



Pursuant to Section 36 (2), Act no. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to some other Acts (The Higher Education Act), the Ministry of Education, Youth and Sports registered the Rules of Habilitation Procedures and Procedures for Appointing Professors at the University of South Bohemia in České Budějovice under ref. no. MSMT-35322/2016 on September 10, 2017.

## RULES OF HABILITATION PROCEDURES AND PROCEDURES FOR APPOINTING PROFESSORS AT THE UNIVERSITY OF SOUTH BOHEMIA IN ČESKÉ BUDĚJOVICE

### Part one HABILITATION PROCEDURES

#### Article 1 General provisions

- (1) The habilitation procedures of the University of South Bohemia are pursuant of Section 72 of the Act No. 111/1998 Coll., on Higher Education Institutions and on the Modification and on Amendments and Supplements to some other Acts (the Higher Education Act), as amended by later regulations; (hereinafter referred to as the "Act").

The purpose of the habilitation procedures is to verify the scientific or artistic qualification of a candidate, in particular on the basis of a habilitation thesis, its defence and on the basis of other scientific, specialised or artistic thesis as well as the pedagogical competence of the candidate on the basis of an evaluation of a habilitation lecture and preceding teaching experience.

#### Article 2 Commencement of habilitation procedures

- (1) The habilitation procedures are commenced upon the submission of a proposal of its commencement by the candidate; the date of commencement is the date of the delivery of the proposal.
- (2) The proposal, including annexes, is submitted in writing to the Dean of the relevant Faculty. The candidate states the field of habilitation; the Faculty must be accredited for the stated field.

Required annexes:

- a) a habilitation thesis,
- b) a curriculum vitae,
- c) documents certifying achieved higher education and achieved academic degrees,
- d) documents certifying previous pedagogical experience of the candidate,
- e) a list of scientific, specialised or artistic thesis,
- f) an overview of scientific, specialised or artistic traineeships undertaken,
- g) proof of payment of the fee in the case that the Faculty, where the procedures are being undertaken, requires such a fee. Fees may constitute a fourfold of the base determined under Section 58 (2) of the Act.

Other applicable annexes may be required at individual Faculties and the precise stipulation of these other annexes is stated in the Rules of habilitation procedures of the individual Faculties.

- (3) A habilitation thesis is defined as:
- a) a written thesis, which brings new scientific findings or
  - b) a collection of published scientific thesis or engineering thesis supplemented by a commentary or
  - c) a monograph published in print, which brings new scientific findings or

- d) a work of art or an artistic performance or a collection of such performances, which is defined as an exceptional public and artistic activity.
- (4) If the proposal does not meet all of the requirements stipulated by the Act, if the prescribed annexes are missing or if these annexes do not meet the stated requirements of the Faculty, the Dean shall request the candidate to remove the deficiencies of the proposal in writing. If the candidate does not remove the deficiencies within the time of 2 months, the Dean shall halt the procedures under the provisions of Section 72 (4) of the Act.
- (5) The commencement of the habilitation procedures shall be made public under the provisions of Section 75 (1) of the Act.
- (6) Individual Faculties shall publish the recommended criteria of a successful habilitation procedure in their Rules of habilitation procedures.
- (7) If the habilitation procedure is not halted under Section 72 (4) of the Act, the Dean shall forward the proposal to the Scientific Board of the Faculty together with a proposal for the forming of a 5-member habilitation committee.
- (8) The habilitation committee consists of professors, associate professors and other significant representants of the field in question or of a related field. The chairperson of the committee must be a professor and at least three members must be experts from a different institution other than the University where the habilitation procedures are being undertaken. Co-authors of works that are included in the habilitation thesis cannot be members of the habilitation committee.

