



## **COLLECTION OF DECISIONS AND ORDINANCES OF THE UNIVERSITY OF SOUTH BOHEMIA IN ČESKÉ BUDĚJOVICE**

Number R 606

Date 04.09.2025

---

### **RECTOR'S ORDINANCE ISSUING METHODOLOGICAL GUIDELINES FOR TRANSFERS AT THE UNIVERSITY OF SOUTH BOHEMIA IN ČESKÉ BUDĚJOVICE**

#### **Article 1**

##### **Introductory provisions**

1. These methodological guidelines are issued for the purpose of implementing the new provisions of Section 54b of Act No. 111/1998, on Higher Education Institutions and on Amendments and Supplements to Other Acts (Higher Education Act), as amended (hereinafter referred to as the 'Act'), which establishes the transfer between degree programmes at higher education institutions in the decision-making practice of the University of South Bohemia in České Budějovice (hereinafter referred to as 'USB').
2. This methodological guideline reflects the fact that Article 29 of the Study and Examination Regulations of the University of South Bohemia in České Budějovice (hereinafter referred to as the 'SER USB') fulfils the legal condition for allowing transfers required in Section 54(2), first sentence *in fine*, of the Act. However, given that the SER USB was adopted in 2017, it could not have anticipated the content of the Act approved in 2025, as a result of which it differs from the text of the Act in certain procedures. In accordance with the transitional provisions of Act No. 52/2025, which enshrined transfers in the Higher Education Act, the higher education institution is obliged to bring its internal regulations in line with the amended Act by 1 March 2026, i.e. until that date, it is entitled not to comply with it. However, this does not mean that it should act contrary to the Act until then. On the contrary, it is obliged to comply with the Act, even if its internal regulations contain rules that differ from the Act. This methodological guideline summarises the rules for transfers laid down by the Act and supplements them with the rules laid down in Article 29 of the USB Study and Examination Regulations, which do not conflict with them.
3. This methodological guideline will cease to be applicable on the date of effect of the new USB Study and Examination Regulations.

#### **Article 2**

##### **Transfer and its consequences**

1. Transfers consist of commencing study in a so-called continuing degree programme immediately following the completion of studies in a so-called initial degree programme. It therefore always relates to two different degree programmes. Transfers do not include a change in the form of

studies within a degree programme offered in both forms under a single accreditation, nor do they include a change in the model study plan.

2. Studies in a continuing degree programme begin on the date of enrolment; enrolment in a continuing degree programme is conditional upon notification of the decision granting the transfer.
3. Studies in the initial degree programme end with a transfer to another degree programme (Section 56(1)(c) of the Act) on the day preceding the date of enrolment in the continuing degree programme. Studies in the initial degree programme cease by law; no decision is issued in this regard. Only in connection with the student's enrolment in the continuing degree programme is the initial degree programme terminated in the IS STAG, which is then reflected in the student register.
4. In accordance with the provisions of Section 54b(7), the period of studies in the initial degree programme from the date of enrolment in the continuing degree programme is considered to be the period of studies in the continuing degree programme for the purposes of:
  - a. assessing the conditions for the possible determination of a fee for extended studies pursuant to Section 58, and,
  - b. the conditions for the award of a scholarship.

In other words, a fiction is introduced whereby the period of studies in the initial degree programme and the continuing degree programme is considered to be one period of studies.

5. In accordance with the provisions of Section 54b(7), the period of studies in the initial degree programme is also counted towards the maximum period of studies in the continuing degree programme specified in Article 7(2) of the SER USB, and the period of interruption of studies in the initial degree programme is counted towards the maximum period of interruption of studies in the continuing degree programme specified in Article 26(1) of the SER USB.
6. The transfer itself does not mean that the student has completed any courses or other study obligations, nor does it mean that the regular or retake deadlines relating to study obligations have been exhausted. It is therefore necessary to decide, within the framework of Article 4(7)(b), on the recognition of those study courses that can be recognised, ex officio (i.e. regardless of whether the student requests recognition or not). Since the decision on recognition is mandatory, in extreme cases, it is also possible to decide that no course will be recognised (because the student does not meet the conditions). However, it is questionable whether it is appropriate to allow the transfer at all in such a case.
7. Transfers terminate students' membership in the academic senate, disciplinary committee or Internal Evaluation Board.

### **Article 3**

#### **Conditions for transfer**

1. In accordance with Section 54b(2), transfers are conditional on the corresponding level of previous education in accordance with Section 48 of the Act.
2. From Article 29(2) of the SER USB, it can be inferred that it is the will of the USB to allow transfers only within the faculty, i.e. inter-faculty transfers are not permitted.
3. Article 29(4) of the SER USB stipulates that further conditions or restrictions for processing transfer applications may be laid down in the internal regulations of the faculty.



4. In accordance with Article 29(3) of the SER USB, a student may apply for a transfer only after having obtained at least 20 credits within their current programme of study, unless otherwise specified by the internal regulations of the faculty. In cases worthy of special consideration, the dean may grant an exception to this rule. An exception may be recommended in particular if the transfer is requested by a student who has lost their medical fitness, especially if this was a condition for admission to studies, and it is strongly recommended if the transfer is carried out in connection with the termination of the accreditation of the degree programme and the fulfilment of the obligation to ensure the continuation of studies in accordance with Section 80(5) of the Act.
5. If a student submits an application before obtaining at least 20 credits within the current degree programme, the dean shall reject it as inadmissible. This shall not apply if the internal regulations of the faculty stipulate otherwise or if the dean has granted an exception to this rule.

