

# **THE CODE OF ELECTORAL PROCEDURE FOR THE ACADEMIC SENATE OF THE FACULTY OF MATHEMATICS AND PHYSICS OF CHARLES UNIVERSITY<sup>1</sup>**

Adopted on 14 June 2017

*Under sections 27 (1) (b) and 33 (2) (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, and under Article 20 (2) (g) of the Constitution of the Faculty of Mathematics and Physics of Charles University, the Academic Senate of the Faculty of Mathematics and Physics of Charles University has adopted the following Code of Electoral Procedure for the Academic Senate of the Faculty of Mathematics and Physics of Charles University as its internal regulation:*

## **First Part General Provisions**

### **Article 1 Introductory Provisions**

1. Members of the Academic Senate (hereinafter referred to as the “Senate”) of the Faculty of Mathematics and Physics (hereinafter referred to as the “Faculty”) are elected by the members of the academic community at the Faculty from their ranks. The elections are direct and held by secret ballot.
2. The Senate comprises a sixteen-member curia of academic staff (hereinafter referred to as the “Staff Curia”) and a nine-member curia of students (hereinafter referred to as the “Student Curia”). The elections of the members of the individual curiae are held separately. The academic staff of the Faculty elects members of the Staff Curia from their ranks, and the students enrolled at the Faculty elect members of the Student Curia from their ranks.
3. The term of office of all members of the Senate who were elected in regular elections is three years. The term of office of Senate members elected in by-elections is set out in Article 8 (1). The term of office of Senate members elected in special elections is set out in Article 3 (2). The term of office of Senate members elected in repeated elections is set out in Article 6 (1). The term of office of the members of the Staff Curia expires on 31 January, the term of office of the members of the Student Curia expires on 31 May. Membership in the Senate terminates upon the expiry of the term of office.
4. Prior to the expiry of the term of office, a membership in the Senate is terminated:
  - a) Simultaneously with the termination of membership in the relevant part of the academic community for which a member was elected, unless this Code stipulates otherwise,
  - b) On the day when a written declaration in which a member resigns his membership in the Senate is delivered to the President of the Senate,

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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.

- c) On the day when a member assumes a position which is deemed incompatible with membership in the Senate pursuant to Article 6 (7) of the Constitution of the Faculty of Mathematics and Physics of Charles University (hereinafter referred to as the “Constitution”),
  - d) Upon the dissolution of the Senate by the Dean due to its inactivity pursuant to s. 26 (3) of Act No.: 111/1998 Sb., to regulate higher education institutions and to change and amend other laws, as amended.
- 5. The Dean’s Office of the Faculty provides cooperation in organizing and ensuring the correct course of the elections.
  - 6. Whenever this Code specifies time limits in days, these time limits are given in calendar days, unless the Code expressly states that they are working days.

**Article 2**  
**Announcement and Organization of Regular Elections**

- 1. The Senate announces regular elections to the Staff Curia no later than 30 days before the term of office of its members expires. The Senate announces regular elections to the Student Curia no later than 30 days before the term of office of the relevant third of its members expires.
- 2. The announcement includes the method of election, determining of the term of office of the elected members, and other details concerning the course of the election. The announcement of the election is published on the publicly accessible Faculty website (hereinafter also referred to as the “web pages”) no later than 21 days before the first day of the election.
- 3. At the same time, the Senate establishes an election committee and appoints its chair and other members. The Senate may authorize the Student Curia to appoint student representatives as further members in the election committee. The election committee has at least three members and it supervises the correct conduct of the election.
- 4. A member or a group of members of the academic community may propose election candidates in writing to the chair of the election committee. The proposal must include the written consent of the candidate to his nomination. A candidate has the right to have his platform, including a brief presentation of his person, published; any details are to be determined by the election committee.
- 5. The election committee finalizes the lists of candidates pursuant to Articles 9 and 12 within the time limit specified in the announcement pursuant to paragraph 2; any nominations of candidates submitted after the deadline are not taken into account. This time limit must be set at least 3 days and at most 7 days before the first day of the election.
- 6. The election committee publishes the lists of candidates no later than 48 hours before the commencement of the election. Within the same time limit, it also publishes on the publicly accessible web pages the platforms of those candidates who have delivered them to the election committee.
- 7. No later than 15 days before the first day of the election, the Dean’s Office of the Faculty prepares a list of eligible voters. In the list of eligible voters for the election to the Staff Curia, next to the name of every voter is stated the affiliation of every voter to a particular school in the Faculty (F – School of Physics, I – School of Computer Science, M – School of

