TOMAS BATA UniverSITY IN Zlín

ELECTION RULES OF THE ACADEMIC SENATE

Faculty of Logistics and Crisis Management

*The Academic Senate of the Faculty of Logistics and Crisis Management of Tomas Bata University in Zlín, pursuant to Section 27, Paragraph 1, Letter b) and Section 33, Paragraph 2, Letter b) of Act No. 111/1998 Coll., on higher education institutions and on amendments and supplements to other acts (the Higher Education Act), as amended, resolved on April 24, 2017 on the draft of the Electoral Rules of the Academic Senate of the Faculty of Logistics and Crisis Management of Tomas Bata University in Zlín*

*and the Academic Senate of Tomas Bata University in Zlín, pursuant to Section 9, Paragraph 1, Letter b) Point 2 of Act No. 111/1998 Coll., on higher education institutions and on amendments and supplements to other acts (the Higher Education Act), as amended, approved on December 12, 2017 the Electoral Rules of the Academic Senate of the Faculty of Logistics and Crisis Management of Tomas Bata University in Zlín.*

# PART ONE

# BASIC PROVISIONS

**Article 1**

**Basic Provisions**

**Election Rules of the Academic Senate of the Faculty of Logistics and Crisis Management of Tomas Bata University in Zlín**

(1) The Election Rules of the Academic Senate of the Faculty of Logistics and Crisis Management of Tomas Bata University in Zlín (hereinafter referred to as "these rules") are an internal regulation of the Faculty of Logistics and Crisis Management (hereinafter referred to as "FLCM") and regulate the election and removal of members of the Academic Senate of the Faculty of Logistics and Crisis Management (hereinafter referred to as "AS FLCM").

(2) The number of members of AS FLCM is 11, including 6 representatives of academic staff and 5 representatives of students.

(3) The term of office of AS FLCM is three years. It begins on the day following the end of the previous term of office of AS FLCM and ends upon the expiration of the AS FLCM term or according to § 26(3) of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to Other Acts (Higher Education Act), as amended (hereinafter referred to as "the Act").

(4) The term of office of a member of AS FLCM is three years. The mandate of an elected AS FLCM candidate arises on the day they are issued a certificate of election according to Article 6(6). The mandate of an elected AS FLCM candidate expires on the day they fail to take the oath of an AS FLCM member despite repeated summons by the chairperson of the election commission of FLCM or the chairperson of AS FLCM. An elected AS FLCM candidate assumes office by taking the oath of an AS FLCM member (Appendix No. 2 of the FLCM Statute, hereinafter referred to as "the Statute"). The term of office of an AS FLCM member ends on the day the AS FLCM term expires, of which they are a member, or according to § 26(3) of the Act.

(5) During the term of office, membership in AS FLCM terminates on the day of:
a) resignation by written notice to the chairperson of AS FLCM,
b) loss of membership in a part of the academic community or completion of studies,
c) publication of a valid result of a vote on removal according to Article 9,
d) appointment to a position whose performance is incompatible with membership in AS FLCM according to § 26(2) of the Act,
e) death.

A substitute takes the place of the vacated AS FLCM member, and if there is no substitute, a by-election is held according to Article 8(1).

# PART TWO

**ELECTIONS**

**Article 2**

**Announcement and Organization of Elections**

(1) The elections for members of AS FLCM shall be announced by AS FLCM no later than 60 days before the end of its term. If AS FLCM fails to do so, the elections shall be announced by the Dean.

(2) For the purposes of elections to AS FLCM, two electoral districts shall be established within the academic community of FLCM: the first consisting of academic staff and the second of students. If an academic staff member of FLCM is also a student of FLCM, they may run for office and vote in only one electoral district of their choice. If they choose the student electoral district, they must notify the chairperson of the election commission of FLCM no later than 15 days before the first day of the elections; otherwise, they will be assigned to the academic staff electoral district.

(3) The elections shall be managed by the election commission of FLCM (hereinafter referred to as "the election commission"), which is appointed by AS FLCM or the Dean. The chairperson of the election commission shall be appointed by AS FLCM or the Dean from among the academic staff of FLCM.

(4) Candidates for AS FLCM elections (hereinafter referred to as "candidates") may not be members of the election commission as per paragraph 3.

