

In accordance with section 36(2) of Act No. 111/1998 Coll., on Higher Education Institutions and on the Modification and Amendment of Other Acts (the Higher Education Act), the Ministry of Education, Youth and Sports registered Masaryk University Academic Senate Election Regulations on 14 June 2020 under Ref. No. MSMT-20769/2019.

In accordance with section 36(2) of Act No. 111/1998 Coll., on Higher Education Institutions and on the Modification and Amendment of Other Acts (the Higher Education Act), the Ministry of Education, Youth and Sports registered modification No. I of the Masaryk University Academic Senate Election Regulations on 15 May 2020 under Ref. No. MSMT-20927/2020-1.

I.
CONSOLIDATED TEXT OF THE
MASARYK UNIVERSITY ACADEMIC SENATE ELECTION
REGULATIONS

(Applicable from 1 September 2020)

Section 1

Introductory provisions

- (1) The Masaryk University Academic Senate Election Regulations (hereinafter referred to as the "Regulations") apply to the Academic Senate of Masaryk University (hereinafter referred to as "AS MU"), which constitutes a self-governing representative academic body of Masaryk University (hereinafter referred to as "MU") in accordance with Act No. 111/1998 Coll. on Higher Education Institutions and on modifications and amendments to other acts (Higher Education Act), as amended (hereinafter referred to as the "Act"), and the Masaryk University Statutes (hereinafter referred to as the "MU Statutes").
- (2) In accordance with the Act and MU Statutes, these Regulations apply to the election of AS MU members.
- (3) For the purposes of these Regulations, the term "in writing" refers to transmission by e-mail using the Masaryk University Information System (hereinafter referred to as "IS MU")
 - a) to the e-mail address *asmu.vmk@muni.cz* for communication with the AS MU Electoral and Mandate Committee;
 - b) to the e-mail address in the format *UIN@mail.muni.cz* for communication with the AS MU chair (UIN is the university identification number to be found in the MU IS).

Section 2

Constituencies

- (1) *For the purposes of these Regulations, the MU academic community is subdivided into ten constituencies for the academic employees of individual MU faculties, ten constituencies for the students of individual MU faculties and one constituency for*

the academic employees of university-wide units, which, for the purposes of these Regulations, include university institutes and other MU facilities in accordance with Section 22(1)(c) of the Act.

- (2) For the purpose of exercising rights specified in these Regulations, each member of the academic community is assigned to one constituency.
- (3) In case a member of the MU academic community
 - a) is simultaneously a student and an academic employee or
 - b) works as an academic employee at two or more faculties or
 - c) works as an academic employee at a faculty and a university-wide unit or
 - d) is a student at two or more faculties,then his/her assignment to a constituency depends of his/her decision, which shall be made before submitting the candidacy (Section 9 hereof) or in the IS MU E-volby application (hereinafter referred to as the "Application") during voting (Section 12 (1) hereof).

Section 3

Election system

- (1) The academic employee constituency of each faculty elects three AS MU members and two substitutes from among its members.
- (2) The student constituency of each faculty elects two AS MU members and two substitutes from among its members.
- (3) Two student constituencies selected in accordance with the procedure set out in Section 7 (4) elect three AS MU members and two substitutes.
- (4) University-wide units elect three academic employee representatives and two substitutes.

Section 4

Electoral cycle

- (1) The AS MU electoral cycle lasts 36 calendar months. It begins on 1 January and ends on 31 December. The term of office of AS MU members is identical to the electoral cycle.
- (2) Summoned substitutes and members elected in a by-election and repeat election are considered members until the end of the AS MU electoral cycle.
- (3) A by-election is held in case the terms of office of all AS MU members have been terminated in accordance with Section 8 (3) of the Act.

Section 5

Electoral organization

Voting, including secret ballot, is carried out electronically through the Application.

Section 6

Election announcement

- (1) The election including timetable of tasks and deadlines is announced by the AS MU chair by the end of September of a calendar year in which the AS MU electoral cycle ends. If the chair fails to do so, the election is announced and the timetable determined by the Rector. The announcer then promptly informs the chair of the AS MU Electoral and Mandate Committee, who immediately publishes the announcement and timetable in the Application and informs the academic community members by e-mail.