Mathematics) pursuant to Article 3 (1) of the Constitution or their affiliation to another part of the Faculty (O - other) pursuant to Article 3 (3) of the Constitution. A voter which can be included in more than one group chooses one of these groups in the election.

### **Article 3 Special Elections**

1. If a situation pursuant to Article 1 (4) (d) occurs, the Dean issues a directive and announces a special election to the both Curiae of the Senate.
2. The term of office of all members of the Staff Curia elected in these elections expires on the first date of 31 January after two years from the start of their term of office. The term of office of the first three members of the Student Curia elected in these elections in the order according to Article 13 (3 and 4) expires on the first date of 31 May that occurs after two years from the start of their term of office; the term of office of the next three members of the Student Curia elected in these elections in the order according to Article 13 (3 and 4) expires on the first date of 31 May that occurs after one year from the start of their term of office, and the term of office of the next three members of the Student Curia elected in these elections in the order according to Article 13 (3 and 4) expires on the first date of 31 May after the start of their term of office. The members of the Student Curia whose term of office is two years at a maximum become substitutes after the expiry of the term of office and they are placed in the first positions on the list of substitutes.
3. The provisions of Article 2 (2-7) and Articles 10 and 13 apply with the necessary modifications to the organization and conduct of special elections.

### **Article 4 Course of Elections**

1. Elections are held on work days in such a way that it is possible to vote every day at the specified venue for at least 4 hours. Elections may not be held at the Faculty during holidays.
2. On the basis of a resolution passed by the Senate concerning regular elections and by-elections or by a Dean's directive on special elections, elections may be held partly or completely in electronic form by means of a computer network in which case compliance with the requirements of the Higher Education Act must be ensured. In this case, the announcement pursuant to Article 2 (2) also includes a document on the technical details of the organization, course, and security of such elections. The announcer of the election will address any possible objections of the members of the academic community.
3. A voter identifies himself to the members of the election committee or, in the case of an electronic election, authenticates his identity in the electronic voting system.
4. The voter receives a ballot paper or an electronic ballot paper (hereinafter referred to as the "ballot paper"). A voting booth or an electronic voting system allow the voter the possibility to mark his ballot paper in secret so that the anonymity of voting can be ensured.
5. Every voter may use only one ballot paper for voting.
6. The ballot paper must be filled in according to Article 10 (2) or article 13 (1), otherwise the ballot paper is not valid.

## **Article 5**

### **Election Results**

1. The election committee ascertains the election results no later than on the first working day which follows the last day of the election.
2. At least three members of the election committee supervise the vote count. After all votes have been counted, the election committee prepares a report on the election results which states, in particular, the date of the election, the total number of ballot papers issued, the total number of ballot papers cast, the number of valid ballot papers, the number of votes cast in favour of the individual candidates, the list of the elected candidates (pursuant to Article 10 (4, 6 and 7) or Article 13 (3 and 4)) and the list of substitutes (in the order pursuant to Article 10 (8) or Article 13 (5)) together with the designation of the list of candidates in which they were included. The election report is signed by the chair of the election committee and at least two other of its members.
3. The chair of the election committee or a member of the election committee authorized by the chair announces the election results immediately to the President of the Senate and publishes them in the publicly accessible part of the Faculty website.
4. A voter may file a complaint against the preparation, conduct, and results of an election to the election committee no later than within 8 days of the day of the announcement of the election results. The complaint must be executed in writing and it must include the reasons for the complaint. The election committee examines any complaints filed within 3 working days and informs the complainant and the President of the Senate of the result without any delay.
5. The President of the Senate announces if a candidate has been elected at the first meeting of the Senate held after the expiry of the time limits given in paragraph 4. An elected candidate subsequently receives a written certificate of appointment to the Senate ; this, as a rule, takes place at the first meeting of the Senate after the commencement of his term of office.

