

In accordance with section 36, subsection 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 the Masaryk University Academic Senate Election Code on 20 December 2016 under Ref. No. MSMT-37643/2016.

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Director of the Department of Higher Education Institutions

Masaryk University Academic Senate Election Code

Section 1

Introductory Provisions

- (1) The Masaryk University Academic Senate Election Code (hereinafter referred to as the "Code") applies 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. (the 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, this Code regulates the election of AS MU members.
- (3) For the purposes of this Code, the term "in writing" refers to transmission by email using the Masaryk University Information System (hereinafter referred to as "IS MU") to the email address of the AS MU Electoral and Mandate Committee.

Section 2

Constituencies

- (1) For the purpose of exercising rights specified in this Code, each member of the academic community is assigned to one MU academic community constituency.
- (2) For the purposes of this Code, the MU academic community is subdivided into nine constituencies for the academic employees of individual MU faculties, nine constituencies for the students of individual MU faculties and one constituency for the academic employees of university-wide units, which, for the purposes of this Code, include university institutes and other MU facilities in accordance with section 22, subsection 1, letter c of the Act.
- (3) An academic employee who is simultaneously a student belongs to the academic employee constituency, unless he or she chooses to belong to the student constituency. The affiliation of academic employees with individual constituencies is derived from their employment affiliation with individual MU faculties or university-wide units.
- (4) In case an academic employee holds a position at several faculties or university-wide units, he or she is affiliated with a constituency linked to the unit of his or her choice. In case he or she fails to choose, he or she is automatically affiliated with a

constituency linked to his or her home unit.

- (5) The affiliation of students with individual constituencies is based on their study affiliation with individual faculties. In a student is enrolled in studies at two or more faculties, he or she may choose a constituency. In case he or she fails to choose, he or she is automatically affiliated with a constituency linked to active studies with the oldest date of enrolment.

Section 3 **Election System**

- (1) The academic employee constituency of each faculty elects from among its members three AS MU members and two substitutes.
- (2) The student constituency of each faculty elects from among its members two AS MU members and two substitutes.
- (3) Two student constituencies selected in accordance with a procedure set out in accordance with section 7, subsection 6, elect three AS MU members and two substitutes.
- (4) The university-wide constituency elects 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 duration of the term of office of AS MU members is identical to the duration of the electoral cycle.
- (2) Summoned substitutes and members elected in by-elections and repeat elections are considered members until the end of the AS MU electoral cycle.
- (3) By-elections are held in case the terms of office of all AS MU members have been terminated in accordance with section 8, subsection 3 of the Act.

Section 5 **Electoral Organization**

- (1) Elections take place electronically using the IS MU E-vote application (hereinafter referred to as the "Application").
- (2) Appropriate measures are taken to ensure secrecy throughout the election process.

Section 6 **Election Announcement**

- (1) The election timetable is announced by the AS MU chair by the end of September of a calendar year in which an AS MU electoral cycle ends. In case he or she fails to do so, the election is announced by the Rector. The election is announced using the Application.
- (2) An election announcement includes the designation of two constituencies in accordance with section 3, subsection 3.
- (3) The elections are held in November of a calendar year in which an AS MU electoral cycle ends.

Section 7 **Electoral Committees**

- (1) The election is managed by the AS MU Electoral and Mandate Committee and the electoral committees of individual constituencies. Unless otherwise indicated, the

term "electoral committee" refers to both the Electoral and Mandate Committee and to any electoral committee of an individual constituency.

- (2) The chair and at least four other members of the AS MU Electoral and Mandate Committee are appointed and dismissed by the AS MU from among the members of the MU academic community.
- (3) A single constituency electoral committee is appointed for both faculty constituencies by the academic senate of each faculty as soon as possible after its constituent session. A constituency electoral committee consists of a chair and at least two other members of the constituency, of whom at least one belongs to the student constituency. The mandate of the previous committee ends with the appointment of a new committee.
- (4) The constituency electoral committee for university-wide units is appointed and dismissed by the AS MU from among the members of the relevant constituency.
- (5) In case a member of the electoral committee accepts an AS MU nomination, his or her membership in an electoral committee is terminated. Membership may also be terminated by resignation, revocation or with the termination of membership in a relevant constituency. In case the number of Electoral and Mandate Committee members drops to fewer than five or in case the number of constituency electoral committee members drops to fewer than three, the committee must be completed without delay. In such a case, in case of danger in delay, members may also be appointed by the AS MU chair or a faculty academic senate chair respectively.
- (6) The AS MU Electoral and Mandate Committee determines constituencies in accordance with section 3, subsection 3 by lot.
- (7) The AS MU Electoral and Mandate Committee assists constituency electoral committees with the organization of elections.
- (8) The AS MU Electoral and Mandate Committee is entitled to inspect the activities of constituency electoral committees. At the instigation of a member of a relevant constituency, the necessary inspection shall be carried out without delay.

