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*In accordance with section 36, subsection 2 of Act No. 111/1998 Coll., on Higher Education Institutions and on the Modification and Amendment of Other Acts (the Higher Education Act), the Ministry of Education, Youth and Sports registered the Masaryk University Habilitation Procedure and Professor Appointment Procedure Regulations on 22 May 2017 under Ref. No. MSMT-12642/2017.*

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*Mgr. Karolína Gondková*  
*Director of the Department of Higher Education Institutions*

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## **Masaryk University Habilitation Procedure and Professor Appointment Procedure Regulations**

### Part One **General Provisions**

#### Section 1 **Subject**

- (1) The habilitation procedure at Masaryk University (hereinafter referred to as "MU") is implemented in accordance with sections 71 and 72 of Act No. 111/1998 on Higher Education Institutions and on the Modification and Amendment of Other Acts (the Higher Education Act), as amended, (hereinafter referred to as "Act"). Proceedings on the invalidation of an appointment to associate professor are implemented in accordance with sections 74a to 74c of the Act. The professor appointment procedure at MU is implemented in accordance with sections 73 and 74 of the Act.
- (2) These Habilitation Procedure and Professor Appointment Procedure Regulations (hereinafter referred to as the "Regulations") regulate the general procedure applicable to the submission of proposals for the initiation of habilitation procedures and professor appointment procedures and their subsequent discussion at MU.
- (3) A detailed description of the submission of proposals for the initiation of habilitation procedures and professor appointment procedures, proposal requirements and the discussion process is set out in the MU directive on Habilitation Procedures and Professor Appointment Procedures.

## Part Two

### Habilitation Procedure

#### Section 2

##### Habilitation Procedure Initiation

- (1) The habilitation procedure begins with the submission of a proposal to the dean of a faculty authorized to implement the habilitation procedure in a given field.
- (2) The formal requirements of a proposal for initiating a habilitation procedure are established by the MU directive on Habilitation Procedures and Professor Appointment Procedures. In case technical deficiencies are found, the applicant is notified and invited to remedy such deficiencies. Should the applicant fail to correct the indicated technical deficiencies within 30 days, the procedure is terminated by the dean.
- (3) The proposal for initiating a habilitation procedure includes the applicant's habilitation thesis, submitted in accordance with all legally stipulated requirements. A habilitation thesis may be submitted in Czech, Slovak or English or other foreign language commonly used in a given field. In the case of habilitation procedures initiated after 31 December 2020, the habilitation thesis must be submitted in English or other foreign language commonly used in a given field (with the exception of Slovak). The Masaryk University Scientific Board may establish an exception from this rule, either for the habilitation procedure field or for a particular habilitation procedure, on the basis of a proposal submitted by the dean and approved by the faculty scientific board.
- (4) The applicant may retract the proposal at any stage of the habilitation procedure.

#### Section 3

##### Proposal Assessment by the Habilitation Board

- (1) The applicant's proposal is assessed by a habilitation board composed of five members. The habilitation board members and chairperson are appointed by the dean following approval by the faculty scientific board. Habilitation board members include professors, associate professors and other distinguished experts in the relevant field or in associated fields. The habilitation board is chaired by a professor, usually an employee of MU. At least three board members must be associated with an institution other than MU. At least one board member must be a foreign expert (this condition may be waived in case at least one of the habilitation thesis reviewers is a foreign expert).
- (2) In all matters regarding the proposal, the habilitation board decides by a simple majority of the votes of all members. Habilitation board proceedings may be conducted by correspondence or electronically (e.g. in the form of a videoconference). As a rule, the final secret ballot on the proposal to appoint the applicant to associate professor is generally conducted in person; alternatively, an electronic ballot must make use of a dedicated MU application.
- (3) The habilitation board appoints three habilitation thesis reviewers, two of whom at least are associated with an institution other than MU. Reviewers are appointed by the habilitation board chairperson.
- (4) Reports, prepared by the reviewers in writing, must include an assessment of the scholarly merits of the habilitation thesis. The applicant is entitled to access the reports at least two weeks prior to a public session of the scientific board at which he or she is to defend the thesis.
- (5) The habilitation procedure includes a public lecture given by the applicant. The lecture topic is selected by the habilitation board out of three options proposed by

the applicant. Three or more designated habilitation board members must attend and assess the lecture, subsequently issuing a written evaluation.

