

# **INTERNAL REGULATION OF JANÁČEK ACADEMY OF MUSIC AND PERFORMING ARTS IN BRNO**

**of 21 August 2017**

## **Rules of Scholarship**

The Academic Senate approves the following internal regulation of Janáček Academy of Music and Performing Arts in Brno (hereinafter referred to as “JAMU”) on a proposal from His Magnificence Mister Rector prof. Ing. MgA. Ivo Medek, Ph.D.:

### **PART ONE LEGAL REGULATION**

#### **Article 1**

#### **Legislation and Rules of Scholarships and Bursaries**

(1) Scholarships and bursaries are regulated by Section 91 of Act No. 111/1998 Sb., on higher education and on amendments and supplements to certain other acts (the Act on Universities), as amended. Further regulations of the scholarship and bursaries and proceedings for the award thereof are contained, in particular, in Section 62 (1) (i), Section 68 and 69a (2 and 3) of the Act on Universities.

(2) The Rules of Scholarship regulate scholarships and bursaries, the eligibility criteria for the award thereof and details of the scholarship/bursary award proceedings.

### **PART TWO SCHOLARSHIP, BURSARIES AND CONDITIONS FOR THE AWARD THEREOF**

#### **CHAPTER ONE**

#### **General provisions**

#### **Article 2**

#### **Eligibility**

Students are eligible for a scholarship or a bursary from the funds pertaining to Janáček Academy of Music and Performing Arts in Brno (hereinafter referred to as “JAMU”), if they fulfil the conditions for the award of the same as set forth in the present internal regulation.

#### **Article 3**

#### **General conditions for the award of a scholarship or bursary**

(1) The award of a scholarship, except for the obligatory bursary, is subject to the sufficient amount of the funds allocated to payment in the budget of JAMU or any part thereof from which the scholarship is to be paid.

(2) A scholarship is not awarded if the student was awarded a scholarship, for the same reasons, by the Ministry of Education, Youth and Sports (hereinafter referred to as the “Ministry”).

(3) No scholarship or bursary is awarded if the student fails to specify a bank statement for the payment thereof in the JAMU electronic information system (hereinafter referred to as the “JAMU information system”).

#### Article 4

##### **Scholarship period**

(1) The scholarship period is a period for which or in which the fulfilment of the eligibility criteria for the award of a scholarship or a bursary is assessed.

(2) If a person who was awarded a scholarship or a bursary ceases to fulfil the eligibility criteria in the given scholarship period, the entitlement to a scholarship or a bursary shall cease to exist and the payment shall be terminated on such date.

#### Article 5

##### **Scholarship payment**

Bursaries, accommodation bursaries and doctoral scholarships are paid on the pay dates fixed in the applicable decision of the Bursar. Other scholarships are paid without undue delay after the award thereof.

### CHAPTER TWO

#### **SCHOLARSHIPS AND BURSARIES**

#### Article 6

##### **Scholarship for excellent study results**

(1) Scholarships for excellent study results are awarded to students for outstanding study results during the scholarship period, which, in this case, is the entire period of study. Scholarships for excellent study results are awarded to students who achieved total average score of at least 95 points and passed the state examination with “distinction”.

(2) The scholarship for excellent study results amounts to CZK 7,000.

#### Article 7

##### **Scholarship for creative results**

(1) Scholarships for creative results may be awarded to a student who achieved outstanding scientific, research, development, innovative, artistic or other creative results contributing to deepening knowledge, including (without limitation):

- a) outstanding representation of JAMU in art competitions and festivals;
- b) outstanding professional activity for the benefit of the tutorial facility, faculty, JAMU or the academia of JAMU.

(2) The scholarship in accordance with (1) b) may be awarded to a student twice per semester only.

## Article 8

### **Scholarship for a specific research**

A scholarship for a specific research may be awarded to a student for a research, development and/or innovative activity pursuant to the Act on the support of research, experimental development and innovation<sup>1</sup>, following the acceptance of a project in a student grant competition organized by JAMU.

## Article 9

### **Bursary**

A bursary may be awarded to a student in the event of the student's onerous social situation.

## Article 10

### **Obligatory bursary**

(1) A bursary is always awarded to a student who is eligible to a child allowance pursuant to the special legislation<sup>2</sup>, provided the applicable household income ascertained for the purpose of the child allowance does not exceed the amount of the household minimum subsistence level multiplied by 1.5. Students may claim the bursary only once for a specific period of time.

