

# **DISCIPLINARY RULES OF THE FACULTY OF INFORMATICS**

## **PART ONE DISCIPLINARY OFFENCE**

### **Article 1 Disciplinary Offence**

- (1) A disciplinary offence is a breach of the duties stipulated in:
  - a) Act No. 111/1998 (amended and consolidated) on Higher Education Institutions, (hereinafter the “Act”), other laws,
  - b) the internal regulations of Masaryk University (hereinafter the “MU”) and
  - c) the internal regulations of the Faculty of Informatics MU (hereinafter the “Faculty”).
- (2) Disciplinary offences are mainly the following actions:
  - a) committing any form of cheating, copying or unauthorized cooperation while fulfilling the study requirements.
  - b) plagiarism- the passing another person’s work off as one’s own work, especially by using parts of another person’s work in one’s own work without proper reference or by quoting parts of such work without clearly marked quotes. The student must always explicitly specify all the resources from which drew;
  - c) submitting identical or slightly modified work in order to fulfil the various requirements of studies without the previous consent of at least one teacher of the course in which the work is submitted;
  - d) passing on one’s own work or giving hints to other exam-takers during knowledge tests;
  - e) any form of tampering with test questions or replacing tests when writing essays, as well as the use of unauthorized materials, information and aids in tests and examinations in the performance of study requirements;
  - f) serious or repeated breach of obligations, rules and prohibitions arising from the dean's regulations;
  - g) violation of the rules and guidelines for using MU’s computer network as established by the rector's or dean's regulations;
  - h) intentionally damaging, destroying or stealing items or misusing the property of the Faculty or MU, the property of its employees or persons collaborating with the Faculty;
  - i) Aggressive or disruptive behaviour, either physical or verbal, towards members of the academic community, employees of MU or persons collaborating with the Faculty.

### **Article 2 Disciplinary Committee**

- (1) The Disciplinary Committee is an autonomous academic body composed of six faculty members. The Chairman is a committee member.
- (2) Members of the Disciplinary Committee and its chairman are appointed by the dean from among the members of the academic community of the Faculty. The dean cannot be a member of the Disciplinary Committee.
- (3) Students at MU make up a half of the members of the Disciplinary Committee.
- (4) The term of the Disciplinary Committee member expires, unless earlier revoked by the dean, 2 years from the date of his/her appointment.

## **PART TWO DISCIPLINARY PROCEEDINGS**

### **Article 3**

#### **The Purpose of Disciplinary Proceedings**

Disciplinary proceedings ascertain the following facts:

- a) whether an action, which is considered a disciplinary offence, has happened;
- b) whether the action is a disciplinary offence;
- c) whether the disciplinary offence has been committed by a student;
- d) whether in the past, the student has been penalized for a disciplinary offence;
- e) whether the disciplinary offence was dealt with;
- f) whether the disciplinary offence was committed intentionally or by negligence;
- g) whether a penalty should be imposed and what kind of penalty.

### **Article 4**

#### **The Proposal to Start Disciplinary Proceedings**

- (1) Disciplinary proceedings start by submitting a proposal. An MU employee, usually the head of a department or a teacher, submits the impetus for consideration of the disciplinary offence to the dean. It is at the dean's discretion to judge whether the complaint is justified and whether the Disciplinary Committee will be called to initiate disciplinary proceedings.
- (2) A proposal for disciplinary proceedings should contain the following:
  - a) an accurate depiction of the action considered as a disciplinary offence, a reference to the relevant provisions of the laws specified in Article 1, and the time and place of the alleged disciplinary offence;
  - b) identification of the student who has committed the action;
  - c) justification for why the action is considered a disciplinary offence;
  - d) the evidence on which the proposal is based.

### **Article 5**

#### **Circumstances Excluding the Consideration of a Disciplinary Offence**

A disciplinary offence cannot be dealt with if the same matter has already been decided, or after the expiry period of one year from the date the offence was committed, or from a final conviction in a criminal case.

### **Article 6**

#### **The Disciplinary Committee Meeting**

- (1) The date of the Disciplinary Committee meeting should be set no later than 30 days from the date when the Disciplinary Committee has received the proposal. At the same time the Chairman of the Committee must ensure that a copy of the proposal is received by the student

against whom the disciplinary proceedings are initiated.

(2) The Disciplinary Committee holds an oral hearing in the presence of the student against whom disciplinary proceeding is conducted. The student must be invited for an oral hearing. The oral hearing may be conducted in the absence of the student if he/she refuses to attend the oral hearing or did not attend the hearing and did not submit a excuse founded on relevant rationale explaining his absence. The student's excuse must be submitted to the chairman by the start of the oral hearing, at the latest.

