

**UNIVERSITY OF PARDUBICE**  
**FACULTY OF TRANSPORT ENGINEERING**

**DISCIPLINARY CODE FOR STUDENTS**  
**OF THE FACULTY OF TRANSPORT ENGINEERING**

**of 6 June 2017**

*Pursuant to Section 27, Subsection 1, Clause b) and Section 33, Subsection 2, Clause e) of Act No. 111/1998 Sb., on Higher Education Institutions and on Amendments to Other Acts (Higher Education Act), the Academic Senate of the Faculty of Transport Engineering, University of Pardubice, has passed this Disciplinary Code for Students of the Faculty of Transport Engineering:*

## **Introductory provisions**

(1) The Disciplinary Code for Students of the Faculty of Transport Engineering (the "Disciplinary Code") is issued in accordance with Act No. 111/1998 Sb., On Higher Education Institutions and on Amendments to Other Acts (Higher Education Act), as amended, (the "Act") and is an internal regulation of the Faculty of Transport Engineering (the "Faculty").

(2) This Disciplinary Code applies to disciplinary proceedings concerning the hearing of disciplinary offenses of students who enrolled to study at the Faculty.

### Article 1

#### **Disciplinary offense**

(1) A disciplinary offense is a culpable conduct of a student by which he/she intentionally or negligently violated the obligations stipulated by legal regulations or internal regulations of the University of Pardubice ("University") or the Faculty.

In particular, a disciplinary offense in the performance of study duties is:

- a) fraudulent conduct in administrative acts connected with the study,
- b) fraudulent conduct and facilitation of fraudulent conduct in the performance of study obligations,
- c) plagiarism,
- d) serious disruption of teaching and events organised by the Faculty,
- e) aggressive and other particularly inappropriate behaviour on the faculty premises.

(2) The student may be sanctioned for a disciplinary offense. Only one sanction can be imposed for one disciplinary offense. Section 65 of the Act applies to determining the type of sanction and imposing it.

(3) A disciplinary offense cannot be heard if a period of one year has elapsed since it was committed or since a final conviction in a criminal case. The period of one year does not include the period when the person whose disciplinary offense is being dealt with is not a student.

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## Article 2

### **Faculty Disciplinary Committee**

(1) In order to hear disciplinary offenses of faculty students, in accordance with Article 10 of the Statutes of the Faculty of Transport Engineering, the disciplinary committee of the faculty ("Disciplinary Committee") is established, which is a self-governing body of the Faculty according to Section 25 of the Act.

(2) The Disciplinary Committee of the Faculty ("Disciplinary Committee") investigates disciplinary offenses of students enrolled at the Faculty and submits a proposal for a decision on a disciplinary offense to the Dean of the Faculty.

(3) The members of the Disciplinary Committee are appointed and removed by the Dean from among the members of the academic community of the Faculty with the prior consent of the Academic Senate of the Faculty in accordance with Sections 27 and 31 of the Act. The Disciplinary Committee elects and removes from among its members a chairperson who is an academic staff member.

(4) The Disciplinary Committee has at least six members, the number of members must be even. Half of the members of the Disciplinary Committee are students.

(5) The term of office of the Disciplinary Committee is two years. The term of office of the chairperson of the Disciplinary Committee shall not exceed two years.

(6) The Disciplinary Committee has a quorum if an absolute majority of its members is present. Meetings of the Disciplinary Committee are convened and chaired by the chairperson or a member of the Disciplinary Committee authorised by him/her, who is an academic staff member of the faculty ("authorised member").

(7) A resolution of the Disciplinary Committee is valid if it is voted for by an absolute majority of all present members of the Disciplinary Committee. The Disciplinary Committee makes decisions in the form of a resolution.

(8) The proceedings of the Disciplinary Committee shall not be public. If a student whose disciplinary offense is involved ("student") proposes that the hearing be public, the Disciplinary Committee will oblige him/her. The student's proposal that the hearing be public will only be recorded in the file, including the Disciplinary Committee's resolution.

## Article 3

### **Participant in disciplinary proceedings**

(1) The participant in the disciplinary proceedings is the student against whom the disciplinary proceedings are initiated. The student has the right to choose a proxy. The delegation of authority shall be evidenced by a written power of attorney. A representative cannot be a member of the Disciplinary Committee.

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## Article 4

### **Disciplinary proceedings**

(1) The provisions of Sections 68, 69 and 69a of the Act apply to proceedings in matters of a disciplinary offense.

(2) Disciplinary proceedings are initiated by the Disciplinary Committee on the written proposal of the Dean. The Disciplinary Committee will deliver the Dean's proposal to the student. Disciplinary proceedings are initiated by acquainting the student with this proposal, which is considered to be the day of delivery of the proposal to the student.

(3) In accordance with Section 69 of the Act, the written proposal must contain a description of the act, or the proposed evidence on which it is based, as well as reasons as to why the act is considered a disciplinary offense.

(4) During the proceedings, the chairperson of the Disciplinary Committee or a member authorised by him/her shall provide the necessary documents for issuing a decision and ascertaining the actual state of the matter and a fair assessment.

