

# Anglo-American University

## Code of Conduct

### A. General Provisions

#### 1. Fundamental Standards

- i. All members of the AAU community, i.e., all students, faculty, other staff, members of the AAU's governing bodies, and others involved in any legal form with the AAU (hereinafter referred to as the "AAU community"), are expected to act in accordance with ethical rules and to create an environment conducive to compliance with the rules in their own activities.
- ii. The Code of Conduct is binding on all members of the AAU community
  - (a) for all conduct on AAU premises, including official AAU accommodation,
  - (b) in all conduct outside the premises of the AAU, including the Internet and social networking, which
    - is affiliated with the AAU or
    - is related to employment with the AAU or study at the AAU; or
    - takes place at an event organized, co-organized or sponsored by the AAU.
- iii. For the purposes of the Code of Conduct, students are defined as students enrolled in an accredited study program and studying at AAU for the purpose of obtaining a university degree, students enrolled for study at another university temporarily studying at AAU, as well as participants in lifelong learning.

#### 2. Freedom of Expression and Academic Freedom

- i. AAU supports every individual's right to freedom of expression. AAU also recognizes the importance of fostering a culture of tolerance and civility that is a cornerstone for the accomplishment of its educational goals. Within the classroom, visual and/or aural demonstrations, depictions or conduct that may be offensive to an individual will not be restricted when used in a legitimate pedagogical context, such as material having an appropriate connection to course subject matter.
- ii. The AAU does not tolerate endangering or threatening an individual or group, defaming, inciting violence, using "fighting words," obscenity, and/or expressions that discriminate or deny another's education or employment benefits and opportunities.
- iii. Furthermore, it is not permitted to establish and organize registered political parties and political movements at AAU.
- iv. The AAU supports freedom of teaching, in particular its openness to different scientific views, scientific and research methods, and artistic trends, as well as the freedom of science, research and artistic creation and the publication of their results. This freedom must, however, be exercised in full compliance with the development conception and the focus of the educational, research and development activities of the AAU, in accordance with the internal regulations of the AAU and this Code, and respecting the constraints imposed by the specific conditions of the multicultural environment of the AAU.

### B. Standards of Conduct

#### 1. AAU Core Values of Conduct

- i. **Integrity:** all members of AAU community exemplify honesty, honor and a respect for truth in all of their dealings.
- ii. **Community:** all members of AAU community build and enhance the community.
- iii. **Respect:** all members of AAU community show positive regard for each other, for property and for the community.
- iv. **Responsibility:** all members of AAU community are given and accept a high level of responsibility to self, to others and to the community.

#### 2. Interpersonal Conduct in a Multicultural Environment

- i. Given the multicultural environment at AAU, a risk of cultural misunderstanding is omnipresent. For the sake of harmonious coexistence, members of AAU community are expected to exercise prudence, self-restraint, tolerance, and responsiveness in interpersonal conduct. Among others, it means that:
  - (a) Initiators of an interaction are expected to keep in mind that others might hold different standards of good

manners (prudence), and should adjust their conduct accordingly (self-restraint); repetitive and/or persistent interaction that has been explicitly indicated as unwelcome, can form the basis of a violation of the Code of Conduct.

- (b) Addressees of an interaction are expected to keep in mind that others might hold different standards of good manners (tolerance), and thus are expected to be explicit if the conduct is not welcome (responsiveness). If they do not feel comfortable expressing their discomfort directly, they are encouraged to do so through a third person.
- ii. Some cases of non-instigated interpersonal conduct are strictly forbidden (e. g. physical threat) while others are protected though they may cause discomfort (e. g. free speech within a legitimate pedagogical context). In other cases, it is the combined perception and the response of the one to whom the conduct is addressed that determines whether the conduct shall be interpreted as appropriate. (For example, the same compliment might be interpreted as charming, or offensive, depending on the addressee.)
- iii. Given the importance of the highest standards of interpersonal conduct for the AAU community, any kind of sexual and interpersonal misconduct is governed by a special Policy on Relationships, Disputes, and Sexual Harassment which goes into greater depth and breadths than the provisions of this Code.