(3) The relevant reason is considered to be the incapacity to work supported by a medical certificate, certifying the student's health at the date of the hearing. The certificate must explicitly indicate that the illness prevents the student from attending the oral hearing. The Committee will decide on the legitimacy of the excuse and if it accepts the new date of meeting is set. The Chairman of the Disciplinary Committee informs the student about new date.

(4) The Disciplinary Committee may suspend the resolution meeting if circumstances make it impossible to continue (e.g., if it is found that the student has interrupted the study).

### **Article 7**

#### **Commencement and Conduct of Disciplinary Proceeding**

(1) Disciplinary proceedings begin with the introduction of the proposal content to the student.

(2) At each hearing the Chairman, or an appointed member of the Disciplinary Committee, first familiarizes participants with the content of the proposal to initiate proceedings and then summarize the results of previous negotiations, if any.

(3) The facts of the matter are discovered by the evidence, which the Disciplinary Committee had previously conducted on its own initiative or at the request of the dean or the student.

(4) Each member of the academic community of MU is obliged to come at call of the Disciplinary Committee to disciplinary proceedings and to testify about the facts important for disciplinary hearing, if the testimony is proposed as evidence. However, it may withhold testimony, if there is a risk that against him or person close to him will start a criminal or disciplinary proceeding.

### **Article 8**

#### **The End of the Disciplinary Proceeding**

(1) If the Disciplinary Committee recognizes that the results of the evidence are sufficient for assessment of this case, decides on the draft of decision on the disciplinary offence. In the cases referred to in paragraph (2) of this article, the Disciplinary Committee proposes to stop the disciplinary proceedings.

(2) The Disciplinary Committee will propose to the Dean to stop the disciplinary proceedings, if:

a) the action mentioned in the proposal to start disciplinary proceedings did not occur or is not a disciplinary offence;

b) the disciplinary offence was not committed by concerned student;

c) the person who committed the disciplinary offence, ceased to be a student (cases of termination or dropping out of studies); or

d) the disciplinary offence cannot be discussed (according to Article 5).

(3) A proposal for the decision of a disciplinary offence must contain the exact text of the decision which the dean must issue. It must include the statement and justification.

### **Article 9**

### **Decision on a Disciplinary Offence**

(1) A decision on a disciplinary offence shall include:

- a) name of the university, Faculty and its dean;
- b) student's name and surname, personal university number (UCO), permanent address;
- c) a verdict which:

1. states that the student has committed a disciplinary offence (with a description of the action and violated regulations and law), and

2. imposes the sanction or refrains from imposing a sanction according to § 65 paragraph 2 of the Act.

d) rationale;

e) instructions about the student's right to ask the rector to review a decision and about terms and ways of applying for this right.

(2) A student, whose disciplinary offence was decided by the dean, has the right to ask the rector, within 30 days of receipt of the dean's decision, to review the disciplinary offence decision. The request for review shall be sent to dean, who can change or cancel his original decision, otherwise he shall send the matter to the rector. The rector's decision is final.

(3) The decision of the disciplinary offence comes into force:

a) when the deadline to submit a request for review of decision of a disciplinary offence has expired;

b) on the date of delivery of the Rector's decision that changes, cancels or confirms the dean's decision regarding a disciplinary offence.

### **Article 10**

#### **Imposing Penalties**

(1) The following penalties may be imposed for disciplinary offences:

a) a reprimand;

b) a conditional expulsion from studies, including the determination of terms and conditions of the certificate;

c) an expulsion from the study, if it is clear that the disciplinary offence was committed intentionally.

(2) Penalties should take into account the nature of the disciplinary offence, the manner in which it was committed, its subsequent consequences, the reasons why the student committed the offence, the student's previous behaviour, including study results, and whether the student regrets that he/she committed the offence or expresses an effort to remedy its consequences.

(3) If the penalty is conditional expulsion from the study, the decision must always explicitly contain a condition that the student must not commit another disciplinary offence or crime.

(4) The penalty may be waived a disciplinary offence will lead to a remedy.

(5) For more disciplinary offences is imposed only one sanction.

(6) It is not possible to impose a more severe sanction than what has been prescribed by the Disciplinary Committee.

(7) The penalty is executed on the date when the disciplinary offence becomes effective.

(8) The imposed disciplinary sanction shall be recorded in student's personal file and in the information system (IS MU) to study records.

### **Article 11**

#### **Executing Penalties**

(1) The penalty in the form of a reprimand - the disciplinary proceedings and the imposed penalty will be recorded in the student's personal file and the decision on a disciplinary offence will be posted on the Faculty's official notice board for 15 days.

