**Act No. 188/2020 Coll.**

## **A C T**

from 17 April 2020

**ON SPECIAL RULES FOR EDUCATION AND DECISION-MAKING AT HIGHER EDUCATION INSTITUTIONS IN 2020 AND ASSESSMENT OF STUDY PERIOD FOR THE PURPOSES OF OTHER ACTS**

The Parliament has passed this following Act of the Czech Republic:

PART I

**GENERAL PROVISIONS**

Section 1

**Applicability of the Act**

(1) In connection with the state of emergency declared on 12 March 2020, this Act shall govern special rules related to studies at higher education institutions and activities of bodies of higher education institutions and certain related issues in the area of higher education for the calendar year 2020.

(2) Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Some Other Acts (the Higher Education Act), as amended (hereinafter referred to as the “Higher Education Act”), shall be applied unless stipulated otherwise by this Act.

(3) This Act shall apply to public higher education institutions and adequately to private and state higher education institutions.

PART II

**STUDIES AT A HIGHER EDUCATION INSTITUTION**

Section 2

**Taking Disruption of Studies into Consideration**

(1) The study period in a degree programme in a period from 1 March 2020 until 31 August 2020 (hereinafter referred to as the “Period of Disrupted Studies”) shall not be included in

a) The study period pursuant to Section 58(3) of the Higher Education Act for the purposes of determining the study fee;

b) The maximum study period for the purposes of fulfilling study obligations if this period has been set by an internal regulations of a higher education institution;

c) The maximum study period for the purposes of granting scholarships by a higher education institution if this period has been set by an internal regulations of the higher education institution.

(2) The period for which a scholarship is granted pursuant to Section 91(3) of the Higher Education Act shall be prolonged by the Period of Disrupted Studies, at the latest until the time when the studies are duly completed.

(3) If a person has his/her studies interrupted in the Period of Disrupted Studies pursuant to Section 54 of the Higher Education Act, this period shall not be included in the overall interruption period upon the person’s request.

​Section 3

**Admission Procedure**

(1) A higher education institution may set a new date for determining whether the conditions for admission to studies have been met pursuant to Section 49(5) of the Higher Education Act (hereinafter referred to as “Determining”). A higher education institution shall announce a new Determining date at the latest 15 days prior to the taking place thereof.

(2) A higher education institution may use a distance mode of Determining. If Determining takes place in the on-site mode and if personal presence of students in instruction and examinations during studies at a higher education institution has not been renewed upon a decision of a public authority (hereinafter referred to as “Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution”) at the latest 15 days prior to the announced Determining date, the higher education institution shall announce a new date that shall be at least the fifteenth day following the renewal of the possibility of personal presence of students in instruction and examinations.

(3) If it is not possible to perform Determining according to original conditions, a higher education institution may set new conditions and announce them at the latest 15 days prior to the Determining date.

Section 4

**Admission to Studies and Enrolment in Studies**

(1) If an applicant who has met other conditions for admission to studies in a degree programme is unable to present a document proving that the following conditions have been met:

​a) Completion of secondary education completed by the *“maturitní zkouška”* examination if s/he is to be admitted to studies in a Bachelor’s or a Master’s degree programme;

b) Due completion of studies in any type of a degree programme if s/he is to be admitted to studies in a Master’s degree programme; or

c) Due completion of studies in a Master’s degree programme if s/he is to be admitted to studies in a Doctoral degree programme;

s/he may be admitted to studies and enrolled in studies conditionally.

(2) If a conditionally enrolled student fails to submit a document pursuant to subsection (1) at the latest within 45 days from the commencement of the 2020/2021 academic year, the admission to studies and the enrolment in studies shall lose validity and effect after this time limit elapses and the student shall be regarded as a person who has not been enrolled in studies.

