

The Ministry of Education, Youth and Sports registered pursuant to Section 36(2) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (the Higher Education Act), as amended, on 2017 under ref. no. Rules for habilitation proceedings and proceedings for appointment as professor at Silesian University in Opava.

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Director of the Higher Education Department



Procedure for habilitation and the procedure for appointment as professor at Silesian University in Opava dated

Rules for habilitation proceedings and procedures for appointment as professor at Silesian University in Opava dated

Article 1

Introductory provisions

- 1) These rules govern the details of the habilitation procedure and the procedure for appointment as a professor at 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 activities related to this procedure.
- 2) In the event that accreditation for habilitation proceedings or proceedings for appointment as a professor has been granted to a university institute, the powers of the dean shall be exercised by the director of the university institute, and the faculty shall be understood to mean the university institute, unless otherwise specified by these rules or other internal regulations of the University.

PART ONE

HABILITATION PROCEDURE

Article 2

Commencement of the habilitation procedure

- 1) The habilitation procedure is initiated by the submission of an application by the candidate. The application with attachments pursuant to Section 72(2) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (the Higher Education Act), as amended (hereinafter referred to as the "Act"), shall be submitted to the dean of the faculty that has been accredited for the habilitation field specified by the candidate. The application must contain:
 - a) An application for the commencement of habilitation proceedings, specifying the field in which the applicant is seeking habilitation.
 - b) Information pursuant to Section 75(2)(a) of the Act.
 - c) The candidate's curriculum vitae, focusing primarily on scientific, professional and pedagogical activities.
 - d) ly certified copies of documents proving the applicant's university education and relevant degrees.
 - e) Documents certifying teaching experience.
 - f) Evaluation of the candidate's teaching activities from their place of work.
 - g) Habilitation thesis in accordance with Section 72(3) of the Act. The thesis must be submitted in five printed copies and one electronic copy on a CD.
 - h) List of scientific, professional or artistic works in paper and electronic form.
 - i) List of citations (references).
 - j) A list of presentations at scientific conferences or artistic performances.
 - k) Overview of completed scientific, professional or artistic internships related to the relevant field.
 - l) Overview of participation in grant projects.
 - m) Overview of membership and functions in committees, councils and bodies related to the relevant field.
 - n) Proposal of three topics for the habilitation lecture.
- 2) If the proposal does not meet the legal requirements, the dean shall invite the candidate in writing to remedy the deficiencies. If the candidate fails to remedy the deficiencies within three months of the date on which the dean's invitation was delivered, the proceedings shall be discontinued and the dean shall return the submitted materials to the candidate.

Article 3

Habilitation Committee

- 1) Within one month of the date of submission of the candidate's proposal, or from the date on which the candidate supplemented their proposal at the dean's request, the dean shall prepare a proposal for the establishment of a habilitation committee and the appointment of its chair and other members. This proposal shall be submitted for approval at the next meeting of the faculty's scientific council. Before submitting the proposal for the appointment of members of the habilitation committee to the Scientific Council, the dean shall request their consent.
- 2) In artistic fields, the relevant scientific council of the faculty may waive the requirement of higher education for candidates for habilitation.
- 3) The habilitation committee shall consist of five members, including professors, associate professors and other prominent representatives of the field or related fields specified by the

candidate. The chair of the habilitation committee must be a professor appointed by the dean. At least three members must be experts from institutions other than the university.

- 4) The dean shall notify the members of the habilitation committee that their appointment has been approved by the faculty's scientific council and shall send them the documents necessary for assessing the candidate's scientific or artistic qualifications and pedagogical competence within the meaning of Section 72(8) of the Act.

Article 4

Habilitation procedure

- 1) The meetings of the habilitation committee shall be chaired by its chairperson or, in his or her absence, by a member of the habilitation committee whom he or she has authorised (hereinafter referred to as the "authorised member"). The chairperson shall be responsible for the organisation of the preparation, proceedings and administration of the committee for the habilitation procedure.
- 2) The habilitation committee is competent to pass resolutions 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 vote in favour of it.
- 3) The habilitation committee appoints three opponents of the habilitation thesis, two of whom may not be academic staff of the university or employees of the legal entity employing the candidate. The chair of the habilitation committee or an authorised member shall send the opponents a request to prepare an opponent's review together with the candidate's habilitation thesis without undue delay, unless the habilitation thesis is pursuant to Section 72(3)(d) of the Act.
- 4) On the basis of the materials from the candidate's proposal, the opponents' reviews and any requested attachments, the habilitation committee shall decide whether to recommend or not to recommend the proposal for appointment as associate professor to the scientific council of the faculty. It shall submit a report on its decision, together with the results of the vote, to the scientific council of the faculty.
- 5) The opinion of the habilitation committee shall be presented at a meeting of the faculty's scientific council by the chair of the habilitation committee or a member authorised by him or her. After the habilitation lecture and defence of the candidate's habilitation thesis and subsequent discussion in both public and private sessions, a vote shall be taken on the proposal for appointment as associate professor. The vote shall be secret.
- 6) If the proposal for appointment as associate professor is approved by a 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 required majority, the procedure shall be discontinued.

