



Pursuant to Section 36, Para 2 and 5, Act no. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to some other Acts (The Higher Education Act), the Ministry of Education, Youth and Sports registered the Disciplinary Code for Students of the Czech Technical University in Prague under ref. no.MSMT-29317/2022-2 **on 10 November 2022.**

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Mgr. Karolína Gondková
Director of the Higher Education Department

**DISCIPLINARY CODE
FOR STUDENTS
OF THE CZECH TECHNICAL UNIVERSITY IN PRAGUE**

**Article 1
Introductory provisions**

- (1) This Disciplinary Code for Students of the Czech Technical University in Prague, in compliance with 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”), regulates disciplinary proceedings for students studying in all bachelor, master and doctoral study programmes implemented both at faculties and outside faculties and stipulates the rules for the work of the Disciplinary Commission; in case a faculty does not have an own Disciplinary Code, the Disciplinary Commission of the faculty is governed by this Code (hereinafter without distinction referred to as the “Commission”).
- (2) A disciplinary offence is a culpable breach of an obligation
- a) stipulated in the Act or in another legal regulation
 - b) stipulated in an internal regulation of CTU, or
 - c) stipulated in an internal regulation of a faculty at which the student studies,

or

- d) any form of cheating, copying from other students or unauthorized working together in fulfilment of study obligations, or an attempt at such conduct (e.g., an unauthorized manipulation with drawn examination questions, exchange of tests during an examination, as well as using unauthorized materials, information or aids during an examination, or an attempt at such conduct),
- e) presenting someone else's work as own work, particularly using a part of someone else's work in own work without proper referencing or a using an exact part of someone else's work in own work without indicating it as a citation (e.g., by using quotation marks),
- f) providing a written paper to another student knowing that it will be used to cheat in completing study obligations or prompting another student during a test,
- g) a serious or repeated breach of rules and instructions when using the computer network of CTU or a faculty,
- h) a deliberate destruction, damage, stealing or abuse of property of CTU, faculty or an employee of CTU, or a member of the academic community,
- i) aggressive or disruptive behaviour, either physical or verbal, towards a member of the academic community or a CTU employee,
- j) participating in classes under the influence of alcohol or other addictive substances,
- k) a failure to pay a lawfully assessed study fee,
- l) a breach of the obligation to ensure the correction of incorrect data in the study register without unnecessary delay,
- m) behaviour that is inconsistent with the mission of the university or with the honour of a member of the academic community,
- n) a breach of instructions given by the rector, the deans and the heads of departments during extraordinary events or crisis situations.

Article 2 Sanctions

- (1) One of the following sanctions can be imposed on a student for a culpable breach of the obligations stipulated by legal provisions or by internal regulations of CTU and its constituent parts
 - a) a reprimand,
 - b) conditional expulsion from studies, with setting a timetable and conditions for making amends,
 - c) expulsion from studies.
- (2) A disciplinary offence pursuant to Section 64 of the Act, committed by negligence, and a less serious disciplinary offence may be heard and discussed without imposing a sanction.
- (3) The imposition of a sanction may be waived provided the hearing and discussion of the disciplinary offence leads to rectification.
- (4) When hearing and discussing the imposition of sanctions, the nature of the action that led to the disciplinary offence, the circumstances under which it occurred, the consequences caused, the

degree of culpability, as well as the previous conduct of the student who committed the disciplinary offence, and the demonstrated efforts to rectify the consequences are taken into account. A student can be expelled from studies in case of a deliberate committing of a serious disciplinary offence.

- (5) The decision to impose a sanction is communicated only to the student and is not public; this is without prejudice to the possibility to publish an anonymized overview of disciplinary offences and imposed sanctions.
- (6) The time period and the conditions of the rectification in case of a conditional expulsion from studies are set according to the level of the gravity of the disciplinary offence; this time period is set to a minimum of six months and a maximum of three years.
- (7) If a student commits another disciplinary offence during the probation period, with the exception of less serious disciplinary offences committed out of negligence, they may be expelled from studies.

Article 3 **Commencement of disciplinary proceedings**

- (1) Any individual can propose that a disciplinary offence should be heard and discussed. The proposal is submitted to the dean; in case of students in programmes implemented outside faculties it is submitted to the rector. If the proposal seems justified, the dean/rector shall submit to the Commission a proposal to initiate disciplinary proceedings based on which the Commission shall start the disciplinary proceedings in accordance with Article 4, Para 2.
- (2) The proposal shall include the description of the act, or suggested evidence upon which it relies, as well as stating the reason why the act is considered a disciplinary offence.
- (3) The disciplinary proceedings commence on the day the student is notified of the commencement of the proceedings in a manner in accordance with the Code of Administrative Procedure¹.
- (4) The chair of the Commission will convene a meeting of the Commission immediately after the commencement of the disciplinary proceedings. The date of the meeting of the Commission must be set so that it begins no later than 60 days after the proposal to commence disciplinary proceedings has been delivered to the Commission (the months of July and August are not included in this period). A disciplinary offence cannot be heard and discussed if a period of one year has elapsed since the committing of the disciplinary offence, or if a final guilty verdict was pronounced in a criminal case. The one-year period excludes any period when the person is not a student.

