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# Code of Procedure for the Academic Senate of Charles University

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*Under section 36 (2) of Act No. 111/1998 Sb., to regulate higher education institutions and to change and amend other laws (the Higher Education Act), the Ministry of Education, Youth and Sports registered the Code of Procedure for the Academic Senate of Charles University under ref. n. MSMT-38084/2016 on 14 December 2016.*

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Director of the Higher Education Department*

## Code of Procedure for the Academic Senate of Charles University of 14 December 2016

*Under sections 9 (1) (b) and 17 (1) (c) 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 Charles University has adopted the following Code of Procedure for the Academic Senate of Charles University as an internal regulation of the University:*

### Part I Meetings

#### Article 1 Schedule of Meetings

1. The meetings of the Academic Senate of Charles University (“the Senate”) are held at least five times per academic year. The schedule of meetings is prepared by the Board of the Senate (“the Board”) for the period of one semester.<sup>1</sup>
2. The schedule of meetings is sent to:
  - a) all members of the Senate;
  - b) the Rector, the Vice-Rectors, the Chief Financial Officer, the Head of the Rector’s Office, and other members of the Rector’s Board;
  - c) the academic senates of faculties, the deans, and the directors of other units of the University for their information and for publishing at the faculties and other units of the University;
  - d) the representatives of Charles University (“the University”) in the Higher Education Institutions Board (Article 27 (2)) and their substitutes, if substitutes have been appointed under the Constitution of the Higher Education Institutions Board.
3. The schedule is published on the publicly accessible part of University website.

#### Article 2 Regular and Extraordinary Meetings

1. Regular meetings of the Senate are convened by its President according to the approved schedule. The Board may decide to change the date of a regular meeting.
2. An extraordinary meeting is convened by the President of the Senate within ten days of the receipt of a request from the Rector or at least one fifth of all members of the Senate, unless a longer time is requested. The request must concern only urgent matters and it must be accompanied by the relevant documents.
3. The date and venue of a regular meeting must be communicated to the persons and bodies referred to in Article 1 (2), and, where appropriate, to other persons who should attend the meeting, at least ten days in advance; the time and venue of an extraordinary meeting must be communicated at least three days in advance.

#### Article 3 Opening and Chairing Meetings

1. A meeting may be opened only if an absolute majority of all members of the Senate are present. If, during the meeting, the number of members present is found (Article 9 (5)) to have fallen below the quorum, the meeting will be closed after 15 minutes, unless the situation changes.
2. Meetings will be chaired by the President of the Senate or by a Board member authorised by the President (“the Chair”).

#### Article 4 Agenda

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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.

1. The agenda of individual meetings is proposed by the Board. The proposal is based primarily on the Higher Education Act, the internal regulations of the University, resolutions of the Senate, proposals made by other bodies of the University, and proposals made by the members of the Senate.
2. The proposed agenda must be communicated in the manner provided in Article 2 (3). The Board may additionally amend the agenda in urgent cases.
3. After opening the meeting, the Chair will allow the members of the Senate to submit amendments to the agenda. The Rector also has the right to submit such amendments. A person submitting an additional element to the agenda must justify its urgency.
4. The proposed agenda as well as amendments under paragraph 2 or 3 are decided on by the Senate. Later changes to the agenda are not permissible.

## **Article 5 Adjournment of a Meeting**

1. If the approved agenda has not been completed within six hours, the Board may decide to adjourn the meeting. The meeting may also be adjourned if it could not be opened because of an insufficient number of members of the Senate present 45 minutes after the announced start of the meeting, or if the meeting is adjourned rather than closed in accordance with the second sentence of Article 3 (1). The Board will always decide to adjourn if the remaining items on the agenda cannot be postponed until the next regular meeting.
2. The meeting may also be adjourned if it has been seriously disrupted.
3. The meeting may not be adjourned for more than 14 days. The persons and bodies referred to in Article 1 (2) will be individually notified of the date and venue of the meeting at which the adjourned meeting will be resumed only if those persons or representatives of the bodies were not present at the adjourned meeting. They will be notified without delay.

