

*The Ministry of Education, Youth and Sports registered in accordance with Section 36(2) of the Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to other Acts (the Higher Education Act), under ref. MSMT-14536/2017, the Regulation of the Habilitation and Professor Appointment Procedure at the Silesian University in Opava on 8 August 2017.*

*The amendment to the Regulation of the Habilitation Procedure and the Professor Appointment Procedure at the Silesian University in Opava dated 8 August 2017 was registered by the Ministry of Education, Youth and Sports pursuant to Section 36(2) of the Higher Education Act under No. MSMT-32918/2020-1 on 11 August 2020.*

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Opava, August 2020



## I.

# **Full text of the Regulations of the Habilitation Procedure and the Professor Appointment Procedure at the Silesian University in Opava of 11 August 2020**

**I.**

**Full text of the**

**Regulations of the Habilitation**

**Procedure and the Professor**

**Appointment Procedure at the**

**Silesian University in Opava**

**of 11 August 2020**

**Article 1**

**Introductory provisions**

- 1) These Regulations regulate the details of the habilitation and professor appointment procedures at the Silesian University in Opava (hereinafter referred to as "the University"), their course and evaluation, as well as the rules for determining the amount of the fee for acts related to these procedures.
- 2) In the event that accreditation for habilitation proceedings or professor appointment procedure has been granted to a higher education institute, the Director of the higher education institute performs the functions of the Dean, and the Faculty is understood to be the higher education institute, unless otherwise stipulated by these Regulations or other internal regulations of the University.

**PART ONE**

**HABILITATION PROCEEDINGS**

**Article 2**

## **Opening of the habilitation procedure**

- 1) The habilitation procedure is initiated by the submission of the candidate's proposal. The proposal with annexes pursuant to Section 72(2) of Act No. 111/1998 Coll., on Higher Education and on Amendments and Additions to Other Acts (Act on Higher Education), as amended, (hereinafter referred to as "the Act") is submitted to the Dean of the Faculty that has been granted accreditation for the habilitation field of study specified by the applicant. The proposal must include:
  - a) Application for the initiation of the habilitation procedure, indicating the field in which the candidate is applying for habilitation.
  - b) Information pursuant to Section 75(2)(a) of the Act.
  - c) CV of the applicant, mainly focused on scientific, professional and pedagogical activities.
  - d) Notarised copies of evidence of higher education and relevant degrees.
  - e) Evidence of teaching experience.
  - f) Evaluation of the applicant's teaching activities from their place of work.
  - g) Habilitation thesis according to § 72 (3) of the Act. The thesis must be submitted in five printed copies and once in electronic form on a CD.
  - h) List of scientific, professional or artistic works in paper and electronic form.
  - i) List of citations (responses).
  - j) List of presentations at scientific conferences or artistic outputs.
  - k) A list of completed scientific, professional or artistic internships related to the relevant field.
  - l) Overview of participation in grants.
  - m) Overview of membership and positions on committees, boards and bodies related to the relevant field.
  - n) Proposal of three topics for the habilitation lecture.
- 2) If the proposal does not have the statutory requirements, the Dean will invite the applicant in writing to eliminate the deficiencies. If the applicant fails to remedy the deficiencies within three months of the date on which the Dean's invitation was delivered to them, the procedure shall be terminated and the Dean shall return the submitted materials to the applicant.

## **Article 3**

### **Habilitation Committee**

- 1) Within one month from the date of submission of the candidate's proposal, or alternatively from the date on which the candidate completes their proposal at the Dean's invitation, the Dean prepares a proposal for the establishment of the Habilitation Committee and the appointment of its Chair and other members. This proposal shall be submitted for approval to the next meeting of the Faculty's Scientific Council. Before submitting the proposal for the appointment of the members of the Habilitation Committee to the Scientific Council, the Dean shall seek their consent.
- 2) In artistic disciplines, the relevant Faculty Council may waive the requirement of a university degree for a candidate for habilitation.
- 3) The Habilitation Committee is composed of five members, including professors, associate professors and other prominent representatives of the candidate's field or related fields. The Chair of the Habilitation Committee must be a professor designated by the Dean to chair it. At least three members must be experts from a workplace other than the University.
- 4) The Dean notifies the members of the Habilitation Committee that their appointment has been approved by the Faculty's Scientific Council and sends them the documents necessary for the assessment of the applicant's scientific or artistic qualifications and their pedagogical competence within the meaning of section 72(8) of the Act.