(5) Detailed organizational instructions for the preparation and conduct of the elections shall be issued by AS FLCM or the Dean no later than 30 days before the elections.

(6) Voters belonging to the academic staff electoral district shall vote from the list of academic staff candidates, while voters belonging to the student electoral district shall vote from the list of student candidates.

**Article 3**

**List of Voters**

(1) The Dean is responsible for preparing, verifying, and publishing the voter list in the electoral districts.

(2) The voter list for the electoral districts shall be published in the non-public section of the faculty’s website 10 working days before the first day of the elections, allowing each voter to verify their inclusion in the relevant electoral district.

(3) A voter has the right to file an objection against their exclusion from the relevant electoral district. The objection must be submitted in writing to the Dean no later than 4 working days before the first day of the elections. If the voter does not submit an objection, any subsequent complaint for the same reason regarding the preparation, conduct, or results of the elections (Article 6, Paragraph 4) shall not be considered.

(4) The Dean shall submit the voter list to the chairperson of the election commission 3 working days before the first day of the elections. This list shall include academic staff and students of FLCM who belong to the faculty’s electoral districts as of the date the list is submitted.

**Article 4**

**Candidate Lists**

(1) The compilation of the candidate list is organized by the election commission according to the organizational instructions (Article 2, Paragraph 5) to ensure that:
a) all voters are informed in a timely and comprehensive manner about the process of compiling candidate lists,
b) any voter can nominate a candidate,
c) all nominated individuals who agree to run for election are included on the candidate list.

(2) The candidate list must be published no later than 5 working days before the first day of the elections.

(3) A candidate may withdraw no later than 3 working days before the first day of the elections by submitting a written notice of withdrawal to the election commission through its chairperson. The election commission shall immediately remove the candidate from the list.

(4) Candidates may be introduced at a pre-election assembly organized by the election commission. The pre-election assembly cannot take place on election days. On election days, election campaigning and promotion of candidates are prohibited.

## Article 5

**Voting and Counting of Votes**

(1) Voting is conducted using ballot papers, on which the candidates from the academic staff and students are listed in alphabetical order, including their surname, first name, and academic title, and for students, also their year of study. Each voter from the academic staff electoral district may cast their vote for no more candidates from the academic staff than the number of academic staff representatives in AS FLCM. Likewise, each voter from the student electoral district may cast their vote for no more candidates from the students than the number of student representatives in AS FLCM. The valid way of marking the ballot paper is determined by the organizational instructions (Article 2, Paragraph 5).

(2) During the election process, the ballot box must not be opened. The voting slot is sealed with tape at the end of each voting day and unsealed on the following voting day.

(3) After the voting concludes, the election commission:
a) counts the number of issued, submitted, and valid ballot papers,
b) counts the valid votes cast for each candidate,
c) ranks the candidates according to the number of votes received, and in case of a tie, determines the ranking by drawing lots,
d) prepares an election report containing the following information: the date and place of the election, the number of eligible voters, the number of issued, submitted, and valid ballot papers, the list of candidates ranked according to points b) and c), including the number of votes received, and the names and signatures of the chairperson and members of the election commission.

**Article 6**

### Election Results

(1) The election commission shall submit the election report (Article 5, Paragraph 3, Letter d) to the outgoing chair of AS FLCM or the dean no later than 5 days after the conclusion of voting.

(2) Candidates are elected as members of AS FLCM based on the ranking determined according to Article 5, Paragraph 3, Letter c), in the number of representatives elected for the respective electoral district. Other candidates who have received at least one-third of the valid votes cast for the last elected candidate shall be considered alternates. Alternates are listed in the order determined by Article 5, Paragraph 3, Letter c), along with the number of votes received.

(3) The election commission shall publish the election results on the official notice board of FLCM no later than 2 working days after the last day of voting.

(4) A member of the academic community may file a complaint regarding the preparation, conduct, or results of the election with the chair of the election commission no later than five working days after the publication of the election results. The complaint must be in writing, including the date, name, mailing address, and signature of the complainant, as well as the reasons for the complaint.

