

## **Code of Electoral Procedure for the Academic Senate of the Faculty of Medicine in Pilsen of Charles University<sup>1</sup>**

*In accordance with Section 27(1b) and Section 33(2b) of Act no. 111/1998 Sb., on institutions of higher education, and changes to other acts, as amended (the "Higher Education Act"), as amended, the Academic Senate of the Faculty of Medicine in Pilsen of Charles University has adopted this Code of Electoral Procedure for the Academic Senate of the Faculty of Medicine in Pilsen of Charles University as its internal regulation:*

### **Article 1**

#### **Introductory Provisions**

1. This Code of Electoral Procedure set out the principles for the election and termination of the mandate of members of the Academic Senate of the Faculty of Medicine in Pilsen of Charles University (hereinafter referred to as the "Senate").
2. The Senate shall be elected by members of the academic community of the Faculty (hereinafter referred to as the "academic community") in direct elections by secret ballot. Elections to the Senate shall be held in accordance with the provisions of the Higher Education Act, the Constitution of the Faculty and this Election Regulations. This Code of Electoral Procedure.
3. The academic community consists of:
  - a) the academic staff of the Faculty<sup>2</sup>,
  - b) students enrolled at the Faculty.
4. All members of the academic community have the right to vote. Academic staff members of the Faculty elect and may be elected to the Staff Senate. Undergraduate students studying in both Czech and English shall vote and be eligible for election to the student section of the Senate. Postgraduate students, both full-time and combined, shall vote and be eligible for election to the student section of the Senate. Those who are both students and academic staff of the Faculty may vote and be elected to the staff part of the Senate; if they wish to vote and be elected to the student part of the Senate, they must request in writing to be reassigned.
5. The Senate is composed of academic staff and students. Representatives to the Senate shall be elected separately by the academic staff and the student part of the Faculty's academic community. There shall be 16 members elected from among the academic staff and 8 from among the students.
6. The term of office of the members of the Senate shall be three years.

### **Article 2**

#### **Announcement of Elections**

1. The Senate shall call elections not later than 40 days before the expiry of the term of office of the members of the Senate. Nominations for candidates may be submitted from

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<sup>1</sup> Translator's note: Words importing the masculine include the feminine, and unless the context otherwise requires, words in the singular include the plural and words in the plural include the singular.

<sup>2</sup> Article 29(1) of the Constitution of the Faculty of Medicine in Pilsen of Charles University.

the date of the announcement of elections. The receipt of nominations shall end one week before the announced date of the elections.

2. By resolution of the Senate, elections may be conducted partially or fully electronically by means of a computer network. The conditions under the Higher Education Act must be met. The resolution referred to in the first sentence shall be notified to the Electoral Commission together with a document on the technical details of the organisation, conduct and security of such elections. Any objections from members of the academic community of the faculty shall be sent to the Senate and the Electoral Commission. The Electoral Commission shall, within thirty days of receipt of the Senate's resolution, take a position on the conditions for holding the elections. Elections may be held electronically only with the approval of the Electoral Commission.
3. The specific date and place or places of the election shall be fixed by the Senate so as to be at least two and not more than four consecutive days on which classes are held at the Faculty, so that voting may be held for at least four hours on each day at each designated place. Elections shall be held on workdays.
4. The Election Commission determines and publishes details of the elections in the public section of the Faculty's website. The resolution on the announcement of the election pursuant to paragraph 3 shall be published without delay on the public part of the Faculty's website no later than 21 days before the first day of the election.

### **Article 3**

#### **Electoral Rolls**

No later than 15 days prior to the first day of the election, the Dean's Office shall prepare and forward to the President of the Senate:

- a) a roll of students who are members of the academic community,
- b) a roll of academic staff members who are members of the faculty.

### **Article 4**

#### **Electoral Commission**

1. The Chairman and other members and, where appropriate, alternate members of the Electoral Commission shall be appointed and removed by the Senate at the plenary session of the Senate at which the election is called. The number of members shall be fixed by the Senate, taking into account the number of places at which voting is to take place, so that at least two members of the Electoral Commission are present at each place at all times.
2. The Electoral Commission prepares the election, ensures the voting process, counts the votes, monitors whether all conditions for the validity of the election are met and resolves any complaints about the election process. The Electoral Commission shall keep minutes of its proceedings.
3. In the event that a member of the Electoral Commission accepts to stand for election, his membership of the Electoral Commission shall cease. Membership shall further terminate upon resignation or with the termination of membership in the academic community. Another member shall be appointed immediately to fill the vacancy.