## **Article 6 Consideration of Items on the Agenda**

1. Individual items on the agenda are usually considered on the basis of the relevant background documents.
2. These documents are presented to the Board by the mover who requests that they be considered no later than ten days before the date of the meeting of the Senate; this time limit does not apply to extraordinary meetings or to cases regulated otherwise. The relevant background documents are made accessible, without delay, to the members of the Senate on the non-public part of the University website and they are sent to the members of the Senate together with the details about the date and venue of the meeting under Article 2 (3). The relevant background documents and documents under Articles 1 and 4 may be sent in electronic form, unless a member of the Senate in justified cases expressly requires that all of the documents, or some of them, be sent in printed form; the details of electronic communication must be available in the Office of the Senate and must be made available in accordance with the previous sentence. In simple cases, an item on the agenda may be considered without the relevant background documents upon approval of the Board, or during the course of the meeting upon approval of the Senate. If, at any time during the meeting, the Senate resolves that it will not consider the matter without the relevant background documents, it will decide to put the relevant item on the agenda of the subsequent meeting of the Senate, or to take other steps.
3. An item on the agenda will be introduced by the mover, by a member of the Board, or by a member of a commission of the Senate.
4. In addition to the mover and the author, the Board may invite other persons to the meeting if it is necessary for due consideration of the matter. The persons who must be invited to attend the meeting are listed in Part II.
5. If the requested opinions of the bodies or units of the University are submitted in writing, they must be transmitted to the Board no later than three days before the meeting of the Senate.
6. If, at any time during the meeting, the Senate resolves that the relevant background documents are inadequate, it will request that the documents be amended, and it will decide to put the relevant item on the agenda of the subsequent meeting of the Senate, or to take other steps.
7. The following motions may either be adopted or rejected by the Senate, but no amendments by the members of the Senate are permissible: the Rector's motions to establish, merge, consolidate, subdivide, or dissolve units of the University, to establish or dissolve joint departments of units of the University, to adopt the University budget, to repeal or suspend the effect of an internal regulation of a unit of the University or of a decision or another act of a unit of the University, and the motions to adopt internal regulations of faculties and other units.

## **Article 7 Debate**

1. Every item on the agenda will be debated. The persons referred to in Article 1 (2), or authorised representatives of the bodies referred to in that article, may participate in the debate.
2. Other persons may also claim the floor in the debate. The Senate may refuse to give the floor to such persons.
3. The floor can be claimed during the meeting by raising one's hand, or in another manner approved by the Senate.
4. The Chair gives the floor to the speakers in the order in which they claimed it. The Senate may resolve to limit the length of a contribution to a maximum of three minutes.
5. A member of the Senate has the right to make an observation in response to the debate. He will be given the floor immediately after the person speaking has finished. The observation must be made within one minute.
6. Except where the motions referred to in Article 6 (7) are being considered, and unless otherwise provided in special provisions of this Code, the members of the Senate may present amendments to the motions contained in the relevant background documents or presented in the introductory speech under Article 6 (3).

7. The mover may amend the motion in accordance with the debate, unless the Senate resolved that no amendments to the motion were permissible.
8. At the end of the debate the floor will be given to the mover if he claims it.
9. The Chair may propose that the debate be closed if it is obvious that its continuation cannot help to clarify the matter debated.
10. No one may be interrupted by anyone whilst speaking in the debate; this provision does not apply where the Chair warns the speaker that he may be directed to discontinue speaking. Exceptionally, the Chair is entitled to direct the speaker to discontinue speaking:
  - a) if the speaker, despite a prior warning, has not spoken to the point discussed, or has misused the right to make an observation; any member of the Senate may raise an objection, and the objection will be decided upon by the Senate without delay;
  - b) if the speaker has exceeded the limit of the contribution length under paragraph 4, or the time limit under paragraph 5.
11. The items on the agenda which contain information to be noted by the Senate will not be debated if relevant background documents were available (Article 6 (1) and (2)), and no member of the Senate has requested a debate.

## **Article 8 Resolution**

1. The Senate expresses its will through resolutions.
2. The Senate has a quorum if a majority of its members are present. Unless otherwise provided in the Higher Education Act, a resolution is adopted if an absolute majority of the persons present voted in its favour, corresponding to at least one third of all members of the Senate; as regards resolutions on the internal regulations of the University, a resolution is adopted if at least two thirds of the persons present voted in its favour, corresponding to the absolute majority of all members of the Senate.
3. The full text of the resolution must be recorded verbatim in the minutes. If it is necessary to execute a resolution in writing separately, the resolution will be signed by the President of the Senate or a member of the Board authorised by him.