#### **Article 4**

##### **Procedural steps**

1. A transfer may only be permitted upon request, either by the student or by the person whose studies have been interrupted.
2. The request shall be submitted in electronic form via IS STAG.
3. After receiving the application submitted via IS STAG, the student affairs office forwards it to the guarantors of the degree programmes concerned for their opinion.
4. Since Section 54b(3) of the Act gives the dean the power to decide on the recognition of study obligations ex officio, the requirement set out in Article 29(3) of the SER USB for the student to simultaneously apply for the recognition of study obligations is superfluous.
5. Article 29(3) of the SER USB stipulates that the application shall normally be submitted before the deadline for enrolment in courses for the following academic year or semester. However, the word 'normally' does not preclude the submission of an application at another time.
6. The dean decides on the application within a standard period of 30 days from the date of submission. It can be assumed that there is no legal entitlement to transfer, although it is always more difficult to justify why it was not permitted for reasons other than those specified as conditions for transfer.
7. If the dean approves the transfer:
  - a. He shall also set a deadline for enrolment in the operative part of the decision; if he decides on an application from a person who has interrupted their studies, he shall set the deadline so that it begins after the expiry of the period for which the studies in the initial degree programme were interrupted.
  - b. At the same time, he or she shall decide ex officio, i.e. without a request, on the recognition of part of the studies, examinations or fulfilment of other study obligations performed or fulfilled by the applicant within the initial degree programme; recognition shall be governed by the rules laid down in Article 25 of the SER USB.
  - c. He shall decide ex officio on the applicant's placement in the relevant semester, year or block of studies in the continuing degree programme; naturally, this is applicable depending on the circumstances.
8. Within the framework of the decision, in accordance with the rules contained in the SER USB, the dean may also:

- a. extend the deadlines for fulfilling study obligations or for meeting the conditions for progression to the next semester, year or block of studies in the continuing degree programme;
  - b. extend the maximum duration of studies or the maximum duration of interruption of studies in a continuing degree programme.
9. The decision on transfers, as well as related decisions pursuant to paragraph 7(b) and (c) and, where applicable, decisions pursuant to paragraph 8, should ideally be made in a single administrative decision (in a single document) in the form of separately numbered statements.
10. In accordance with Section 68(3) of the Act, the higher education institution is not obliged to inform the student of the possibility of commenting on the grounds for the decision before issuing the decision, and the student is only entitled to inspect the file after the decision has been announced. Therefore, even if the request is not granted, it is sufficient to issue the decision immediately. However, if there are doubts as to whether the facts have been correctly established, it is advisable to invite the student to inspect the file so that everything can be resolved before the decision is issued (thus reducing the risk of an appeal).
11. The transfer decision is delivered via IS STAG.
12. The decision may be appealed within the standard 15-day period. The procedure in the event that a student enrolls in a continuing degree programme after filing an appeal, or appeals only after enrolling in a continuing degree programme, is dealt with in Section 54b(5). However, given that the appeal has been granted, this is very unlikely to happen in practice.

## **Article 5**

### **Enrolment in a continuing degree programme**

1. On the date of notification of the decision granting the transfer, the student or person whose studies have been interrupted has the right to enrol in a continuing degree programme (in accordance with Article 29(1) of the USB Statute made online) within the period specified in the decision. This decision is so-called provisionally enforceable, so there is no need to wait for it to become final. It is not clear whether it is possible to determine the start of the deadline or only its end (with the deadline starting on the date of notification, i.e. the student could enrol from the moment of notification of the decision until the last day of the specified deadline). For practical reasons, it is recommended that the dean also specify the start of the period in the decision so that the student can enrol in the continuing degree programme only at a suitable time, e.g. before the start of classes.
2. A student or a person with interrupted studies does not have to exercise their right to enrol in a continuing degree programme; they may remain a student of the original degree programme (which then ceases to be the 'initial'). The right to enrol in a continuing degree programme expires upon expiry of the deadline specified in the decision. Under the conditions and procedure set out in Section 41 of the Administrative Procedure Code, the deadline may be waived.
3. Upon enrolment in a continuing degree programme, the transfer becomes effective and the student or person whose studies have been interrupted becomes a student of the continuing degree programme on the date of enrolment; a person who enrolls with the status of a person whose studies have been interrupted also becomes a student (whose studies have not been interrupted). Upon enrolment in the continuing degree programme, the previous day becomes the last day of studies in the initial degree programme.



## **Article 6**

### **Circumstances worthy of consideration**

1. The purpose of the transfer is not to avoid termination of studies due to failure to meet study requirements or to circumvent the admission procedure.
2. Transfer is a procedure established by law to ensure the possibility of continuing studies in accordance with the termination of accreditation. No one can be forced to transfer – it cannot be decided by official authority, nor can a student be forced to apply for transfer. There is always an alternative available to them, which is to terminate their studies as a result of the expiry of accreditation. However, in accordance with the provisions of Section 80(5) of the Act, they must be allowed to continue their studies, i.e. the option must be offered to them.
3. In other cases, the transfer should be permitted, in particular if it makes sense for both the faculty and the applicant, e.g. if, based on the applicant's study progress to date, it can be assumed that they will complete their studies in the continuing degree programme and that a significant amount of study obligations related to the semester, year or block of studies in which they are to be enrolled can be recognised in the continuing degree programme.
4. The transfer should not be permitted if the capacity of the degree programme does not allow it, or if the quality of education in the relevant degree programme would decline as a result of an increase in the number of students.
5. When deciding on a transfer, it is also necessary to observe the principle of legitimate expectations (Section 2(4) of the Administrative Procedure Code), i.e. to ensure that no unjustified differences arise when deciding on factually identical or similar cases.

prof. Ing. Pavel Kozák, Ph.D.  
Rector

Prepared by: Vice-Rector for Student Affairs and JUDr. Veronika Smutná, Ph.D.

Distribution list: Vice-Deans for Student Affairs and Heads of Student Affairs Offices