

# CODE OF ELECTORAL PROCEDURE FOR THE ACADEMIC SENATE OF THE FACULTY OF SCIENCE OF CHARLES UNIVERSITY

*Under sections 9 (1) (b) and 17 (1) (b) of Act No. 111/1998 Sb., to regulate higher education institutions and to change and amend other laws (the 'Higher Education Act'), as amended, the Academic Senate of the Faculty of Science of Charles University has adopted the following Code of Electoral Procedure for the Academic Senate of the Faculty of Science of Charles University as its internal regulation:*

## Article 1

### **Introductory Provisions**

The Code of Electoral Procedure stipulates the rules for electing members of the Academic Senate of the Faculty of Science of Charles University (the 'Senate').

## Article 2

### **Electoral Wards**

1. For the purposes of the elections, voters from among the academic staff, students, as well as members of the Senate ('Members of the Senate') are divided into four electoral wards (the 'Wards') – namely the biology, geography, geology, and chemistry wards – under the Rules for the Internal Governance of the Faculty of Science of Charles University (the 'Faculty'). The Faculty of Physical Education and Sport is included in the geography Ward; the Institute for Environmental Studies is included in the geology ward; and the Institute of Applied Mathematics and Information Technologies is included into the chemistry ward. Voters and Members of the Senate from among the students are included in the Wards in accordance with the inclusion of the guarantor of their programme of study.
2. Elections take place in the Wards. Members of the Senate from among the students ('the Member of the Senate from among the students'), and Members of the Senate from among the academic staff ('Member of the Senate from among the academic staff') are elected separately.
3. Elections of Members of the Senate from among the students and Members of the Senate from among the academic staff do not take place at the same time. The former take place eleven months at the earliest and thirteen months at the latest after the latter.
4. The number of Members of the Senate elected in the individual Wards is determined by the following algorithm:
  - a) Each Ward is assigned a parameter  $o$  which equals the number of students enrolled in the given Ward for the election of Members of the Senate from among the students, or the sum of all types of jobs of the academic staff assigned to the given Ward, rounded up to a whole number for the election of Members of the Senate from among the academic staff.
  - b) Each Ward is assigned a number of mandates equal to the integral part of the quotient  $[o/v]$ , where  $v$  is the quotient of the sum of the parameters  $o$  for all Wards, and the number of the elected Members of the Senate. For each Ward, a parameter  $z$ , which equals the relative remainder of the voters of the given Ward, is determined with regard to the current number of

mandates assigned in the given Ward:  $z = (o/v - \text{the number of mandates assigned to the Ward})/\text{the number of mandates assigned to the Ward}$ .

- c) If the number of mandates corresponding to the number of elected Members of the Senate is not distributed, one mandate is assigned to the Ward with the highest  $z$ , and the parameter  $z$  is recalculated for this Ward. This is how all undivided mandates are gradually distributed.
- d) If the Ward does not have at least two mandates for Members of the Senate from among the academic staff or one mandate for a Member of the Senate from among the students after the distribution of all mandates, the Ward is assigned one mandate from another Ward with the lowest  $z$ , which at the same time has at least three assigned mandates for Members of the Senate from among the academic staff or two seats assigned to Members of the Senate from among the students, and the parameter  $z$  is then recalculated. This is done until all Wards have at least two mandates for Members of the Senate from among the academic staff, and all Wards have at least one mandate for the Member of the Senate from among the students.
- e) The number of elected Members of the Senate in the given Ward is equal to the number of mandates assigned in the respective Ward.

### Article 3

#### Calling Elections

1. Elections take place in November. They will be called by the Board of the Academic Senate by the end of September. Should the Board of the Academic Senate fail to do this, the elections will be called by the Dean. The resolution to call elections is published in the publicly accessible section of the Faculty website.
2. Elections to the Academic Senate of the Faculty can be conducted in part or in whole electronically via a computer network. The Senate specifies the form of elections by a resolution. Adherence to the conditions set forth in the Higher Education Act must be ensured at the same time. The resolution on the form of elections, along with a document on the technical details of the organisation, progress, and security of the elections, must be included in the relevant minutes of the Senate's meeting. Possible objections by members of the Faculty's academic community (the 'Academic Community') are sent to the Academic Senate of the Faculty which, within 30 days of delivery, takes a position on the conditions for holding the elections.
3. The specific date and venue(s) of the elections will be determined by the Senate so that the elections are held on at least two and not more than four consecutive days of instruction at the Faculty, and in a manner which makes it possible to vote at each designated venue for a period of at least four hours each day. Elections must be held on workdays. If elections are conducted electronically, the venue is understood to be the voting application.
4. The election committee announces details of the elections, in particular data on the form of elections, the date of the elections, the specification of the Electoral Wards, the number of Members of the Senate elected in individual Wards, the names of the members of the election committee which organises elections in the relevant Ward, the call for submission of candidate proposals, and the end date for submission of proposals in the publicly accessible section of the Faculty website. Part of the call for submission of proposals is the publication of the venue for submission of proposals and consents to candidacy, as well as the contact details of the person authorised to receive them. This data must be published no later than twenty-one days before the first day of the election.