## **Article 9 Voting**

1. Every motion submitted to the Senate will be put to the vote separately, unless the mover withdraws the motion before the voting starts. If it is a meritorious (i.e., substantive) motion, the Senate may resolve not to permit the withdrawal of the motion; this does not apply if an internal university regulation is put to the vote.
2. Motions connected in subject matter and motions concerning the same item on the agenda may be put to the vote jointly. This does not apply if the mover objected to the motion during the debate, or if a member of the Senate asked for a separate vote.
3. A vote on motions is taken in the order in which the motions were submitted, subject to the following exceptions:
  - a) if a motion was submitted to withdraw an item from the agenda, a vote on such motion is taken first;
  - b) voting on amendments takes place before voting on the original motion, in the reverse order to that in which they were presented;
  - c) in the case of amendments with alternative formulations, the first vote is taken on the alternatives and then the resultant motion is put to the vote; the best alternative is determined by a simple majority of votes cast; if an equal number of votes is received, a brief additional debate on the alternatives is held, and the vote is subsequently taken again; if any alternative receives the number of votes necessary for passing a motion, no more voting takes place.
4. Amendments must be supported by an absolute majority of all persons present regardless of the number of votes required for the passing of the original motion.
5. Prior to every vote the Chair will indicate that a vote will be taken, and he will ascertain the actual number of the members of the Senate present as appropriate. Counting devices may be used to facilitate ascertaining the number of the persons present.
6. Voting is public, unless otherwise provided by the Higher Education Act. The voting concerning persons identified by their names is always conducted by secret ballot; this does not apply if election commissions or voting validation commissions are to be established, or where the voting is conducted under Article 7 (2). Other voting may also be conducted by secret ballot if a member of the Senate so proposes and at least a third of the members of the Senate present agree; however, if an amendment is to be put to a vote, the vote by secret ballot is subject to the Senate's resolution.
7. In the case of public vote, members of the Senate vote by raising their hand, or they may use voting aids, such as mechanical or electronic voting devices.
8. In the case of a secret ballot, the votes are placed in a ballot box. The result of voting is determined by a three-member commission which may be composed only of members of the Senate. Each member of the commission must belong to a different faculty or another unit of the University.
9. Voting may not be interrupted.
10. After the vote has been terminated or the results of the vote determined, the Chair or a member of the commission under paragraph 8 authorised by the Chair, announces the results, stating the number of votes cast in favour of the motion, against the motion, and the number of abstentions. If a member of the Senate, although present, failed to participate in the vote, he is considered to have abstained.
11. Voting on procedural matters may take the form of tacit consent. In such a case, it is not necessary to determine the results of voting in numbers. This form of voting may not be used if a member of the Senate objects to it.

12. Any member of the Senate may object to the process of voting immediately after the vote. The Senate will decide on the objection without holding a debate. If the Senate sustains the objection, the vote must be taken again.

## **Article 10 Consideration and Voting Outside the Meeting**

1. In cases where the Board is empowered to adopt opinions of the Senate (Article 36 (4)), and in respect of the organisation of the Senate's work, a matter may be, based on the Board's resolution, considered and put to a vote outside the meeting.

2. The resolution under paragraph 1, the relevant background documents, the text of the motion, and a voting form will be sent to the members of the Senate via closed electronic conference. The resolution will indicate the time limit for consideration and voting, which may not be shorter than five working days from the dispatch. At the request of a member of the Senate, the motion will be sent in printed form as well.

3. Voting is public. The completed voting form contains the name and surname of the voter and his vote (yes/no/abstain), otherwise it is invalid.

4. A motion put to the vote outside the meeting is deemed approved if the absolute majority of all members of the Senate voted in its favour. As regards the organisation of the Senate's work, the Board may, if a member of the Senate has so requested within three days of the announcement of voting results, suspend the effect of a motion adopted in this manner, and decide that the motion will be re-considered at the subsequent meeting of the Senate.

5. This manner of voting may not be used in order to decide a matter that should be decided by secret ballot. Likewise, this manner of voting may not be used if at least one third of members of the Senate indicated their disagreement within the time limit set for consideration and voting.

6. The record about voting outside the meeting is to be approved by the Senate at the next regular meeting. The record must include a list of the names of the members of the Senate with an indication of how they voted. The procedure under the third sentence of Article 36 (4) does not apply.

## **Article 11 Minutes and Records of a Meeting**

1. Minutes are to be taken of all meetings of the Senate, as well as sound or audio-visual recordings, or a written record, as appropriate, to serve as source materials for the minutes.

2. The minutes of a meeting indicate the date of the meeting, the names of the members of the Senate present, those who were excused from attendance or who were absent, those who were invited to the meeting of the Senate, who from the members of the Board acted as the Chair, the agenda, who introduced individual items on the agenda, who participated in the debate, the content of presented motions, resolutions passed, and the results of voting in numbers. A person participating in the debate is obliged to introduce himself upon the request of the person recording the course of the meeting.