Article 5

Appointment as associate professor

- 1) If the rector agrees with the proposal for appointment as associate professor, he or she shall notify the candidate in writing of the date on which he or she will be appointed as associate professor and when the appointment decree will be officially handed over.
- 2) If the rector does not agree with the proposal to appoint an associate professor, he or she shall, without undue delay, submit it with the reasons for his disagreement to the university's scientific council. The university's scientific council shall discuss the proposal and decide by secret ballot whether the candidate

should be appointed as an associate professor. The proposal must be approved by a majority of all members of the university's scientific council. If the proposal for appointment as an associate professor does not obtain the necessary majority, the procedure shall be discontinued. Otherwise, the rector shall appoint the associate professor.

Article 6

Principles of candidate evaluation

In the habilitation procedure, the habilitation committee, the scientific council of the faculty and the rector evaluate the scientific or artistic qualifications and pedagogical competence of the candidate for the given field.

Article 7

Suspension of the habilitation procedure

- 1) In the event of discontinuation of the habilitation procedure, the habilitation thesis with accompanying documents shall be returned to the candidate in accordance with Section 72(2) of the Act. The candidate shall be notified of the discontinuation of the procedure without undue delay.
- 2) The candidate may lodge an objection to the habilitation procedure within 30 days. Objections shall be submitted to the dean. If the dean does not uphold the objections, he or she shall forward them to the rector for a decision; the rector's decision shall be final. The decision of the rector or dean must be justified.

Article 8

Proceedings to declare the appointment of an associate professor invalid

- 1) In proceedings to declare the appointment of an associate professor invalid, the rector shall decide 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 pursuant to paragraph 1. The review committee shall have five members, four of whom shall be appointed by the rector with their consent and after consultation with the dean of the relevant faculty 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 took place. The fifth member shall be appointed by the rector on the proposal of the Minister of Education, Youth and Sports (hereinafter referred to as the "minister") from among civil servants working at the Ministry of Education, Youth and Sports (hereinafter referred to as the "ministry"). At least three members of the review committee must be experts who are not employees of the university. One of the members of the review committee is usually appointed by the rector as the chair of the habilitation committee or one of the members of the habilitation committee established in the habilitation procedure of the person whose appointment as associate professor is being challenged.
- 3) The activities of the review committee are managed by its chair, who is appointed by the rector.

PART TWO
PROCEDURE FOR APPOINTMENT AS PROFESSOR

Article 9

Commencement of the procedure for appointment as professor

- 1) The procedure for appointment as professor is initiated by the submission of a proposal by the candidate, at the suggestion of the dean or rector, or on the initiative of the scientific council of the faculty that has been granted accreditation for the field of appointment. If the procedure is not initiated at the suggestion of the candidate and the candidate expresses written disagreement with the initiation of the procedure, the procedure shall be discontinued.
- 2) The proposal with attachments, pursuant to Section 72(2) of the Act, shall be submitted to the dean of the faculty that has been granted accreditation for the field of appointment specified by the candidate. The proposal must contain:
 - a) A request to initiate proceedings for appointment as a professor, specifying the field, unless the proceedings were initiated on the initiative of the scientific council.
 - b) At least two written opinions from professors in the same or a related field supporting the application, if the proceedings are initiated at the candidate's request.
 - c) Information pursuant to Section 75(2)(a) of the Act.
 - d) The candidate's curriculum vitae, focusing primarily on scientific, professional and pedagogical activities.
 - e) Notarised copies of documents proving higher education and relevant degrees obtained.
 - f) A notarised copy of the document proving the acquisition of the title of "docent" and the topic of the habilitation thesis. In exceptional cases, when someone who is already a professor at a renowned university abroad is nominated for the position of professor, the rector may, at the proposal of the university's scientific council, waive the previous appointment as docent as a prerequisite for initiating the procedure for appointment as professor. Proof of obtaining the title of "docent" is not required if the procedure is initiated on the initiative of the scientific council before which the candidate's habilitation procedure was successfully completed.
 - g) Documents certifying teaching experience.
 - h) Evaluation of the candidate's teaching activities and their contribution to the scientific education of students at their place of work.
 - i) List of scientific, professional and artistic publications, in written and electronic form.
 - j) List of citations (references).
 - k) List of presentations at scientific conferences or artistic performances.
 - l) Overview of completed scientific, professional or artistic internships related to the relevant field.
 - m) Overview of participation in grant projects.
 - n) Overview of membership and functions in committees, councils and bodies related to the relevant field.
 - o) Lecture thesis.
- 3) If the proposal does not meet the legal requirements, the dean shall invite the applicant in writing to remedy the deficiencies. If the applicant fails to remedy the deficiencies within three months of the date of delivery of the dean's invitation, the proceedings shall be discontinued and the dean shall return the submitted materials to the applicant.