## **Article 4**

### **Habilitation procedure**

- 1) The meetings of the Habilitation Committee are chaired by the Chairperson of the Habilitation Committee or, in their absence, by a member of the Habilitation Committee to whom they have delegated (hereinafter referred to as the "delegated member"). The Chairperson is responsible for the organisation of the preparation, meetings and administration of the Habilitation Committee.
- 2) The Habilitation Committee shall have a quorum if at least four of its members are present. A resolution of the Habilitation Committee is adopted if at least three members of the Habilitation Committee are in favour of it.
- 3) The Habilitation Committee appoints three opponents of the habilitation thesis, two of whom must not be academic staff of the University or staff of the legal entity of which the applicant is an employee. The Chairman of the Habilitation Committee or a designated member shall send the opponents a request for the preparation of an opposing opinion together with the candidate's habilitation thesis without undue delay, unless it is a habilitation thesis pursuant to section 72(3)(d) of the Act.
- 4) On the basis of the candidate's proposal materials, the opposing opinions and any requested annexes, the Habilitation Committee will decide whether or not to recommend the proposal for appointment as Associate Professor to the Faculty's Scientific Council. It shall submit a report of its decision together with the result of the vote to the Faculty's Scientific Council.
- 5) The opinion of the Habilitation Committee is presented at a meeting of the Faculty's Scientific Council by the Chair of the Habilitation Committee or a member authorised by the Chair. After the habilitation lecture and the defence of the candidate's habilitation thesis and the subsequent discussion in the public and private part, the proposal for appointment as associate professor is put to a vote. The vote shall be by secret ballot.
- 6) If the proposal for appointment as associate professor receives the approval of an absolute majority of all members of the Faculty's Scientific Council, the Dean shall submit it with all materials to the Rector for a decision. If the proposal for appointment as associate professor does not obtain the approval of the required majority, the procedure is terminated

## **Article 5**

### **Appointment as an associate professor**

- 1) If the Rector agrees with the proposal for appointment as associate professor, they shall inform the candidate of the date from which they will be appointed associate professor in writing and when the appointment decree will be officially handed over to them.
- 2) If the Rector disagrees with the proposal for appointment as associate professor, they shall submit it without undue delay to the University's Scientific Council together with the reasons for their disagreement. The University's Scientific Council shall discuss the proposal and decide by secret ballot whether the candidate should be appointed associate professor. The approval of an absolute majority of all members of the University's Scientific Council is required for the proposal to be accepted. If the proposal for appointment as associate professor does not obtain the necessary majority, the procedure shall be terminated. Otherwise, the Rector shall appoint the associate professor.

## **Article 6**

### **Principles of candidate evaluation**

In the habilitation procedure, the Habilitation Committee, the Faculty's Scientific Council and the Rector evaluate the scientific or artistic qualifications and the applicant's pedagogical competence in the given field.

## **Article 7**

### **Termination of the habilitation procedure**

- 1) If the habilitation procedure is terminated, the habilitation thesis and the attached documents pursuant to Section 72(2) of the Act are returned to the candidate. The candidate shall be notified of the termination of the procedure without undue delay.
- 2) The candidate may file an objection against the habilitation procedure within 30 days. Objections shall be submitted to the Dean. If the Dean does not accept the objections, they shall refer them to the Rector for a decision; the Rector's decision is final. The decision of the Rector or the Dean must be reasoned.

## **Article 8**

### **Proceedings for invalidation of an appointment as associate professor**

- 1) The Rector decides in proceedings to invalidate the appointment as associate professor in accordance with Sections 74a to 74c of the Act.
- 2) The opinion of the Review Committee shall form part of the basis for the Rector's decision under paragraph 1. The Review Committee shall consist of five members, four of whom shall be appointed by the Rector, with the Rector's approval and in consultation with the Dean of the Faculty concerned, from among professors, associate professors or other experts; at least three of these members must be experts in the field in which the habilitation procedure was conducted. The fifth member shall be appointed by the Rector on the proposal of the Minister for Education, Youth and Sports (hereinafter referred to as 'the Minister') from among civil servants working in the Ministry of Education, Youth and Sports (hereinafter referred to as 'the Ministry'). At least three members of the Review Committee must be professionals who are not employees of the University. Standardly, the Rector will appoint as one of the members of the Review Committee the Chairman of the Habilitation Committee, or one of the members of the Habilitation Committee established in the habilitation proceedings of the person whose appointment as associate professor is sought to be annulled.
- 3) The activities of the Review Committee are directed by its Chairman, who is appointed by the Rector.