(2) The obligatory bursary is awarded for a standard period of time of 10 months in the academic year; the monthly amount of the obligatory bursary corresponds to one quarter of the basic rate of the minimum wages<sup>3</sup> per month where such amount of the scholarship is rounded up to the next highest tens of crowns.

(3) Students prove that they are eligible to a bursary by way of a written certificate issued by the state social security authority awarding the child allowance which confirms that the household income ascertained for the purposes of the child allowance in the third calendar quarter did not exceed the amount of the household minimum subsistence level multiplied by 1.5. The certificate for the purposes of awarding the obligatory bursary shall be valid for 21 months after the expiry of the quarter for which the household income was ascertained.

## Article 11

### **Extraordinary scholarship**

An extraordinary scholarship may be awarded to a student on special occasions, such as:

- a) reimbursement for the provably incurred costs of the student's participation in
  1. an art competition; or
  2. an event within the fulfilment of study tasks arising from study plans;

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<sup>1</sup> Act No. 130/2002 Sb. (Coll.), on the support of research and development from public funds and on the amendment to some related acts, as amended

<sup>2</sup> Section 17 of Act No. 117/1995 Sb. (Coll.), on state social benefits, as amended.

<sup>3</sup> Decree of Government No. 567/2006 Sb. (Coll.), on minimum wages, the lowest levels of guaranteed wages, definition of hazardous working environment and extra payment for work in the hazardous working environment, as amended,

- b) financial support of projects supporting the development of JAMU in the implementation of its accredited study programmes and related educational or artistic activity.

#### Article 12

##### **Scholarship to support studies**

Scholarship to support studies may be awarded to a student

- a) to support their study abroad within an institutionally supported study programme;  
or
- b) in the Czech Republic.

#### Article 13

##### **Accommodation bursary**

(1) An accommodation bursary is awarded to a student who

- a) is enrolled for a full-time (“daily”) study;
- b) has not exceeded the standard period of study;
- c) has not a place of permanent residence in the territory of Brno-město district.

(2) Scholarship period for accommodation bursaries consists of the following accommodation periods:

- a) One: from 1 October to 31 December;
- b) Two: from 1 January to 31 March;
- c) Three: from 1 April to 30 June.

(3) Accommodation bursaries are awarded for the entire scholarship period or any remaining part thereof, they are paid for each accommodation period separately. The amount of the accommodation bursary for each scholarship period is determined in a decision issued by the Rector. If a student is eligible for the accommodation bursary only for a part of any accommodation period, the amount shall be calculated on a pro-rata basis.

### CHAPTER THREE

#### **Scholarships in doctoral study programmes**

##### Article 14

##### **Doctoral scholarship**

(1) Doctoral scholarships may be awarded to students of full-time (“daily”) doctoral study programmes for the standard period of study, taking account of:

- a) the amount of allowance or subsidy for this type of scholarship;
- b) recommendations of the tutor and the Doctoral Board;
- c) student’s period of study;
- d) study results achieved by the student.

(2) The scholarship period for doctoral scholarships shall be the academic year.

## Article 15

### **Other scholarships and bursaries**

(1) In addition to the doctoral scholarship, students of doctoral study programmes may also be awarded:

- a) Scholarship for creative results;
- b) Scholarship for a specific research;
- c) Obligatory bursary;
- d) Extraordinary scholarship, in particular for results of creative activities achieved by the student, as well as for tutorial and other activities of the student in a faculty of JAMU;
- e) Study abroad scholarship.

(2) Other scholarships in accordance with Chapter Two are not awarded to students of doctoral study programmes.

## CHAPTER FOUR

### **Scholarship programmes**

#### Article 16

(1) The Rector or the Dean may announce scholarships in a scholarship programme beyond those specified in Chapter Two and Chapter Three.

(2) The announcement of such scholarship programme shall at least contain the eligibility criteria for the award thereof, the amount and method of calculation of the scholarship and application deadlines.

## PART THREE

### **PROCEEDINGS FOR THE AWARD OF SCHOLARSHIP**

#### CHAPTER ONE

##### **First-instance proceedings**

#### Article 17

##### **Body competent in the first-instance proceedings**

The body competent in the first-instance proceedings to decide on the award of the scholarship shall be:

- a) be the Dean with respect to applications;
- b) in other cases, the body which issued the decision on the award of the scholarship.

