

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 (the Higher Education Act), on under ref. no. MSMT- /2019, an amendment to the Election Rules of the Academic Senate of Silesian University in Opava dated 25 August 2017.

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Mgr. Karolína Gondková
Director of the Higher Education Department



I. Amendment to the Election Rules of the Academic Senate of Silesian University in Opava dated 25 August 2017

I. Amendment

Election Rules of the Academic Senate of Silesian University in Opava dated 25 August 2017

Article 1

The Election Rules of the Academic Senate of Silesian University in Opava dated 25 August 2017 are amended as follows:

1. In Article 2, paragraph 1) is deleted and replaced with a new paragraph 1), which reads as follows:
"1) The number of members of the Senate and the division of the Senate into chambers shall be governed by the Statutes."
2. In Article 2, paragraphs 2) and 3) are deleted.
3. In Article 2, the existing paragraph 4) is renumbered as paragraph 2).
4. In Article 3, paragraph 1 shall be deleted and replaced by a new paragraph 1, which shall read as follows:
"1) The length of the Senate's term of office shall be determined by the Statute."
5. In Article 3, paragraphs 4) to 8) are deleted and replaced by new paragraphs 4) to 7), which read as follows:
"4) During the term of office, membership in the Senate shall terminate:
 - 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.
 - 6) If the membership of a member of the Senate expires before the end of his or her term of office, the vacant seat shall be filled by the substitute with the highest number of votes obtained by the relevant component and chamber of the Senate pursuant to Article 10. If no substitute is available or if there are several substitutes with the highest number of votes, a by-election shall be held in accordance with Article 11.
 - 7) If a student elected to the Senate is admitted to another, immediately following study programme during their term of office, their membership in the Senate shall not expire pursuant to Article 10(4).
6. In Article 4, paragraph 5) is repealed and replaced by a new paragraph 5), which reads as follows:
- "5) Based on a decision of the Central Election Commission, elections to the Senate may be conducted partially or entirely electronically via a computer network, provided that the conditions set out in the law are met. The resolution referred to in the first sentence must be announced by the Central Election Commission together with a document detailing the technical aspects of the organisation, conduct and security of such elections."
7. In Article 5, paragraph 3) is repealed and replaced by a new paragraph 3), which reads as follows:
- "3) The sub-election commission must have at least three members. The members of the sub-election commission at the faculty shall be appointed by the chair of the faculty's academic senate on the basis of a resolution of the faculty's academic senate. The members of the sub-election commission for the university institute and students of study programmes implemented by the university in cooperation with this university institute shall be appointed by the chair of the Senate on the basis of a resolution of the Senate."
8. In Article 5, paragraphs 11) and 12) are repealed and replaced by new paragraphs 11) and 12), which read as follows:
- "11) In the event of elections being announced pursuant to Article 4(2), the members of the Central Election Commission shall be appointed by the rector, taking into account the recommendations of the academic senates of the faculties."
- 12) In the event of supplementary elections, a sub-election commission shall be established in accordance with paragraph 3."
9. In Article 7, paragraph 1 shall be repealed and replaced by a new paragraph 1, which reads as follows:
- "1) Each constituent body shall compile separate lists of candidates for membership in the Senate for academic staff and students from among its members."
10. In Article 9, paragraph 3 shall be deleted and replaced by a new paragraph 3, which reads as follows:
- "3) The following shall be elected to the Senate:
- a) 4 of the proposed members of the faculty academic staff chamber who receive the highest number of votes,

Okomentoval(a): [ME1]: The Senate is an independent body, not subject to faculty senates and not obliged to inform them; in my opinion, these provisions do not belong here.

Okomentoval(a): [ME2]: If we were to allow a university-wide chamber, other members of the Senate (elected by the faculties) should also have the right to express their opinions; I therefore find the current provisions unsystematic. Restricting this to faculty senates excludes members of the academic community at higher education institutions. Hence the proposal for a new wording.

- b) 3 of the nominated members of the faculty's student chamber who receive the highest number of votes,
 - c) 1 of the nominated members from among the academic staff of the university institute who receives the highest number of votes,
 - d) 1 of the nominated members from among the students of study programmes carried out by the university together with the university institute who receives the highest number of votes."
11. In Article 10, paragraph 2) is deleted and replaced by a new paragraph 2), which reads as follows:
- "2) A substitute from the list of the relevant chamber with the highest number of votes shall take the vacant seat in the Senate; if there are several substitutes with the highest number of votes, by-elections shall be held in accordance with Article 11. The substitute shall perform his or her duties only for the remainder of the relevant term of office."
12. A new paragraph 2) is added to Article 12, which reads as follows:
- "2) A member of the Senate elected before the effective date of these election rules by the academic staff of the Mathematical Institute in Opava and students of study programmes offered by the university in cooperation with this higher education institution shall be regarded as a member elected in accordance with Article 9(3)(c) or (d), depending on whether they are an academic staff member of the Institute of Mathematics in Opava or a student of study programmes run by the university in conjunction with the institute. The announcement of by-elections for the remaining member pursuant to Article 9(3)(c) or (d) shall be governed by Article 11.

Article 2

Final provisions

- 1) This amendment to the Election Rules of the Academic Senate of the Silesian University in Opava of 25 August 2017 was approved in accordance with Section 9(1)(b)(3) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (the Higher Education Act), as amended, by the Academic Senate of the Silesian University in Opava on 16 October 2019.
- 2) This amendment shall enter into force pursuant to Section 36(4) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (Higher Education Act), as amended, on the date of its registration by the Ministry of Education, Youth and Sports.
- 3) This amendment shall take effect on 1 December 2019.

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

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