### 3. General Standards of Conduct of AAU Community Members

- i. **Integrity:** all members of AAU community exemplify honesty, honor and a respect for truth in all of their dealings. This means, among other things, that all members of the AAU community:
  - (a) behave in accordance with the laws of the Czech Republic and the internal regulations of the AAU and comply with relevant ethical rules codified at the institutional, disciplinary, national or (in the case of international cooperation) supranational level, and in their activities they themselves create an environment conducive to their observance;
  - (b) respect and help maintain the integrity of the AAU and its values through their actions; are aware that they represent the AAU externally and that their conduct affects its reputation;
  - (c) they recognize the personality of others, their right to express an independent professional opinion and their right to criticism; they respect the principle that no one should be penalized for fair criticism and that erroneous criticism should be refuted with arguments; they make their criticisms factually based and transparent (they do not slander);
  - (d) recognize the right to freely choose their own approach to academic activities (within the constraints of regulations, the Code of Conduct, and standards customary in the field);
  - (e) they provide truthful and complete information about their activities and do not seek to gain undue advantage (they do not conceal relevant facts, falsify data and documents, impersonate another person, cheat, etc.);
  - (f) avoid situations which could undermine confidence in their impartiality, independence and fairness and in which they would be exposed to a possible conflict between their personal interests and their interest in the proper performance of their work or studies, personal interest being defined as any possible advantage for themselves, for persons close to them and for natural or legal persons with whom they have personal, business, professional or political relations. If, in their work or studies, they find themselves in a situation where they are or may be exposed to a possible conflict of interest, they shall report this fact to their supervisor without undue delay.
- ii. **Community:** all members of AAU community build and enhance the community. This means, among other things, that all members of the AAU community:
  - (a) as members of the educational community, they strive for continuous self-education and the development of their own skills;
  - (b) as members of the educational community, they strive to ensure and strengthen the quality of all academic and other activities of the AAU, including the development of international cooperation;
  - (c) seek to take corrective action when members of the AAU community engage in conduct that is contrary to the Code of Conduct, and consistently work to prevent such conduct;
  - (d) recognize and support institutional autonomy of the AAU as an independent educational institution;
  - (e) recognize and support academic freedom and reject their violation or abuse;
  - (f) support the ethical governance of the AAU, including the participation of all relevant members of the AAU community in the governance by expressing their views on upcoming measures;
  - (g) do not misuse AAU property for private interests or for personal or third-party benefit, and refuse to let others behave that way;
  - (h) do not use their position, whether academic or at any level of the organizational structure, to benefit themselves or third parties, to coerce opinions or decisions, or to engage in any type of discrimination or unequal treatment, and refuse to let others behave that way;