#### Article 4

##### **Lists**

1. No later than fifteen days before the first day of the election, the Secretary of the Faculty will prepare and submit to the President of the Senate:
  - a) a list of students who are members of the academic community in the individual Wards.
  - b) a list of the Academic Staff who are affiliated with the Faculty in the individual Wards.
2. The list under Par. 1, letter a) or b) is prepared according to whether Members of the Senate from among the students or Members of the Senate from among the academic staff are elected.

#### Article 5

##### **Election Committee**

1. The Election Committee is established for the election. Its Chair and other members are appointed and dismissed by the Senate from among members of the academic community. Any Member of the Senate may nominate members of the Election Committee.
2. The Election Committee must consist of members of the academic community from each Ward, and should comprise only those who are not candidates themselves.
3. If the election is conducted in a form other than fully electronic, the Election Committee is divided into Sectional Election Committees for each Ward. The number of members of the Election Committee is determined by the Senate, which must take into consideration the number of seats for which the election is held so that each Sectional Election Committee has at least two members.
4. Each member of the Election Committee is voted for separately. While doing so, the Senate decides by a simple majority of votes.
5. If a member of the Election Committee accepts candidacy in the elections, their membership in the Election Committee ceases. Membership also ceases if a member of the Election Committee resigns from the position, when the person's membership in the academic community ceases to exist.

#### Article 6

##### **Candidates**

1. A member of the academic staff or a student who is a member of the academic community may be nominated as a candidate.
2. Candidates can be nominated by each member of the academic community.
3. Unless the Senate or Board of the Academic Senate decides otherwise, the nominations must be submitted electronically no later than seven days before the first day of the election. Nominations submitted later will not be taken into consideration.

4. The nominations must contain the candidate's name, title(s), the name of the workplace and job title for an employee, the study programme and year for a student, or the year of study for candidates who are students of doctoral programmes (the 'Year'). Additional data to be included in the candidacy nomination can be determined by the Board of the Academic Senate.
5. A candidate can only be nominated in the Ward to which they belong by their job title or programme of study.
6. A nominated person must express consent with the candidacy in writing no later than seven days before the first day of the election.
7. When accepting the nominations, the Election Committee must respect the provisions of s. 26 of the Higher Education Act, and Art. 9, Par. 3 of the Constitution of the Faculty on incompatibility of offices.
8. Candidates nominated in more than one Ward at the same time may express consent for candidacy in one Ward only.
9. Pre-election assemblies, organised by the Election Committee, may be held at the Faculty, including the meetings of candidates with members of the academic community. A pre-election assembly cannot be held on the day of the election.

#### Article 7

##### **Lists of Candidates, Ballot Papers, and Other Acts to Prepare Elections**

1. The Election Committees will publish lists of candidates in the publicly accessible section of the Faculty website after the expiry of the time limit specified in Art. 6, Par. 3, but no later than five days before the first day of the election. A list of candidates for each Ward includes the list of names of candidates from among students for the election of Members of the Senate from among the students, or candidates from among the academic staff for the election of Members of the Senate from among the academic staff; titles of the candidates; names of workplaces and job titles for academic staff, and the programme of study and the Year for students. Along with a list of candidates, they will also publish other materials submitted by the candidates (e.g., CVs).
2. The Election Committee will arrange for the printing of ballot papers through the Dean's Office if the election is not held fully electronically. The ballot papers must include the names of all candidates in the given Ward in alphabetical order, and brief information for voters on how to mark the ballot paper. The data on the ballot paper must be written so that there is no confusion between individual candidates. The ballot paper must be designed so that voting can be done simply, usually by crossing or circling pre-printed names.
3. The Election Committee will check and seal the ballot boxes into which the votes are to be cast.
4. For electronic voting, the rules referred to in Par. 2 and 3 apply with the necessary modifications to the technical solution of the organisation of elections, as approved by the Senate.