### **Article 3** **Process of the habilitation procedures**

- (1) The sessions of the habilitation committee that was approved by the Scientific Board of the Faculty are directed by its chairperson or, in their absence, by a member of the committee appointed by them.
- (2) The habilitation committee has a quorum provided that at least four of its members are present. A resolution of the habilitation committee is adopted if at least three members declare their support for it.
- (3) The habilitation committee appoints three opponents of the habilitation thesis of whom two must not be employees of the USB or of an organisation that employs the candidate. Only one opponent may simultaneously be a member of the habilitation committee. The chairperson of the habilitation committee shall send a request for a report on the habilitation thesis without any undue delay.
- (4) The habilitation committee shall evaluate the scientific or artistic qualification of the candidate for the field in question and his/her preceding teaching experience. On the basis of the opponents' reports, the committee shall evaluate the quality of the habilitation thesis. The habilitation committee shall decide on a resolution on whether the candidate shall be appointed associate professor in a secret ballot. If the proposal does not find the support of the majority of votes of all members of the habilitation committee, it is considered as settled that the habilitation committee is recommending halting the habilitation procedures. The proposal shall be presented to the Scientific Board of the Faculty by the chairperson or by a member of the committee appointed by him/her.
- (5) The habilitation lecture and the defence of the habilitation thesis shall take place during a public hearing of the Scientific Board of the Faculty. The Scientific Board of the Faculty has a quorum provided that at least two-thirds of members are present. After a discussion, in which time the candidate must be given an opportunity to respond to the reports of the opponents and to the resolution of the habilitation committee, to defend his/her habilitation thesis and to comment on his/her previous scientific or artistic and pedagogical activity, the Scientific Board decides on a resolution on whether the candidate shall be appointed associate professor in a secret ballot.
- (6) If the proposal does not find the support of the majority of votes of all members of the Scientific Board of the Faculty, it is considered as settled that the Scientific Board of the Faculty is halting the habilitation procedures.

- (7) The proposal for the candidate's appointment to the rank of associate professor shall be forwarded to the Rector by the Scientific Board. If the Rector does not agree with the proposal, he/she shall submit the proposal including his/her justification to the Scientific Board of the USB, which shall discuss it and decide on a resolution on whether the candidate shall be appointed associate professor in a secret ballot. If the proposal does not find the support of the majority of votes of all members of the Scientific Board, it is considered as settled that the Scientific Board is halting the habilitation procedures. In the opposite case, the Rector shall appoint the associate professor.
- (8) The candidate may submit his/her objections against the process of the habilitation procedures in 30 days. If the dean does not uphold the objections, he/she shall forward the decision to the Rector; the decision of the Rector is final. The decision of the Rector or the Dean must be justified.

#### **Article 4 Procedures of invalidation of an associate professor appointment**

- (1) The procedures of an invalidation of an associate professor appointment are pursuant to Section 74a of the Act.
- (2) The Rector shall invalidate the decision on an associate professor appointment if it is proven in the procedures of nullification that the person, whose pedagogical and scientific or artistic qualification was being verified in habilitation procedures and who was appointed associate professor on the basis of the aforementioned procedures, proved his/her qualification:
  - a) as a result of an intentional criminal offence or v
  - b) as a result of intentional unauthorised use of work of another person grossly violating legal statutes protecting intellectual property or as a result of other intentional and unethical acts not stated under the letter a).
- (3) The procedures of an invalidation of an associate professor appointment is commenced by the Rector.
- (4) The Rector appoints a 5-member Appeals Committee for the purposes of the procedures of an invalidation of an associate professor appointment.
- (5) The members of the Appeals Committee are appointed by the Rector according to the following rules:
  - a) One member is appointed from among the government employees working at the Ministry by the Rector, under Section 74a (5) of the Act, upon a proposal submitted by the Minister.
  - b) Only two members, at the most, may be Associate Professors or Professors of the USB, while none of them may be members of the same unit of the University as the individual in question.
  - c) In such a case that the individual in question is an employee of another University, one member of the Appeals Committee is a Professor or an Associate Professor working at the University, while this member cannot be a member of the same unit of the University as the individual in question.
  - d) If possible, one member of the Appeals Committee is appointed out of members of the Habilitation Committee that participated in the habilitation procedures in question.
- (6) The Appeals Committee reaches a resolution through an absolute majority of the votes of all of its members; the vote on the statement concerning the invalidation of an Associate Professor appointment proceeds in a manner of a secret ballot.

#### **PART TWO PROCEDURES FOR APPOINTING PROFESSORS**

#### **Article 5 General provisions**

The pedagogical and scientific or artistic qualification of a candidate, who is a significant and respected scientific or artistic person in his/her field, is demonstrated through the procedures to appoint professors. The prerequisite for the commencement of the procedures is a previous appointment to the rank of an Associate Professor on the basis of habilitation procedures, part of which was a submission of a habilitation

thesis. The prerequisite of a previous appointment to the rank of an Associate Professor may be waived by the Rector, when so proposed by the Scientific Board of the University, in such an extraordinary case that the candidate already is a Professor at a prestigious university abroad.

