

Ministry of Education, Youth and Sports registered pursuant to § 36 paragraph 4, § 41 paragraph 2 and § 87 paragraph 111/1998 Coll., on Universities and on Amendments to Other Acts (Higher Education Act), as amended on 9th December 2017 under file number MSMT-23840 / 2017- Disciplinary rules for students of the University of Regional Development and Banking Institute – AMBIS, a.s.

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DISCIPLINARY RULES FOR STUDENTS
University of Regional Development and
Banking Institute – AMBIS, a.s.

Article I
Introductory provisions

Disciplinary Regulations of the University of Regional Development and the Banking Institute - AMBIS, a.s. (hereinafter referred to as the "School") applies to students of bachelor's and master's degree programs. Articles V. and VI. of these Disciplinary Rules are the rules of procedure of the Disciplinary Board of the School.

Article II
Disciplinary offense

- 1) A disciplinary offense is a culpable violation of obligations stipulated by legal regulations, school regulations¹ and the matriculation vow of a student of the School, in particular:
 - a) behavior or conduct that damages the name and prestige of the School,
 - b) conduct or behavior that offends, degrades or otherwise harms another member of the academic community or the staff of the School,
 - c) violence against a member of the academic community or an employee of the School,
 - d) deliberate damage to the school's facilities or property or the property of a member of the academic community or a staff member of the school,
 - e) fraudulent, dishonest or otherwise abusive conduct in connection with study and its control, fulfillment of study obligations or participation in creative activities, including violation of the principles of academic honesty;
 - f) an intentional offense for which a student has been lawfully convicted or an intentional misdemeanor or other administrative delict for which a final decision was issued if the conduct by which the misdemeanor or other administrative offense was committed is inconsistent with the student's mission and duties.

¹ Statute, Study and Examination Regulations and Scholarship Regulations of the School.

Article III
Types of sanctions

- 1) The Rector may impose one of the following sanctions for a culpable breach of the obligations stipulated by the legislation or regulations of the School:
 - a) Admonition,
 - b) conditional expulsion from study, setting the time limit and conditions for certification,
 - c) expulsion from study.
- 2) The imposition of a sanction may be waived if the actual handling of a disciplinary offense leads to a redress.
- 3) A penalty may be imposed only for a disciplinary offense committed negligently or for a minor intentional disciplinary offense. The penalty is either not public and is only announced to the student, or it is public and published for 30 days on the official notice board of the School.
- 4) The penalty of expulsion from studies may be imposed only for serious intentional disciplinary offense, in particular for fraudulent, dishonest or otherwise reprehensible conduct in connection with study and its control, fulfillment of study obligations or participation in creative activities, and for fraudulent conduct in the admission procedure according to § 67 of Act No. 111/1998 Coll. on Higher Education and on Amendments and Supplements to Other Acts (Higher Education Act) (hereinafter referred to as the "Act"). Fraudulent conduct in the admission procedure and in the final state examinations and in the preparation of the bachelor's and master's thesis, including infringement of third-party copyright, is always punished by expulsion from studies.
- 5) Conditional expulsion may only be imposed if the conditions for imposing an expulsion penalty are met and unless the disciplinary offense is committed in a particularly reprehensible manner, the student has shown sincere regret and it can reasonably be expected that another serious disciplinary offense is already.

- 6) The period and conditions for certification in the case of conditional expulsion from study shall be determined according to the severity of the disciplinary offense; this period shall be at least six months and at most three years. If a student commits another disciplinary offense during the deadline for certification, except for a minor disciplinary offense committed negligently, he / she will be excluded from the study.
- 7) The penalties of conditional expulsion and expulsion shall be public and shall be published for 30 days on the official notice board of the School.
- 8) A disciplinary offense cannot be dealt with if a period of one year has elapsed since it was committed or the final conviction in a criminal case. The period of one year does not include the period when the person is not a student².

Article IV Disciplinary commission

- 1) Disciplinary offense of a student is discussed by the Disciplinary Board.
- 2) The chairman and members of the disciplinary board of six members shall be appointed and removed by the Rector in accordance with the Statute of the School from among the members of the academic community of the School, one half of the members of the Board being students. The composition of the commission shall be published by the Rector in his measure.
- 3) The term of office of the members of the Disciplinary Board shall not exceed two years. When setting up the committee, the Rector observes the principle of continuity of its activities.
- 4) The Disciplinary Board submits a proposal for a decision to the Rector.

