

The Ministry of Education, Youth and Sports registered in accordance with Section 36(2) and (5) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (Higher Education Act), on under ref. no. Election Rules of the Academic Senate of Silesian University in Opava.

.....
Mgr. Karolína Gondková
Director of the Higher Education Department



Election Rules of the Academic Senate of Silesian University in Opava dated

Election Rules of the Academic Senate of Silesian University in Opava dated

PART ONE

BASIC PROVISIONS

Article 1

Introductory provisions

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

PART TWO

MEMBERSHIP IN THE SENATE

Article 2

Composition of the Senate

- 1) The Senate has twenty-two members.

- 2) The Senate is elected by the academic community of the university so that each faculty is represented by seven members, three of whom are students and four of whom are academic staff. The Senate is divided into a chamber of academic staff and a chamber of students.
- 3) The academic community of the university component pursuant to Section 22(1)(b) of the Act – the Mathematical Institute in Opava and students of study programmes offered by the university (hereinafter referred to as the “university-wide chamber”) are jointly represented in the Senate by one member.
- 4) If a member of the academic community of the university is active in more than one component or is both a student and an academic staff member, they shall choose one component and one chamber in which they shall have the right to vote and be elected. They must inform the Chair of the Senate of this fact in writing, who shall then inform the Central Election Commission of this fact in writing.

Article 3

Term of office

- 1) The term of office of the Senate is three years.
- 2) The mandate of a Senate member arises upon election, with the term of office commencing on the day of the constituent meeting of the Senate to which they were elected or, in the case of a substitute or member elected in a by-election, on the day of the Senate meeting at which they took office.
- 3) The term of office of a member of the Senate shall end:
 - a) on the date of expiry of the Senate's term of office,
 - b) due to six months of inactivity by the Senate,
- 4) During the term of office, membership in the Senate shall expire:
 - a) on the date of written notification to the President of the Senate of the member's resignation,
 - b) on the date of termination of membership in the part of the university academic community by which the member was elected,
 - c) on the date of appointment to a position which, pursuant to Section 8(2) of the Act, is incompatible with membership of the Senate,
 - d) upon death,
 - e) upon dismissal.
- 5) If a member of the Senate fails to attend three Senate meetings without a valid excuse, a member of the Senate may propose his or her dismissal. The proposal shall be forwarded to the academic senate of the relevant faculty for comment.
- 6) The Senate votes on the dismissal of a member of the Senate, taking into account the opinion of the relevant academic senate of the faculty. The decision is forwarded to the chair of the academic senate of the faculty.
- 7) If the membership of a Senate member expires before the end of their term of office, the vacant position shall be filled by the substitute with the highest number of votes obtained by the relevant unit and chamber in accordance with Article 10. If no substitute is available, by-elections shall be held in accordance with Article 11.
- 8) If a student elected to the Senate is admitted to another, immediately following study programme during his or her term of office, his or her membership in the Senate shall not terminate pursuant to Article 10(4).

PART THREE

SENATE ELECTIONS

Article 4

Announcement of elections

- 1) The President of the Senate shall announce elections to the Senate at least two months before the end of his or her term of office.
- 2) In the event that the terms of office of all members of the Senate expire pursuant to Section 8(3) of the Act, the Rector shall announce new elections within 30 days at the latest.
- 3) The period for holding Senate elections shall be determined by the Central Election Commission.
- 4) The announcement of Senate elections shall be published on the university's official notice board and in the public section of the university's website and its constituent parts.
- 5) At a faculty where, according to its internal regulations, elections to the faculty academic senate may be conducted partially or entirely electronically via a computer network, elections to the Senate may also be conducted in this manner on the basis of a resolution of the faculty academic senate, provided that the conditions laid down by law are met. The resolution referred to in the first sentence must be notified to the Central Election Commission together with a document setting out the technical details of the organisation, conduct and security of such elections. Elections may only be held electronically with the consent of the Central Election Commission.

Article 5

Election Commission

- 1) For the purposes of organising and conducting elections to the Senate, a Central Election Commission and individual sub-election commissions shall be established. A sub-election commission shall be established separately for each component.
- 2) The Central Election Commission must have at least three members. The members of the Central Election Commission are members of the university's academic community, appointed by the Chair of the Senate on the basis of a Senate resolution. Each constituent unit must be represented by at least one member in the Central Election Commission. It is not decisive whether the representative of the constituent unit is an academic staff member or a student.
- 3) The sub-election committee must have at least three members. The members of the sub-election committees at the faculties are appointed by the chair of the faculty academic senate on the basis of a resolution of the faculty academic senate. The members of the sub-election committee for the university-wide chamber (Article 2(3)) are appointed by the chair of the Senate on the basis of a resolution of the Senate.
- 4) The Central Election Commission elects its chairperson and vice-chairperson. The sub-election commissions elect their chairpersons.
- 5) The Central Election Commission organises the election process in cooperation with the academic senates of the individual faculties and draws up the election protocol.
- 6) Elections are organised by the academic senates of the faculties, and in other parts of the university, elections are organised by the Senate. Elections are organised by sub-election commissions, which are responsible for their proper conduct.