**PART TWO**  
**PROFESSOR APPOINTMENT PROCEDURE**

**Article 9**

**Commencement of the professor appointment procedure**

- 1) The professor appointment procedure is initiated by the submission of a proposal by the candidate, on the proposal of the Dean or the Rector, or on the own initiative of the Scientific Council of the Faculty that has been granted accreditation for the field of appointment. If the procedure is not initiated on the proposal of the candidate and if the candidate expresses their written disagreement with the initiation of the procedure, the procedure shall be terminated.
- 2) The proposal with annexes, pursuant to Section 72(2), second sentence of the Act, is submitted to the Dean of the Faculty that has been granted accreditation for the field of appointment specified by the applicant. The proposal must include:
  - a) Application for the initiation of the professor appointment procedure, indicating the field of study, unless the procedure has been initiated on the Scientific Council's own initiative.
  - b) At least two written opinions from professors in the same or a related discipline supporting the application, if the procedure is initiated at the applicant's suggestion.
  - c) Information pursuant to Section 75(2)(a) of the Act.
  - d) CV of the applicant, mainly focused on scientific, professional and pedagogical activities.
  - e) Notarised copies of evidence of higher education and relevant degrees.
  - f) A notarized copy of the document of the degree of 'associate professor' and the topic of the habilitation thesis. In exceptional cases, when someone who is already a professor at a renowned university abroad is proposed for a professorship, the Rector, on the proposal of the University's Scientific Council, may waive the previous appointment as associate professor as a prerequisite for the initiation of the professor appointment procedure. Evidence of having obtained the rank of 'associate professor' is not required if the procedure is initiated on the initiative of the Scientific Council in front of which the candidate's successful habilitation procedure took place.
  - g) Evidence of teaching experience.
  - h) Evaluation of the applicant's teaching activities and their contribution to the scientific education of students from their place of work.
  - i) List of scientific, professional and artistic publications, in written and electronic form.
  - j) List of citations (responses).
  - k) List of presentations at scientific conferences or artistic outputs.
  - l) List of completed scientific, professional or artistic internships related to the relevant field.
  - m) Overview of participation in grants.
  - n) Overview of membership and positions on committees, Councils and bodies related to the relevant field.
  - o) Thesis of a lecture.
- 3) If the proposal does not have the statutory requirements, the Dean will invite the applicant in writing to eliminate the deficiencies. If the candidate fails to remedy the deficiencies within three months of the date on which the Dean's invitation was delivered to them, the procedure shall be terminated and the Dean shall return the submitted materials to the candidate.
- 4) The procedure is to be conducted in such a way that it can be completed within twelve months from the date of initiation, or from the date on which the applicant completes their application at the Dean's invitation.

**Article 10**

## **Committee for the appointment of a professor**

- 1) Within one month from the date of the submission of the proposal, or from the date on which the applicant completes their application at the Dean's request, the Dean prepares a proposal for the establishment of a Committee pursuant to section 74(3) of the Act and the appointment of its Chairperson and other members. This proposal shall be submitted for approval to the next meeting of the Faculty's Scientific Council. Before submitting the proposal for the appointment of the members of the committee to the Scientific Council, the Dean shall seek their consent.
- 2) In artistic disciplines, the relevant Faculty Council may waive the requirement of a university degree for the applicant.
- 3) The committee is composed of five members, including professors, associate professors and other prominent representatives of the applicant's field or related fields. The Chair of the committee must be a professor. At least three members must be experts from a workplace other than the University.
- 4) The Dean shall notify the members of the committee that their appointment has been approved and shall send them the documents necessary for the assessment of the applicant's qualifications in accordance with Section 74(1) of the Act.

