

*The Ministry of Education, Youth and Sports registered, in accordance with § 87 para. 1 letter a), § 41 para. 2 in conjunction with § 36 para. 2 and para. 4 of Act No. 111/1998 Coll., on Universities and on Amendment and Supplementing Other Acts (the University Act), as amended, on August 28, 2023 under ref. no. MSMT-9675/2022-13, the Disciplinary Code for Students of AMBIS University, Inc.*

*Mgr. Karolína Gondková,  
Director of Higher Education Department*

# **Student Disciplinary Code**

## **AMBIS University**

## **Art. 1**

### **Introductory Provisions**

- (1) The Student Disciplinary Code of AMBIS University, Inc. (hereinafter referred to as the '**disciplinary code**' and '**AMBIS**') regulates, in accordance with Act No. 111/1998 Coll., on Universities and on Amendment and Supplementing Other Acts (the University Act), as amended (hereinafter referred to as the '**Act**'), the procedure for adjudicating disciplinary offences of students of AMBIS and imposing sanctions. It applies to students of bachelor's and follow-up master's degree programs.
- (2) Articles 5 and 6 of this disciplinary code constitute the procedural rules of the disciplinary committee of AMBIS.

## **Art. 2**

### **Disciplinary Offence**

A disciplinary offence is a culpable violation of obligations set forth by legal regulations or internal regulations of AMBIS and their components, particularly including:

- a) behavior or actions damaging the name and reputation of AMBIS,
- b) behavior or actions insulting, demeaning, or otherwise harming another member of the academic community or employee of AMBIS,
- c) violence against a member of the academic community or employee of AMBIS,
- d) deliberate damage to the equipment or property of AMBIS or the property of a member of the academic community or employee of AMBIS,
- e) fraudulent, dishonest, or otherwise reprehensible conduct in connection with studies and their evaluation, fulfillment of study obligations, or participation in creative activities, including breaches of academic integrity principles,
- f) consumption of alcoholic beverages and other addictive substances on the premises of AMBIS,
- g) violation of rules regarding the use of the AMBIS computer network,
- h) intentional criminal offence for which the student has been finally convicted, or intentional misdemeanor or other administrative offence for which a final decision has been issued, if the act constituting the criminal offence, misdemeanor, or other administrative offence is contrary to the mission and obligations of the AMBIS student."

## **Art. 3**

### **Types of Sanctions**

- (1) For a culpable violation of obligations set forth by legal regulations or regulations of AMBIS, the Rector may impose one of the following sanctions:
  - a) reprimand,
  - b) conditional exclusion from studies with a specified period and conditions for reinstatement,
  - c) expulsion from studies.

- (2) The imposition of a sanction may be waived if the adjudication of the disciplinary offence itself leads to correction.
- (3) A reprimand may only be imposed for a disciplinary offence committed through negligence or a less serious intentional disciplinary offence.
- (4) Expulsion from studies may only be imposed for a serious intentional disciplinary offence, particularly for fraudulent, dishonest, or otherwise reprehensible conduct in connection with studies and their evaluation, in relation to fulfilling study obligations, or participating in creative activities.
- (5) Conditional exclusion from studies may only be imposed if the conditions for imposing the sanction of expulsion from studies are met and the offence is not committed in a particularly reprehensible manner; the student has demonstrated genuine remorse, and it can reasonably be expected that they will not commit any further serious disciplinary offences.
- (6) The period and conditions for reinstatement in the case of conditional exclusion from studies shall be determined based on the severity of the disciplinary offence; this period shall be no less than six months and no more than three years. If the student commits another disciplinary offence during the reinstatement period, except for a less serious disciplinary offence committed through negligence, they will be expelled from studies.
- (7) A disciplinary offence cannot be adjudicated if one year has passed since its commission or since the final judgment in a criminal case. The period of one year shall not include the time when the person is not a student.<sup>1</sup>