#### Article 18

##### **Party to proceedings**

A party to the proceedings for the award of scholarship may only the student whose scholarship is concerned.

## Article 19

### **Application to institute proceeding**

- (1) Applications are lodged
  - a) by the student in cases of the scholarship for excellent study results, obligatory bursary, accommodation bursary and extraordinary scholarship;
  - b) by the student through the head of the relevant tutorial facility in all other cases.
- (2) The application must clearly indicate
  - a) the first name, surname, date of birth and place of permanent residence of the student;
  - b) the type of scholarship applied for;
  - c) the reason why the scholarship should be awarded and a list of supporting documents.

## Article 20

### **Filing an application**

Applications are filed with the competent body electronically via the JAMU information system. Documents may be submitted in paper format in the filing room of the relevant unit of JAMU.

## Article 21

### **Commencement of the proceedings**

- (1) Proceedings commence on the day on which JAMU received an application for scholarship/bursary from the person authorized to do so. If the application lacks any necessary details or suffers from other defects, JAMU shall request the applicant to remove such defects, providing a reasonable deadline.
- (2) The Rector or the Dean of the relevant faculty may commence the proceedings for the award of scholarship/bursary on its own initiative; in such case the issue of a decision shall be the first step taken by JAMU in the scholarship award proceeding.

## Article 22

### **Assessment of the fulfilment of the eligibility criteria**

- (1) The fulfilment of eligibility criteria is assessed for the scholarship period, if applicable, otherwise on a case-by-case basis.
- (2) Before the issue of a decision, JAMU is not obliged to notify the student that the same may comment on the supporting documents provided with the application; the student shall not be able to inspect the file until the student is notified of such decision.

## Article 23

### **Discontinuance of proceedings**

- (1) The proceedings shall be discontinued by a resolution of the competent body if
  - a) the applicant withdrew the application;
  - b) the application filed is obviously inadmissible;
  - c) the applicant failed to remove substantial defects of the application, preventing the proceedings from continuing;
  - d) other proceedings have already commenced or another decision was made in the case for the same reason;
  - e) the applicant has died.

(2) The proceedings commenced by the competent body on its own initiative shall be discontinued if the reason for the proceedings has been eliminated, in particular if the applicant has died. This resolution shall be recorded in the file only.

## Article 24

### **Decisions**

(1) Decisions are made in writing and they bear the stamp of JAMU and signature of the person who issued the decision. Decisions contain the holding, reasoning and advice on remedies.

(2) The holding of the decision shall indicate whether the scholarship or the bursary, if applicable, is awarded, the provisions under which the decision was made and the name, date of birth and place of permanent residence of the student.

(3) The reasoning shall indicate the reasons for the holding of the decision, explanations for the issue of the decisions, deliberations taken into account by the competent body in assessing the application and in interpreting legal and internal regulations, as well as information how the competent body dealt with the student's requests. No reasoning is required if the first-instance body accommodates the student's requests in full scope.

(4) The advice shall indicate that appeals may be lodged within 30 days from the day of notification, that a decision on the appeal shall be made by the Rector and that appeals are lodged with the Rector or if the Dean was the first-instance body, appeals are lodged with the Rector through the Dean. The appeal shall always have the effect of suspending the decision.

## CHAPTER TWO

### **Appellate proceedings**

## Article 25

### **Appeals**

(1) Students may appeal the decision within 30 days from the day of its notification unless they waived the right to appeal in writing. No delay in lodging an appeal shall be excused. The appeal shall have the effect of suspending the decision.

(2) Appeals may contest the holding of the decision. No appeals against the reasoning only shall be admissible.

(3) Appeals shall contain:

- a) the first name, surname, date of birth and place of permanent residence of the student;
- b) the case concerned;
- c) the decision appealed against, the scope in which it is appealed against, the conflict with legal or internal regulations or incorrectness of the decision or the proceedings preceding the decision as perceived by the student. Appeals which do not specify the scope in which the appellant contests the decision shall be deemed to seek the annulment of the entire decision.

#### Article 26

##### **Appellate procedure**

(1) The first-instance body may annul or amend the contested decision if the appeal is granted in full scope. No appeal shall lie against such decision.

(2) If the body of JAMU which issued the contested decision does not find the condition for the procedure in accordance with paragraph (1) above, it shall refer the file, incl. its opinion, to the appellate body within 30 days from the day on which the appeal was received.

