

*In accordance with Section 36 (2) and (5) of Act No.111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Some Other Acts (the Higher Education Act), the Ministry of Education, Youth and Sports registered the Election Regulations of the Academic Senate of the Silesian University in Opava on 25 August 2017 under No. MSMT-12380/2017.*

*Amendments to the Election Regulations of the Academic Senate of the Silesian University in Opava were registered by the Ministry of Education, Youth and Sports pursuant to Section 36 (2) and (5) of the Higher Education Act on 31 October 2019 under No. MSMT-34506/2019-2 and on 11 April 2022 under no. MSMT-8303/2022-1.*

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Director of the Higher Education Department

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## **II. Consolidated text**

# **Election Regulations of the Academic Senate of the Silesian University in Opava of 11 April 2022**

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## **PART ONE GENERAL PROVISIONS**

### **Article 1**

#### **Introductory provisions**

- 1) The Academic Senate of the Silesian University in Opava (hereinafter referred to as the "Senate") is a self-governing representative academic body of the Silesian University in Opava (hereinafter referred to as the "University") pursuant to Act No. 111/1998 Coll., on Higher Education and on Amendments and Supplements to Some Other Acts (the "Higher Education Act"), as amended (hereinafter referred to as the "Act").
- 2) The Senate shall be governed by the Act, the Statute of the Silesian University in Opava (hereinafter referred to as "Statute"), these Election Regulations of the Academic Senate of the Silesian University in Opava (hereinafter referred to as "Election Regulations") and the Rules of Procedure of the Academic Senate of the Silesian University in Opava (hereinafter referred to as "Rules of Procedure").
- 3) The Senate shall ensure that democratic principles are applied in the management of the University and that academic freedoms of all members of the University's academic community are respected so that the educational, scientific, artistic and professional activities of the University can be developed on this basis.
- 4) The Senate is accountable for its activities to the academic community of the University.

## **PART TWO SENATE MEMBERSHIP**

## **Article 2**

### **Senate Composition**

- 1) The number of members of the Senate and the division of the Senate into chambers are regulated by the Statute.
- 2) If a member of the academic community of the University is active in more than one unit or is both a student and an academic staff member, they shall choose one unit and one chamber where they shall be entitled to vote and be elected. They shall inform the Chairman of the Senate in writing, who shall inform the Central Election Committee in writing.

## **Article 3**

### **Term of office**

- 1) The length of the Senate's term of office is set by the Statute.
- 2) The mandate of a Senate member shall originate upon election, the responsibilities shall be assumed on the date of the constituent session of the Senate to which they were elected or, in the case of an alternate or a member elected in a by-election, on the date of the session of the Senate at which they take office.
- 3) The term of office of a Senate member ends:
  - a) on the date of the Senate's term of office end,
  - b) due to six months of inactivity of the Senate,
- 4) During the term of office, membership of the Senate shall cease
  - a) on the date of a written notification to the Chairman of the Senate of the member's resignation,
  - b) on the date of termination of the membership of the part of the University's academic community to which they were elected,
  - c) on the date of appointment to an office, the performance of which is incompatible with membership of the Senate pursuant to Section 8(2) of the Act,
  - d) by death,
  - e) by dismissal.
- 5) If a member of the Senate has failed to attend a Senate meeting three times without proper excuse, their dismissal may be proposed by a Senate member.
- 6) If the membership of a Senate member ceases before the expiry of their term of office, the vacancy shall be filled by the alternate with the highest number of votes obtained within the relevant unit and chamber in accordance with Article 10.
- 7) If a student elected to the Senate is accepted in another, immediately succeeding study programme during their term of office, their membership of the Senate shall not cease under Article 10(4).

