplinary panel cannot be represented by other person.
- (6) Misconducts of students enrolled in a study programme provided by UCT Prague are dealt with by the disciplinary panel of UCT Prague, which submits a proposal to the Rector to decide.

Article 7

Party to proceedings

- (1) A party to proceedings is always the student against whom the disciplinary proceedings have been started.
- (2) The party is entitled at any time during the proceedings to propose and submit evidence and comment on all documents that serve as basis for the proceedings. The disciplinary panel is obliged to enable the party to inspect all written information and make extracts thereof.

Article 8

Start of disciplinary proceedings

- (1) A disciplinary panel of a faculty starts the proceedings upon the proposal by the Dean if it regards an offense of a student enrolled in a study programme provided by the faculty.

- (2) The disciplinary panel of UCT Prague starts the proceedings upon the proposal by the Rector if it regards a student enrolled in a study programme provided by UCT Prague.
- (3) If the student is enrolled in several faculties, the disciplinary proceedings in the same case may take place only at one faculty, always taking into account the particular act which is the cause of the proceedings. In case of a doubt, the faculty will be determined by the Rector. The same procedure under the previous sentence will be applied in case of a student enrolled in a study programme provided by a faculty and, at the same time, in a programme provided by UCT Prague.
- (4) The Rector's or Dean's decision must include:
 - a) identification of the student suspected of misconduct (name, surname, date of birth, type of study and study programme),
 - b) description of the act,
 - c) proposed evidence supporting the decision,
 - d) reason why the act is considered a disciplinary offense.
- (5) The disciplinary proceedings are started with informing the student about the Rector's or Dean's proposal.

Article 9 **Disciplinary panel meeting**

- (1) If a disciplinary offense needs to be discussed, a meeting of the disciplinary panel is called by the chairperson at least seven calendar days before the date of the meeting.
- (2) Together with a written invitation, each member of the disciplinary panel will receive, within the term stipulated in paragraph 1, the Rector's or Dean's proposal based on which the disciplinary offense should be discussed. The invitation includes all necessary written information for the meeting that are available.
- (3) The chairpersons of the disciplinary panel informs the student who is named by the Rector or Dean in the proposal about the date and place of the meeting of the disciplinary panel meeting and invites the student to attend the meeting in person. Such notification (invitation) shall always be made in writing and delivered to the student by hand.
- (4) A disciplinary offense is always discussed at a hearing organized by the disciplinary panel with the presence of the student whose act is being discussed. In case of the student's absence it is possible to organize the hearing only if the student has not appeared and has not excused himself/herself although he/she has been properly invited in compliance with paragraph 3.
- (5) The meeting of the disciplinary panel is managed by the chairperson. The chairperson of the disciplinary panel calls upon the members of the panel or the student in the order in which they signify their desire to speak. The chairperson may take the floor whenever necessary.
- (6) The meetings of the disciplinary panel are private.
- (7) The participants in the hearing are the members of the disciplinary panel, the secretary of the disciplinary panel (if a secretary has been appointed) and the student who is suspected to have committed an offense. Other persons, namely witnesses, may attend the hearing with the approval of the chairperson of the disciplinary panel.

Article 10 **The panel's proposal**

- (1) At the end of the hearing the disciplinary panel takes vote in the absence of the student about their proposal to impose a sanction or to terminate the proceeding. The proceeding is

terminated if it comes to light that it is no disciplinary offense, if there is no proof that the disciplinary offense has been committed by the student whose name the Rector or the Dean states in their proposal, or if the person has ceased to be a student.

- (2) Voting is by secret ballot.
- (3) Each member of the disciplinary panel has one vote. In the event of a tie, the chairperson of the disciplinary panel shall have the casting vote.
- (4) A record is taken of each meeting of the disciplinary panel, stating the date and place of the meeting of the disciplinary panel, agenda, result of the voting and proposal of the disciplinary panel with reasoning to the Rector or the Dean. The record shall be signed and dated by the chairperson and all members of the disciplinary panel.

The record has the following attachments:

- a) list of attendees,
- b) invitation for the student,
- c) Rector's or Dean's proposal based on which the disciplinary panel acted, and the documents which the disciplinary panel had available for their proceedings.
- (5) The chairperson of the disciplinary panel shall deliver to the Rector or the Dean the proposal of the disciplinary panel on imposing a sanction or terminating the proceedings within 5 working days from receipt of the proposal made by the disciplinary panel.

Article 11

Decision making regarding disciplinary offense

- (1) Issuing of decision on a disciplinary offense is, under the provisions of Section 68 paragraph 1 letter h) of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments of and Supplements to Other Acts (the Higher Education Act) as amended (hereinafter the "Act"), a decision on students' rights and obligations. Therefore, the respective provisions of the Act and the Act No. 500/2004 Coll., Code of Administrative Procedures, as amended, shall be applied to the decision-making.
- (2) The student may request a review of the decision regarding the disciplinary offense within 30 days from the notification thereof.
- (3) The Rector is the administrative appeal body.
- (4) A request for revision of the decision shall always have suspensive effect.
- (5) The Rector shall review the compliance of the decision and the proceedings preceding the decision with legal regulations and internal regulations of UCT Prague and its faculties.
- (6) The decision regarding the disciplinary offense is recorded in the student's documentation.
- (7) If necessary, bodies of UCT Prague or its faculties shall take, following the decision under paragraph 5, such measures that will restore the student's rights and remove or at least mitigate the consequences resulting from defective decision.

PART IV

Article 12

Transitional and final provisions

- (1) The Code of Discipline for Students of the University of Chemistry and Technology, Prague registered by the Ministry of Education, Youth and Sports (hereinafter the “Ministry”) dated February 18, 1999 with ref. code 14 898/99-30, as amended, is hereby repealed.
- (2) This code was approved, in compliance with Section 9 paragraph 1 letter b) clause 3 of the Act, by the Academic Senate of UCT Prague on May 16, 2017.
- (3) This code becomes valid under Section 36 paragraph 4 of the Act on the day of its registration by the Ministry.
- (4) This code comes to force and effect on the day of its registration by the Ministry.

Radek Cibulka

Karel Melzoch

President of the Academic Senate

Rector