#### **Art. 4**

### **Disciplinary Committee**

- (1) The disciplinary offence of a student is examined by the disciplinary committee.
- (2) The disciplinary committee consists of six members, appointed and dismissed by the Rector in accordance with the Statutes of AMBIS, from among the members of the academic community of AMBIS. Half of the committee members are students of AMBIS, and the chairperson of the disciplinary committee is an academic staff member of AMBIS. The composition of the disciplinary committee shall be published by the Rector in his directive.
- (3) The term of office of a member of the disciplinary committee is up to two years. When appointing the committee, the Rector ensures continuity of its activities.
- (4) The disciplinary committee discusses the disciplinary offence, conducts proceedings on the disciplinary offence, and submits a proposal for a decision to the Rector.

#### **Art. 5**

### **Disciplinary Proceedings**

- (1) Disciplinary proceedings are initiated by the disciplinary committee upon the proposal of the Rector. The Rector submits this proposal if he finds, either independently or based on a complaint, that the actions of a student could constitute a disciplinary offence under Article 2 of this code.
- (2) A request to initiate disciplinary proceedings may be submitted to the Rector by any member of the academic community or employee of AMBIS. Members of the academic community and

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<sup>1</sup> §66 Act.

- employees of AMBIS are required to submit to the Rector a request to initiate disciplinary proceedings if they become aware of a serious disciplinary offence by a student under Article 2(1)(c) to (h).
- (3) (3) The Rector's proposal must contain a description of the act, proposed evidence on which the description of the act relies, as well as reasons why the act is considered a disciplinary offence. The Rector's proposal to initiate disciplinary proceedings constitutes an accusation of a disciplinary offence.
  - (4) Disciplinary proceedings commence on the day when the student is served with a copy of the Rector's proposal, sent by the chairperson of the disciplinary committee. The proposal and invitation to the accused to attend the disciplinary committee meeting shall be delivered to the student at the address provided by the student for delivery. If the document cannot be delivered due to the student's failure to fulfill the obligation specified in § 63 para. 3 letter b) of the Act, or if the document cannot be delivered to the address notified by the student for delivery, the document shall be served by public notice, with AMBIS not obligated to appoint a guardian for the student. Service by public notice shall be made by posting the document, or notice of the possibility to receive the document, on the official notice board of AMBIS, specifying the date of posting on the document. The document or notice shall also be published in a manner allowing remote access. The document shall be deemed served fifteen days after posting. The proposal and invitation to the accused to attend the disciplinary committee meeting may be personally delivered to the student by a designated employee of AMBIS, upon acknowledgment of receipt.
  - (5) During disciplinary proceedings, the student is required to fulfill all their study and other obligations according to the regulations of AMBIS, but they are not allowed to take state final exams.
  - (6) Disciplinary proceedings in one matter may only be conducted once.

## **Art. 6**

### **Proceedings of the Disciplinary Committee**

- (1) The chairperson of the disciplinary committee convenes its meeting promptly after the initiation of disciplinary proceedings.
- (2) The disciplinary committee is quorate if at least three of its members are present. The meeting of the disciplinary committee is chaired by its chairperson or by a member designated from among the academic staff. At least one of the present members must be a student, and at least half of those present must be academic staff.
- (3) The student subject to disciplinary proceedings must be served with a summons to the meeting at least 5 calendar days before the scheduled date of the meeting.
- (4) The disciplinary offence, except for the voting of the members of the disciplinary committee, is discussed in the presence of the accused student. The disciplinary committee may decide to proceed in the absence of the accused student if he fails to attend the meeting without a proper excuse for serious reasons. The excuse must be in writing, justified, and must be delivered to the chairperson of the disciplinary committee no later than the day of the disciplinary committee meeting. The disciplinary committee may also decide to proceed in the absence of the student in case of repeated or properly unexcused absences.
- (5) The proceedings of the disciplinary committee, except for the vote on the proposed sanction, are public. In justified cases, particularly if the interests of the affected persons require it, the chairperson of the committee may exclude the public.