Section 8 Electoral Lists

- (1) The constituency electoral committee verifies the correctness of the list of members of a relevant constituency and makes it available to the constituency members.
- (2) The constituency electoral 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 written declaration of candidacy must be delivered to the chair or an authorized member of the relevant constituency electoral committee by a deadline designated in the election timetable. The candidate may attach his or her election agenda, which will be made available using the Application. The chair or an authorized member of the committee confirms the candidacy.

Section 10 Information on Candidates and the Election Timetable

- (1) A list of candidates is published by the constituency electoral committee at least one week before the start of the election.
- (2) The constituency electoral committee simultaneously informs voters about when voting using the Application takes place.

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 the university-wide units strive to ensure equal conditions for the conduct of the election campaign.

Section 12
Voting Procedure

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

Section 13
Election Results Determination

- (1) Using the Application, the electoral committee determines the election results in a relevant constituency no later than on the first working day after the last day of the 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 constituency electoral committee determines their order by lot.
- (6) The election results are transmitted by the constituency electoral committee chair to the AS MU Electoral and Mandate Committee without delay. The Electoral and Mandate Committee publishes the election results in a way which allows remote access.
- (7) The AS MU Electoral and Mandate Committee announces the names of elected candidates following the expiration of the deadline for filing complaints or following their settlement.
- (8) The AS MU Electoral and Mandate 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 reporting a violation of the law, MU Statutes or this Code during the course of the preparation of the elections, the election campaign, the organization of elections or the determination of the election results with the AS MU Electoral and Mandate Committee. The complaint must be filed no later than five days after the announcement of the election results.
- (2) The complaint must be submitted in writing and must include a statement of reasons.
- (3) The AS MU Electoral and Mandate Committee invites the relevant constituency committee to discuss the complaint.
- (4) The AS MU Electoral and Mandate Committee assesses the complaint within five workdays of its receipt. A decision on the complaint is then attached to the election minutes.

- (5) An appeal against a decision on the complaint may be filed with the AS MU. An appeal carries no suspensive effect.

Section 15
Repeat Elections

- (1) Elections are repeated in case a serious violation of election policies and rules may have affected election results with respect to the elected members. In case such a violation affects the order of substitutes, no substitutes are elected to further positions starting with the affected position.
- (2) A decision to repeat elections is issued by the AS MU Electoral and Mandate Committee.
- (3) Repeat elections are regulated by provisions applicable to elections, as appropriate.

Section 16
By-elections

- (1) By-elections are 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 regular elections 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) By-elections are 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) on the day of termination of membership in the academic community of a relevant constituency,
 - b) on the day of entry into office incompatible with AS MU membership,
 - c) on the day of membership resignation.
- (2) AS MU members announce the termination of membership for reasons listed in subsection 1 to the AS MU chair.
- (3) A membership resignation must be delivered in writing to the hands of the AS MU chair.

Section 18
Maintaining Membership by Admission to Further Studies

- (1) AS MU membership is not terminated in the case of a student who, during his or her term of office, successfully completes his or her studies in a degree programme implemented by a faculty linked to a constituency he or she was elected to represent in the AS MU in case he or she is admitted to a further, directly related 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 or her studies that he or she intends to enrol in studies implemented by the same faculty which he or 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 or 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 is terminated; the mandate is also terminated following the expiration of the enrolment deadline.

- (3) On 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 AS MU member. In case no such substitute is summoned, a by-election is held following the expiry of the four-month period, unless the rights and obligations associated with the mandate of an AS MU member have been restored.

Section 19

Substitute Summons

- (1) A substitute is summoned by the AS MU Electoral and Mandate Committee.
- (2) A substitute may decline the summons in writing.
- (3) A substitute only holds the position for the remainder of a relevant term of office.
- (4) A substitute summoned in accordance with section 18, subsection 2 only holds the position for the duration of a period specified in section 18, subsection 2. In case the exercise of the rights and obligations associated with AS MU membership is not returned to its original holder following the expiration of this period, the provisions of section 19, subsection 3 apply to this substitute.

Section 20

Documentation of Elections and AS MU Membership

- (1) Documents relevant to individual constituencies (announcements, candidacies, candidate lists, records of results obtained from the Application) are archived by faculty academic senates.
- (2) Election documentation is archived by the AS MU.
- (3) A list of members is maintained by the AS MU chair.

Section 21

Temporary Provisions

The terms of office of AS MU members elected prior to this Code coming into force end at the latest on 31 December 2017.

Section 22

Concluding Provisions

- (1) The Masaryk University Academic Senate Election Code registered with the Ministry of Education, Youth and Sports on 1 July 2014 under Ref. No. MSMT-23287/2014 is hereby abolished.
- (2) This Code has been duly approved in accordance with section 9, subsection 1, letter b of the Act by the Academic Senate of Masaryk University on 7 November 2016.
- (3) This Code enters into force in accordance with section 36, subsection 4 of the Act on the day of registration with the Ministry of Education, Youth and Sports.
- (4) This Code shall apply from the date of their publication in the public section of the MU website.

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