## **Article 11**

### **The Proceedings of the Professor Appointment Procedure**

- 1) The meetings of the Committee shall be chaired by its Chairman or a member designated by the Chairman. The Chairperson shall be responsible for the organisation of the preparation, meetings and administration of the Committee
- 2) The Committee shall have a quorum if at least four of its members are present. A resolution of the Committee shall be adopted if at least three members of the Committee are in favour of it.
- 3) The Committee will assess the qualifications of the candidate and decide whether or not to recommend the proposal for appointment as a professor to the Faculty's Scientific Council. It shall submit a report of its decision together with the result of the secret ballot to the Faculty's Scientific Council.
- 4) The opinion of the committee shall be presented at a meeting of the Faculty's Scientific Council by the Chairman of the committee or a member authorised by them. After the candidate's presentation and the subsequent discussion in both the public and private parts, the proposal for appointment as a professor is put to a vote. The vote shall be by secret ballot.
- 5) If the proposal for appointment as a professor has received the approval of an absolute majority of all members of the Faculty's Scientific Council, the Dean shall submit it to the Rector without undue delay together with all the materials. If the proposal for appointment as professor does not obtain the necessary majority, the procedure shall be terminated.

## **Article 12**

### **Proceedings before the Scientific Council of the University**

- 1) The Rector submits the proposals for appointment as a professor to the University's Scientific Council in such an order in which the proposals were submitted to them.
- 2) The candidate has the right to make a brief presentation to the University's Scientific Council on the prospects of their field of study; the Rector will inform the candidate of this right in advance.
- 3) The University's Research Council decides on a proposal for the appointment of a professor by secret ballot. If the proposal for the appointment of a professor does not obtain the necessary majority, the proceedings shall be terminated. If the proposal for the appointment of a professor has received the approval of a majority of all members of the University's Scientific Council, the Rector shall submit it, together with all the materials, to the Minister for a decision without undue delay.
- 4) If the Minister returns the proposal pursuant to section 73(3) of the Act, the Rector shall submit it to the University's Scientific Council for consideration as to whether the procedure for the appointment as professor pursuant to section 74 of the Act has been followed. If the Scientific Council agrees in a secret ballot that the procedure under the previous sentence has not been followed, the proposal shall be referred again to the stage at which the procedure has not been followed. Otherwise, the Rector shall resubmit the proposal to the Minister together with the resolution of the University's Scientific Council.

## **Article 13**

### **Principles of candidate evaluation**

In the professor appointment procedure, the Committee, the Faculty's Scientific Council and the University's Scientific Council evaluate the pedagogical and scientific or artistic qualifications of a candidate who is to be a distinguished and recognised scientific or artistic personality in their field.

## **Article 14**

### **Termination of the procedure**

- 1) In the event that the professor appointment procedure is terminated, the submitted materials will be returned to the candidate. The candidate shall be notified of the termination of the procedure without undue delay.
- 2) A candidate may object to the proceedings in the professor appointment procedure within 30 days. Objections shall be submitted in writing to the Rector. The decision of the Rector is final.

## **PART THREE**

### **COMMON PROVISIONS**

#### **Article 15**

##### **Fee for acts connected with the procedure**

- 1) The Rector, on the proposal of the Dean, may set a fee for acts related to the habilitation procedure, which is no more than four times the base set pursuant to Section 58(2) of the Act. The amount of the fee shall be published on the official notice Council of the University and in the public section of the University's website. The fee shall constitute income from the Faculty's educational and scientific and research, developmental and innovational, artistic or other creative activity (hereinafter referred to as "main activity").
- 2) The Rector, on the proposal of the Dean, may set a fee for acts related to the professor appointment procedure which is no more than six times the base set pursuant to section 58(2) of the Act. The amount of the fee shall be published on the official notice Council of the University and in the public section of the University's website. The fee shall constitute income from the main activity of the University; half of the fee shall belong to the Faculty and half to the Rector's Office.

#### **Article 16**

##### **Conditions for applicants**

- 1) For each accredited field of habilitation and the professor appointment procedure, the Dean sets detailed conditions for successful candidates concerning their scientific or artistic, professional and pedagogical activities or requirements for the habilitation thesis (hereinafter referred to as "conditions"). The conditions shall be approved by the University's Scientific Council on the proposal of the Faculty's Scientific Council.
- 2) The conditions shall be published in the public section of the Faculty's website, together with the date of their approval pursuant to paragraph 1.