- (2) The election announcement includes the designation of two constituencies in accordance with Section 3 (3).
- (3) The timetable includes:
 - a) the starting date for submitting candidacies (at least five business days of the announcement),
 - b) the closing date for submitting candidacies (at least two weeks of the starting date for submitting candidacies),
 - c) the date of publishing the candidates' names in the individual constituencies (during two business days after the end of submitting the candidacies),
 - d) the date of voting (at least one week after publishing the names of candidates in the individual constituencies; lasts at least one week).
- (4) The election is held in November of the calendar year in which the AS MU electoral cycle ends.

Section 7

AS MU Electoral and Mandate Committee

- (1) The election is managed by the AS MU Electoral and Mandate Committee (hereinafter referred to as the "Committee").
- (2) The chair and at least four other members of the Committee are appointed and dismissed by the AS MU from among the members of the MU academic community.
- (3) Membership in the Committee is incompatible with the candidacy to the AS ME. In case a Committee member intends to candidate, he/she must resign from the Committee. In case the number of the Committee members drops to fewer than five, the Committee must be completed without delay. In such case, if there is a risk of delay, members may also be appointed by the AS MU chair.
- (4) The Committee determines constituencies under Section 3 (3) by lot.
- (5) At the instigation of a member of the relevant constituency, the necessary inspection shall be carried out without delay.

Section 8

Electoral lists

- (1) The Committee verifies the correctness of the list of members of the relevant constituency and publishes it in the Application (without UINs).
- (2) The Committee immediately resolves any objections to the correctness of the list of constituency members.

Section 9

Candidates

- (1) A member of the relevant constituency may stand for election.
- (2) A declaration of candidacy, including the relevant constituency, must be sent in writing under Section 1 (3) (a) by the deadline specified in the timetable. The candidate may attach his/her election agenda, which shall be published in the Application. The chair or an authorized member of the committee confirms the receipt of the candidacy.

Section 10

Information on candidates and time of election

- (1) Prior to the publication of the list of candidates, the Committee members are obliged to maintain confidentiality of the candidates' names and election agendas. The Committee publishes the list of candidates in the alphabetic order during two business days following the closing date for submitting candidacies, however, no later than one week before the start of voting.

- (2) The Committee informs about the voting in progress by e-mail with a link to the Application.

Section 11
Election campaigns

- (1) Pre-election meetings with all candidates or campaigns in support of individual candidates may take place at faculties and university-wide units.
- (2) In this context, faculties and university-wide units strive to ensure equal conditions for the conduct of the election campaign.

Section 12
Voting procedure

- (1) In accordance with the determined timetable, the Application is open for voting for a minimum of one week.
- (2) A voter may use the Application to cast a vote for the number of candidates equal to the number of AS MU members elected in the relevant constituency.
- (3) No preliminary election results are announced.

Section 13
Election results determination

- (1) Using the Application, the Committee determines the election results in the relevant constituency no later than on the first business day after the last day of election.
- (2) No mandatory minimum voter turnout is set for any constituency.
- (3) Candidates with the highest numbers of votes in their constituency are elected.
- (4) Two non-elected candidates with the highest number of votes become substitutes.
- (5) In case an equal number of votes are obtained by members or substitutes, the Committee determines their order by lot.
- (6) The voting results are available in the Application after the end of voting.
- (7) The Committee announces the names of elected candidates after the vain lapse of the period for filing complaints or after their settlement and publishes them on the AS MU website.
- (8) The Committee provides each elected member with a certificate confirming their election to the AS MU.

Section 14
Complaints

- (1) A voter may file a complaint with the Committee, reporting a violation of law, MU Statutes or these Regulations during the course of preparation of the election, the election campaign, the organization of election or the determination of election results. The complaint must be filed no later than five days after the announcement of election results.
- (2) The complaint must be sent in writing under Section 1 (3) (a) and must include a statement of reasons.
- (3) The Committee shall consider the complaint and shall decide within five business days after the end of the period for filing complaints mentioned in subsection 1. The complainant shall be invited to the negotiation of the complaint. A decision on the complaint shall be then attached to the election minutes.
- (4) An appeal against the decision on the complaint may be filed to the AS MU in writing, addressed to the AS MU chair under Section 1 (3) (b). An appeal does not have the suspensive effect.