- (i) do not interfere with elections or other events organized by the AAU or its organs beyond the scope of freedom of expression;
- iii. **Respect:** all members of AAU community show positive regard for each other, for property and for the community. This means, among other things, that all members of the AAU community:
  - (a) they come across as cultivated, kind and polite, and observe the principles of prudence, self-discipline, tolerance, and responsiveness; they observe the principles of mutual respect and adult responsibility;
  - (b) do not expose themselves or others to danger, whether knowingly or recklessly; do not enter the premises of the AAU with weapons or other objects that are capable of endangering life or health or order;
  - (c) act impartially, do not assault, threaten, bully, stalk or harass anyone;
  - (d) respect and uphold the rights and dignity of other people regardless of their race, color, ethnicity, national origin, sex, sexual orientation, gender identity, age, medical condition or disability, religion, creed or worldview, pregnancy, parenthood, marital origin, familial status, nationality, political affiliation or political beliefs, or socioeconomic status, and do not discriminate on these or other arbitrary or personal grounds;
  - (e) respect the equal rights of all to access to information, education, and employment;
  - (f) within the limits of their capabilities and within the framework of the applicable regulations, take care to remove barriers to equal opportunities for persons with sensory and physical disabilities by respecting their specific communication requirements and creating the necessary technical and organizational conditions, and promote an unbiased attitude towards persons with disabilities in order to facilitate their independent and full participation in academic life;
  - (g) respect the position of teachers and students as rightful and equal members of the academic community;
  - (h) respect mutual trust and information in teamwork, both in the activities themselves and in the publication of their results,
  - (i) respect the creative contribution of themselves and others, particularly in publishing the joint results of the team; recognize the equal status of authors or co-authors in the application and publication of the results of research and development, including students;
  - (j) respect the intellectual property rights of the AAU (e.g. do not tamper with study materials);
- iv. **Responsibility:** all members of AAU community are given and accept a high level of responsibility to self, to others and to the community. This means, among other things, that all members of the AAU community:
  - (a) always act transparently, meaning that their decision-making and behavior is clear, predictable, and understandable;
  - (b) their positions support education, research and development as a natural part of life in an open democratic society;
  - (c) carry out their work or studies to the best of their knowledge and abilities; they provide or assist the AAU to provide education of the highest possible quality within the limits of their abilities;
  - (d) carry out their study, professional and personal activities in a manner appropriate to meet their work and study commitments at AAU;
  - (e) when accepting an academic position, membership of an academic body or a leadership position, exercise their position in a proper, decent, and responsible manner, knowing that accepting a higher responsibility entails an obligation to adhere particularly closely to the Code of Conduct and to lead others to respect it;
  - (f) maintain confidentiality of the facts which they have learned in connection with the performance of their duties and which could harm or endanger the activities of the AAU (this obligation does not apply to facts which give rise to suspicion of an illegal act or violation of the Code of Conduct);
  - (g) maintain confidentiality of personal data or classified information to the extent provided for by law;
  - (h) are not under the influence of alcoholic beverages or other narcotic or psychotropic substances on the premises or in the official accommodation of the AAU;
  - (i) take care of personal hygiene and have a clean and tidy appearance that does not cause public nuisance;
  - (j) are respectful of AAU property and information technology and not allow intentional or irresponsible damage to it;
  - (k) attend meetings called by their supervisor, the Dean of School, the Dean of Students, the Vice President, or the President, or are absent only for serious reasons and with proper excuse;
  - (l) arrive on time for meetings, classes and any events organized by AAU; do not disturb in case of late arrival;
  - (m) if a behavior policy is violated, accept the sanction imposed and comply with the time limit and conditions for proving themselves, if applicable.

#### 4. Standards of Conduct in Educational Activities

AAU teachers:

- i. recognize and fulfill the AAU educational principles and other policies as articulated in the Faculty Code and the Faculty Handbook;
- ii. are responsible for the quality of their own teaching; to this end, they maintain the high quality of the teaching aids they provide, including their adaptation to the current state of scientific knowledge;
- iii. recognize the need for self-development in order to achieve the highest possible quality of teaching and research;
- iv. they selflessly pass on general knowledge and their own knowledge to students and young researchers, setting a personal example of the moral principles of education, research and development; they do not arbitrarily deny access to teaching;
- v. their teaching and communication methods enable and support the establishment of a teacher-student relationship based on mutual respect and trust;
- vi. their teaching and communication methods foster a relationship with academic freedom and support the development of students' independent and critical thinking, as well as their professional development;
- vii. communicate openly, timely and fairly with students, without regard to personal sympathies and with a conscious effort to be impartial; they do not underestimate, humiliate, or belittle students;
- viii. in their teaching and assessment, they act in a factual, fair, and unbiased manner, based on clear and predetermined criteria that reflect only performance in a given study obligation and not the student's personality, relationship with the student or other irrelevant factors; they do not favor or disadvantage one student or group of students over another;
- ix. conduct instruction in an effective and efficient manner so that students achieve the prescribed learning outcomes; do not significantly interfere with instruction with material that is not related to the subject matter, nor allow disruption of instruction;
- x. evaluate student performance without unreasonable and unexcused delays;
- xi. through their dealings with students, they promote the desired level of collegial relations at AAU.

## 5. Standards of Conduct in Creative Activities

Members of the AAU community (including students) who are involved in scientific, research, development and innovation, artistic or other creative activities:

- i. aim their creative activities at expanding knowledge and do not consciously and unreasonably duplicate existing research;
- ii. ensure the use of up-to-date scientific knowledge, accuracy, impartiality, and adequate procedures;
- iii. ensure that their creative activities are relevant to society and that their results benefit society;
- iv. respect the plurality of scientific approaches and are open to other scientific views;
- v. approach their own and others' work rationally and with critical distance;
- vi. are open to teamwork;
- vii. when publishing the results of their creative activity, they take care to ensure their completeness, objective interpretation, and verifiability; they do not conceal any mistakes, take responsibility for them, and try to correct them;
- viii. are governed by the professional ethics of the relevant discipline;
- ix. take care of the effective and efficient use of resources spent on creative activities, take adequate care of researched materials and data, their protection and archiving according to standard procedures;
- x. comply with the principles of intellectual property protection, ensure that the results of their creative activity are accurately stated and do not provide the results to third parties for their personal benefit;
- xi. do not appropriate the results of others' work of others and do not commit any form of plagiarism, including self-plagiarism;
- xii. do not falsify or fabricate data;
- xiii. take care to publish the results of their creative work ethically, do not use dubious publishing platforms and do not divide publications on purpose in an attempt to increase their number;
- xiv. present the results of their creative activities not only to the professional but also to the general public;
- xv. when carrying out assessment, review, or other evaluation activities, they ensure impartiality and independence, protect the intellectual property of the authors under review and shall not provide the evaluated materials to third parties or use them for any purpose other than the preparation of the respective evaluation.

## 6. Standards of Conduct in Studies

AAU students:

- i. recognize and fulfill the AAU educational principles and other policies as articulated in the Student Handbook;
- ii. respect the authority of the teachers and their instructions during teaching, do not interfere with teaching;

- iii. behave in the study areas in such a way as not to disturb the study of others;
- iv. observe the degree of autonomy expected of them and others in the performance of their study duties (they do not request, accept, offer, or give assistance or cooperation in any study duty for which it is stated or may reasonably be assumed that assistance or cooperation is not permitted),
- v. use only authorized materials, aids, or methods in the preparation of study assignments and in testing; do not distribute or possess items that may facilitate cheating (such items include, but are not limited to, unauthorized books, notes, telephones, computers, microphones, electronic and other devices capable of storing information, etc.),
- vi. Do not appropriate the results of others' work and commit any form of plagiarism, including self-plagiarism.

## 7. Plagiarism

- i. Plagiarism obscures the authorship of a work or the degree of its originality. Members of the AAU community are expected to create and submit works of which they are the author. Plagiarism can apply to all works of authorship – verbal, audiovisual, visual, computer programs, etc. Examples of plagiarism can be:
  - (a) Verbatim plagiarism: verbatim use of another's work or part of it without proper acknowledgement of the source and designation as a verbatim quotation,
  - (b) Paraphrasing plagiarism: paraphrasing someone else's work or part of it without proper acknowledgement of the source,
  - (c) Data plagiarism: use of other people's data without proper acknowledgement of the source,
  - (d) False quotation: publishing a text that is not a verbatim quotation as a verbatim quotation,
  - (e) Fictitious citation: quoting, paraphrasing, or referring to an incorrect or a non-existent work,
  - (f) Inaccurate citation: citing sources in such a way that they cannot be found and verified,
  - (g) Ghostwriting: commissioning work from others and passing it off as one's own,
  - (h) Patchwriting: using someone else's work or works (albeit with proper acknowledgement of sources and proper attribution) to such an extent that the output contains almost no original contribution,
  - (i) Self-plagiarism: unacknowledged reuse of one's own work (or part of it) that has been produced or submitted as part of another course of study or that has been published in the past,
  - (j) Collaborative plagiarism: delivering the result of collective collaboration as one's own individual output.
- ii. The use of artificial intelligence tools to search sources, to process, analyze and summarize data, and to provide suggestions or feedback in order to improve content, structure, or style, defined here as AI-assisted writing, is not in itself plagiarism. However, it is plagiarism if, as a result, it obscures the authorship of the work produced or the degree of its originality (see the examples above).
- iii. A work (text, image, video, sound, code, etc.) generated by artificial intelligence based on a mass of existing data, defined here as AI-generated work, is not considered a work of authorship. Therefore, if an AI-generated work (e.g. text) is part of the author's work, it must be marked as AI-generated. Otherwise, it obscures the authorship and/or the degree of originality, and thus constitutes plagiarism.