Article V Disciplinary proceedings

- 1) Disciplinary proceedings are initiated by the Disciplinary Board on the proposal of the Rector. The Rector submits this proposal if he or she finds out, or on the basis of an

² Section 66 of the Act

initiative, that an offense under Article II was committed by the student's conduct.

- 2) Any member of the academic community or an employee of the School may initiate disciplinary proceedings. Members of the academic community and employees of the School are obliged to initiate disciplinary proceedings to the Rector if they find a serious disciplinary offense of the student according to Article II parts c) to e).
- 3) The Rector's proposal must contain a description of the deed, the proposed evidence on which the deed is based, as well as the reasons why the deed is a disciplinary offense. The Rector's proposal to initiate disciplinary proceedings is an accusation of a disciplinary offense.
- 4) Disciplinary proceedings shall commence on the day on which a copy of the Rector's proposal, sent by the Chairman of the Disciplinary Committee, is sent to the student, and the accused is invited to the Disciplinary Committee meeting. The accusation of a disciplinary offense and the invitation of the accused to a disciplinary commission meeting must be delivered to the student through the school's electronic information system and in writing to his own hands. Written copies of the accusation of disciplinary offense and the invitation of the accused to the disciplinary board meeting may be handed over to the student by a personally appointed employee of the School or sent by post to the address specified in the student's personal file. If the decision is returned from the post office as undelivered, it will be posted on the school notice board for five working days. After the expiry of this period, the accusation of a disciplinary offense and the invitation of the accused to the meeting of the Disciplinary Board shall be deemed delivered.
- 5) Disciplinary proceedings in one case may be conducted only once.

Article VI

Disciplinary board meetings

- 1) The proceedings of the Disciplinary Board shall be convened and chaired by its chairman immediately after the initiation of the disciplinary proceedings.
- 2) The quorum of the Disciplinary Board shall be quorate if an absolute majority of its members are present.

- 3) A student against whom disciplinary proceedings will be held shall be served with a summons to be heard at least 5 days in advance.
- 4) The Disciplinary Board may decide to act in the absence of the student in the event that the accused did not attend the meeting without apology. The apology must be in writing and must be delivered to the Chairman of the Disciplinary Board no later than the day of the Disciplinary Board meeting. The Disciplinary Board may decide to act in the absence of the student also in case of repeated apologies.
- 5) The meetings of the Disciplinary Board, with the exception of the vote on the draft sanction, shall be public. In justified cases, in particular where the interests of damaged parties so require, the chairman of the commission may exclude the public.
- 6) The proceedings of the Disciplinary Board shall be recorded. The report shall record all facts relevant to the decision. The student against whom disciplinary proceedings are brought must be given the opportunity to express his / her opinion on all the facts that are to blame and on the facts that prove his / her guilt.
- 7) The Disciplinary Board shall decide on the draft decision by a vote. In the event of a tie, the Chairman of the Disciplinary Board shall have a decisive vote. The voting of the Disciplinary Board shall terminate the disciplinary proceedings.

Article VII

Decision on disciplinary offense and review procedure

- 1) The Rector cannot impose a stricter sanction than proposed by the Disciplinary Board.
- 2) The Rector shall issue a decision on disciplinary offense and impose a sanction (hereinafter referred to as the “**Decision**”) in writing no later than 30 days from the date on which the disciplinary proceedings were terminated.
- 3) The decision shall contain a statement, a statement of reasons, instructions on the possibility of appeal and the time limit within which the appeal must be lodged.
- 4) The decision is made in writing and delivered to the student through the School's electronic information system and in their own hands and is marked by the Study Department in the student's documentation. The written decision can be submitted to

the student by a personally appointed employee of the School or sent by mail to the address stated in the student's personal file. If the decision is returned from the post office as undelivered, it will be posted on the school notice board for fifteen working days. After this period has expired, the decision shall be deemed to have been delivered.

- 5) The student may appeal within 30 days of the day when the Rector's decision on the disciplinary offense was delivered to him. The appeal procedure is initiated upon delivery of the student's appeal. The Rector is obliged to terminate the appeal procedure without delay, but no later than within 60 days of its commencement. The review procedure shall be concluded by confirmation, amendment or revocation of the original decision.
- 6) If a student appeals against the Rector's decision on expulsion from studies, the appeal always has a suspensive effect. At this time, the student is obliged to fulfill all his / her study and other duties according to the regulations of the School, if possible; however, it cannot take the state final examinations. The student ceases to be a student on the day when the Rector's decision comes into force.
- 7) The decision comes into force on the day after the deadline for filing an appeal expires in vain, or on the day after the student waived his right to appeal in writing, or on the day when the Rector's final decision on the appeal was delivered.
- 8) In the appeal proceedings, the Rector confirms the original decision if it was in accordance with the Law and regulations of the School and if new serious facts did not come to light in conflict with the original decision. If such new facts become apparent, the Rector will take them into account in the review and change or revoke the original decision by a final decision. The Rector will change or revoke a decision that was in conflict with the Law or regulations of the School.
- 9) Compliance with the deadlines for filing documents shall be deemed to be maintained if the deadline is filed with the School on the last day of the deadline or if it is submitted for postal transport; if the deadline falls on a Saturday, Sunday or a public holiday, the last day of the deadline is the next working day.