Section 15
Repeat election

- (1) An election or its part is repeated in case a serious violation of election policies and rules may have affected the election results.
- (2) Repetition of the election is decided by the Committee pursuant to a complaint.
- (3) A repeat election is regulated by provisions applicable to elections, as appropriate.

Section 16
By-election

- (1) A by-election is held in case no substitute is available for a vacant AS MU position or in case all substitute members declined to fill such a position or in case the regular election did not successfully fill all positions.
- (2) In case a position is vacated in the last six months of an electoral cycle, the faculty academic senate may decide that it is not necessary to hold a by-election.
- (3) A by-election is regulated by provisions applicable to elections, as appropriate.

Section 17
Membership termination

- (1) Membership in the AS MU during an electoral cycle is terminated:
 - a) as of the day of termination of membership in the academic community of the relevant constituency,
 - b) as of the day of entry into office incompatible with AS MU membership,
 - c) as of the day of resignation from the AS MU.
- (2) AS MU members announce the termination of membership for reasons listed in subsection 1 to the AS MU chair in writing under Section 1 (3) (b).

Section 18
Maintaining membership on admission to follow-up studies

- (1) AS MU membership is not terminated in the case of a student who, during his/her term of office, successfully completes the studies in a degree programme implemented by a faculty linked to the constituency he/she was elected to represent in the AS MU in case he/she is admitted to a follow-up degree programme implemented by the same faculty.
- (2) In case a student member of the AS MU informs the chair within seven days of successfully completing his/her studies that he/she intends to enrol in studies implemented by the same faculty which he/she was elected to represent in the AS MU, the position as well as the rights and obligations associated with AS MU membership shall be restored to him/her on the day following the day of enrolment. The duration of the period between the completion of studies and subsequent enrolment in studies shall not exceed 4 months, otherwise the AS MU mandate expires; the mandate also expires after the vain lapse of the deadline for enrolment.
- (3) As of the day of an AS MU member's termination of studies, a substitute from the same faculty is summoned to temporarily perform the duties of the AS MU member. In case no such substitute exists, a by-election is held following the lapse of the four-month period, unless the rights and obligations associated with the mandate of the AS MU member have been restored.

Section 19
Summoning a substitute

- (1) A substitute is summoned by the Committee.
- (2) A substitute may decline the summons in writing under Section 1 (3) (a).
- (3) A substitute only holds the position for the remainder of the relevant term of office.

- (4) A substitute summoned in accordance with Section 18(2) only holds the position for the duration of a period specified in Section 18 (2). In case the exercise of rights and obligations associated with AS MU membership is not returned to its original holder following the lapse of this period, the provisions of subsection 3 shall apply to this substitute.

Section 20

Documentation of elections and AS MU membership

- (1) Election documentation is archived by the AS MU.
- (2) The list of members is maintained by the AS MU chair.

Section 21

Final provisions

- (1) The Masaryk University Academic Senate Election Regulations registered with the Ministry of Education, Youth and Sports on 20 December 2016 under Ref. No. MSMT-23287/2014 are hereby repealed.
- (2) These Regulations were approved in accordance with Section 9 (1) (b) (3) of the Act by the Academic Senate of Masaryk University on 3 June 2019.
- (3) These Regulations enter into force in accordance with Section 36 (4) of the Act as of the day of registration with the Ministry of Education, Youth and Sports.
- (4) These Regulations become effective as of 1 September 2020.

- (1) I. modifications to the Masaryk University Academic Senate Election Regulations were approved by the Masaryk University Academic Senate in accordance with Section 9(1)(b)(3) of Act No. 111/1998 Coll. on Higher Education Institutions and on the Modification and Amendment of Other Acts (the Higher Education Act), as amended, on 4 May 2020.
- (2) I. modifications to the Masaryk University Academic Senate Election Regulations shall enter into force in accordance with Section 36(4) of the Higher Education Act on the day of registration with the Ministry of Education, Youth and Sports.
- (3) I. modifications to the Masaryk University Academic Senate Election Regulations shall enter into effect on 1 September 2020.

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