## 8. Reporting Suspected Violations of the Code of Conduct

- i. If a member of the AAU community has credible knowledge of an illegal act or violation of the Code of Conduct, they are asked to report it, even anonymously, to the suspect's supervisor or to their own supervisor (the students' supervisor is the Dean of their School; if the student is not enrolled at any AAU school, it is the Dean of Students). Thus, the informer may not only be the recipient of the inappropriate conduct, but also a witness to the incident in question or another party who has knowledge of the incident in question, even if not directly involved.
- ii. Members of the AAU community may choose either a formal report, which always leads to the handling of a suspected violation of the Code of Conduct, or a private/confidential/anonymous report, which will be investigated in either case but does not automatically lead to the handling of a suspected violation of the Code of Conduct.
- iii. Before formally reporting, it is recommended that everyone first consider informal means of resolution, such as informal discussions with the help of an appropriate supervisor or mediator.
- iv. **Formal reporting:** in the case of student misconduct, the report is submitted to the student's School Dean (if the student is not enrolled at any AAU school, to the Dean of Students); in the case of employee misconduct, the report is submitted to the Ethics Committee. The report must be submitted in writing, together with supporting evidence. The report must include:
  - (a) a description of the act, including the time and place where the act was to be committed (if known),
  - (b) identification of the person who should have committed the act (if known),
  - (c) a justification as to why the act is considered a violation of the AAU Code of Conduct, or identification of the specific standard of the Code of Conduct that should have been violated,

- (d) the evidence on which the complaint is based (e.g. witness statements, etc.),
- (e) the complainant's contact details (at least the school email address).

Submissions that do not meet these conditions are not considered.

- v. All members of the AAU community have the right to, and can expect that formally correct submissions will be properly investigated and resolved in accordance with the Code of Conduct. Formal reporting provides the reporting person with privacy and only a small group of administrative staff will be aware of the case and must be informed. Information will be shared with investigators, witnesses, and the appropriate party as appropriate. The circle of informed people will be kept as small as possible to preserve rights and privacy.
- vi. **Informal (private) reporting:** members of the AAU community may seek advice from persons who are not required to disclose private, personal information (unless there is a concern for the safety of the reporting person or others). These individuals include staff members who are not responsible for addressing and correcting actions against the Code of Conduct or internal regulations, such as faculty members, Student Council advisor, Student Services Center staff, Career Center staff, Admissions staff, HR Department, and others. Some individuals are authorized to share incident reports with their supervisors, but do not share any personally identifiable information about the report unless given permission; an exception would be the unlikely event that the incident reveals a need to protect the victim or other members of the AAU community. If any personal information is shared, it will be shared with as few people as possible and every effort will be made to protect privacy.
- vii. **Confidential Reporting:** members of the AAU community who would like to keep the details of an incident confidential, may speak with the Psychological Counselor. AAU Psychological Counseling Center is available free of charge.
- viii. **Anonymous reporting:** if a member of the AAU community does not wish to report misconduct in person, they may do so by submitting an anonymous report. In the case of an anonymous report without contact information, the person cannot be informed of the outcome.

## 9. Addressing Violations of the Code of Conduct by Students

The procedure for dealing with violations of the Code of Conduct and other regulations by students is regulated in the Code of Discipline for Students.

## C. Addressing Violations of the Code of Conduct by Employees

### 1. Violation of the Code of Conduct

- i. The Code of Conduct is violated intentionally if the offender intended to violate or compromise the AAU standards of conduct by their conduct, or knew that their conduct could violate or compromise those standards and acknowledged that it might do so. The Code of Conduct is violated by negligence if the offender knew that their conduct might violate or compromise the AAU standards of conduct, but without reasonable grounds relied on the fact that it would not do so, or did not know that their conduct might violate or compromise the AAU standards of conduct, even though they should and could have known this under the circumstances and in light of their personal circumstances. Negligence is sufficient for liability for a violation of the Code of Conduct.
- ii. An attempted violation of the Code of Conduct is an act that is immediately directed toward the completion of an act in violation of the Code of Conduct and that is committed by a person with the intent to violate the Code of Conduct if the act is not completed. Such conduct is punishable in the same way as a completed act.
- iii. A violation of the Code of Conduct cannot be dealt with if a period of one year has elapsed since its commission or since the entry into force of a criminal conviction by which a person was found guilty of conduct that gives rise to liability for a violation of the Code of Conduct.

### 2. Ethics Committee

- i. The AAU Ethics Committee is established to review cases of violation of the Code of Conduct by an employee.
- ii. The Ethics Committee shall have at least three members.
- iii. The President appoints and removes the chairperson and members of the Ethics Committee after consultation with the Faculty Senate. In selecting the proposed persons, the President shall consider their integrity and, in the case of AAU employees, their moral authority and several years of experience in the field of higher education. To handle a particular case, the Ethics Committee may appoint additional ad hoc members in an advisory capacity, depending on the nature of the case under consideration and the specifics of the discipline.
- iv. The term of office of the members of the Ethics Committee is two years. When appointing the Ethics Committee, the President shall ensure continuity of its activities and adequate representation of both sexes.