(5) The student has the right to propose evidence and make other proposals throughout the disciplinary proceedings until the decision is issued. The chairperson of the Disciplinary Committee may set a deadline by which the student is obliged to make these proposals so that it can be decided at the first meeting of the Disciplinary Committee. The student also has the right to express his/her opinion in the proceedings. Before issuing a decision, the student must be given the opportunity to comment on the basis of the decision.

(6) All documents relating to the disciplinary proceedings in question, with the exception of the record of voting, shall become part of the file established in each case. The chairperson of the Disciplinary Committee is responsible for keeping the file. The student has the right to consult the file and make extracts from it. All written documents relating to the hearing of disciplinary offenses shall be kept at the University for a period of ten years from the closure of the file.

## Article 5

### **Oral hearing on a disciplinary offense**

(1) An oral hearing is always held on a disciplinary offense. The oral hearing shall be ordered by the chairperson of the Disciplinary Committee so that it begins no later than 30 days after the Disciplinary Committee has received the proposal to initiate disciplinary proceedings.

(2) The Disciplinary Committee is obliged to make written minutes of the oral hearing, which is verified by the signature of its member who chaired the hearing. The minutes contain, in particular, an indication of the case in question and a description of the course of the oral hearing. The written minutes of the hearing is part of the file. The record of voting must be shown separately and must not be published.

(3) The oral hearing takes place in the presence of the student. If the student excuses himself/herself from the hearing, the justification of his/her excuse will be assessed by the Disciplinary Committee. In the absence of a student, an oral hearing may be held only if he or she fails to appear without a valid excuse, even though he or she has been duly invited. The chairperson of the Disciplinary Committee or a student member authorised by him/her shall inform the student of the date of the oral hearing at least seven days before the day of the oral hearing.

(4) The chairperson of the Disciplinary Committee or a member authorised by him/her is obliged to convene an oral hearing of the Disciplinary Committee after submitting a proposal to initiate disciplinary proceedings, prepare documents for the hearing and chair the hearing so that it usually ends during one meeting. Following the opening of the proceedings of the Disciplinary Committee, the chairperson or a member authorised by him/her shall present a brief summary of the proposal and state the facts which have been established to date.

#### Article 6

##### **Proposal of the Disciplinary Committee for a decision on a disciplinary offense**

(1) After the matter has been discussed, the Committee shall decide, after deliberations, on its proposal for a decision on a disciplinary offense, by an absolute majority of all members present, all members present being obliged to vote. In the event of a tie, the chairperson of the Disciplinary Committee shall have the casting vote. Voting and the deliberations of the Disciplinary Committee shall not be public; no one other than the members of the Disciplinary Committee may be present at any deliberations or voting.

(2) The Disciplinary Committee must always decide on the proposal to impose a sanction. The Disciplinary Committee will propose to the Dean that by his/her decision he/she declare the student guilty of committing a disciplinary offense and impose the sanction proposed by the Committee, or that the Dean waive the imposition of a sanction. If it turns out that it is not a disciplinary offense, if it is not possible to prove that the disciplinary offense was committed by the student, or if the person whose disciplinary offense is being discussed ceases to be a student, the Disciplinary Committee will propose to the Dean to stop the disciplinary proceedings. The Committee's proposal must include a written justification.

(3) The proposal of the Disciplinary Committee for the decision on the disciplinary offense together with the file shall be submitted by the chairperson of the Disciplinary Committee to the Dean within seven days after the end of the disciplinary hearing.

#### Article 7

##### **Decision on disciplinary offense**

(1) The decision on the disciplinary offense shall be issued by the Dean without undue delay, not later than within 30 days from the day he/she received the proposal of the Disciplinary Committee for the decision on the disciplinary offense.

(2) On the basis of a proposal by the Disciplinary Committee for a decision on a disciplinary offense, the Dean may impose a proposed sanction or mitigate the proposed sanction, or waive the imposition of a sanction in accordance with Section 65 (2) of the Act if the hearing of the disciplinary offense itself leads to redress. The Dean cannot impose a stricter sanction than the one proposed by the Disciplinary Committee.

(3) Sections 68 and 69 of the Act apply to disciplinary proceedings and decisions on rights and obligations in matters of disciplinary offenses.

(4) If the sanction imposed is a conditional expulsion from study, the decision and conditions for the certificate must be specified in the decision. The decision on the disciplinary offense must be delivered to the student in person.

## Article 8 **Final provisions**

(1) The Disciplinary Code for Students of the Faculty of Transport Engineering of 1 October 1999 is repealed.

(2) This draft of the Disciplinary Code for students of the Faculty of Transport Engineering was approved pursuant to Section 27, Subsection 1, Clause b) of the Act by the Academic Senate of the Faculty of Transport Engineering on 10 June 2017.

(3) This Disciplinary Code for students of the Faculty of Transport Engineering was approved pursuant to Section 9, Subsection 1, Clause b), Subclause 2 of the Act by the Academic Senate of the University of Pardubice on 6 June 2017.

(4) This Disciplinary Code for students of the Faculty of Transport Engineering comes into effect on the day of its approval by the Academic Senate of the University of Pardubice.

(5) These Disciplinary Code for students of the Faculty of Transport Engineering comes into force on the day of its approval by the Academic Senate of the University of Pardubice.

doc. Ing. Libor Švadlenka, Ph.D.  
Dean