

THE INTERNAL REGULATION OF JANÁČEK ACADEMY OF MUSIC AND PERFORMING ARTS IN BRNO

as of 26 May 2017

Electoral Code of the Academic Senate

The Academic Senate approves the following internal regulation of Janáček Academy of Music and Performing Arts in Brno (hereinafter referred to as “JAMU”), on a proposal from His Magnificence Mister Rector prof. Ing. MgA. Ivo Medek, Ph.D.:

PART ONE LEGAL REGULATION

Article 1

Legislation and Electoral Code of the Academic Senate

(1) The Academic Senate of JAMU (hereinafter referred to as the “Senate”) is a self-governing, representative academic body of JAMU pursuant to Section 7 (1) (a) and Section 8 (1) of Act No. 111/1998 Sb., on higher education and on amendments and supplements to certain other acts (the Act on Universities), as amended (hereinafter referred to as the “Act”). The membership in the Senate is regulated, in particular, by Section 8 (1-3), Section 62 (1) (h) and Section 83b (4) of the Act.

(2) The present Electoral Code of the Senate regulates the number of the members of the Senate, incompatibility of the membership in the Senate with other posts, elections of members of the Senate, term of office for members of the Senate, reasons for and date of termination of membership in the Senate.

PART TWO COMPOSITION OF THE SENATE

Article 2

Number of members and composition of the Senate

The Senate has 12 members, of whom 4 are students of JAMU.

Article 3

Incompatibility

The membership in the Senate is incompatible with the post of Rector, Prorector, Bursar, Dean, Vice-Dean, Secretary of a Faculty, Director of an institute and member of the Board of National Accreditation Bureau for Higher Education.

PART THREE
ELECTIONS OF MEMBERS OF THE SENATE

Article 4

Right to vote

(1) The members of the Senate are elected by the members of the academia of JAMU (hereinafter referred to as the “Academia”) among themselves. Every person who is a member of the Academia at least on the second day of the elections has the right to vote.

(2) Every candidate who is a member of the respective group of the Academia continuously from the moment he/she became a candidate until the end of the second day of the elections may be elected a Senator.

Article 5

Announcement of elections

- (1) Elections to the Senate are announced by the Chairperson of the Senate.
- a) within 30 days prior to the expiry of three years from the day on which the Senate first convened after the last elections; or
 - b) in the event of by-elections of a replacement.

(2) The Rector announces the elections

- a) within 30 days after the end of the term of office of all members of the Senate due to the failure of the Senate to act;
- b) within 15 days after the expiry in vain of the time-limit in accordance with paragraph (1); or
- c) within 15 days after the cancellation of the elections.

(3) The member of the Academia who was the last to hold the post of the Chairperson of the Senate shall announce the elections if any of the time-limits in accordance with paragraph (2) expire in vain and there is no one to act in the capacity of the Rector.

Article 6

Requirements for the announcement of elections

(1) The announcement of elections shall indicate (without limitation):

- a) who announced the elections and when;
- b) the composition of the Electoral Commission;
- c) the time schedule of the elections with the indication of:
 1. the day on which the list of members of the Academia will be posted;
 2. the time-limit for filing proposals of candidates;
 3. the determination of the method for filing proposals of candidates;
 4. election days.

(2) The announcement of the elections shall be made accessible for the members of the Academia through the JAMU information system (hereinafter referred to as the “JAMU IS”) and posted on notice boards of the faculties.

Article 7

Composition of Electoral Commission

(1) The elections are conducted by a six-member Electoral Commission (hereinafter referred to as the “Commission”) composed of members of the Academia; at least two members of the Commission must be students of JAMU.

(2) If the elections have been announced by the Senate, the same shall appoint members of the Commission, with the Chairperson of the Senate being the Chairperson of the Commission. In other cases, the members of the Commission and its Chairperson are appointed by the person who announced the elections.

Article 8

Decision-making of the Commission

A decision that qualifies as a decision of the Commission necessitates the approval of the majority of the members of the Commission.