- 4) The proceedings shall be conducted in such a manner that they can be completed within twelve months of the date of commencement or, where applicable, of the date on which the applicant supplemented their application at the dean's request.

Article 10

Commission for the Appointment of Professors

- 1) Within one month of the date of submission of the proposal, or from the date on which the candidate supplemented their application at the dean's request, the dean shall prepare a proposal for the establishment of a committee pursuant to Section 74(3) of the Act and for the appointment of its chair and other members. This proposal shall be submitted for approval at the next meeting of the faculty's scientific council. Before submitting the proposal for the appointment of commission members to the Scientific Council, the dean shall request their consent.
- 2) In artistic fields, the relevant faculty scientific council may waive the requirement for higher education for the applicant.
- 3) The committee shall have five members, consisting of professors, associate professors and other prominent representatives of the field or fields related to the applicant. 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 assessing the applicant's qualifications within the meaning of Section 74(1) of the Act.

Article 11

Procedure for appointment as professor

- 1) The committee's meetings shall be chaired by its chair or a member appointed by the chair. The chair shall be responsible for organising the committee's preparations, proceedings and administration.
- 2) The committee is competent to pass resolutions if at least four of its members are present. A resolution of the committee is adopted if at least three members of the committee vote in favour of it.
- 3) The committee shall assess the candidate's qualifications and decide whether to recommend or not to recommend the proposal for appointment as professor to the faculty's scientific council. It shall submit a report on its resolution together with the results of the secret ballot to the faculty's scientific council.
- 4) The chair of the committee or a member authorised by the chair shall present the committee's opinion at a meeting of the faculty's scientific council. After the candidate's presentation and

subsequent discussion in both public and private sessions, a vote shall be taken on the proposal for appointment as professor. The vote shall be secret.

- 5) If the proposal for appointment as professor is approved by a majority of all members of the faculty's scientific council, the dean shall submit it without undue delay, together with all materials, to the rector. If the proposal for appointment as professor does not obtain the necessary majority, the procedure shall be discontinued.

Article 12

Proceedings before the university scientific council

- 1) The rector shall submit the proposal for appointment as a professor to the university's scientific council in the order in which the proposals were submitted to him.
- 2) The candidate has the right to make a short statement before the University Scientific Council on the prospects of his or her field; the rector shall inform the candidate of this right in advance.
- 3) The University Scientific Council shall decide on the proposal for appointment as professor by secret ballot.
If the proposal for appointment as professor does not obtain the necessary majority, the procedure shall be discontinued. If the proposal for appointment as professor has been approved by a majority of all members of the university's scientific council, the rector shall submit it without undue delay, together with all materials, to the minister for a decision.
- 4) If the Minister returns the proposal pursuant to Section 73(3) of the Act, the Rector shall submit it to the University Scientific Council for assessment of whether the procedure for appointment as a professor pursuant to Section 74 of the Act has been followed. If the Scientific Council, in a secret ballot, agrees that the procedure referred to in the previous sentence has not been followed, the proposal shall be returned to the stage at which the procedure was not 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 procedure for appointment as a professor, the committee, the scientific council of the faculty and the scientific council of the university shall evaluate the pedagogical and scientific or artistic qualifications of the candidate, who shall be a distinguished and recognised scientific or artistic personality in his or her field.

Article 14

Suspension of proceedings

- 1) In the event of discontinuation of the procedure for appointment as professor, the submitted materials shall be returned to the candidate. The candidate shall be notified of the discontinuation of the procedure without undue delay.
- 2) The candidate may lodge an objection to the procedure for appointment as a professor within 30 days. Objections shall be submitted in writing to the rector. The rector's decision shall be final.