- (6) The course of the disciplinary committee meeting is recorded in the minutes. The minutes must record all facts relevant to the decision. The student subject to disciplinary proceedings must be given the opportunity to comment on all facts attributed to him and on the facts that prove his guilt.
- (7) If it becomes apparent that there is no disciplinary offence, if it cannot be proven that the student committed the disciplinary offence, or if the person ceases to be a student, the disciplinary proceedings shall be terminated.
- (8) The disciplinary committee deliberates on the proposed decision by voting. In case of a tie vote, the decisive vote is that of the chairperson of the disciplinary committee meeting.
- (9) The proposed decision shall be submitted to the Rector in writing no later than three working days before its submission.

## **Art. 7**

### **Decision on disciplinary offence and appeal procedure**

- (1) The rector cannot impose a stricter sanction than proposed by the disciplinary committee.
- (2) The decision on the disciplinary offence and the imposition of a sanction (hereinafter referred to as the "**Decision**") shall be issued by the rector in writing no later than 30 days from the date the proposal for the decision was submitted to him.
- (3) The Decision shall include the verdict, reasoning, instructions on the possibility of lodging an appeal, and the deadline by which the appeal must be lodged.
- (4) The Decision shall be prepared in writing and delivered to the student at the address provided by the student for correspondence. If the document cannot be delivered due to the student's failure to fulfill the obligation specified in § 63 paragraph 3 letter b) of the Act, or if the document cannot be delivered to the address designated for delivery by the student, it shall be delivered by public notice, whereby AMBIS is not obliged to appoint a guardian for the student. Delivery by public notice shall be effected by posting the document, or a notice of the possibility to collect the document, on the notice board of AMBIS, with the date of posting marked on the document. The document or notice shall also be published in a manner allowing remote access. The document shall be considered delivered on the fifteenth day after posting. The written decision may also be handed to the student by an authorized employee of AMBIS upon acknowledgment of receipt.
- (5) The student may appeal against the decision within 30 calendar days from the date of its notification. The appeal of the student initiates the appeal procedure. A valid and timely appeal shall have suspensive effect. The rector shall be obliged to conclude the appeal procedure without delay, but no later than within 60 calendar days from its initiation. The appeal procedure shall be concluded by confirmation, amendment, or annulment of the original decision.
- (6) The student ceases to be a student on the day the rector's decision on expulsion from studies becomes legally effective.
- (7) The decision becomes legally effective on the day following the expiry of the deadline for filing an appeal without success, or on the day the student waives the right to lodge an appeal in writing, or on the day the final decision of the rector on the appeal is delivered to the student.
- (8) Compliance with deadlines for submitting documents is assessed in such a way that the deadline is met if the document is submitted to AMBIS on the last day of the deadline, or if it is submitted for postal delivery. If the deadline expires on a Saturday, Sunday, or a public holiday, the next working day shall be considered the last day of the deadline.
- (9) This disciplinary code shall apply mutatis mutandis to proceedings under § 67 of the Act, and the rector shall decide on expulsion from studies.

## **Art. 8**

### **Transitional and Final Provisions**

- (1) This disciplinary code was approved by the AMBIS Board of Directors on August 23, 2023.
- (2) This regulation repeals the Student Disciplinary Code of the Regional Development University and Banking Institute – AMBIS, registered by the Ministry of Education, Youth, and Sports on October 9, 2017, under ref. no. MSMT-23840/2017-6.
- (3) This regulation uses gender-neutral masculine terms to refer to the individuals involved.
- (4) This regulation shall enter into force in accordance with § 36 para. 4 and § 41 para. 2 of the Act on the day of registration, and its effectiveness shall commence the day following its registration by the Ministry of Education, Youth, and Sports.

Dr. Martina Mannová,  
rector and member of the board