## **Article 6**

### **Re-do Elections**

1. If, while examining a complaint pursuant to Article 5 (4) or in the time limit during holding their office, the election committee reaches a conclusion that a lapse has occurred which might have seriously interfered with the election results, the election will be held again. The term of office of members of the Senate elected in this election ends in accordance with the term of office of members which would hold the given positions. Any lapse which may have resulted in an alteration of the list of elected candidates is deemed to constitute a serious interference with the election results. If the election committee finds a lapse which may have led to the alteration of the order of the substitutes, the candidates who have been elected to the positions which are the subject of a doubt or to lower positions will not become substitutes.
2. The election committee determines the date for re-doing an election. In this case, the time limits pursuant to Article 2 (2) may be shortened, however to not fewer than 14 days. The time limit pursuant to Article 2 (7) may be shortened, however to not fewer than 7 days.
3. When an election is re-done, the candidates from the previous date of the election stand again as candidates unless they withdraw their nomination in a written declaration delivered to the chair of the election committee. The provision of Article 2 (4) is unaffected.

## **Article 7 Substitutes**

1. A substitute loses his position as a substitute as a result of being appointed as a member of the Senate or after 3 years have elapsed since the date of the last election in which he stood as a candidate. Furthermore, the provisions of Article 1 (4) are applied for a position of a substitute accordingly.
2. If a seat in the Senate becomes vacant during the term of office as a result of a termination of membership of a Senate member, the President of the Senate will appoint a substitute to fill the vacant seat. A substitute may refuse the appointment in writing without delay. In that case he remains a substitute and another substitute is appointed as a member of the Senate.
3. Articles 11 and 14 of this Code determine the order of appointment of substitutes.

## **Article 8 By-Elections**

1. If not all seats of the relevant curia of the Senate are filled on the basis of the election results or such situation occurs in the course of the term of office of the Senate, the Senate will announce a by-election. The term of office of a member elected in such a by-election expires together with the expiry of the term of office of a member of the Senate which would hold the unoccupied or vacant position otherwise.
2. A by-election is not held if a seat becomes vacant in the last five months of the term of office of the members of the relevant curia of the Senate or the relevant third of members of the Student Curia if the Senate passes such a resolution.
3. Substitutes from by-elections are ranked behind substitutes from regular elections.

## **Second Part Elections to the Staff Curia**

### **Article 9 Candidates and Lists of Candidates**

The candidates for an election to the Staff Curia are listed on four separate lists of candidates in accordance with the designation pursuant to Article 2 (7). A candidate, which may be included into more than one group chooses a list of candidates in which he will stand for election. This choice is a part of the proposal according to Article 2 (4).

### **Article 10 Course and Results of Elections**

1. A ballot paper states a voter's affiliation to a unit group pursuant to Article 2 (7).
2. Every voter votes from all four lists of candidates F, I, M, and O (Article 9) given on one ballot paper by marking a maximum of six candidates on each of the three lists F, I, and M and by marking a maximum of two candidates on the list O.