- (6) The habilitation board evaluates the scholarly or artistic qualifications of the applicant in the relevant field, his or her previous pedagogical experience and the quality of the habilitation thesis, referring to materials submitted by the applicant, reports supplied by the reviewers and evaluation reports of the applicant's public lecture. The habilitation board votes by secret ballot on whether or not the applicant should be nominated for appointment to associate professor. In case the nomination for appointment to associate professor fails to attract the votes of a majority of the habilitation board, the habilitation board will issue a recommendation to terminate the procedure. The results of the vote are communicated to the dean by the habilitation board chair; the dean subsequently informs the candidate of the outcome of the vote.
- (7) The board's nomination is presented by the habilitation board chair or an authorized board member to the scientific or artistic board.

#### Section 4

##### **Proposal Assessment by a Faculty Scientific Board, the Rector and the MU Scientific Board**

- (1) The applicant's habilitation lecture and habilitation thesis defence take place at a public session of the faculty scientific board. The actual course of the faculty scientific board's conduct regarding the proposal for appointment to associate professor adheres to its rules of procedure.
- (2) In case the nomination for appointment to associate professor attracts the votes of a majority of the faculty scientific board, the dean submits it to the Rector. In case the nomination for appointment to associate professor fails to attract the votes of a majority of the faculty scientific board, the procedure is terminated.
- (3) In case the Rector confirms the faculty scientific board's nomination, the habilitation procedure is concluded by the applicant being appointed associate professor. In case the Rector does not confirm the faculty scientific board's nomination for appointment to associate professor, the nomination is submitted for consideration to the MU Scientific Board along with the Rector's substantiation.
- (4) In case the nomination for appointment to associate professor attracts a simple majority of the MU Scientific Board's votes, the procedure is concluded by the applicant being appointed associate professor. If not, the habilitation procedure is discontinued.

### Part Three

#### **Proceedings Invalidating an Associate Professor Appointment**

##### Section 5

##### **Proceedings Invalidating an Associate Professor Appointment**

- (1) The Rector may decide to invalidate an appointment to associate professor in case a person whose pedagogical, scientific or artistic qualifications, subject to verification during a habilitation procedure, were demonstrated as a result of
  - a) an intentional criminal act, or
  - b) intentional unauthorized use of the work of another person grossly infringing laws governing the protection of intellectual property, or
  - c) other deliberate actions incompatible with good morals not mentioned under letter a.
- (2) Proceedings invalidating an associate professor appointment may be initiated by the Rector

- a) no later than three years from the date of entry into force of a sentence by which the person in question had been convicted for committing an intentional criminal act in accordance with subsection 1, letter a, or
  - b) no later than five years from the date of termination of the habilitation procedure in cases listed in subsection 1, letters b and c.
- (3) Documentation which forms the basis for the Rector's decision on the invalidation of an associate professor appointment includes the position of the review panel. The review panel is composed of five members, including professors, associate professors and other distinguished experts in the relevant field or in associated fields. The review panel is chaired by a professor, usually an employee of MU. At least three panel members must be associated with an institution other than MU. One panel member is appointed by the Rector following a proposal by the Minister of Education, Youth and Sports (hereinafter referred to as the "Minister") from among state employees working at the Ministry of Education, Youth and Sports. Panel members and chair are appointed by the Rector following approval by the MU Scientific Board. A direct superior or direct subordinate of a person subject to proceedings on the invalidation of an associate professor appointment cannot be appointed to the panel.
  - (4) The panel's position on the invalidation of an associate professor appointment is decided by a simple majority of the votes of all review panel members. Review panel discussions may be conducted in person, by correspondence or by electronic means, with the exception of the final secret ballot on the panel's position on the invalidation of an associate professor appointment, which must be conducted in person.
  - (5) In case the Rector does not find grounds for the invalidation of an associate professor appointment, the proceedings invalidating an associate professor appointment are terminated.
  - (6) In case the Rector does find grounds for the invalidation of an associate professor appointment, he or she issues a decision on the invalidation of an associate professor appointment. A decision on the invalidation of an associate professor appointment must be issued within one year of the initiation of the proceedings. The decision enters into force on the first day following the expiration of a two-month period from the date of decision announcement. The Rector's decision on the invalidation of an associate professor appointment cannot be appealed; however, the timely filing of a legal action with an administrative court does carry a suspensive effect.
  - (7) In case an appointment to associate professor is invalidated, the person in question ceases to be an associate professor on the day of the Rector's decision issuance. The effects of previous actions, procedures or decisions made by the person in question, even if they are associated with the performance of activities for which appointment to associate professor is required, are not affected by the invalidation of the associate professor appointment. Re-appointment of the person in question to associate professor may only take place on the basis of a new habilitation procedure.
  - (8) Should the Rector, by issuing a decision on the invalidation of an associate professor appointment or a resolution on the cessation of proceedings on the invalidation of an associate professor appointment, deviate from the position of the review panel, he or she must provide a justification for doing so in his or her decision or resolution.