(2) The penalty of conditional expulsion from studies is executed by record in the student's personal file and is set a worker of the Office for Studies who supervises the compliance of requirements for a specified period and submits a report to the Dean. Based on the report of the Study Office, the dean will assess whether the student is proven successfully or not. In the case that a student is unsuccessful, the dean issues a decision based upon the provisions of Article 9. A sanction of conditional expulsion from the study in connection with the decision that the student was unsuccessful, leads to the sanction of expulsion from the study.

(3) The penalty of expulsion from studies is executed so that all student's courses degree studies offered at the Faculty are terminated on the date when the decision on a disciplinary offence becomes effective.

### **PART THREE**

#### **DISCIPLINARY COMMITTEE PROCEDURE RULES**

##### **Article 12**

###### **The Organization of the Disciplinary Committee**

- (1) The Chairman of the Disciplinary Committee:
- a) organizes the activity of the Disciplinary Committee and acts in its name outside;
  - b) convenes, manages and ends Disciplinary Committee meetings, and proposes the program of discussed offences.
- (2) The Disciplinary Committee selects a vice-chairman to deputize the chairman during his absence.
- (3) The Disciplinary Committee works closely with the Office for Studies. The Office for Studies provides the Disciplinary Committee with the necessary assistance and information about students. A worker from the Office for Studies participates at Disciplinary Committee's meetings, he/she:
- a) is involved in the organization of Committee activities;
  - b) must write a record of the hearing of the Disciplinary Committee;
  - c) processes other Committee documents;
  - d) arranges dean's written decision about a disciplinary offense and its proper dispatch;
  - e) provides information on the status of a student whose disciplinary offense is discussed to with the Disciplinary Committee;
  - f) informs the Disciplinary Committee on whether the student has already be sanctioned for a disciplinary offense; and
  - g) submits a report to the dean concerning whether the student fulfils the conditions set in the dean's decision on a disciplinary offence in case of a penalty of conditional expulsion.

##### **Article 13**

###### **Disciplinary Committee Meetings**

- (1) Disciplinary Committee meetings are always public, except during consultations and voting. At the hearing those members of the academic community who were according to Article 7, paragraph 4 invited to give a testimony cannot participate if they have not yet given their testimonies to the Disciplinary Committee.
- (2) The Chairman of the Disciplinary Committee is responsible for making a report of each meeting.

##### **Article 14**

###### **Decisions of the Disciplinary Committee**

- (1) The Disciplinary Committee makes decisions on matters within their scope of knowledge and understanding by resolution.
- (2) The Committee is competent to act and has a quorum if the majority members are in attendance. If students do not form one half of present Committee members, the Chairman shall adjourn the meeting if it suggests any member. Committee resolutions are approved if the majority of members agree.
- (3) Decisions of the Disciplinary Committee requires the approval of a majority of present members of Disciplinary Commission; to accept the resolution, which could result to penalty of expulsion from studies shall require the consent of a majority of all members of the Disciplinary Committee.
- (4) If a voting tie occurs, the Chairman of the Disciplinary Committee makes the final decision.

## **PART FOUR COMMON PROVISIONS**

### **Article 15 Terms**

- (1) If the term for the performance a specific disciplinary proceeding action is not set in an internal regulation, it is determined by the Disciplinary Committee.
- (2) If the term ends on a weekend or public holiday, the next working day should be considered the last day of the term.
- (3) The Disciplinary Committee, rector or dean during the disciplinary offence proceeding may waive the missed deadline for important reasons if the part of the application is submission, which should be done. In this case the date of submission is the day when the missed deadline was waived.

### **Article 16 Delivery**

- (1) Documents issued in relation to actions specified herein if not delivered directly when taking such actions, shall be delivered to the student into the own hands at the Dean's Office of the Faculty after notice to take over documents which is sent by email to a student with a term for receipt. The taking over of documents is confirmed by the student's signature.
- (2) The document shall be delivered into own hands:
  - a) in the case of:
    1. A student invitation to a disciplinary proceeding;
    2. a disciplinary offence decision;
    3. a disciplinary offense decision review;
    4. a decision that a student who has been sanctioned by conditional expulsion from study was not proved successfully;
  - b) if it is determined by the authority which issued the document.
- (3) The day of document's delivery is the day when the recipient takes over it. If the recipient refuses to accept it, it has the impact of takeover of the document.
- (4) If a document cannot be delivered under paragraph 1 or 2, it will be delivered to posting on the official notice board of the Faculty for 8 days (alternative delivery). The last day of this term is the date of the document is delivered. In the case of an alternative delivery the document is also sent to the student's permanent address by registered letter into own hands.