3. The election committee puts together a common order of the candidates from all four lists of candidates according to the absolute number of votes obtained and includes in the order only those candidates who have obtained at least 10% of votes from the total number of valid ballot papers cast or at least 20% of votes from the number of valid ballot papers cast by the voters from the same unit group pursuant to Article 2 (7). Next to the names of the candidates, the election committee will write down the list of candidates on which the individual candidates were included. If candidates receive the same number of votes, the election committee decides the order by drawing lots and records this in the election report.
4. The first six candidates in the order pursuant to paragraph 3 will become the elected candidates.
5. From the remaining candidates in the order pursuant to paragraph 3, the election committee puts together an order of candidates from each list of candidates separately according to the number of votes obtained from voters from the same unit group (F, I, M or O). The election committee includes in the order only those candidates who are listed in the common order pursuant to paragraph 3. If candidates receive the same number of votes, the order of the candidates in accordance with paragraph 3 is decisive.
6. The first three candidates from each list of candidates F, I, and M and the first candidate from the list of candidates O in the order pursuant to paragraph 5 become the elected candidates.
7. If, as a result of the election result, it is not possible to fill all ten seats pursuant to the provision of paragraph 6, the vacant seats will be filled by candidates from other positions in the order pursuant to paragraph 3.
8. The candidates who were not elected in the order pursuant to paragraph 3 become the substitutes.

### **Article 11 Substitutes**

If a seat in the Senate becomes vacant during the term of office as a result of a termination of membership of a member of the Staff Curia, the President of the Senate will appoint the first substitute from the relevant list of candidates in the order according to Article 10 (5) to fill the vacant seat. If it is not possible, the President of the Senate will appoint the first substitute in the order according to Article 10 (3).

### **Third Part Election into the Student Curia**

#### **Article 12 Candidates and Lists of Candidates**

The candidates for election to the Student Curia are listed on three separate lists of candidates according to their School pursuant to Article 3 (1) of the Constitution which guarantees the programme of study in which a given candidate is enrolled (F – School of Physics, I – School of Computer Science, M – School of Mathematics). A candidate, which may be included into more than one group chooses a list of candidates in which he will stand for election. This choice is a part of the proposal according to Article 2 (4).

**Article 13**  
**Course and Results of Elections**

1. Every member of the student part of the academic community elects from a union of all three lists of candidates F, I, and M listed on one ballot paper by marking a maximum of three candidates.
2. The election committee puts together a common order of the candidates from all three lists of candidates according to the absolute number of votes obtained. It includes in the order only those candidates who have obtained at least 10% of votes from the total number of valid ballot papers cast and next to their names it writes down the list of candidates in which they were included. If candidates receive the same number of votes, the election committee decides the order by drawing lots and records this in the election report.
3. If no member from the list of candidates F, I, or M is present among the members of the Student Curia whose term of office does not end in a current year, the first candidate of a respective list of candidates in the order pursuant to paragraph 2 is elected. Next, the relevant number of the remaining candidates in the order pursuant to paragraph 2 will be elected.
4. If the situation described in paragraph 3 does not occur, the first three candidates in the order pursuant to paragraph 2 are elected.
5. The candidates who were not elected in the order pursuant to paragraph 2 become the substitutes. Substitutes elected in a previous regular election are placed in the order behind them. If, as a result of this provision, a student is included in the list of substitutes more than once, all his other positions except for the highest one are deleted.

**Article 14**  
**Substitutes**

1. If a seat in the Senate becomes vacant in the course of the term of office as a result of termination of membership of a member of the Student Curia, the President of the Senate will appoint:
  - a) The first substitute from the relevant list of candidates in the order pursuant to Article 13 (2) if the number of Senate members elected on one of the list of candidates drops below one,
  - b) The first substitute in the order pursuant to Article 13 (2) if the condition stipulated in clause a) is not fulfilled or if it is not possible to appoint a substitute pursuant to clause a).
2. A member of the Student Curia who has successfully completed a bachelor's programme of study and has applied to a post-bachelor's programme of study or who has successfully completed a post-bachelor's programme of study and has applied to a doctoral programme of study at the Faculty may declare in writing that he intends to be a substitute. The declaration must be delivered to the President of the Senate within 7 days of the completion of study and the substitute will be assigned the first position in the order. In this case the first substitute in the order will be appointed to the Senate after he is enrolled in study, or another substitute in the order will be appointed to the Senate after a decision on the non-admission of the applicant comes into effect, however, the period will not exceed 4 months following the delivery of the declaration. If an applicant is not admitted to study within this time limit, he ceases to be a substitute.

