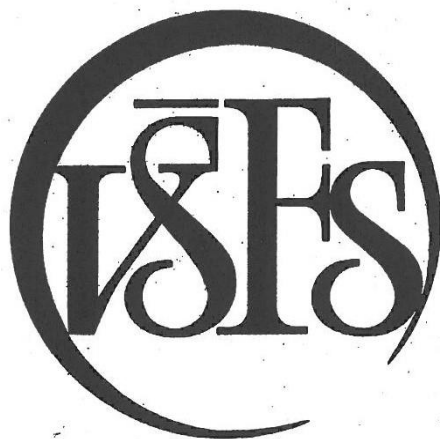


On 25 August 2020, the Ministry of Education, Youth, and Sports registered the Disciplinary Regulations for Students of the University of Finance and Administration [Vysoká škola finanční a správní, a.s.] pursuant to Section 36(2) and (4) and Section 41(2) of Act No. 111/1998 Coll., on higher education and on amendments and additions to other acts (Higher Education Act), as amended, under ref. no. MSMT 32579/2020-8.

Mgr. Karolína Gondková
Director of Higher Education Department



Disciplinary Regulations for Students

of the University of Finance and Administration **[Vysoká škola finanční a správní, a.s.]**

Prague
2020

Article 1

Introductory provisions

1. A disciplinary infraction is a culpable violation of the obligations set forth by law or by the internal regulations of Vysoká škola finanční a správní, a.s. (hereinafter the “University of Finance and Administration”) or a culpable act contrary to good morals that has damaged the good name of the University of Finance and Administration. A sanction may be imposed for a disciplinary infraction.

2. The following is always considered a serious disciplinary infraction:
 - (a) cheating, copying, or unauthorized collaboration in the performance of study obligations,

 - (b) passing off another's work as one's own, in particular by using part of another's work in one's own work without properly referencing it or by using part of another's work verbatim without obvious citation,

 - (c) submitting the same or a slightly modified essay to meet different study obligations without the prior consent of at least one of the teachers of the course for which the essay has been submitted,

 - (d) a particularly abusive verbal or physical attack of any kind by a student on another member of the academic community or a member of the staff of the University of Finance and Administration.

Article 2

Sanctions and how they are imposed

1. The following are sanctions:
 - a) a warning,
 - b) suspension from studies with a time limit and conditions for probation,
 - c) expulsion from studies.
2. When imposing sanctions, the nature of the conduct by which the disciplinary infraction was committed, the circumstances under which it occurred, the consequences caused, and the degree of culpability shall be taken into account, as well as the previous behavior of the student who committed the disciplinary infraction and any efforts made to remedy its consequences.
3. The imposing of a sanction may be waived if the hearing of the disciplinary infraction itself leads to a remedy.
4. The sanction of a warning may be imposed only for a minor disciplinary infraction or a disciplinary infraction committed through negligence.
5. The sanction of expulsion from studies may only be imposed for a serious, deliberate disciplinary infraction.
6. The sanction of suspension from studies may only be imposed if the conditions for the sanction of suspension from studies are met and if the student has shown sincere remorse and can reasonably be expected not to commit any further serious disciplinary infraction. If the sanction of suspension from studies is imposed, the decision shall always explicitly include the condition that the student shall not commit a further disciplinary infraction within the time limit set under the sanction of suspension from studies, except for a less serious disciplinary infraction committed through negligence. The time limit for probation shall be determined according to the degree of seriousness of the disciplinary infraction and shall not be less than six months and not more than one year.
7. A student who has been admitted for studies as a result of fraudulent conduct will always be expelled.
8. For each final decision on imposing a sanction, the statement of the decision shall be published in the Information System of the University of Finance and Administration in anonymized form, including such parts of the reasons for the decision that make clear the legal opinion of the body of the University of Finance and Administration that issued the decision and the reasons that led them to it.

Article 3
Initiating disciplinary proceedings

1. Disciplinary proceedings shall be initiated by the Disciplinary Committee at the proposal of the Prorector for Legislation and Study Programs. A proposal to initiate disciplinary proceedings is made by the Prorector for Education and Study Programs at the prompting of an employee of the University of Finance and Administration or student of the University of Finance and Administration, submitted through the Rector, or at his/her own initiative. A proposal to initiate disciplinary proceedings shall include a description of the act, the proposed evidence on which it is based, and the reasons why the act is considered to constitute a disciplinary infraction.
2. Disciplinary proceedings shall be initiated on the date the student is served with notice of initiation of proceedings along with a copy of the proposal referred to in paragraph 1.
3. A disciplinary infraction may not be heard if a period of one year has elapsed since it was committed or since a final conviction was reached in a criminal case. The period of one year shall not include the time when the person is a student.

