

## **DISCIPLINARY CODE FOR STUDENTS OF THE FACULTY OF LAW OF CHARLES UNIVERSITY**

*Under sections 27 (1) (b) and 33 (2) (e) of Act No. 111/1998 Sb., to regulate higher education institutions and to change and amend other laws (“the Higher Education Act”), as amended, the Academic Senate of the Faculty of Law of Charles University has adopted the following Disciplinary Code for Students of the Faculty of Law as an internal regulation of the Faculty:*

### Article 1

#### **Introductory Provisions**

(1) In accordance with Art. 3 (13) of the Disciplinary Code for Students of Charles University, this Disciplinary Code for Students of the Faculty of Law of Charles University<sup>1</sup> provides certain rules for the Disciplinary Board of the Faculty of Law (“the Disciplinary Board”) and the rules of procedure for the Board at the Faculty of Law (“the Faculty”).

(2) Infringements of disciplinary rules by students enrolled in the Faculty, the imposition of sanctions for these infringements, disciplinary proceedings, and appeal proceedings are governed by the Higher Education Act<sup>2</sup>, the Administrative Procedure Code, and the Disciplinary Code for Students of Charles University.

### Article 2

#### **Disciplinary Board**

(1) The Disciplinary Board consists of 6 members of which 3 are members of the academic staff and 3 are students. The Disciplinary Board has 4 alternate members of which 2 are members of the academic staff and 2 are students. Members of the Disciplinary Board and their alternates must be members of the academic community of the Faculty.

(2) Members and alternates of the Disciplinary Board are appointed and removed from office by the Dean with the consent of the Academic Senate of the Faculty.

(3) The term of office of the members of the Disciplinary Board is two years.

(4) Membership of the Board terminates:

- a) Upon expiration of the term of office;
- b) Before expiration of the term of office
  1. Upon termination of membership of the academic community of the Faculty;
  2. On the date of delivery of a written statement in which a member or an alternate resigns membership or the position of an alternate in the Board.

(5) The position of a member of the Board vacated under para. 4 (b) is for the remaining period of the term of office of the leaving member taken by an alternate determined by the Dean.

(6) Administration related to the activities of the Disciplinary Board is provided by the Dean’s Office. The secretary of the Board is a designated employee of Charles University assigned to the Faculty.

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<sup>1</sup> Art. 15 (2) of the Constitution of the Faculty of Law of Charles University.

<sup>2</sup> In particular ss. 64 to 66 and s. 69 of the Higher Education Act.

### Article 3

#### **Certain Rules of Procedure for the Disciplinary Board**

(1) Immediately after receiving a proposal from the Dean to consider a disciplinary infringement under Article 4 (2) of the Disciplinary Code for Students of Charles University, the chairperson of the Disciplinary Board delivers to the student a notice of the commencement of the disciplinary proceedings and a counterpart of the Dean's proposal for consideration of the disciplinary infringement.

(2) Immediately after commencement of the disciplinary proceedings, the chairperson convenes a session of the Disciplinary Board and invites the student to the session.

(3) Disciplinary Board members and their alternates are obliged to participate in a Board session to which they were invited. If the chairperson knows that a member of the Board cannot attend the session, the chairperson invites the relevant alternate to maintain parity representation on the Board.

(4) If a member of the Disciplinary Board is excluded from considering and deciding a case, an alternate participates in the session of the Disciplinary Board instead of the member; it is not possible to call an alternate who is excluded from considering and deciding a case.

(5) The Board may, upon the proposal of a member of the Disciplinary Board, decide on individual cases by secret ballot. In other cases, the members of the Disciplinary Board vote by acclamation.

### Article 4

#### **Provision of Expert Assistance for the Disciplinary Board**

(1) The chairperson of the Disciplinary Board may request the Dean's Office to ensure expert assistance.

(2) The Faculty bodies are obliged to cooperate with the Disciplinary Board.

### Article 5

#### **Transitional Provisions**

(1) Disciplinary proceedings commenced before the date of effect of this Code will be completed under the then applicable regulation.

(2) The term of office of the members of the Disciplinary Board appointed before the date of effect of this Code is not affected.

### Article 6

#### **Final Provisions**

(1) The Disciplinary Code for Students of the Faculty of Law of Charles University approved by the Academic Senate of the Faculty on 18 May 1999, as amended and approved by the Academic Senate of the Faculty on 20 June 2008, is hereby repealed.

(2) This Code was approved by the Academic Senate of the Faculty on 25 May 2017.

(3) This Disciplinary Code comes into force on the date of approval by the Academic Senate of Charles University.<sup>3</sup>

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<sup>3</sup> The Academic Senate of Charles University approved this Disciplinary Code on 2<sup>nd</sup> June 2017.

(4) This Disciplinary Code becomes effective on the date of approval by the Academic Senate of Charles University.

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