Article VIII

Proceedings for voiding the state examination or its part

- 1) The Rector decides in proceedings for invalidity of the state examination or its part pursuant to Sections 47c to 47f of the Act.

- 2) The Rector declares the invalidity of the state examination or its part if the person whose state examination or its part is concerned:
 - a) failing to comply with the conditions or assumptions prescribed by the Act, study program or study and examination regulations for the conduct and successful completion of the state examination or its part as a result of an intentional crime, or
 - b) as a result of the intentional unauthorized use of the work of another person grossly infringing the intellectual property protection law or other intentional conduct against good morals, not referred to in point (a), Did not fulfill or only seemingly fulfilled the terms and conditions given by the Law, study program or the study and examinaion rules for holding and successful completion of the state exam or its parts in the case of continuous or repeated behavior against good morals or if such behavior substantially disrupted the possibility of acquiring standard knowledge and skills of a graduate of the given study program.
- 3) Failure to meet the conditions for the successful completion of the state examination or its component pursuant to par. a) and b) is as well such a case of discrepancy between the objective state of affairs and facts certified by a higher education diploma, when the person was awarded a higher education diploma without taking the state examination or its part at all.
- 4) The invalidity proceedings shall be instituted ex officio; may be initiated by the Rector
 - a) no later than 3 years from the date on which the judgment convicting the person concerned for an intentional criminal offense comes into force, in the case referred to in paragraph 2 (a); or
 - b) no later than 3 years after the date of execution or the apparent passing the state examination or its last part or doctoral thesis defense, in the case referred to in paragraph. 2 point. b).
- 5) If the Rector does not find reasons for invalidating the state examination or its component pursuant to paragraph 2, it shall terminate the invalidity proceedings by a resolution.
- 6) The opinion of the Review Committee shall form part of the grounds for the decision in the invalidity proceedings. The Review Committee has 7 members, including 6 members appointed by the Rector from professors, associate professors or other experts; the seventh member of the committee is appointed by the Rector from among the students of the School. The Review Committee shall act by an absolute majority of its members.
- 7) The Rector shall decide on invalidity proceedings within 150 days from the date of its commencement. The Review Committee shall deliver its opinion within 90 days of the

date on which it is requested by the Rector. If the Rector deviates from the opinion of the Review Committee in the invalidity proceedings, he / she is obliged to justify this fact in his / her decision.

- 8) The Rector's decision to annul the state examination or its part cannot be appealed. It shall take effect on the first day following the expiry of two months from the date of notification of the decision; the timely filing of an action in administrative justice has a suspensive effect.
- 9) Only a person whose state examination or part thereof is involved in the invalidity proceedings.
- 10) On the day the final decision on the invalidity of the state examination prescribed at the end of study in the study program or its part becomes effective, the person whose state examination or part of the study was concerned loses the university education obtained by completing the relevant study and the relevant academic title; the university diploma and the supplement to the diploma also expire on this date.
- 11) If a student of a follow-up Master's degree program no longer fulfills the condition for admission to study in the given degree program due to the effects of the decision pursuant to paragraph 10, which is a regular completion of study in the bachelor's degree program, he / she will be expelled from the study in the given study program on the date on which this Decision takes effect.
- 12) By decision in accordance with the paragraph 10 the student's status does not arise to the person mentioned in paragraph 9; However, the Rector may decide in such a Decision, in cases worthy of special consideration, that the person to whom the decision relates has the right to enroll in the study program of the School or a part thereof and the subsequent commencement of study in the first year of the study program.

Article IX Transitional and final provisions

- 1) Disciplinary order BIVŠ, a.s. registered by the Ministry of Education, Youth and Sports on 18 September 2014 under Ref. 21044/2014 – 1 is cancelled.
- 2) These Disciplinary Rules come into force and effect according to § 36 par. 4 and § 41 par. 2 of the Act on the day of registration by the Ministry of Education, Youth and Sports.

doc. Ing. František Pavelka, CSc.
rektor