Article 4
Disciplinary Committee meetings

1. The Disciplinary Committee is a self-governing academic body of the University of Finance and Administration charged with hearing disciplinary infractions of students of the University of Finance and Administration; its membership is specified in Article 8 of the Statutes of the University of Finance and Administration.
2. A meeting of the Disciplinary Committee shall be convened by its Chair and shall be held no earlier than 14 days from the date on which the student is served with the notice that disciplinary proceedings have been initiated.
3. Members and proxies shall be required to attend meetings of the Committee to which they have been invited.
4. If a member of the Committee is known to be absent from a meeting of the committee, the Chair shall invite the appropriate proxy so that the parity of the membership of the Committee is maintained. The alternate shall have the rights and obligations of a member of the Committee at the meeting to which he/she has been invited.
5. The Committee shall have a quorum if more than half of its members are present. If equal representation of academic staff and students is not maintained, the Chairperson shall adjourn the meeting if a member of the Committee or the student whose misconduct is the subject of the Disciplinary Committee's deliberations (hereinafter the "defendant") so proposes. A resolution of the Committee shall be adopted if a majority of the members present are in favor. A record of the vote shall be made and signed by all members of the Committee.

Article 5

Hearing disciplinary infractions

1. The defendant must be invited to a hearing of the disciplinary infraction by the Committee. The summons to the hearing shall be served to the defendant by personal delivery no later than five calendar days before the hearing. The defendant shall have the right to be present in person at the hearing of the Committee, except during the vote of the Committee, to introduce and present evidence, to comment on all materials for the hearing, to examine written materials, and to view the minutes of the proceedings of the Committee and take extracts therefrom, with the exception of the record of the vote.
2. The defendant may choose his or her representation. Authorization to represent shall be evidenced with a written power of attorney. The power of attorney must also be issued orally at the hearing of the Disciplinary Committee. The representative shall have the rights stated in paragraph 1.
3. The Disciplinary Committee may decide to act in the absence of the defendant or his/her representative only if the defendant or his/her representative has been duly summoned to attend the oral hearing of the Disciplinary Committee, yet has failed to attend the hearing of the Committee and has failed to be properly excused from the hearing. The excuse must be in writing or sent through the Information System of the University of Finance and Administration and must be delivered to the chair of the committee at least one day before the committee meeting.
4. If according to paragraph 1 a hearing may be held in the absence of the defendant or his/her representative, and the Board finds that the defendant is unable to attend the meeting for reasons related to the disciplinary infraction that is to be heard, namely detention, imprisonment, and the defendant is facing the sanction of expulsion or suspension from studies, an academic advocate appointed by the Rector from among the members of the academic community of the University of Finance and Administration must be present at the meeting of the Committee. The academic defense counsel shall defend the defendant unless the defendant himself/herself selects a proxy or until the proxy appears at the meeting. The academic defense counsel shall have the rights stated in paragraph 1. The student must be notified immediately of the appointment of the academic defense counsel.
5. The Disciplinary Committee shall be required to consider the necessary evidence and to hear the matter in such a way that it can be established beyond doubt whether the defendant has committed the disciplinary infraction. The deliberations of the Committee are to be conducted in such a way that the Committee can normally reach a decision on the proposed sanction within 30 days of its first meeting.
6. After hearing the matter, the Disciplinary Committee shall resolve on a proposal that the Prorector for Legislation and Study Programs.
 - a) find the defendant guilty by decision of the constituent elements of the disciplinary infraction and impose the proposed sanction under Article 2(1), or refrain from imposing the sanction, or
 - b) suspend the disciplinary proceedings because the act alleged in the proposal for disciplinary action did not constitute or does not constitute a disciplinary infraction, the defendant did not commit the disciplinary infraction or it has not been established that

the defendant committed the disciplinary infraction, or the defendant has ceased to be a student.

In the proposal, in addition to its recommendation, the Disciplinary Committee shall include a statement of the reasons for the decision.