- 7) The sub-election committees set the specific date and venue for the Senate elections for at least two and at most four consecutive days when classes are held, and at the same time so that it is possible to vote at each polling station for at least four hours each day. Information on the date and locations of the elections shall be published on the university's official 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 Commission is authorised to monitor the activities of the sub-election commissions. At the request of a voter, it shall carry out the necessary checks without delay. The checks shall be carried out by its authorised members.
- 9) The Rector's Office provides administrative support to the Central Election Commission.
- 10) Membership in the Central Election Commission or a sub-election commission is incompatible with candidacy for the Senate. If a member of the election commission accepts candidacy in the elections, their membership in the election commission shall terminate. Membership shall also terminate upon resignation from office or upon termination of membership in the academic community of the university. Another member must be appointed to the vacant position without delay.
- 11) In the event of elections being announced in accordance with Article 4(2), the members of the Central Electoral Commission shall be appointed by the rector on the basis of recommendations from the academic senates of the faculties and the university-wide chamber.
- 12) In the event of a by-election, a sub-election committee shall be established by the academic senate of the faculty from whose academic community the member of the Senate is to be elected.

Article 6

Lists of eligible voters

- 1) Lists of eligible voters shall be drawn up by the sub-election commissions on the basis of lists of students and academic staff provided to the commissions by the deans and directors of higher education institutions no later than 15 days before the first day of the elections.
- 2) Voters are listed according to the chambers in which they vote.

Article 7

Candidates

- 1) Each faculty shall compile separate lists of candidates for membership in the Senate from among its members for academic staff and students; the remaining parts of the university shall compile a single joint list of candidates.
- 2) Candidates for the Senate may be nominated by any member of the university's academic community within their chamber in the manner determined by the sub-election commission. The nomination must be in writing and must include the first and last name of the nominee, the name of the department, job title or study programme and year of study. The nomination must also include the nominee's consent to stand for election to the Senate.

- 3) The sub-election committee shall publish the list of candidates for the Senate on the official notice board and in the public section of the university's website and the websites of individual departments no later than three working days before the first day of the Senate elections.
- 4) The sub-election committee shall arrange for the printing of ballot papers through the dean's office of the faculty or the rector's office. The ballot paper must be designed in such a way that voting can be carried out easily, usually by crossing out or circling the pre-printed names.
- 5) Pre-election meetings of the academic community with all candidates or in support of individual candidates may be held at the constituent parts. The individual constituent parts shall ensure that equal conditions are maintained for the conduct of the election campaign. Pre-election meetings may not be held on election days.

Article 8

Conduct of elections

- 1) Elections at each constituent unit shall be held separately according to chambers.
- 2) In the polling station or other designated voting area, it must be possible to mark ballot papers in such a way as to ensure secret voting.
- 3) Voters shall prove their identity to the members of the sub-election commission present by means of a student ID, employee ID or identity card.
- 4) Upon receiving their ballot papers, voters confirm in writing that they have only voted at this constituent body.
- 5) After verification of identity and marking in the voter list, the voter shall be issued a ballot paper.
- 6) The names of the candidates for the Senate are listed in alphabetical order on the ballot papers. The information on the ballot paper must be provided in such a way that the candidates for the Senate are clearly identifiable.
- 7) Voters may cast their votes on the ballot paper in the prescribed manner for as many candidates as there are members of the Senate to be elected for the relevant constituency and chamber. The method of marking and the conditions for the validity of the ballot paper must be indicated on the ballot paper. Ballot papers that have been marked in a manner other than that prescribed are invalid.
- 8) After each day of voting, the sub-election commission shall store the sealed ballot box in a locked room.

Article 9

Election results

- 1) The sub-election committee shall count the submitted ballot papers no later than the last day of the election and draw up a report on the course of the election and the election results.
- 2) For the election to be valid in each constituent part, at least 10% of the members of the relevant academic community in the relevant chamber must participate. If the participation of members of the relevant academic community in a chamber is lower, the central election committee shall announce a second round of elections in that unit, in which the percentage participation of members of the relevant academic community shall no longer be taken into account.