#### Article 8

##### **Course of Elections**

1. The Members of the Senate are elected by members of the academic community in person or by secret ballot.
2. A voter will prove their identity by presenting a valid identity document to the members of the Sectional Election Committee present.
3. Upon completion of acts under Par. 2, voters from among the students will receive a ballot paper for the election of Members of the Senate from among students in the given Ward, and voters from among the academic staff will receive a ballot paper for the election of Members of the Senate from among the academic staff.
4. Members of the Sectional Election Committee tick the name of the member of the academic community who is voting in the list of voters, give them a ballot paper, and inform them of the prescribed manner in which it is to be marked. Having marked the ballot, the voter is permitted to cast their ballot into the ballot box.
5. Each voter may cast only one vote.
6. A voter will mark a maximum of as many candidates as equals the number of mandates that exist for the given Ward; should more candidates be marked or should there be any uncertainty with respect to the marking, the vote is invalid.
7. Unless the nature of the matter precludes so, the provisions of Par. 3 up to 6 apply with the necessary modifications to the case of a fully electronic form of election. In this form of election, the identification of voters is secured, instead of the manner specified in Par. 2, by entering unique login data into the University IT system (the Central Authentication System).

#### Article 9

##### **Election Results**

1. The results of the election are determined by the Election Committee. The assessment of the results will be conducted no later than on the day following the last day of the election.
2. Once the ballot box is open, the Election Committee will remove all ballot papers and determine their total number and validity. In the event of electronic voting, the technical solution for the organisation of elections, which is approved by the Senate, is applied with the necessary modifications.
3. Candidates for the Senate in the respective Ward are ranked according to the number of votes obtained; from these lists, candidates with the highest number of votes will be selected as Members of the Senate. However, the number of persons should not exceed the number of seats held by the respective Ward in the Senate. If there is an equal number of votes for two or more candidates the places relevant for the election of a candidate in a particular Ward, the Election Committee will decide on the order by drawing lots in their presence.
4. The authorised member of the Election Committee will make a written record of the election results which will be signed by all members of the Election Committee. The date of the election, the total number of valid and invalid ballots cast, and the order of all candidates who took part in the election according to the number of votes received will be entered in the written record. The candidates who have been elected Members of the Senate will be highlighted.
5. Candidates who were not elected Members of the Senate but received at least 20% of the votes from those who came to the election in the given Ward will become substitutes.
6. The Election Committee will publish the ascertained results in the publicly accessible section of the Faculty website.
7. A voter may file a complaint against the preparation, progress, and results of the elections with the Election Committee no later than eight days from the date of publication of the election results. The complaint must be in writing and state the reasons for its submission. The Election Committee will assess the validity of the election within twenty-one days of the date on which it received the complaint.

8. The fact that the candidate has been validly elected will be announced by the Chairman of the Election Committee, or by a designated member thereof, at the first meeting of the Academic Senate held after the election.

#### Article 10

##### **Re-done Elections**

1. Elections are re-done when the Election Committee establishes that a mistake has occurred that may have affected the fairness of the election process.
2. Elections cannot be re-done if the elected persons have already taken the oath of the Member of the Senate.
3. The terms of office of Members of the Senate elected in a re-done election begins and ends with the beginning and end of the term of office of Members of the Senate who would be elected in the election that is re-done.
4. If the re-done election takes place on a date that does not permit the beginning of the term of office of Members of the Senate according to Par. 3, the term of office of Members of the Senate will start on the date by which the deadline for assessing any complaints against the course and results of the elections has expired under Art. 9, Par. 7, or by the ninth day after the election if no complaints were filed against the progress or results of the election.
5. The provisions on elections apply to re-done elections with the necessary modifications.

#### Article 11

##### **Impediment to Membership of the Senate**

1. Holding an office which is incompatible with membership of the Senate under the Higher Education Act, under the Constitution of the University, or under the Constitution of the Faculty is an impediment to membership of the Senate.
2. If a Member of the Senate holds incompatible offices simultaneously, this concurrence of offices must be remedied immediately. If the concurrence of offices is not remedied within 10 days after the Member of the Senate receives a written notification from the Board regarding the existence of such concurrence, their membership of the Senate shall cease.

#### Article 12

##### **Membership of the Senate**

1. At the first meeting held after the start of their term of office, the elected candidates will take this oath of the Member of the Senate: *I promise that I will perform the mandate of a member of the Academic Senate of the Faculty of Science of Charles University to my best belief and in accordance with the interests of the academic community of the Faculty. When making decisions, firstly I will always first take account of the preservation, fulfilment, and further development of the fundamental ideas of the academic community, as expressed in the preamble of the Constitution of the Faculty.*
2. After taking the oath, the Member of the Senate confirms it with their signature.