Section 5

**State Examinations**

(1) At a time when Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution and/or the presence of members of the academic community in a higher education institution is restricted on grounds of a measure adopted upon another Act, the higher education institution may use distance modes for the purpose of taking the state examination required to complete studies and for the purpose of defending a dissertation thesis if the condition of at least distance participation of the examination board during the taking of the state examination is met. The state examination required to complete studies and the defending of a dissertation thesis that takes place in the distance mode does not have to be public if the higher education institution makes an audio recording or an audio and video recording and maintains it for a period of 5 years. The higher education institution shall provide the recording only to a public authority in the pursuit of its powers upon its request.

(2) A higher education institution shall announce the date of a state final examination at the latest 15 days prior to the taking place thereof on its website. The respective student shall be provably informed about the date.

(3) If a higher education institution proposes to a student the possibility of taking the state examination required to complete studies or defending a dissertation thesis in a distance mode, it shall inform him/her at the same time about the mode of the taking thereof and about technical or material requirements. If the distance mode cannot take place, the higher education institution shall enable the student to take the state final examination in the on-site mode after the possibility of Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution has been renewed.

(4) Subsections (1) to (3) shall be applied also when personal presence of a student and/or the presence of members of the academic community at a higher education institution is not possible on grounds of other measures of a public authority related to the presence of coronavirus designated as SARS CoV-2, also in another state.

Section 6

**Course of Studies and Academic Year Timetable**

(1) At a time when Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution and/or the presence of members of the academic community in a higher education institution is restricted on grounds of a measure adopted upon another Act, examinations and other study obligations and conditions a student is obliged to meet during studies in a degree programme may be fulfilled and the fulfilment thereof determined in the distance mode.

(2) At a time when Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution is not possible, a higher education institution may use distance education instruments.

(3) On grounds of restrictions that follow from the state of emergency or restriction of Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution, the academic year may be prolonged or shortened upon the rector’s decision.

PART III

**BODIES OF HIGHER EDUCATION INSTITUTIONS AND FACULTIES**

Section 7

(1) At a time when Personal Presence of Students in Instruction and Examinations during Studies at a Higher Education Institution and/or the presence ofmembers of the academic community in a higher education institution is restricted on grounds of a measure adopted upon another Act, collective autonomous-administrative bodies of a higher education institution or a faculty where voting is expected may negotiate and vote outside of meetings by means of remote communication. If a given body decides, public voting may be used for deciding also those matters that require secret vote pursuant to the Higher Education Act or pursuant to an internal regulations. More detailed conditions of voting shall be set by the person leading the respective autonomous administrative body of the higher education institution or faculty.

(2) If the term of office of a body or members of a body of a higher education institution or a faculty is to end in the period between the day when the state of emergency is announced and the one hundredth and twentieth day after the end of the state of emergency, this period shall be prolonged until the one hundredth and twentieth day after the end of the state of emergency. The first sentence shall not be applied if a successor of the existing rector of a higher education institution or a dean of a faculty is appointed at the latest until the end of the term of office of his/her predecessor.

PART IV

**STUDY PERIOD FOR THE PURPOSES OF OTHER ACTS**

Section 8

(1) The period for which the state pursuant to another Act[[1]](#footnote-1)) pays public health insurance for a person above the age of 26 who studies for the first time in a Doctoral degree programme pursued by a higher education institution in the Czech Republic in the on-site mode of study, shall be prolonged by the Period of Disrupted Studies, at the latest until the time when the studies are duly completed.

(2) For the purposes of the Act on State Social Support, the Act on Pension Insurance and the Act on Public Health Insurance as well as for the purposes of Acts to which some of these Acts refer, a conditionally enrolled student shall be regarded as a student pursuant to Section 61 of the Higher Education Act. The first sentence above shall apply to a conditionally enrolled student who fails to submit a document pursuant to Section 4(1) within a time limit pursuant to S. 4(2) for a period of up to 30 days from the commencement of the 2020/2021 academic year.

PART V

**EFFECTIVENESS**

Section 9

This Act shall come into effect on the day of its announcement.

1. ) Act No. 48/1997 Coll., on Public Health Insurance and Amendments and Supplements to Some Related Acts, as amended. [↑](#footnote-ref-1)