Article 9

Posting a list of the members of the Academia

A list of the members of the Academia as of the day of its posting shall be made available for the members of the Academia through the JAMU IS and the same shall be posted on notice boards of the faculties; such list shall be prepared by the human resources and student affairs departments of the Rectorate at the Commission’s request; the list shall not include persons holding a post incompatible with that of a member of the Senate.

Article 10

Proposals of candidates

(1) The Commission shall place sealed boxes for filing proposals of candidates in the building of each of the faculties.

(2) Proposals of members of the Senate are filed by members of the Academia. Proposals are filed through the JAMU IS or in writing by casting the same in the box. Proposals must clearly indicate the name and surname of the candidate.

(3) The deadline for filing proposals shall be at least 7 days after posting the list of the members of the Academia.

Article 11

Verification of agreement

The Commission shall invite the proposed members of the Academia to express their agreement with their candidacy and if they are members of more groups in accordance with Article 12 to indicate the group in which they will candidate and become candidates; if they fail to do so within three days from the day on which they were invited, they shall be deemed not to agree with their candidacy.

Article 12

Groups

For the election purposes, the candidates are divided into groups, namely:

- a) students of the Faculty of Theatre;

- b) students of the Faculty of Music;
- c) academic employees of the Faculty of Theatre;
- d) academic employees of the Faculty of Music.

Article 13

Lists of candidates

(1) The Commission shall make a list of candidates from the candidates in alphabetical order according to their surnames for each group. The candidates which do not belong to any of the groups in accordance with Article 12 shall be added, in alphabetical order, alternatively one by one

- a) to lists of candidates of students of the faculties, if they are students; the first one shall be added to the list of the candidates of the Faculty of Theatre;
- b) to lists of candidates of academic employees of the faculties, if they are academic employees; the first one shall be added to the list of the candidates of the Faculty of Music.

(2) The Commission shall make the lists of candidates available for the members of the Academia through the JAMU IS and shall post them on notice boards of the faculties at least 3 days before the first day of the elections.

Article 14

Deletion from a list of candidates

If the membership of a candidate in the Academia ceases to exist, or if a candidate notifies the Commission in writing of his/her withdrawal, accepts a post incompatible with the membership in the Senate or dies, he/she shall cease to be a candidate and the Commission shall delete such candidate from the list.

Article 15

Election campaign

(1) The candidates are obliged to behave honestly and fairly. There may be no election campaign and no opinion polling may be published on the election days and one day preceding the election days. Any materials published in the election campaign may not be removed on these days.

(2) JAMU shall ensure that a level playing field is maintained in the elections. Interim results of the elections shall not be published.

Article 16

Election days

The elections are held for a period of two business days.

Article 17

Method of voting for members of the Senate

(1) The elections are direct, conducted by secret ballot through the JAMU IS. Each voter shall vote alone and in person; voting by proxy is not allowed. Any voter who may not vote directly may vote with the assistance of another voter who may not be a candidate.

(2) Each voter shall tick at least 2 candidates from each group of the students, and 4 candidates from each group of the academic employees in the lists of candidates. Any votes cast in violation of this paragraph shall not be valid.

Article 18

Cancellation of elections

If, at any time during the elections, the Commission finds out any violation of the Electoral Code which may have an impact on the result of the elections or which may seriously undermine trust of the Academia in it, the elections shall be cancelled.

Article 19

Results of elections

(1) After the vote, the Commission shall count the votes cast for the candidates. Unless the elections have been cancelled, a candidate is elected if the same finally ranked

- a) in the first two places among the candidates in student groups; or
- b) in the first four places among the candidates in academic employee groups;

whenever necessary, a decision on the final order of the candidates with an equal number of votes is made by drawing lots. The other candidates shall be replacements.

(2) The Commission shall publish the results of the elections in the public section of the JAMU website without delay after the results are ascertained. The Chairperson of the Commission shall call a constitutional meeting of the Senate in compliance with the Rules of Procedure of the Academic Senate.