3. If any item on the agenda on which a resolution should be passed is not supported by written documents, the minutes are to provide the basic details regarding such an item.

4. Upon the express request of a person who has presented a motion, opinion, or other communication, or upon the resolution of the Senate, the required transcript from such presentation is to be recorded verbatim in the minutes. The request must be made while the issue is being considered.

5. The minutes are taken by the secretary of the Senate. In his absence, the written record of the course of the meeting is to be made by a person authorised by the Chair.

6. The written record of the meeting and the minutes are authenticated by the Chair.

7. The minutes are sent to the persons and bodies referred to in Article 1 (2). The resolution of the Senate is sent to other bodies and persons if it directly concerns them.

8. The Senate reviews the minutes of the previous meeting as a separate item on the agenda at the subsequent meeting. Upon the motion of a member of the Senate, any necessary corrections are made. If an issue is disputable, the Senate passes a resolution on the correction of the minutes.

9. After the review, any corrections are sent to the persons and bodies referred to in Article 1 (2). After the review, the minutes are also published on the University website.

10. Minutes, written records, and sound or audio-visual recordings are deposited in the Office of the Senate. Sound or audio-visual recordings must be deposited for at least six years. All members of the academic community have the right to inspect them or to listen to them in the Office of the Senate.

## **Part II Decisions on Special Issues**

### **Article 12 Decisions Regarding the Organisation of the University**

1. Motions to establish, merge, consolidate, divide, or close ("an organisational change") faculties or other units of the University are submitted to the Senate by the Rector.

2. The time limit for the submission of background documents is five weeks before the date of the meeting of the Senate.

3. A motion for an organisational change must include justification. The motion must be accompanied by a written document describing the unit to be created, plans for its organisational structure, and a financial analysis. With respect to motions for other organisational changes, the previous provision applies with the necessary modifications.

4. The deans of faculties and the directors of other units affected by the organisational change are to present their opinions in the debate on the motion.

5. A motion for an organisational change which concerns a joint workplace of several faculties or other units is presented to the Senate by the Rector. Paragraphs 2 to 4 apply by analogy, and the motion must include approval from the deans of the faculties concerned and the directors of the units concerned, as well as opinions of the academic senates of the faculties concerned.

## **Article 13 Approval of Internal Regulations of the University**

1. A proposal for an internal regulation of the University, including justification, is presented in printed and electronic form through the Office of the Senate no later than five weeks before the meeting of the Senate at which it is to be considered; the Board may, in justified cases, shorten this time limit to three weeks before the meeting of the Senate, and in such a situation the Board may also shorten the time limits referred to in paragraphs 3 and 4. The proposal is to be published on the publicly accessible part of the University website without delay.

2. Where several proposals for the code of procedure for the Academic Senate have been submitted, they will be considered in the order in which they were submitted.

3. The Secretary to the Senate will request opinions on the proposals as appropriate, from the academic senates of faculties, the deans, and the directors of other units. The Secretary will request, in the same way, an opinion on the proposal for the code of procedure for the Academic Senate from the Rector. The time limit for sending opinions to the Office of the Senate is two weeks before the meeting of the Senate. The opinions received are published without delay on the publicly accessible part of the University website.

4. Amendments proposed by members of the Senate must be submitted to the Legislative Commission of the Senate and to the Rector through the Office of the Senate no later than ten days before the meeting of the Senate. Late submissions of amendments are not permissible, except for the modifications of proposals submitted on time. The mover presenting a proposal for an internal regulation of the University may modify his proposal in response to the amendments or opinions of the units; the modification is regarded as an amendment for the purposes of further consideration. The Rector may present his opinion on amendments proposed by members of the Senate to the Legislative Commission or directly at the meeting of the Senate.

5. The proposal including the submitted amendments is considered by the Legislative Commission of the Senate. The persons who have presented their opinions have the right to substantiate their comments at the meeting of the Legislative Commission of the Senate. The collection of amendments constitutes the relevant background documents required for the meeting of the Senate under Article 6 (1). The opinion of the Legislative Commission of the Senate on amendments, published on the University website no later than three days before the meeting of the Senate and also available in written/printed form at the opening of the meeting of the Senate, is also included in the relevant background documents for this meeting.

6. Where the time limits or shortened time limits referred to in paragraphs 1, 3, and 4, or the time limit referred to in paragraph 5, have not been adhered to, the Senate may decide on the consideration of a proposal by a separate resolution.