## Part Four

### Professor Appointment Procedure

#### Section 6

##### Professor Appointment Procedure Initiation

- (1) A professor appointment procedure is initiated:
  - a) On the basis of a proposal submitted by the applicant; the proposal must include the written support of at least two professors from an identical or related field and must be submitted to the dean of a faculty which, on the basis of accreditation, conducts professor appointment procedures in the relevant field.
  - b) On the basis of a proposal submitted by the dean or the Rector to the scientific board of a faculty, on the basis of accreditation, conducts professor appointment procedures in the relevant field.
  - c) On the initiative of a faculty scientific board, where a decision to do so is based on a vote.
- (2) In case a professor appointment procedure is not initiated following a proposal submitted by the applicant, the applicant may terminate the procedure by filing a written complaint.
- (3) The formal requirements of a proposal for initiating a professor appointment procedure are established by the MU directive on Habilitation Procedures and Professor Appointment Procedures. In case technical deficiencies are found, the applicant is notified and invited to remedy such deficiencies. Should the applicant fail to remedy the indicated technical deficiencies within the stipulated period of time, the professor appointment procedure is terminated by the dean.
- (4) A proposal for the initiation of a professor appointment procedure may be submitted by an applicant who has been appointed associate professor in an identical or associated field in case the submission of a habilitation thesis was part of the habilitation procedure.
- (5) In case an applicant participating in a professor appointment procedure has been previously appointed professor by a prestigious foreign higher education institution, the Rector may waive provisions requiring the applicant to be appointed associate professor first. The request for an exemption, along with the proposal to initiate the professor appointment procedure, is submitted to the Rector by the dean of the faculty conducting the procedure, along with a position issued by the faculty scientific board. An exemption may be granted by the Rector following an approval of the proposal by the MU Scientific Board. The professor appointment procedure is initiated on the day when the exemption is granted. In case the Rector does not grant the exemption, the professor appointment procedure is not initiated. Detailed information on the exemption granting procedure is provided in the MU directive on Habilitation Procedures and Professor Appointment Procedures.
- (6) The applicant may retract the proposal at any stage of the professor appointment procedure.

#### Section 7

##### Proposal Assessment by the Evaluation Board

- (1) The applicant's proposal is assessed by a board composed of five members. The board members and chairperson are appointed by the dean following approval by the faculty scientific board. Board members include professors, associate professors and other distinguished experts in the relevant field or in associated fields. The board is chaired by a professor, usually an employee of MU. At least three board members must be experts from institutions other than MU and at least one member must be a foreign expert.