3. The Member of the Senate from among the students who has duly completed their bachelor's programme of study and applied for enrolment in a post-bachelor programme of study at the Faculty, or who has duly completed their master's programme of study and applied for enrolment in a doctoral programme of study at the Faculty, becomes a substitute under Art. 9, Par. 5. In such a case the substitute will be called to the Senate only after the enrolment of said applicant for study. If the substitute is not accepted onto a course of study, they cease to be a substitute after the decision not to accept them comes into legal force, but no longer than four months after the interruption of their studies.
4. Paragraph 3 applies to the situation of substitute members from among the students with the necessary modifications.
5. A member of the Senate who has resigned their mandate may state in their written resignation that they intend to remain a substitute member.

#### Article 13

#### **Cessation of Membership of the Senate**

Membership of the Senate terminates:

- a) upon the expiration of the term of office; or
- b) before the expiration of the term of office; or
  1. simultaneously with the cessation of membership in the respective part of the academic community;
  2. on the day on which a written statement in which the member resigns his membership of the Senate is delivered to the President of the Senate;
  3. under Art. 11, Par. 2.

#### Article 14

#### **Substitutes**

1. If membership of the Senate ceases to exist under Art. 13, letter b) for the remainder of the term of office of the member whose membership has ceased to exist, a substitute is called to the Senate.
2. The substitute is called by the President of the Senate from the list of substitutes for the given Ward.
3. The President will call the substitute with the highest number of votes obtained. If there is an equal number of votes for two or more substitutes, the President will decide who will be called by drawing lots in their presence.
4. The provisions of Art. 11 apply with the necessary modifications, and if the concurrence of offices is not remedied within 10 days after the affected substitute received a written notice of the existence of incompatible offices, membership of the Senate does not arise, the affected substitute remains a substitute, and the next substitute is called.
5. A substitute may refuse the call-in writing provided they do so without delay. In such a case they shall remain a substitute member and the next substitute member will be called to become a member of the Senate; if the last substitute member in succession refuses the call, the procedure under Art. 15 will apply.
6. All substitute members may resign their position. A written statement must be delivered to the President of the Faculty's Academic Senate; it comes into effect on the date of delivery to the President of the Academic Senate.

#### Article 15

#### **By-elections**

1. By-elections are held in the event that either there is no substitute member for a vacancy in the Academic Senate or all substitute members have refused the call. By-elections do not need to be held if the vacancy occurred in the last nine months of the term of office, and if the Senate resolves so.
2. The term of office of the Member of the Senate elected in a by-election starts by the date on which the deadline for assessing any complaints against the progress and results of the elections has expired according to Art. 9, Par. 7 or, as the case may be, on the ninth day after the election if no complaints against the progress and results of the elections have been filed, and terminates along with the end of the term of office of the Member of the Senate who held the vacancy.
3. The provisions on elections apply to the by-elections with the necessary modifications.

#### Article 16

##### **Extraordinary Elections**

1. If the Dean calls extraordinary elections for the Senate under the final sentence of s. 26 (3) of the Higher Education Act, they also perform the tasks of the Board of the Senate under Art. 2, Par. 3 or under Art. 4, Par. 1. The Chair of the Election Committee calls extraordinary elections under Art. 8, Par. 6.
2. The term of office of a Member of the Senate elected in the extraordinary election starts on the date by which the deadline for assessing any complaints against the progress and results of the elections has expired under Art. 9, Par. 7, or by the ninth day after the election if no complaints have been filed against the progress or results of the election.
3. The term of office of a Member of the Senate selected from among the students and elected in the extraordinary election lasts no less than 12 months and no more than 24 months, and ends on 31 January. The term of office of a Member of the Senate selected from among the academic staff and elected in the extraordinary election lasts no less than 24 months and no more than 36 months, and ends on 31 January.
4. The provisions on elections apply to the by-elections with the necessary modifications.

#### Article 17

##### **Transitional Provisions**

Elections called prior to the effective date of this Code are governed by the previous regulations. The terms of office of Members of the Academic Senate elected in the elections held pursuant to the previous regulations are not affected by this Code. The substitutes elected in the elections held pursuant to the previous regulations become substitutes under this Code.

#### Article 18

##### **Final Provisions**

1. The Code of Electoral Procedure for the Academic Senate of the Faculty of Science of 2 June 2017 is hereby repealed.



2. This Code was approved by the Senate on 20 February 2020 and comes into force on the date of its approval by the Academic Senate of Charles University<sup>1</sup>.
3. This Code becomes effective on the first day of the calendar month following the date on which it came into force.

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President of the Academic Senate of the Faculty of Science of Charles University

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Prof. RNDr. Jiří Zima, CSc.  
Dean of the Faculty of Science of Charles University

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<sup>1</sup> S. 9 (1) (b) of the Higher Education Act. The Academic Senate of Charles University adopted this Code on 12 March 2021.