- 3) The following are elected to the Senate:
 - a) 4 of the nominated members of the faculty academic staff chamber who receive the highest number of votes,
 - b) 3 of the nominated students of the faculty who receive the highest number of votes,
 - c) 1 of the nominated members of the university-wide chamber who receives the highest number of votes.
- 4) If there is a tie in the order decisive for the election of a candidate to the Senate, further elections shall be held to decide between the candidates with equal votes.
- 5) The minutes of the election proceedings and results and the envelopes containing the submitted ballot papers shall be forwarded without delay by the chair of the sub-election commission or a member of the sub-election commission authorised by him or her to the Central Election Commission, which shall draw up the final minutes of the election. The Central Election Commission shall prepare a template for the protocol on the course and results of the elections and send it to the sub-election commissions no later than one day before the first day of the Senate elections.
- 6) The election results shall be published immediately after they have been determined on the university's official notice board and at the same time in the public section of the university's website and the websites of its individual departments.
- 7) Voters may lodge a complaint against the preparation, conduct and results of the elections with the Central Election Commission no later than three days after the publication of the election results. The complaint must be in writing and must state the reasons. The Central Election Commission shall assess the validity of the election within 10 days of receiving the complaint. The decision of the Central Election Commission is final. The text of the complaint and the decision with justification must be published on the university's official notice board and on the public section of the university's website and the websites of its individual departments.
- 8) In the event of an error that jeopardises the regularity of the election, the Central Election Commission, in cooperation with the Chair of the Senate, shall announce a repeat election. The decision to repeat the elections must be made no later than 21 days after the last day of the elections. Repeat elections shall be announced in those chambers and departments where the misconduct occurred. Repeat elections shall be held no later than 10 days after the decision to repeat the elections, in accordance with Article 8.

Article 10

Substitutes

- 1) Candidates for the Senate who came next in their chambers and who received at least one-third of the valid votes cast for the last elected candidate shall be entered in the list of substitutes in order of the number of votes received. The list shall be kept among the documents of the Senate.
- 2) A substitute from the list of the relevant chamber with the highest number of votes shall take up the vacant seat in the Senate. The substitute shall perform his or her duties only for the remainder of the relevant term of office.
- 3) The substitute must give their consent to join the Senate.
- 4) A member of the Senate who was elected as a student and has duly completed a bachelor's degree programme and enrolled in a follow-up master's degree programme at the same faculty, or has duly completed a master's degree programme and enrolled in a doctoral degree programme at the same faculty, may notify the President of the Senate in writing within 7 days

of the date of duly completing their studies that they intend to become a substitute. In such a case, they will be included as a substitute in the list of substitutes for a maximum period of 5 months and called to the Senate after enrolment in the programme (hereinafter referred to as the "proceedings period"). They may be replaced by a substitute, who must agree that in the event of the return of the original member of the Senate, they will be returned to the list of substitutes.

- 5) If the candidate is not admitted to study within the specified period pursuant to paragraph 4, they shall cease to be a substitute.
- 6) If no substitute is available, no by-elections shall be held during the period of proceedings under paragraph 4.
- 7) A member of the Senate who has resigned their mandate may declare in a written statement that they intend to remain a substitute.
- 8) Anyone may resign from the position of substitute by writing to the President of the Senate.
- 9) The mandate of a substitute shall expire under the conditions specified in Article 3(3) and (4).

Article 11

By-elections

- 1) By-elections to the Senate shall be announced by the President 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 a substitute.
- 2) By-elections need not be held if the membership of a member of the Senate expires within nine months before the end of the Senate's term of office, unless the Senate decides otherwise.
- 3) The provisions on elections shall apply mutatis mutandis to by-elections.
- 4) Candidates who are not elected to the Senate in by-elections shall not become substitutes.

PART FOUR

TRANSITIONAL AND FINAL PROVISIONS

Article 12

Transitional provisions

Elections announced before the effective date of these election rules shall be governed by the existing regulations. The term of office of members of the Senate elected in elections held under the existing regulations shall not be affected by these election rules.

Article 13

Final provisions

- 1) The Election and Procedural Rules of the Academic Senate of the Silesian University in Opava, registered by the Ministry of Education, Youth and Sports on 4 October 2006 under ref. no. 17 477/2006-30, are hereby repealed.
- 2) These election rules were approved by the Senate on 23 August 2017 in accordance with Section 9(1)(b)(3) of the Act.
- 3) These election rules shall enter into force 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 take effect on the first day of the calendar month following the date they came into force.

doc. Ing. Pavel Tuleja, Ph.D., v. r.
Rector