Article 20

Minutes of elections

(1) The Chairperson of the Commission shall take minutes of the elections in two copies signed by the members of the Commission. The minutes shall include (without limitation):

- a) the date of the elections announcement, date of posting the lists of the members of the Academia, deadline for filing proposals and date of elections;
- b) the list of candidates and the list of proposed persons who did not become candidates, with the indication of the reason why such person did not become a candidate;
- c) the number of votes obtained by each of the candidates and the final ranking of the selected candidates;
- d) a statement of the voting from the IS shall constitute an annex to the minutes.

(2) If any member of the Commission does not agree with the contents of the minutes, such member's reservations shall be included at the end of the minutes.

(3) The minutes of the elections shall be handed over by the Chairperson of the Electoral Commission to the Chairperson of the Academic Senate and to the Rectorate of JAMU for archiving purposes.

PART FOUR

MEMBERSHIP IN THE SENATE

Article 21

Acquisition of membership

The membership of an elected candidate in the Senate shall commence on the day of the first meeting of the Senate after such candidate has been elected.

CHAPTER TWO RESOLUTIONS

Article 22

Term of office

- (1) The term of office of members of the Senate is three years.
- (2) The term of office of a replacement shall expire on the day on which the term of office of the member whose place in the Senate was replaced would have expired.

Article 23

Reasons for and date of termination of membership

- (1) The membership in the Senate terminates
 - a) upon the expiry of the term of office;
 - b) upon the failure of attendance in a meeting of the Senate, if such member
 1. fails to attend two consecutive meetings of the Senate without excuse; or
 2. fails to attend any of the meetings of the Senate during six consecutive months;and the Senate accepts a resolution that the membership of such member terminated;
 - c) if the Senate fails to act for a period of six months in compliance with Section 9 although it should act;
 - d) upon resignation;
 - e) upon accepting a post incompatible with the membership in the Senate;
 - f) upon death;
 - g) upon the termination of membership in the relevant circles of the Academia, except for
 1. the membership of a student who was finally and conclusively admitted to another, follow-up study programme (hereinafter referred to as the "follow-up study programme") during the term of office of such student provided that the same delivered the approval with keeping the post of a member to the Chairperson of the Senate and enrolls for the follow-up study programme, each no later than on the day of the completion of the preceding study programme; if such member fails to do so, the membership shall terminate on the day of completion of the study programme or upon the expiry of the deadline for enrolment for the follow-up study programme;
 2. membership of an academic employee whose employment was terminated which does not terminate if the employment is immediately followed by another employment;
 - h) upon failure to accept a proposal for appointment of a Rector in the repeated phase of decision-making.
- (2) The membership in the Senate shall terminate on the day on which any of the reasons referred to in paragraph (1) occurred.

(3) Paragraph (1) g) 1. shall also apply to the membership in the Academic Senate of the faculty.

Article 24

Replacements

(1) If the membership of any member of the Senate terminates prior to the expiry of his/her term of office, a replacement shall take up the vacated post according to the final ranking in the respective group.

(2) If a replacement does not take up the vacated post in accordance with paragraph (1), by-elections shall take place among the members of the Academia; Part Three of this internal regulation shall apply to the by-elections with necessary modifications.

(3) No more than 6 replacements may become members of the Senate.

PART FIVE

TRANSITIONAL AND CONCLUDING PROVISIONS

Article 25

Transitional provisions

(1) The Members of the Senate in accordance with the previous internal regulations of JAMU shall remain members of the Senate also in accordance with the present internal regulations.

(2) The elections announced in accordance with the previous internal regulations of JAMU shall be governed by the previous internal regulations.

Article 26

Repealing provisions

The Electoral Code and Rules of Procedure of the Academic Senate of 21 January 2009 shall be repealed.

Article 27

Effective date

The present internal regulation shall come into force on the day of its registration by the Ministry of Education, Youth and Sports, and it shall become effective on the second day of the second calendar month following the month in which the Rules of Procedure of the Academic Senate of 26 May 2017 came into force.

prof. Ing. MgA. Ivo Medek, Ph.D., m.p.

Rector

prof. PhDr. Silva Macková, m.p.

Chairperson of the Senate

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