PART THREE
COMMON PROVISIONS

Article 15

Fee for acts related to the procedure

- 1) For activities related to the habilitation procedure, the rector may, at the dean's proposal, set a fee of up to four times the base amount specified in Section 58(2) of the Act. The amount of the fee shall be published on the university's official notice board and in the public section of the university's website. The fee shall be income from educational, scientific, research, development, innovation, artistic or other creative activities (hereinafter referred to as "main activities") of the faculty.
- 2) For activities related to the procedure for appointing a professor, the rector may, at the dean's proposal, set a fee not exceeding six times the base amount specified in Section 58(2) of the Act. The amount of the fee shall be published on the university's official notice board and in the public section of the university's website. The fee shall be 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 imposed on applicants

- 1) For each accredited field of habilitation proceedings and proceedings for appointment as a professor, the dean shall lay down detailed conditions for successful applicants 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 information on the date of their approval in accordance with paragraph 1.

Article 17

Other requirements of the procedure

- 1) The dean may lay down, in the form of an internal regulation, further requirements and more detailed information on the habilitation procedure and the procedure for appointment as a professor in a given field, in particular requirements for the structure and format of supporting documents pursuant to Article 2(1)(h) and Article 9(2)(i), the deadlines and method of payment of fees pursuant to Article 15, clarification of formal and procedural matters concerning the proceedings of committees and the scientific council of the faculty, and principles for conducting the agenda of habilitation proceedings and proceedings for appointment as a professor at the faculty.
- 2) The internal regulation referred to in paragraph 1 shall be 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 information on the date of approval referred to in the previous sentence.

- 3) The requirements and further details specified by the internal regulation pursuant to paragraph 1 must be in accordance with these rules.

Article 18

Procedure in the event of a conflict of interest

- 1) If the candidate in the habilitation procedure is the rector, vice-rector, dean, director of a university institute, vice-dean, secretary or chair of the academic senate of the university or faculty, the rector shall always submit a proposal pursuant to Article 5(2) to the scientific council of the university.
- 2) If a member of the scientific council of the faculty or university is a candidate in the habilitation procedure or procedure for appointment as a professor, they shall not participate in the non-public parts of the proceedings of the relevant scientific council or in the vote on the proposal for appointment as an associate professor or professor.
- 3) If the candidate in the procedure for appointment as a professor is the rector, after approval of the proposal by the scientific council of the university, the rector shall submit the proposal with all documentation to the academic senate of the university for assessment of whether its objectivity and impartiality were sufficiently ensured during the procedure. If the academic senate of the university expresses doubts, the rector shall attach this opinion of the senate to the other materials submitted to the minister pursuant to Article 12(3), third sentence.
- 4) The scientific councils of the faculty and the university shall act in such a way as to avoid conflicts of interest among members of habilitation committees, opponents of habilitation theses and members of committees for the appointment of professors. In particular, these committee members and opponents may not be co-authors of the habilitation thesis or part thereof, have close family, personal or working 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 scientific students or supervisors of the candidate.

Article 19

Publication of information on the procedure

- 1) The faculty shall immediately publish on the public section of its website information on the commencement of habilitation proceedings and proceedings for appointment as professor and the dates of the relevant public meetings of the scientific councils; it shall also immediately publish information on the completion of these proceedings. At the same time, it shall always forward the aforementioned information, as well as other information pursuant to Section 75(2) of the Act, to the Science and International Relations Department of the Rector's Office.
- 2) The faculty shall also publish without undue delay on the public section of its website information on the composition of the habilitation committee and the committee for the appointment of professors, the reports of these committees and the reviews of the habilitation thesis opponents.

- 3) After the successful completion of the habilitation procedure, the faculty shall immediately submit one copy of the habilitation thesis to the university library, which shall include it in the publicly accessible part of its collection.
- 4) The provisions of the Rules on the Publication of University Theses shall apply *mutatis mutandis* to the publication of habilitation theses pursuant to Section 75(4) of the Act.

PART FOUR
TRANSITIONAL AND FINAL PROVISIONS

Article 20

Transitional and Final Provisions

- 1) These rules shall apply mutatis mutandis to habilitation proceedings and proceedings for appointment as professor commenced before the effective date of these rules. The fee under Article 15 shall not apply to these proceedings.
- 2) These rules were approved by the Academic Senate of the University on 9 May 2017 pursuant to Section 9(1)(b)(3) of the Act.
- 3) These rules shall enter into force pursuant to Section 36(4) of the Act on the date of their registration by the Ministry.
- 4) These rules shall take effect on the date of their publication in the public section of the University's website.

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Rector