(5) The chair of the election commission is obliged to convene a meeting of the election commission to discuss the complaint within 5 working days of receiving it. The chair shall invite the complainant and, as advisory members, the chair of AS FLCM and the chair of the legislative commission of AS FLCM. During the meeting, the election commission shall review the complaint and decide whether to reject it or not. If the election commission does not reject the complaint, it shall also determine whether an irregularity occurred that could have affected the election results. In such a case, the commission shall immediately inform the dean, who shall announce a repeat election (Article 7). If the irregularity only concerns the ranking of alternates, the election commission shall review and, if necessary, correct the list of alternates, with its decision being final.

(6) The election commission shall announce the conclusion of the election in the electoral district and issue a certificate of election to the elected members of AS FLCM. The election is considered concluded on:

a) the day following the expiration of the deadline for filing a complaint under Paragraph 4, or
b) the day the election commission decides on the complaint and does not propose that the dean repeat the election.

(7) The chair of the election commission shall convene the inaugural meeting of AS FLCM (hereinafter "inaugural meeting") so that it takes place no later than 30 days after the start of the term of the newly elected AS FLCM. If the chair fails to do so, the dean shall convene the inaugural meeting.

**Article 7**

**Election Repeat**

(1) Elections shall be repeated in a constituency if, according to the decision of the electoral commission, there has been an error that could have affected the results of the elections.

(2) The provisions of Articles 2 to 6 shall apply mutatis mutandis to repeat elections.

Article 8

Addition of AS FLCM

(1) By-elections for AS FLCM shall be announced by AS FLCM no later than 30 days after the termination of membership of a member of AS FLCM whose seat cannot be filled by an alternate. By-elections do not have to be held if the termination of membership occurs within six months before the end of the term of AS FLCM, unless AS FLCM decides otherwise.

(2) If the membership of a member of AS FLCM terminates and their seat can be filled by an alternate, the chair of AS FLCM shall invite the first person on the list of alternates to take the oath of office as a member of AS FLCM. The alternate must meet the eligibility requirements for AS FLCM at the time they assume office. Any obstacles to membership in AS FLCM that arose and ceased before this date shall not be considered. If the alternate refuses to become a member of AS FLCM or fails to appear for the oath without an excuse to the chair of AS FLCM, they shall be removed from the list of alternates, and the chair of AS FLCM shall repeat the procedure. The alternate shall serve as a member of AS FLCM only for the remainder of the respective term (Article 1, Paragraph 4).

(3) A member of AS FLCM elected as a student who has properly completed a bachelor's degree program and applied for enrolment in a follow-up master's degree program at FLCM, or has properly completed a master's degree program and applied for enrolment in a doctoral program at FLCM, may, within seven days of completing their studies, notify the chair of AS FLCM in writing of their intention to become an alternate. In this case, they shall be included on the list of alternates in order based on the number of votes received for a maximum period of four months and shall be called to AS FLCM upon enrolment in the program. If the candidate is not enrolled in the program within this period, they shall cease to be an alternate.

**Article 9**

Revocation of AS FLCM Member

(1) If a member of AS FLCM fails to attend three consecutive meetings of AS FLCM without a proper excuse to the chair of AS FLCM, or if their excuse is not accepted, AS FLCM may propose their removal from office. At least three-fifths of all AS FLCM members must agree to submit the removal proposal.

(2) The respective part of the academic community that elected the member proposed for removal shall vote on the submitted removal proposal by secret ballot, no later than 30 days after the proposal is submitted. The member of AS FLCM shall be removed if the proposal receives an absolute majority of all valid votes in the respective electoral district, with a minimum participation of 15% of the relevant part of the academic community. If this participation requirement is not met, the vote may only be repeated if AS FLCM again decides by a three-fifths majority of all its members. The organization of the vote shall be ensured by AS FLCM.

# PART THREE

**FINAL PROVISIONS**

**Article 10**

**Final Provisions**

(1) The Election and Procedural Rules of the Academic Senate of the Faculty of Logistics and Crisis Management at Tomas Bata University in Zlín, dated October 20, 2009, are hereby repealed.

(2) These rules shall become valid and effective on the date of their approval by the Academic Senate of Tomas Bata University in Zlín.

 JUDr. Pavel Mauer doc. RNDr. Jiří Dostál, CSc.

 AS FLCM Chairperson FLCM Dean

  Ing. Alena Macháčková, CSc.       prof. Ing. Petr Sáha, CSc.

        AS TBU Chairperson       TBU Rector