- v. The term of office of a member of the Ethics Committee shall commence on the date on which the member is appointed. The term of office of a member of the Ethics Committee shall expire:
  - (a) on expiry of the period for which the member was appointed,
  - (b) by ceasing to be eligible for membership,
  - (c) by resignation, on the date on which the decision on the resignation of the member is delivered to the President,
  - (d) by removal by the President, on the date of delivery of the President's decision, unless a later date is specified in such decision.
- vi. The appointment of a member of the Ethics Committee, as well as the appointment of an ad hoc member of the Ethics Committee, and their participation in the work of the Committee shall be conditional upon the written consent of the appointee, coupled with an undertaking of confidentiality regarding all confidential or otherwise sensitive aspects of the complaints under consideration. If a member of the Ethics Committee is excluded from consideration of a matter, the President shall appoint a substitute member of the Ethics Committee for the purpose of considering the matter.
- vii. The Ethics Committee cooperates with other AAU bodies, the President's permanent advisory bodies and the bodies of individual Schools in the exercise of its competence. It shall be entitled to request from these bodies further documentation on the complaint under consideration, including their opinions, and the views of members of the AAU community.
- viii. Meetings of the Ethics Committee shall be chaired by its chairperson or a member designated by the chairperson.
- ix. The Ethics Committee shall have a quorum if a majority of its members, including the chairperson (or the designee), are present at the meeting. A resolution shall be adopted if a majority of the members of the Committee present vote in favor of it. In case of equal votes, the chairperson may cast a decisive vote.
- x. Meetings of the Committee are closed to the public. Other persons, e.g. witnesses, may attend at the invitation of the Committee or its chairperson. Upon request, the Committee shall allow the accused's supervisor and the President or the Vice President designated by the President to attend the meeting. The accused may be represented by an attorney or other representative at a meeting of the Committee, subject to the granting of a power of attorney.
- xi. If the chairperson is temporarily unable to exercise their functions under these rules, a member delegated by the chairperson shall exercise them during the absence.

### **3. Addressing Suspected Violations of the Code of Conduct**

- i. The Ethics Committee is responsible for receiving and handling complaints. The Ethics Committee may also initiate the handling of suspected violations of the Code of Conduct on its own initiative.
- ii. Anyone who receives a formal report of a suspected violation of the Code of Conduct and is not responsible for dealing with the complaint shall forward the complaint to the Ethics Committee without undue delay and within one week at the latest.
- iii. The Ethics Committee is obliged to take the necessary evidence and to handle the case so that it can be established beyond reasonable doubt whether the act occurred and whether the accused committed the offense. The handling must be initiated, conducted, and concluded without undue delay.
- iv. At any time after the complaint is received, the Ethics Committee may decide, depending on the nature of the case, on a provisional organizational measure against the accused person, and the latter shall be obliged to comply with such organizational measure. Such measures include, for example, a change in the work schedule (including teaching), restrictions on participation in classes or activities of the AAU, restrictions on access to the AAU premises or accommodation, an obligation to refrain from certain conduct or communication, whether in relation to specific persons or in general, etc.
- v. The chairperson of the Ethics Committee, or the designee, shall take one of the following steps within one week of receipt of a formally reported complaint:
  - (a) if it is deemed appropriate, initiate an informal handling of the complaint;
  - (b) begin a formal handling of the complaint;
  - (c) if the complaint is formally incomplete, ambiguous, unsupported by any evidence or factually unrelated to the Code of Conduct, ask the complainant to complete it within a specified period of at least one week. If the completion does not remedy the defects, the chairperson shall reject the complaint; at their discretion, the chairperson may refer the complaint to a superior for resolution as a complaint of violation of work duties.
- vi. The informal handling is a process that can be used in situations where the substance of the complaint is the harm caused to the complainant or a third party. The informal handling means that the chairperson of the Ethics Committee will attempt to resolve the issue informally and amicably with both parties. This must be completed within three weeks. If the complainant accepts the outcome of the informal efforts as an adequate resolution, the complaint will be dropped with a notation that an informal resolution has been reached. Otherwise, a formal handling shall be initiated within one week of the conclusion of the informal handling.

