

**Internal Regulation of the Faculty of Mechanical Engineering at Technical University of Liberec**

Name:	<b>Disciplinary Law for Students of the Faculty of Mechanical Engineering at TU of Liberec</b>			
	Name:	Holding the post:	Date:	Signature:
Guarantor:	Professor Petr Lenfeld	Dean of the Faculty		
Jurist Supervision:	Michal Prokop, M.A.	Lawyer		
Specialist:	Anna Benešová, M.Sc.	Secretary		
Approved by:	Professor Petr Lenfeld	Dean		
Approved by the Academic Senate of Faculty of Mechanical Engineering of Technical University of Liberec:		Chairman		
Approved by the Academic Senate of TU of Liberec:				
Revision:	00	Beginning on:		
File sign:	A I 3 2	Discarding sign:	A 5	

**Content**

1. General Provisions.....	2
2. Concept Definition .....	2
3. Disciplinary Offense.....	2
4. Disciplinary Committee.....	2
5. Disciplinary Procedure.....	3
6. Decision Making.....	3
7. Final Provision.....	4

## **Article 1**

### **General Provisions**

The disciplinary law of the Faculty of Mechanical Engineering, TUL (further referred to as "the Code"), determines the disciplinary offense of the student, position and competence of the Disciplinary Commission, the course of the disciplinary proceedings and decision making on the disciplinary offense following the Section 64 of Act No. 111/1998, concerning University Institutions and amending and supplementing other laws (University Education Act), (further called an "act"), the position and competence of the Disciplinary Commission, course of the disciplinary proceedings and the decision concerning the disciplinary offense. Moreover, this regulation contains Rules of Procedure of the Disciplinary Board of the Faculty of Mechanical Engineering (TUL) (here referred to as the "Commission" and "the Faculty"), thus implementing Section 31 of the Act and Article 22 of the Faculty of Mechanical Engineering TUL Statute ("the Statute").

## **Article 2**

### **Concept Definition**

**Disciplinary offence** – the offense of a student of the faculty in accordance with Section 64 of the Act and according to Article 3 of the Order

**Disciplinary commission** – the faculty commission, which is the body of the faculty in accordance with Section 25 of the Act

## **Article 3**

### **Disciplinary Offence**

- (1) Disciplinary offense is a violation of the obligations by a student that are stipulated by legal regulations or internal regulations of the university or faculty.
- (2) The following sanctions may be imposed for a disciplinary offense pursuant to Section 65 (1) of the Act, i.e.
  - a) reprimand,
  - b) conditional exclusion from studies, setting the date and conditions for certification,
  - c) exclusion from studies
- (3) Consideration should be influenced by the nature of the conduct, according to which the disciplinary offense was committed, the circumstances in which it had occurred, the consequences, the degree of fault, as well as behavior of the student who had committed the disciplinary offense, and the attempted remedy of its consequences. The imposition of sanctions may be relinquished, if the discussion of the disciplinary offense itself leads to correction.
- (4) Exclusion of a student from studies is only possible in case of a deliberately committed disciplinary offense.
- (5) Students who have been admitted to studies or moved ahead to another part of their studies will be excluded due to their fraudulent behavior.
- (6) A disciplinary offense cannot be dealt with if a period of one year elapses since the offence had been committed or since a final judgement in a criminal case. A period of one year does not include the time when the person is not a student.

#### **Article 4** **Disciplinary Commission**

- (1) The Disciplinary Commission of the Faculty deals with all disciplinary offenses of students enrolled at the faculty and submits a proposal for the Dean's decision.
- (2) The Commission is composed of members of the academic community of the faculty (referred to as "the community"). It is a four-member commission, including a chairman, with half of the members being students.
- (3) Members of the Commission as well as the Chairman is appointed and dismissed by the Dean upon an approval by the Academic Senate of the Faculty.
- (4) The term in office lasts for two years.

#### **Article 5** **Disciplinary Procedure**

- (1) Disciplinary proceedings are initiated by the Commission on the base of the proposal of the Dean. The proposal must contain all the elements under § 69, paragraph 1 of the Act, i.e. a description of the deed or the evidence on which the proposal is based, and the reason why a disciplinary offense is observed.
- (2) Meeting of the Commission is convened by the Chairman within 14 days from the date of a receipt of the proposal. Disciplinary proceedings start with the student's introduction to the proposal. The student and the members of the commission are introduced to the proposal before the first meeting.
- (3) The student whose offense is being discussed must be present at the commission. If a student is absent, meetings can only be held if he/she does not appear without any excuse, although he/she had properly been invited.
- (4) Other members of the community may be present at the meeting of the commission (or only part of the meeting), if their presence can help in making decisions. The Chairman may decide on the possible invitation of other members of the community.
- (5) Proceedings of the Commission are managed by the Chairman. At the first meeting, the student, present members of the commission and invited members of the academic community will be informed of the submitted proposal and other documents related to the case. The Chairman acquaints present members with the views he had received before the start of the meeting.
- (6) The Commission is quorate if at least 3 members are present.
- (7) Members of the Commission vote on the proposal for a decision-making regarding a disciplinary offense (here it is referred to as the "proposal for a decision"). The proposal for a decision is accepted by the Commission if an overwhelming majority of all members of the Commission agree. A record on the proposal decision must be made within 7 days from the meeting and delivered to the dean by the chairman.
- (8) If the Commission fails to act on a proposal for a decision, the Chairman adjourns the disciplinary offense, determines the next procedure and the date of the new session.

## **Article 6**

### **Decision Making**

- (1) Decision on a disciplinary offense (here referred to as "the decision") is issued by the Dean no later than 30 days from the date of the commencement of disciplinary proceedings.
- (2) Decision must be written, it must contain a justification and instruction concerning the possibility of submitting a request for the review. The decision must be delivered to the student's hands.
- (3) The decision is marked in the documentation about students.
- (4) The student may request a review of the decision within 30 days from the date of delivery of the decision. Failure to comply with this deadline may be waived if it is caused by serious reasons. The application for review of a student's decision is submitted to a dean of the faculty, who can only comply with the request, change or cancel the decision. Otherwise, the Dean forwards the request for decision re-examination to the Rector.
- (5) If the decision was issued against the law, against the internal regulation of the university or the faculty or, in addition, there would appear facts that justifying the cessation of the proceedings, the decision must be changed or canceled. The Dean, following the corrective decision, must take such actions to restore the student's rights and the consequences of the wrong decision must be removed or at least mitigated.
- (6) The Dean and the Rector cannot impose a stricter sanction than the commission has proposed. An application for the review concerning decision has always a suspensive effect. If it turns out that it is not a disciplinary offense, if it is not proved that a disciplinary offense has been committed by the student, or if the person ceases to be a student, disciplinary proceedings are suspended.

## **Article 7**

### **Final Provision**

- (1) This repeals the Disciplinary Code for faculty students from 30th June, 1999 as amended.