**Article 5**  
**Candidates**

1. Candidates may be nominated by individual members or groups of members of the academic community.
2. An academic staff member or student who is a member of the academic community may be nominated as a candidate.
3. Proposals for candidates shall be in writing. The proposal shall include:
  - a) The name of the candidate, the faculty unit at which the candidate works, or, in the case of students, the year of study,
  - b) The signature of the nominator,
  - c) The nominee's consent to the candidacy.
4. Proposals shall be submitted to the Chairman of the Electoral Commission, unless the Senate or the President of the Senate, as the case may be, determines otherwise, not later than one week before the first day of the election. Proposals submitted later may not be taken into account.

**Article 6**  
**List of Candidates, Paper Ballots and Other Acts Relating to the Preparation of Elections**

1. After the expiry of the time limit referred to in the second sentence of Article 2(1), the Electoral Commission shall consider the proposals received. The Electoral Commission shall exclude from the list of candidates those who are not members of the academic community at the time of the expiry of the time limit in the first sentence of this paragraph, those who hold positions incompatible with membership of the Senate, and those who have not consented to candidature or who have subsequently withdrawn in writing.
2. Those nominees who are nominated by at least 5 members of the academic community will be included on the nomination list.
3. The Electoral Commission shall publish the lists of candidates at least two days before the first day of the election. The list of candidates shall include the names of the student candidates or the academic staff candidates. The Senate may determine further details.
4. The Electoral Commission will arrange for the printing of ballot papers through the Dean's Office of the Faculty. The information on the ballot paper must be given in such a way that the candidates cannot be confused. The ballot paper must be made in such a way that the voting can be done simply, usually by crossing or circling the pre-printed names.
5. The Electoral Commission shall inspect and seal the ballot boxes.

**Article 7**  
**Course of Elections**

1. It shall be possible to adjust the ballot papers in the polling station so as to ensure a secret ballot.
2. The voter shall prove his identity to the members of the Electoral Commission present

and sign the ballot paper in the electoral register for student voters for the election of students or for academic staff voters for the election of academic staff.

3. Each voter may vote only once.
4. The voter shall mark no more than 16 candidates in the academic staff section or 8 candidates in the student section on the ballot paper; if more than one candidate is marked or if the marking cannot be identified with certainty, the vote is invalid.

### **Article 8 Election Results**

1. The results of the election shall be ascertained by the Electoral Commission. The results shall be evaluated no later than the day following the last day of the election.
2. The Electoral Commission shall count the votes and indicate in the minutes of the result of the vote whether they are valid.
3. If the election is valid, the Electoral Commission shall rank the candidates on the individual lists according to the number of votes received. The first 16 academic staff candidates and the first 8 student candidates are elected to the Senate. In the event of a tie in the last electoral position to be filled, a lottery will determine who is elected.
4. The results are published in the public section of the Faculty's website.
5. A voter may lodge a complaint against the preparation, conduct and results of the election with the chair of the Electoral Commission within five days of the date of publication of the election results. The complaint must be in writing and state the reasons for it. The Electoral Commission shall examine the complaint and any invalidity of the election within 14 days of the date on which it received the notification. The Electoral Commission may decide to nullify and repeat an election under Article 9 if there has been gross misconduct which may have affected the results of the election as regards the elected members.
6. The fact that a candidate has been validly elected shall be announced by the Chairman of the Electoral Commission or a member of the Electoral Commission authorised by him at the first meeting of the Senate. A written certificate shall be presented to the elected member.

### **Article 9 Re-do Elections**

1. The election shall be repeated if there has been any irregularity which may have affected who was elected. If such a mistake has been made as regards the order of alternates, the alternates from and including the place where the mistake was made shall not be elected.
2. rerun of an election for the reason referred to in paragraph 1 may not take place if a written certificate has already been delivered to the member of the Senate.
3. The provisions on elections shall apply mutatis mutandis to repeated elections.