#### Article 27

##### **Nova**

Any new facts and requests to produce new evidence contained in the appeal or during the appellate proceedings shall be taken into account only if such facts or evidence could not be applied before. If pleaded by the student that the same could not take any action in the first-instance proceedings, such action must be taken together with the appeal.

#### Article 28

##### **Appellate body**

The Rector shall be the appellate body. The Rector reviews the compliance of the contested decision and the proceedings preceding the issue of the contested decision with the legal and internal regulations, and the correctness of the contested decision. No defects of the proceedings which may not be reasonably deemed to have affected the compliance of the contested decision with the applicable legal and internal regulations, and/or its correctness, shall be taken into account.

#### Article 29

##### **Decisions in appellate proceedings**

(1) Decisions in appellate proceedings shall be given by the Rector with a time-limit of 30 days. The time-limit shall start to run on the day on which the file was referred to the Rector for decision. The Rector may not amend the contested decision to the detriment of the appellant unless the contested decision is in violation of the legislation or internal regulations.

(2) If the Rector concludes that the contested decision is in violation of the legislation or internal regulations or that it is incorrect, the Rector shall



- a) annul the contested decision, or any part thereof, and discontinue the proceedings;
- b) annul the contested decision, or any part thereof, and refer the matter back to the Dean for further consideration; where in the reasoning of such decision, the Rector shall explain their legal opinion which shall be binding for the body which issued the decision in the new proceedings; or
- c) amend the contested decision, or any part thereof.

(3) If the Rector learns about a fact providing grounds for discontinuance of the proceedings, the same shall annul the contested decision and discontinue the proceedings. Any delayed or inadmissible appeal shall be rejected by the Rector.

(4) If the Rector does not find any grounds for the procedure according to paragraphs (2) or (3) above, the same shall reject the appeal and uphold the contested decision. If the Rector amends or annuls the contested decision in part only, the same shall uphold the remaining part.

(5) Article 24 shall apply to decisions in appellate proceedings with necessary modifications; the holding shall indicate the decision about the appeal and the reasoning shall indicate that no appeal shall lie against a decision in appellate proceedings.

## Article 30

### **Follow-up measures**

Following the decision of the Rector, the bodies of JAMU or any units thereof shall take such measures so as to restore the rights of the students and to remove or at least to mitigate the consequences of the defective decision.

## CHAPTER THREE

### **Common provisions**

#### Article 31

##### **Delivery**

Decisions and other documents concerning the award of a scholarship or a bursary to a student shall be delivered through the JAMU information system; the decision shall be deemed to have been delivered and notified to the student on the first day following the day on which the decision was made available and accessible in the JAMU information system.

#### Article 32

##### **Principles**

The basic principles of the activity of the administrative bodies<sup>4</sup> shall apply to the proceedings for the award of the scholarship/bursary.

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<sup>4</sup> Sections 2 to 8 of the Administrative Procedure Code

PART FOUR  
**COMMON, TRANSITIONAL AND CONCLUDING PROVISIONS**

Article 33

**Common provisions**

Scholarships and bursaries are paid by wire transfer to the bank account of the student notified by the student to JAMU through the JAMU information system. If the payment of the scholarship or bursary may not be made to the bank account notified by the student in the JAMU information system on the day of making the decision, JAMU shall request the student to rectify the situation; if the student fails to do so within 15 days after such request, the student's right to such scholarship awarded shall cease to exist.

Article 34

**Transitional provisions**

Pending proceedings which were not finally and conclusively closed before the effect of the present internal regulation shall be finished in compliance with the previous regulations. If a decision was cancelled before the effect of the present internal regulation and referred back for further consideration by the competent body, the previous regulations shall apply.

Article 35

**Repealing provisions**

The Rules of Scholarship of Janáček Academy of Music and Performing Arts in Brno dated 22 June 2017 registered by the Ministry on 22 June 2017 under Ref. No. MSMT-18573/2017 is hereby repealed.

Article 46

**Effective date**

The present internal regulation shall come into force on the day of its registration by the Ministry, and it shall become effective on the first day of the first calendar month following the month in which it came into force.

prof. Ing. MgA. Ivo Medek, Ph.D., m.p.

Rector

prof. PhDr. Silva Macková, m.p.

Chairperson of the Senate

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