## **PART THREE**

### **SENATE ELECTIONS**

#### **Article 4**

##### **Elections Announcement**

- 1) The Chairman of the Senate shall announce elections to the Senate at least two months before the end of their term of office.
- 2) In the event of the expiry of the term of office of all members of the Senate pursuant to Section 8(3) of the Act, the Rector shall announce new elections within 30 days at the latest.
- 3) The Central Election Committee determines the time of the Senate elections.
- 4) The announcement of the Senate elections shall be published on the University's official notice board and in the public section of the University's and units' websites.
- 5) On the basis of a decision of the Central Election Committee, elections to the Senate may be held partially or fully electronically by means of a computer network, while the conditions under the law must be met even in this form. The Central Election Committee shall be notified of the resolution referred to in the first sentence together with a document on the technical details of the organisation, conduct and security of such elections.

#### **Article 5**

##### **Election Committee**

- 1) For the purposes of the organisation and management of the Senate elections, a Central Election Committee and individual sub-committees are established. The election sub-committees shall be set up separately for each unit.
- 2) The Central Election Committee must be composed of at least three members. The members of the Central Election Committee shall be members of the academic community of the University appointed by the Chairman of the Senate on the basis of a Senate resolution. Each unit shall be represented in the Central Elections Committee by at least one member. It shall not be of importance whether the representative of the unit is an academic staff member or a student.
- 3) An election sub-committee must be composed of at least three members. The members of the faculty's election sub-committee shall be appointed by the Chairman of the Academic Senate of the Faculty on the basis of a resolution of the Academic Senate of the Faculty. The members of the election sub-committee for a higher education institute and for students in study programmes run jointly by the University and the higher education institute shall be appointed by the Chairman of the Senate on the basis of a resolution of the Senate.

- 4) The Central Election Committee elects a Chairman and a Vice-Chairman. The sub-committees shall elect their own chairmen.
- 5) The Central Election Committee organises the actual conduct of the elections in cooperation with the Academic Senates of the individual faculties and draws up the election protocol.
- 6) Elections are organised at the faculties by the Academic Senates of the faculties, at other parts of the University by the Senate. Elections are organised by election sub-committees, which are responsible for their proper conduct.
- 7) The election sub-committees shall set the specific dates and locations for the Senate elections on not less than two and not more than four consecutive days on which classes are held, while allowing at least four hours of voting at each polling place each day. Information on the dates and locations of the elections shall be published on the University's notice board and in the public section of the University's website no later than 14 days before the first day of the Senate elections.
- 8) The Central Election Committee is entitled to check the activities of the sub-committees. On the initiative of a voter, it shall, without delay, carry out an inspection in the necessary extent. It shall carry out the inspection through its authorised members.
- 9) The Rector's Office provides the Central Election Committee with administrative facilities.
- 10) Membership of the Central Election Committee or an election sub-committee is incompatible with candidacy for the Senate. In the event that a member of an election committee accepts a candidacy for election, their membership of the election committee shall cease. Membership shall further be terminated upon resignation or with the termination of membership in the academic community of the University. Another member shall be appointed immediately to fill the vacancy.
- 11) In the event of the announcement of elections pursuant to Article 4(2), the Rector shall appoint the members of the Central Election Committee, while they may take into account the recommendations of the Academic Senates of the Faculties.
- 12) In the event of a by-election, an election sub-committee shall be established in accordance with paragraph 3.

## **Article 6**

### **Lists of eligible voters**

- 1) Lists of eligible voters are drawn up by the sub-election committees on the basis of the lists of students and academic staff submitted to the committees by the Deans and the director of the university institute no later than 15 days before the first day of the election.
- 2) Voters are kept by the chambers to which they vote.

## **Article 7**

### **Candidates**

- 1) Each unit shall compile a separate list of candidates for Senate membership from its academic staff and students.
- 2) Candidates for the Senate may be nominated by any member of the University's academic community within their chamber in a manner determined by the election sub-committee. The nomination must be in writing and must include the name of the nominee, the name of the unit, the job title or study programme and the year of study. The proposal must also include the consent of the nominee to run for the Senate.
- 3) The election sub-committees will publish the list of candidates for the Senate on the official notice board and in the public section of the University's and individual units' websites no later than 3 working days before the first day of the Senate elections.
- 4) The election sub-committee will arrange for the printing of ballots through the Dean's Office of the Faculty or the Rector's Office. The ballot paper must be made in such a way that the voting can be done easily, usually by crossing or circling the pre-printed names.
- 5) Campus election rallies may be held with all candidates or in support of individual candidates. The individual units shall ensure that a level playing field is maintained for campaigning. Election rallies may not be held on election days.