Article 4 **Disciplinary Commission**

- (1) The accusation against a student of a disciplinary offence is heard and discussed by a Disciplinary Commission.
- (2) A faculty's Disciplinary Commission deals with disciplinary offences committed by students enrolled at the faculty in one of the faculty's programmes and it submits a proposal for decision to the dean. The CTU Disciplinary Commission deals with disciplinary offences committed by

¹ Section 46 of Act No. 500/2004 Coll., the Code of Administrative Procedure.

- students enrolled at CTU in one of the programmes outside faculties and it submits a proposal for decision to the rector.
- (3) The members of a faculty's Disciplinary Commission are appointed by the dean from among the members of the faculty's academic staff and with the consent of the faculty's Academic Senate. One half of the members of the Disciplinary Commission are students. A faculty's Commission has a minimum of four and a maximum of eight members. Two academic workers and two students are appointed as substitutes.
 - (4) The members of the CTU Disciplinary Commission are appointed by the rector from among the members of the CTU academic staff, namely from the academic staff working at a university institute that participates in the implementation of programmes outside faculties and from students enrolled in one of the programmes outside faculties. Two academic workers and two students are appointed as substitutes. The CTU Academic Senate must approve of the appointment of the members of the CTU Disciplinary Commission. One half of the members of the Disciplinary Commission are students enrolled in one of the programmes implemented outside faculties; the Commission has a minimum of four members; all university institutes that participate in the implementation of programmes outside faculties have an equal number of members in the Commission, which applies to both academic workers and students.
 - (5) The term in office of the Commission members is two years². Members of the Commission can be appointed several times.
 - (6) The constituent meeting of the Commission is called by the dean/rector who presides over the election of the chair and vice-chair.
 - (7) If it is known that a member of a faculty's Disciplinary Commission or the CTU Disciplinary Commission will not be able to attend a Commission's meeting, the chair will summon an appropriate substitute so that the parity of the Commission's composition is preserved. Such substitute member has the rights and duties of a member of the Commission at the meeting they have been summoned to attend.
 - (8) A Commission's meeting is presided over by its chair; in the absence of the chair, it is presided over by its vice-chair.
 - (9) The meetings of the Commission are held behind closed doors. The members of the commission are pledged to secrecy concerning all matters that come to their knowledge in connection with their membership of the Commission.
 - (10) A Commission has a quorum if a majority of its members are present. In case the equal representation of academic workers and students is not observed, the chair will adjourn the meeting in case such adjournment is proposed by a member of the Commission. A resolution of the Commission is adopted if it is voted for by a majority of the members of the Commission present at the meeting.
 - (11) A meeting of the Commission is called by its chair. A record is kept of the Commission's meetings.

Article 5

Hearing and discussion of a proposal

- (1) The student must be invited to attend the meeting of the Commission in a proper and timely manner, at least five days before the meeting³. The student has a right to be present in person at the meeting of the Commission, with the exception of the voting and the consultation. The

² Section 13, Para 2 of the Act.

³ Section 59 of Act No. 500/2004 Coll., the Code of Administrative Procedure.

student has a right to propose and submit evidence, comment on all materials submitted for the meeting and inspect the file⁴, with the exception of the records of voting.

- (2) Disciplinary proceedings are held with the student against whom the proceedings are brought in attendance. The proceedings can be held without the student in attendance only in case the student does not come to the meeting without a proper excuse delivered to the Commission before the start of the oral hearing and based on relevant reasons that obstruct their presence, or if it is the third and further meeting. A relevant reason is, in particular, incapacitation for work proven by a doctor's certificate that attests the student's state of health as on the day of the oral hearing and that clearly shows that the indisposition prevented the student from attending the meeting. The Commission shall evaluate the justification of the excuse, and in case it accepts the excuse, it will set a new date for the meeting.
- (3) The Commission is obliged to hear and discuss the matter so that it is established beyond doubt that the student did commit a disciplinary offence. The meeting will be conducted in a manner that allows the Commission to adopt a resolution in accordance with Para 4, usually within 30 days upon the first meeting.
- (4) After the matter has been heard and discussed, the Commission will adopt a proposal instructing the dean or rector to
 - a) state that the student committed a disciplinary offence and impose a sanction pursuant to Article 2, Para 1 which the Commission will explicitly name, or
 - b) terminate the disciplinary proceedings because the student did not commit any disciplinary offence, or they committed a disciplinary offence but the Commission is of the opinion that the hearing and discussion of the matter during the disciplinary proceedings sufficed, or it is not considered a disciplinary offence, or the Commission failed to prove that the disciplinary offence was committed by the student in question, or the person ceased to be a student.
- (5) The Commission will inform the student about the resolution in accordance with Para 4 provided the student is present; if they are not present, the resolution is not communicated to them separately.
- (6) The person who proposed that the disciplinary offence should be heard and discussed has a right to be present in person at the meeting of the Commission, with the exception of the voting and the consultation, and propose and submit evidence; if this person is a member of the CTU academic community or an employee of CTU, they have a right to be acquainted with the Commission's conclusion.
- (7) If the person who proposed that the disciplinary offence should be heard and discussed is a member of the Commission, they will be replaced with a substitute member for the duration of the hearing and discussion of their proposal.
- (8) The person who proposed that the disciplinary offence should be heard and discussed, the members of the Commission and other persons participating in the investigation of the disciplinary offence are pledged to secrecy concerning all matters discussed.