7. The Committee shall communicate the resolution referenced in paragraph 6 to the defendant and his/her representative, if present.
8. A record of the proceedings of the Committee shall be produced, signed by the Chair of the Committee and a secretary designated by him/her, and shall form part of the file. The file, together with the draft decision, shall be forwarded to the Prorector for Legislation and Study Programs.

Article 6

Decisions

1. The Prorector for Legislation and Study Programs shall issue a decision in disciplinary proceedings on the basis at the proposal of the Committee, normally within seven days of the date on which the proposal of the Committee is received. If the Committee has not reached a decision pursuant to Article 5(5) even within 30 days of its first meeting due to lack of consensus, the Prorector for Legislation and Study Programs shall make the decision without a proposal from the Committee; in doing so, he or she may use the findings made by the Committee.
2. The Prorector for Legislation and Study Programs may refer the matter back to the Committee for further consideration if he/she deems it necessary for proper clarification of the matter before rendering a decision.
3. The Prorector for Legislation and Study Programs may impose a sanction proposed by the Committee, or a lesser sanction, or may discontinue the disciplinary proceedings for the reasons set out in Article 5(6)(b), despite the Committee having proposed that a sanction be imposed. The Prorector for Legislation and Study Programs may not impose a more severe sanction than that proposed by the Committee.
4. If the Committee has proposed that disciplinary proceedings be discontinued, the Prorector for Legislation and Study Programs shall do so except where serious doubts exist as to whether such action is correct, in which case the matter shall be referred back to the Committee for reconsideration, stating the reasons. If the Committee insists on its original resolution, the Prorector for Legislation and Study Programs shall be bound by it.

Article 7

Appeals

1. A decision by the Prorector for Legislation and Study Programs that imposes a sanction pursuant to Article 2(1) shall include a statement on the finding of the disciplinary infraction and the imposing of the sanction, stating the reasons for the decision and advising of the possibility of appeal.
2. An appeal may be filed by the defendant within 30 days of receipt of the decision of the Prorector for Legislation and Study Programs under paragraph 1. Appeals are filed with the Rector.
3. Appeals have a suspensive effect.
4. The Rector will
 - a) dismiss the appeal if it is filed late or filed by a person other than the defendant, his/her representative, or
 - b) dismiss the appeal and uphold the original decision if he/she finds no grounds for proceeding according to paragraph (c), or
 - c) cancel the original decision if he/she considers the contested decision incorrect or that the matter or wording has not been sufficiently clarified, or
 - d) cancel the decision if it was made in violation of the law or the internal regulations of the University of Finance and Administration.
5. The Rector shall also cancel a decision on a disciplinary infraction and on expulsion from studies if facts have subsequently come to light that justify the discontinuation of the proceedings.
6. A decision of the Rector pursuant to paragraphs 4 and 5 is final. In cases such as those referred to in paragraphs 4(c) and (d) or in paragraph 5, the Rector may request a new hearing from the Committee.

Article 8

1. Notice of initiating disciplinary proceedings pursuant to Article 3(2), a summons to a hearing of the Disciplinary Committee pursuant to Article 5(1), and a decision pursuant to Articles 6 and 7 shall be served by personal delivery.
2. If a document cannot be served on a student because the student has failed to comply with his/her obligation to provide the University of Finance and Administration with his/her mailing address or with the address of his/her data box, or if the document cannot be served at the address for service notified by the student, it shall be served by public decree.

Article 9

Final provisions

1. The Disciplinary Regulations for Students of Vysoká škola finanční a správní, a.s. registered by the Ministry of Education, Youth and Sports on 31 May 2017 under no. MSMT15207/2017-2, are hereby canceled.
2. These Disciplinary Regulations were approved by the Board of Directors of the University of Finance and Administration on 30 January 2020.
3. These Disciplinary Regulations shall enter into force pursuant to Sections 36(4) and 41(2) of Act No. 111/1998 Coll., on higher education and on amendments and addenda to other acts (Higher Education Act), as amended, on the date of registration by the Ministry of Education, Youth, and Sports.
4. These Disciplinary Regulations of the University of Finance and Administration [Vysoká škola finanční a správní, a.s.] shall enter take effect on the day following the date of their registration with the Ministry of Education, Youth, and Sports.

Bohuslava Šenkýřová
Chair of the Board of Directors and Rector
of Vysoká škola finanční a správní, a.s.