- vii. The formal handling of the complaint is initiated by the chairperson of the Ethics Committee who:
  - (a) informs the suspect in writing of the allegation of a violation of the Code of Conduct, including a description of the act, the time and place where the act was supposed to have been committed (if known), the reasons why the act is considered a violation of the AAU standards of conduct, or the specific standard of the Code of Conduct that was supposed to have been violated, and the evidence on which the complaint is based,
  - (b) gives the person two weeks to make a written statement, to provide a list of witnesses or relevant documents; a face-to-face meeting may be held within the same period if appropriate,
  - (c) informs the accused person's supervisor.
- viii. False or misleading statements during the handling may lead to additional sanctions.
- ix. The Ethics Committee takes its decision at its meeting. It shall invite the accused person to attend, giving at least one week's notice. The invitation shall include notification of the opportunity to comment on the decision's grounds. The accused person may attend the entire meeting, except the deliberations and voting of the Ethics Committee. An oral hearing may be held in the absence of the accused person only if they fail to attend without due excuse or without sufficient reasons, although duly invited, or if they expressly state that they do not wish to attend.

#### **4. Participation in the Handling and Exclusion from the Handling**

- i. Anyone involved in a handling regarding a suspected violation of the Code of Conduct shall be bound to maintain the confidentiality of facts that come to their knowledge in connection with the handling and which, in order to ensure the proper handling or in the interests of others, require to be kept secret. They shall be released from that obligation only on the grounds laid down by a special law or if the person concerned consents.
- ii. Each member of the AAU community is required to appear at a subpoenaed hearing and testify about facts relevant to the hearing if their testimony is offered into evidence. However, testimony may be withheld from any person who would place themselves or a person close to them in danger of prosecution for a criminal or administrative offense. The Ethics Committee shall ensure that any oral hearings with the complainant and the accused are held in such a way that they do not meet.
- iii. Anyone who may reasonably be presumed, in view of their relationship to the case, to the involved parties or to their representatives, to have such an interest in the outcome of the handling that their impartiality may be doubted shall be excluded from all acts in the handling in the performance of which they could influence the outcome of the handling.
- iv. A party to the handling may object to the partiality of a person involved in the hearing of a complaint as soon as the party becomes aware of it, but no later than 15 days after becoming aware of it. The objection shall be disregarded if the party to the handling has demonstrable knowledge of the ground for exclusion but fails to raise the objection without undue delay. The chairperson of the Ethics Committee, or the President if the bias of the chairperson of the Committee is alleged, shall decide on the objection by resolution without delay.
- v. Anyone who becomes aware of circumstances indicating that he or she has been excluded shall immediately inform the chairperson of the Ethics Committee, who shall immediately decide whether the person concerned is excluded. If the chairperson of the Ethics Committee becomes aware of circumstances indicating that he or she is excluded, the chairperson shall immediately inform the President, who shall immediately decide whether the chairperson of the Committee is excluded. Pending the decision on partiality, only such acts may be taken in the handling as cannot be delayed.
- vi. If the supervisor of the person suspected of violating the Code of Conduct is excluded from the handling, the next person up the line of the AAU organizational structure shall replace them.

#### **5. Result of the Handling**

- i. The handling results in a record of the handling and a resolution as to whether the conduct in question was a violation of the Code of Conduct and, if so, a determination of responsibility for the conduct and the seriousness of the offense. The resolution shall include a statement of reasons.
- ii. The Ethics Committee shall, by resolution, discontinue the handling if
  - (a) it fails to prove that the act in question occurred, was a violation of the Code of Conduct, or was committed by the accused,
  - (b) the accused ceased to be a member of the AAU community,
  - (c) the conditions for the accused to be held liable for an act under the general legal provisions are not met,
  - (d) a period of one year has elapsed since the commission of the offense or since the entry into force of a criminal conviction by which the accused was found guilty of conduct that gives rise to liability for the violation of the Code of Conduct.