**Article 6  
Commencement of the procedures**

- (1) The procedures to appoint a Professor is commenced
  - a) upon a proposal by the candidate supported by at least two written statements of Professors of the same field or of a related field,
  - b) upon a proposal by the Dean or the Rector submitted to the Scientific Board of the Faculty that is accredited for the field of appointment,
  - c) upon the initiative of the Scientific Board of the Faculty or the Scientific Board of the USB.
- (2) Requirements as defined by Section 72 (2), the second sentence of the Act, are a part of the proposal; the field, in which the appointment of professors is commenced, shall also be stated in the proposal. All annexes of the proposal shall be submitted in print as well as in a digital copy identical to the print copy by the candidate to the Deanship of the relevant Faculty. The quantity of annexes and their precise specification is stated in the Rules of procedures for appointing professors of individual faculties.
- (3) If the procedures are not commenced upon a proposal by the candidate and if the candidate expresses a written dissent with the commencement of the procedures, the procedures shall be halted.
- (4) The proposal for a commencement of the procedures for appointing professors contains a proof of payment of a fee. The fee for procedures for appointing professors is announced as a part of a list of fees for actions taken by the University. At the most, the fee is six times the base stated under Section 58 (2) of the Act.
- (5) Individual Faculties shall publish recommended criteria for a successful conclusion of appointment procedures in their Rules of procedures for appointing professors.
- (6) If the proposal does not meet all of the requirements stipulated by the Act, if the prescribed annexes are missing or if these annexes do not meet the stated requirements of the Faculty, the Dean shall request the candidate to remove the deficiencies of the proposal in writing. If the candidate does not remove the deficiencies within the time of 2 months, the Dean shall halt the procedures under the provisions of Section 72 (4) of the Act.
- (7) The commencement of procedures for appointing professors shall be made public under Section 75 (1) of the Act.
- (8) Should the candidate not work at the USB, the Dean may request a statement of the Dean of the Faculty or the Rector of the University where the candidate works.

**Article 7  
Process of procedures for appointing professors**

- (1) The Scientific Board approves a 5-member committee, upon a proposal by the Dean, consisting of professors, associate professors and other significant representatives of the field in question or of a related field after the evaluation of the proposal. The chairperson of the committee must be a professor and at least three members must be experts from other institutions than the University where the procedures of appointment are taking place.
- (2) The session of the committee is directed by its chairperson or, in their absence, by a member of the committee appointed by the chairperson. The committee has a quorum if at least four members are present. The resolution of the committee is adopted if at least three members of the committee declared their support for it.
- (3) The committee shall evaluate the qualification of the candidate and shall decide on a resolution whether the candidate shall be appointed professor in a secret ballot. If the proposal does not find the support

of the majority of votes of all members of the committee, it is considered as settled that the committee is recommending halting the procedures for appointing professors.

- (4) The proposal shall be presented by the chairperson or by a member of the committee appointed by the chairperson to the Scientific Board of the Faculty that approved the creation of the committee. This Scientific Board shall request the candidate to present a lecture, during a public hearing of the Board, in which the candidate shall submit a concept of scientific work and teaching in the field in question. The Scientific Board of the Faculty has a quorum to adopt a resolution in this matter if two-thirds of the members of the Scientific Board are present at least.
- (5) In such a case that the proposal for appointing professors found the support of an absolute majority of all members of the Scientific Board of the Faculty in a secret ballot, the documentation shall be forwarded to the Scientific Board of the USB. Should the proposal for appointing professors not obtain the needed absolute majority of votes, the procedures shall be halted.
- (6) The Scientific Board of the USB shall request the candidate to present a lecture, during a public hearing of the Board, in which the candidate shall submit a concept of scientific work and teaching in the field in question.
- (7) At the public hearing, the Scientific Board of the USB:
  - a) shall request the chairperson of the committee, or a member of the committee appointed by the chairperson, to characterise the candidate and to present the conclusion of the evaluating committee for the procedures of appointing professors,
  - b) shall request the candidate to briefly (10 to 15 minutes) introduce his/her scientific field and a concept of further scientific and teaching work.
- (8) Then, the Scientific Board of the USB votes in a secret ballot about submitting the proposal to the Minister. For the purpose of maintaining a quorum, at least two-thirds of the members of the Scientific Board must be present and the proposal must find the support of an absolute majority of all members of the Scientific Board of the USB. Should the proposal not find the needed support, the procedures shall be halted.
- (9) The candidate may submit his/her objections against the process of the appointing professors at a Faculty or the University within 30 days. The decision is taken by the Rector; the decision of the Rector is final.

### **PART THREE FINAL PROVISIONS**

- (1) These rules were approved under Section 9 (1) of the Act by the Academic Senate of the USB on August 18, 2016.
- (2) These Rules take effect on the day of registration by the Ministry of Education, Youth and Sports under Section 36 (1) of the Act.

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The Rector