## **Article 8**

### **Election process**

- 1) Elections in each unit are held separately by chamber.
- 2) The polling station or other designated voting area must provide for adjusting the ballot papers to ensure a secret ballot.
- 3) The voter shall present their student, employee or ID card to the members of the election sub-committee present.
- 4) The voter, when receiving the ballot papers, shall confirm in writing that they have performed voting only for this part.
- 5) Once the voter's identity has been verified and they have been marked on the election roll, they are issued with a ballot paper.
- 6) The names of the Senate candidates are listed on the ballot papers in alphabetical order. The information on the ballot paper must be given in such a way that the persons of the candidates for the Senate are clearly identifiable.
- 7) A voter may cast their vote on the ballot paper in the prescribed manner for as many candidates as there are members of the Senate for that part and chamber to be selected. The method of marking and the conditions of validity of the ballot shall be stated on the ballot paper. A ballot paper which has been marked otherwise than in the prescribed

manner shall be invalid.

- 8) After each election day, the election sub-committee shall keep the sealed ballot box in a locked area.

## **Article 9**

### **Election results**

- 1) The election sub-committee shall count the ballots cast no later than the last day of the election and draw up a report on the conduct of the election and the results of the election.
- 2) The validity of elections in each unit requires the participation of at least 10% of the members of the respective academic community in the respective chamber. In the event that the participation of the members of the relevant part of the academic community in a given chamber is lower, the Central Election Committee shall call a second round of elections in that part, in which the percentage of participation of the members of the relevant academic community shall no longer be taken into account.
- 3) Elected to the Senate are:
  - a) 4 of the nominated members of the Faculty Academic Staff Chamber who receive the highest number of votes,
  - b) 3 of the nominated student members of the Faculty Student Chamber who receive the highest number of votes,
  - c) 1 of the nominated members from among the academic staff of the higher education institute who receives the highest number of votes,
  - d) 1 of the nominated members from among the students of the study programmes carried out by the University together with the higher education institute, who receives the highest number of votes.
- 4) If there is a tie in the number of votes for the election of a candidate to the Senate, another election shall be called to decide between the candidates with the tie votes.
- 5) The report on the conduct of the elections and the results of the elections and the envelopes containing the ballot papers cast shall be handed over without delay by the chairman of the election sub-committee or a member of the election sub-committee authorised by them to the Central Election Committee, which shall draw up a final report on the elections. The Central Election Committee shall prepare and distribute a model protocol on the conduct and results of the elections to the sub-committees no later than the day before the first day of the Senate elections.
- 6) The results of the election are published on the official bulletin board of the University and in the public section of the University's and individual units' websites immediately after they have been determined.
- 7) A voter may lodge a complaint against the preparation, conduct and results of the election with the Central Election Committee within 3 days of the publication of the

election results. The complaint must be in writing and state the reasons for it. The Central Election Committee shall examine the validity of the election within 10 days of receiving the complaint. The decision of the Central Election Committee shall be final. The text of the complaint and the decision with the reasons for it shall be published on the official notice board of the University and in the public section of the University's and the units' websites.

- 8) In the event of irregularities that jeopardise the legitimacy of the elections, the Central Election Committee, in cooperation with the Chairman of the Senate, shall call a rerun election. The decision to hold a rerun election must be taken no later than 21 days after the last day of the election. Rerun elections shall be called in those chambers and units where there has been malpractice. The rerun election shall be held no later than 10 days after the decision on the rerun election, in accordance with Article 8.