#### **Article 17**

##### **Other elements of the procedure**

- 1) The Dean may establish, in the form of an internal norm, additional requirements and further details of the habilitation procedure and the professor appointment procedure in a given field, in particular the requirements for the structure and format of documents pursuant to Article 2(1)(h) and Article 9(2)(i), the deadlines and method of payment of fees pursuant to Article 15, the specification of formal and procedural matters of the deliberations of the Committees and the Faculty's Scientific Council, and the principles for the management of the agenda of habilitation procedures and the professor appointment procedure at the Faculty.
- 2) The internal norm referred to in paragraph 1 is subject to prior approval by the Faculty's Scientific Council. It shall be published in the public section of the Faculty's website, together with the date of approval pursuant to the preceding sentence.
- 3) The particulars and details laid down in the internal standard referred to in paragraph 1 shall be in accordance with these Regulations.

#### **Article 18**

##### **Procedure in case of conflict of interest**

- 1) If the candidate in the habilitation procedure is a Rector, Vice-Rector, Dean, Director of a University institute, Vice-Dean, Secretary or Chair of the Academic Senate of a University or Faculty, the Rector shall always submit a proposal pursuant to Article 5(2) to the University's Scientific Council.
- 2) If the candidate in the habilitation or professor appointment procedure is a member of the Faculty or University's Scientific Council, they do not participate in the closed parts of the meetings of the relevant Scientific Council or in the voting on the proposal for appointment as associate professor or professor.
- 3) If the Rector is the candidate in the procedure for the appointment of a professor, after the approval of the proposal by the University's Scientific Council, they submit the proposal with all documentation to the Academic Senate of the University for an assessment of whether their objectivity and impartiality have been sufficiently ensured during the procedure. Should the Academic Senate of the University expresses doubts, the Rector shall add the opinion of the Senate to the other materials forwarded to the Minister pursuant to Article 12(3), third sentence.
- 4) The Faculty and University Research Councils shall act in such a way as to avoid conflicts of interest for members of Habilitation Committees, opponents of habilitation theses and members of Committees for the appointment of professors. In particular, these members of the Committees and opponents must not be co-authors of the habilitation thesis or part of it, have close family, personal or professional relationships with the candidate, be in a relationship of scientific rivalry with the candidate or have had such a relationship in the past, or be the candidate's scientific pupils or supervisors.

## **Article 19**

### **Disclosure of procedure information**

- 1) The Faculty shall publish the data on the commencement of habilitation and professor appointment procedure and the dates of the relevant public meetings of the Scientific Councils in the public section of its website without delay; it shall also publish the data on the termination of these procedures without delay. At the same time, it shall always forward these data, as well as the other data referred to in Section 75(2) of the Act, to the Office for Science and Foreign Relations at the Rector's Office.
- 2) The Faculty also publishes information on the composition of the Habilitation Committee and the Committee for Appointment as Professor, the reports of these committees and the opinions of the opponents of the habilitation thesis in the public part of its website without undue delay.
- 3) Upon successful completion of the habilitation procedure, the Faculty will immediately submit one copy of the habilitation thesis to the University Library, which will include it in the publicly accessible part of its collection.
- 4) Publication of habilitation theses pursuant to Section 75(4) of the Act is carried out by the Faculty without undue delay by uploading the electronic form of the habilitation thesis into the archive of the University's information system (module "Publications/Repository"), where it sets the access rights to the document so that it is publicly available.

## **PART FOUR**

### **TRANSITIONAL AND FINAL PROVISIONS**

### **Article 20**

#### **Transitional and final provisions**

- 1) These Rules shall apply appropriately to habilitation and professor appointment procedure initiated before the effective date of these Rules. The fee referred to in Article 15 shall not apply to those procedures.
- 2) These Regulations were approved under Section 9(1)(b)(3) of the Act by the Academic Senate of the University on 25 July 2017.
- 3) These Regulations shall become valid pursuant to section 36(4) of the Act on the date of registration by the Ministry.
- 4) These Regulations shall become effective on the date of their publication in the public part of the University's website.

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- 1) This amendment to the Regulations of the Habilitation Procedure and the Professor Appointment Procedure was approved by the Academic Senate of the Silesian University in Opava on 12 May 2020 pursuant to Section 9(1)(b)(3) of Act No.111/1998 Coll., on Higher Education and on Amendments and Additions to Other Acts (Act on Higher Education), as amended.
- 2) This amendment to the Regulations of the Habilitation Procedure and the Professor Appointment Procedure shall become valid pursuant to Section 36(4) of the Higher Education Act on the date of registration by the Ministry of Education, Youth and Sports.
- 3) This amendment shall become effective on the valid day.

doc. Ing. Pavel Tuleja, Ph.D., v. r.  
Rector