- iii. The resolution of discontinuation may include a determination of whether the conduct in question was a violation of the Code of Conduct and, if so, a determination of responsibility for the conduct and the seriousness of the offense. The resolution shall include a statement of reasons.
- iv. Unless compelling external circumstances prevent it, the resolution must be issued without undue delay, normally within 45 days of the formal handling of the complaint. The resolution, including the statement of reasons and an indication of the possibility to file an appeal, shall be sent without delay by e-mail to the accused person, to the complainant and to the persons concerned, including the accused person's supervisor. The resolution is deemed to have been communicated the day after the email was sent.
- v. The complainant or the accused may request a review of the case by the President within 30 days of receipt of the resolution. The appeal must be submitted to the Ethics Committee. The Ethics Committee may only grant the appeal by altering the decision or annulling it, otherwise it will forward the appeal to the President for decision. The President shall amend or annul a decision which has been made in contravention of the law or an internal regulation, or where the decision has not been sufficiently substantiated. In all such cases, the President shall explain their decision in writing. This decision may not be appealed and shall become final on the date of delivery.

## **6. Confidentiality**

- i. All proceedings are confidential and conducted in accordance with the General Data Protection Regulation (GDPR). The outcome can only be shared with those directly involved (including the complainant) or who need the information to carry out their work (or other) duties.
- ii. The identity of the complainant and other persons involved is reasonably known only to those responsible for handling the complaint.
- iii. Confidentiality includes, but is not limited to, the name of the person(s), as well as identifying features, descriptions, pseudonyms or other elements or factors that may enable third parties to identify the person(s), and details of the conduct in question, provided that they are specific enough to identify the circumstances or parties involved.
- iv. Examples of situations where confidentiality cannot be maintained include circumstances where disclosure of information is required by law or where the requirement for disclosure outweighs the protection of the right to confidentiality (e.g., allowing the accused to prepare a defense).
- v. If the identities of the parties must be disclosed, confidentiality will be expected and required of those who have a right to and necessarily must know the identities of the parties.
- vi. A breach of confidentiality may be a violation of Czech law and legal action may be taken against the party who violated it. Violations of confidentiality may also result in disciplinary action by the AAU.

## **7. False Accusations and Protection from Retaliation**

- i. Initial allegations of a violation of the Code of Conduct that are found to be false and malicious may themselves become the basis for a charge of a violation of the Code of Conduct, as may the intentional misrepresentation of information in the handling of a suspected violation of the Code of Conduct.
- ii. However, any allegations made in good faith, even if false, will not be subject to a charge of a violation of the Code of Conduct against the complainant, and efforts will be made to ensure that retaliation does not occur in connection with the good faith reporting of the alleged violation of the Code of Conduct.
- iii. Retaliation and/or reprisals against an individual who in good faith reports or provides information about conduct that may violate the Code of Conduct are against the law and will not be tolerated.

## **8. Relationship to Violation of Work Duties**

- i. Violation of the rules of the Code of Conduct by an employee may, depending on its nature and other circumstances of the case, be assessed as a violation of the legal obligations related to the person's work, or as a failure to comply with the requirements for the proper performance of work (hereinafter referred to as "violation of work duties"). However, not every violation of the Code of Conduct is a violation of work duties and not every violation of work duties is a violation of the Code of Conduct. Therefore, the resolution of one and the other, including the decision on possible sanctions, may be independent of each other: suspected violations of the Code of Conduct are handled by the Ethics Committee; suspected violations of work duties are handled and the sanction is determined by the supervisor or by a person higher up in the AAU organizational structure.
- ii. The Ethics Committee does not have the authority to impose a sanction for violation of the Code of Conduct. Any sanction shall be decided by the supervisor of the accused employee or by a person higher up in the organizational structure of AAU. In imposing sanctions, the nature of the conduct, the circumstances under which it occurred, the consequences caused, the degree of culpability, as well as the accused's past conduct and the efforts shown to

remedy its consequences shall be taken into account. The imposition of a sanction may be waived if the hearing of the violation of the Code of Conduct itself leads to a remedy.

#### **D. Final Provisions**

- i. Each new member of the AAU community must be duly acquainted with this Code and the related regulations by the date of commencement of their activity at the AAU.
- ii. All members of the AAU community are required to receive training on the meaning and application of the Code of Conduct and related regulations at least once every three years.
- iii. This Code was approved by the Board of Trustees on June 5, 2023 and comes into effect forthwith. On the effective date, the Code approved on June 13, 2022 shall be repealed.