- (2) In all matters regarding the proposal, the board decides by a simple majority of the votes of all members. Board proceedings may be conducted by correspondence or electronically (e.g. in the form of a videoconference). As a rule, the final secret ballot on the proposal to appoint the applicant to professor is generally conducted in person; alternatively, an electronic ballot must make use of a dedicated MU application.
- (3) The professor appointment procedure includes a public lecture given by the applicant. The lecture topic is selected by the board out of three options proposed by the applicant. Three or more designated board members must attend and assess the lecture, subsequently issuing a written evaluation.
- (4) Section 3, subsections 6 and 7 apply to the professor appointment procedure, as appropriate.

#### Section 8

##### **Proposal Assessment by a Faculty Scientific Board and MU Scientific Board**

- (1) A faculty scientific board invites an applicant to present a lecture at its public session. The faculty scientific board may designate one or more of its members as lecture evaluators tasked with delivering a brief assessment of the scholarly and pedagogical qualities of the lecture at a closed part of the session. In such cases, the assessment is included in the session minutes.
- (2) The actual course of the faculty scientific board's conduct regarding the proposal for appointment to professor adheres to its rules of procedure. In case the nomination for appointment to professor attracts the votes of a majority of the faculty scientific board, the dean submits it to the MU Scientific Board. In case the nomination for appointment to professor fails to attract the votes of a majority of the faculty scientific board, the procedure is terminated.
- (3) The actual course of the MU Scientific Board's conduct regarding the proposal for appointment to professor adheres to its rules of procedure. In case the nomination for appointment to professor attracts the votes of a majority of the faculty scientific board, the Rector submits the nomination for appointment to professor to the minister. If not, the professor appointment procedure is discontinued.

#### Section 9

##### **Masaryk University Scientific Board Procedure in Ministerial Nomination Rejection Cases**

- (1) In case the a nomination for the appointment to professor submitted by the Rector is rejected by the minister (section 73, subsection 3 of the Act), the nomination is presented to the MU Scientific Board along with the minister's justification.
- (2) In case the MU Scientific Board, voting by secret ballot, voices agreement with the position of the minister, the nomination process returns to the phase in which legal procedure was not followed.
- (3) In case the MU Scientific Board, voting by secret ballot, voices disagreement with the position of the minister, the nomination for appointment to professor is re-submitted to the minister along with a resolution issued by the MU Scientific Board.

## Part Four

### **Common, Temporary and Concluding Provisions**

#### Section 10

##### **Publication of Information on Procedures**

- (1) The publication of information regarding the initiation and completion of habilitation procedures and professor appointment procedures in accordance with section 75, subsection 1 of the Act constitutes online publication at [www.muni.cz](http://www.muni.cz).

- (2) Habilitation thesis publication adheres to section 47b of the Act unless the thesis has been previously published otherwise.

#### Section 11

##### **Objections to the Course of a Procedure**

- (1) The applicant may lodge a complaint regarding the course of the habilitation procedure within a period of 30 days. Complaints must be addressed to the dean in cases decided by a faculty scientific board or to the Rector in cases decided by the MU Scientific Board. In case the dean does not resolve the complaint, the case is submitted to the Rector. The Rector's decision is final. The dean's or Rector's decision must be substantiated.
- (2) The applicant may lodge a complaint regarding the course of the professor appointment procedure; such complaints are dealt with by the Rector. The Rector's decision is final. The Rector's decision must be substantiated.

#### Section 12

##### **Procedure-related Fees**

Fees applicable to habilitation procedures and professor appointment procedures are stipulated by MU.

#### Section 13

##### **Temporary Provisions**

These Regulations do not apply to habilitation procedures and professor appointment procedures initiated prior to the date of these Regulations coming into force.

#### Section 14

##### **Concluding Provisions**

- (1) The vice-rector for academic affairs is tasked with interpreting the provisions of these Regulations and with monitoring their observance.
- (2) These Regulations have been duly approved in accordance with section 9, subsection 3, point 3 of the Act by the MU Academic Senate on 24 April 2017.
- (3) These Regulations enter into force in accordance with section 36, subsection 4 of the Act on the day of registration with the Ministry of Education, Youth and Sports.
- (4) These Regulations shall apply from the date of their publication in the public section of the MU website.

Assoc. Prof. PhDr. Mikuláš Bek, Ph.D., m.p.  
Rector