Article 6

Decision

⁴ Section 38 of Act No.. 500/2004 Coll., the Code of Administrative Procedure.

- (1) The decision in the disciplinary proceedings is issued by the dean or rector based on the Commission's proposal no later than 7 days after they have received the Commission's proposal.
- (2) Before issuing a decision, the dean or rector can return the matter to the Disciplinary Commission with written justification for further investigation if they consider it necessary for the proper clarification of the matter.
- (3) The dean or rector will inform the student about the possibility to comment on the materials based on which the decision was made before they issue a decision. The deadline for commenting on the materials based on which the decision was made is at least 5 days.
- (4) The dean or rector can impose a sanction that the Commission has suggested, or a more lenient sanction, or they can terminate the disciplinary proceedings for reasons given in Article 5, Para 4 (b) although the Commission has proposed that a sanction should be imposed; the dean or rector will inform the Commission about their decision without unnecessary delay.
- (5) If the Commission has proposed that the proceedings should be terminated, the dean or rector will do so. If they have reasonable doubts about the correctness of this approach, they will return the matter to the Commission to be heard and discussed anew and provide reasoning for doing so. If the Commission insists on its original resolution, it is binding for the dean or rector.
- (6) The decision that imposes a sanction in accordance with Article 2, Para 1 (a) to (c) must be made in writing and must include a verdict about the determination of the disciplinary offence and setting the sanction. It must also include a justification and advice on the possibility to appeal against the decision.
- (7) A decision that terminates the disciplinary proceedings will include a verdict on the termination of the disciplinary proceedings, justification and advice on the possibility to appeal against the decision.

Article 7

Deciding on a disciplinary offence

- (1) The decision on a disciplinary offence is regulated by Section 68 of the Act; the manner of delivery is regulated by Article 45 of the CTU Statute.
- (2) The student may appeal against the decision on a disciplinary offence to the rector. In case the decision is made by the dean, the appeal is submitted to the rector through the dean; in that case the dean (unless they believe they should proceed according to Section 87 of the Code of Administrative Procedure) will pass on the file to the rector, including their statement, within 30 days upon receiving the appeal.
- (3) The appeal must be submitted in writing within 30 days upon its announcement.
- (4) The appeal must include the following
 - a) name, surname, date of birth,
 - b) permanent address or other mailing address,
 - c) name of the study programme,
 - d) name of the relevant faculty of university institute,
 - e) data specifying the decision against which it is made, the extent to which it challenges the decision and where it is in conflict with legal regulations, internal regulations of CTU and the faculty, or the manner in which the decision or proceedings that precede it were incorrect,
 - f) date and student's signature.
- (5) The rector's decision on the appeal is final. It is made in writing and it includes the following
 - a) decision (verdict),

- b) justification of the decision,
- c) advice to the effect that the decision is final and cannot be appealed,
- d) information on which body issued it,
- e) date of issuance,
- f) reference number under which it is registered at CTU,
- g) official stamp of CTU,
- h) rector's signature.

Article 8
Supplementary provisions

- (1) The accusation of the student of a disciplinary offence pursuant to Article 3, Para 2, invitation of the student to attend a meeting of the Commission and the decision of the dean or rector must be delivered by personal delivery.
- (2) The decision is marked in the student's file.
- (3) The administrative work is done by the Disciplinary Commission in collaboration with the Study Department, or the Department of Science and Research.

Article 9
Common, temporary and final provisions

- (1) Proceedings initiated before the day this Code came into force will be completed pursuant to the existing regulations; they will be completed pursuant to later regulations only in case this would be beneficial for the student.
- (2) The Disciplinary Code for Students of the Czech Technical University in Prague registered by the Ministry of Education, Youth and Sports on 1 September 2017 under ref. no. MSMT- 21850/2017 is repealed.
- (3) This Code was approved by the CTU Academic Senate on 24 November 2021 and 15 June 2022 pursuant to Section 9, Para 1 (b), point 3 of the Act.
- (4) This Code comes into effect pursuant to Section 36, Para 4 of the Act on the day it is registered by the Ministry of Education, Youth and Sports.
- (5) This Code comes into force on the day of its registration.

doc. RNDr. Vojtěch Petráček, CSc., m. p.

Rector