**Article 10**  
**Obstacle to Membership of the Senate**

Membership in the Senate is incompatible with the office of rector, vice-rector, bursar, dean, vice-dean, faculty secretary and director of a university institute.<sup>3</sup>

**Article 11**  
**Dissolution of Membership of the Senate**

1. Membership of the Senate shall cease
  - a) the expiry of the term of office; or
  - b) before the expiry of the term of office:
    - i. simultaneously with the termination of membership in the academic community,
    - ii. on the date of delivery to the President of the Senate of a written declaration by which the member resigns from membership of the Senate,
    - iii. if the Senate votes a member out of office for unexcused absence from at least three consecutive meetings of the Senate,
    - iv. dissolution of the Senate.
2. If membership of the Senate ceases pursuant to paragraph 1(b) of this Article, an alternate shall join the Senate for the remainder of the term of office.
3. The term of office of all members of the Senate shall expire if the Senate fails to act in accordance with the provisions of Section 27 of the Higher Education Act for a period of six months. The Dean shall announce new elections within 30 days at the latest.<sup>4</sup>
4. If the seat of a member of the Senate becomes vacant, an alternate from the same candidate list shall take his or her place in the order determined by the number of votes received.
5. If the number of members of the Senate decreases by more than ten during the term of office, the Senate shall be dissolved and new elections shall be called.

**Article 12**  
**Alternates**

1. Candidates who have not been elected shall be alternates for the relevant term in the order of the number of votes obtained.
2. An alternate shall be called by the Electoral Commission at the request of the President of the Senate. Article 8(6) shall apply *mutatis mutandis*.
3. The alternate may refuse the call in writing if he does so without delay. In such a case, the first alternate shall remain the first alternate and the next alternate shall be called as a member of the Senate; if the last alternate in line refuses, the procedure shall be as set out in Article 13.
4. A member of the Senate who has resigned may at the same time declare in his or her written resignation that he or she intends to remain an alternate member.
5. A member of the Senate who has been elected as a student and has duly completed a Master's degree programme and has enrolled in a doctoral programme may declare in

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<sup>3</sup> Section 26(2) of the Higher Education Act.

<sup>4</sup> Section 26(3) of the Higher Education Act.

writing that he/she intends to remain an alternate. The declaration must be received by the President of the Senate within 7 days of the date of graduation. In such a case, the first alternate in the queue shall be called to the Senate after the applicant has enrolled in the course of his or her studies, or the next alternate in the queue shall be called to the Senate after the decision not to admit the applicant to the course of study has become final, but no later than four months after the date of receipt of the declaration; if the applicant is not admitted to the course of study within that period, he or she shall cease to be an alternate.

6. The provisions of paragraph 5 shall apply mutatis mutandis to the status of the student alternate.
7. Anyone may waive his alternate status. The written declaration shall be delivered to the President of the Senate; it shall take effect on the date of delivery to the President of the Senate.

### **Article 13**

#### **Supplementary Elections**

1. Supplementary elections shall be held in the event that there is no alternate to fill a vacancy in the Senate or all alternates have declined the call. Supplementary elections need not be held if the vacancy occurred during the last nine months of the term of office and if the Senate so decides.
2. Supplementary elections shall be subject to the provisions on elections.
3. Candidates not elected in a supplementary elections shall not become alternates.

### **Article 14**

#### **Transitional Provisions**

1. Elections called before the date of entry into force of these Regulations shall be governed by the existing regulations. The term of office of members of the Senate elected in elections held under the previous regulations shall not be affected by this Code.
2. The term of office of the President, Vice-President and other members of the Electoral Commission appointed under the previous regulations shall not be affected by this Code.

### **Article 15**

#### **Final Provisions**

1. Part A of the Code of Electoral Procedure and Code of Procedure of the Academic Senate of the Faculty of Medicine in Pilsen adopted by the Academic Senate of the University on 21 April 2010, as amended, is rescinded.
2. This Code was approved by the Academic Senate of the Faculty on 29 May 2017.
3. This Code comes into force on the date of approval by the Academic Senate of the University.<sup>5</sup>
4. This Code shall enter into effect on the first day of the calendar month following the day

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<sup>5</sup> § Section 9(1)(b)(2) of the Higher Education Act. This regulation was approved by the Academic Senate of the University on 2 June 2017.

on which it came into force.

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doc. MUDr. Tomáš Skalický, Ph.D.  
President of the Academic Senate  
of the Faculty

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prof. MUDr. Boris Kreuzberg, CSc.  
Dean of the Faculty

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PhDr. Tomáš Nigrin, Ph.D.  
President of the Academic Senate of Charles University