3. The provisions of paragraph 2 apply by analogy to the position of a substitute from the ranks of students.

## **Fourth Part Transitional and Final Provisions**

### **Article 15 Transitional Provisions**

1. Any elections announced before the day when this Code comes into effect follow earlier regulations.
2. Members of the Senate who have been elected in elections which were held in accordance with earlier regulations are deemed to be members of the Senate elected in accordance with this Code. Their term of office is not affected by this Code.
3. The substitutes who were elected in elections which were held in accordance with earlier regulations become substitutes in the same order; in the case of a conflict with this Code, the provisions of Article 10 (8) and Article 13 (5) apply with the necessary modifications.
4. Members of the Student Curia who were elected in accordance with the earlier regulations in the list of candidates D (students enrolled in the doctoral programme of study) are deemed to have been elected in the list of candidates F, I, or M. The provisions of Article 12 apply with the necessary modifications, the decisive status is the one on the day when this Code comes into effect.
5. As of the effective date of this Code, the President of the Senate will appoint a substitute to the new seat of a member of the Student Curia and the provision of Article 14 (1) will apply with the necessary modifications. The term of office of this member of the Student Curia expires together with the expiry of the term of office of the members of the Student Curia who were elected for the 2016-2018 term of office; after the expiry of the term of office he becomes a substitute and is placed in the first position on the list of substitutes.
6. Five members of the Student Curia will be elected in the first regular election announced after the day when this Code comes into effect. The 3 candidates placed highest in the order pursuant to Article 13 (2) are elected for the 2018-2021 term of office with expiry of the term of office on 31 May 2021; the other 2 candidates are elected for the 2018-2020 term of office with expiry of the term of office on 31 May 2020; after the expiry of the term of office they become substitutes and are placed in the first positions on the list of substitutes.
7. Four members of the Student Curia will be elected in the second regular election in the Student Curia announced after the day when this Code comes into effect. The 3 candidates placed highest in the order pursuant to Article 13 (2) are elected for the 2019-2022 term of office with expiry of the term of office on 31 May 2022; the other candidate is elected for the 2019-2020 term of office with expiry of the term of office on 31 May 2020; after the expiry of the term of office he becomes a substitute and is placed in the first position on the list of substitutes.
8. The provisions of Article 1 (3 and 5) and Article 13 (1) will apply with the necessary modifications with regard to elections held pursuant to paragraphs 6 and 7. In the election report pursuant to Article 5 (2) concerning these elections, the election committee will specify



which members of the Student Curia were elected for a longer term of office and which were elected for a shorter term of office.

## **Article 16** **Final Provisions**

1. Part I of the Code of Procedure and Electoral Procedure of the Academic Senate of the Faculty of Mathematics and Physics approved by the Academic Senate of the Faculty on 17 May 2002, as amended, is hereby repealed.
2. This Code was approved by the Academic Senate of the Faculty on 14 June 2017.
3. This Code comes into force on the day of approval by the Academic Senate of Charles University.<sup>2)</sup>
4. This Code comes into effect on the day following the date when it came into force; if the Constitution of the Faculty of Mathematics and Physics of Charles University approved by the Academic Senate of the Faculty on 14 June 2017 is not effective on that day, then this Code comes into effect on the day when the Constitution becomes effective.

*Doc. RNDr. Zdeněk Drozd, Ph.D.*  
President of the Academic Senate

*Prof. RNDr. Jan Kratochvíl, CSc.*  
Dean

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

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<sup>2</sup> Under s. 9 (1) (b) (ii) of the Higher Education Act. This Code was approved by the Academic Senate of Charles University on 23 June 2017.