## **Article 10**

### **Alternates**

- 1) Candidates for the Senate who have taken the consequent places in their respective chambers and who have obtained at least one third of the number of valid votes cast for the last elected candidate shall be included in the list of alternates in the order of the number of votes received. The list shall be kept among the documents of the Senate.
- 2) The vacancy in the Senate shall be filled by an alternate from the list of the relevant chamber with the highest number of votes; if there is more than one alternate with the highest number of votes, a by-election shall be held instead, as provided for in No 11. The alternate shall serve only for the remainder of the relevant term of office.
- 3) The alternate must consent to their accession to the Senate.
- 4) A member of the Senate who has been elected as a student and who has duly completed a Bachelor's degree programme and enrolled in a subsequent Master's degree programme at the same unit, or who has duly completed a Master's degree programme and enrolled in a doctoral degree programme at the same unit, shall notify the Chairman of the Senate in writing within seven days of the date of their duly completed studies that they intend to become an alternate. In such a case, they shall be included as an alternate on the list of alternates for a maximum period of 5 months and shall be called back to the Senate after enrolment (hereinafter referred to as the 'period of proceedings'). They may be replaced by an alternate who must agree to be placed back on the list of alternates in the event of the original member returning to the Senate.
- 5) If a candidate fails to notify the Senate within the time limit laid down in paragraph 4 that they wish to become an alternate, their membership of the Senate shall cease and they shall not be an alternate.
- 6) If an applicant is not admitted to study in accordance with paragraph 4 within the time limit, they shall cease to be an alternate.
- 7) If no alternate is available, no by-election shall be called during the period of the procedure referred to in paragraph 4.

- 8) A member of the Senate who has resigned may declare in a written statement that they intend to remain an alternate.
- 9) Anyone may resign as an alternate by writing to the Chairman of the Senate.
- 10) The mandate of the alternate shall cease under the conditions set out in Article 3(3) and (4).

## **Article 11**

### **By-elections**

- 1) By-elections to the Senate shall be called by the Chairman of the Senate no later than 30 days after the expiry of the membership of a member of the Senate whose seat cannot be filled by an alternate.
- 2) A by-election need not be held if the membership of a member of the Senate is terminated during 9 months preceding the expiry of the Senate's term of office, unless the Senate decides otherwise.
- 3) The elections provisions shall apply to by-elections appropriately.
- 4) Candidates not elected to the Senate in by-elections do not become alternates.

## **PART FOUR**

### **TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 12**

##### **Transitional provisions**

- 1) Elections called before the effective date of these Election Regulations shall be governed by the existing regulations. The term of office of members of the Senate elected in elections held under the previous rules shall not be affected by these Election Regulations.
- 2) A member of the Senate elected prior to the effective date of these Election Regulations on behalf of academic staff of the Institute of Mathematics in Opava and students of study programmes jointly conducted by the University and the higher education institute shall be treated as a member elected pursuant to Article 9(3)(c) or (d), depending on whether they are an academic staff member of the higher education institute or a student of study programmes jointly conducted by the University and the higher education institute. The calling of a by-election for the remaining member under Article 9(3)(c)

or (d) shall be governed by Article 11.

## **Article 13**

### **Final provisions**

- 1) The Election Regulations and Rules of Procedure of the Academic Senate of the Silesian University in Opava, registered by the Ministry of Education, Youth and Sports 2006 under No. 17 477/2006-30 on 4 October, is hereby repealed.
- 2) These Election Regulations were approved under section 9(1)(b)(3) of the Act by the Senate on 23 August 2017.
- 3) These Election Regulations become valid pursuant to Section 36(4) of the Act on the date of registration by the Ministry of Education, Youth and Sports.
- 4) These Election rules shall become effective on the first day of the calendar month following the day on which they become valid.

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Amendments to the Election Regulations of the Academic Senate of the Silesian University in Opava were approved by the Academic Senate of the Silesian University in Opava pursuant to Section 9(1)(b) of Act No.111/1998 Coll., on Higher Education and on Amendments and Supplements to Some Other Acts (Act on Higher Education), as amended, on 16 October 2019 and 11 January 2022.

Amendments to the Election Regulations of the Academic Senate of the Silesian University in Opava become valid pursuant to Section 36(4) of the Higher Education Act on the date of registration by the Ministry of Education, Youth and Sports.

Amendments to the Election Regulations of the Academic Senate of the Silesian University in Opava become effective on the valid day.

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Rector