7. The mover is obliged to designate the changes in internal regulations of the University as partial or comprehensive. The Board may decide that a change designated as partial is in fact comprehensive with respect to its character. In the case of partial changes, only amendments to the provisions concerned are permissible. The amendment to an internal regulation of the University is to be accompanied by a full text with the changes indicated.

8. Should the complexity of the submitted proposal so require, the Board may decide that the proposal will be considered in two readings. For the second reading, the proposal considered in the first reading and modified accordingly by the Legislative Commission of the Senate must be submitted. The second reading is held at the next regular meeting of the Senate, unless the Senate resolves to shorten the time limit. Only the Rector's opinion, or in the case of a proposal submitted by the members of the Senate the opinion of the movers, is required for the second reading. The provision on amendments applies by analogy, and the time limit for the submission of such amendments expires three days before the meeting of the Senate.

9. Should the academic senate of a faculty, the dean of a faculty, or the director of a unit disagree with the proposal for an internal regulation of the University, their opinion along with the reasons given is to be read at the meeting of the Senate.

10. The approved internal regulation is to be signed by the President of the Senate and the Rector. The approved internal regulation is to be submitted by the Board, via the Rector, to the Ministry of Education, Youth and Sports within fourteen days of approval.

11. The text of the registered internal regulation is to be published on the University website; the information on publishing along with information on the force and effect of the internal regulation is to be posted on the publicly accessible part of the University website. The Rector is to provide information about the registration at the subsequent meeting of the Senate.

12. Should there be any disagreement with the Ministry of Education, Youth and Sports during their consideration of the application for registration of the approved internal regulation, the matter is to be presented to the Senate again, along with the opinion of the Legislative Commission of the Senate, and the Rector where appropriate.

13. Should the application for registration of the approved internal regulation be dismissed, the Senate will consider the option of filing a remonstrance; it shall also consider the option of filing an administrative action, an administrative appeal in cassation, or a constitutional complaint.

## **Article 14 Approval of Internal Regulations of Faculties and Other Units**

1. The proposal for an internal regulation of a faculty is introduced and signed by the president of the academic senate of the faculty and co-signed by the dean; the dean's signature is to certify that the dean has become acquainted with the proposal. The proposal is accompanied by written justification; in the case of an amended internal regulation of a faculty, it must be accompanied by a full text with the changes indicated. A person authorised by the president of the academic senate of the faculty acts on behalf of the mover.
2. When submitting a proposal for an internal regulation of a faculty, the mover respects the schedule for the meetings of the Senate. The proposal is submitted to the Office of the Senate in three printed copies and electronically, no later than four weeks before the meeting of the Senate at which it is to be considered. The proposal is referred, without delay, to the Rector and published on the publicly accessible part of the University website.
3. Proposals for internal regulations of a faculty, along with the Rector's opinion which must be drawn up no later than ten days before the date of the meeting of the Senate, are submitted to the Legislative Commission of the Senate. The members of the Senate must submit any comments on the text of the proposal within the same time limit; late submissions are not permissible. The Legislative Commission of the Senate adopts its opinion on the proposal. If the proposal complies with the legislation and internal regulations of the University, and it requires no completion, the Commission recommends the proposal for approval. If legislative and technical corrections are to be made in the proposal, the Commission recommends the proposal for approval subject to such corrections. If the Commission finds the proposal inconsistent with the legislation or internal regulations of the University, or if the proposal requires completion, the Commission will indicate its comments or recommend to the mover that the proposal be withdrawn.
4. If the Legislative Commission of the Senate recommends the proposal for qualified approval, or provides comments, or recommends that the proposal be withdrawn, it will inform the mover and the Board. Unless otherwise agreed with the mover, paragraphs 2 and 3 apply by analogy to further steps. The mover may insist that the proposal be considered at the meeting of the Senate. In that case the recommendation of the Legislative Commission of the Senate to dismiss the proposal stands.
5. The opinion of the Legislative Commission of the Senate on the proposal and the Rector's opinion serve as primary background documents for the consideration by the Senate of proposals for internal regulations of faculties.
6. The resolution of the Senate disapproving an internal regulation must include justification. Should the academic senate of a faculty disagree with such a decision over the interpretation of the legislation or internal regulations of the University, the academic senate of the faculty may apply, within one month of the date of the resolution, for reconsideration of the matter. Article 29 (2) and (3) apply by analogy to the reconsideration.
7. After the incorporation of any legislative and technical corrections, the approved internal regulation of a faculty is furnished with an approval clause signed by the President of the Senate, and is sent to the relevant faculty within fourteen days of the date of approval or the incorporation of legislative and technical corrections. The text of the approved internal regulation of a unit is published on the publicly accessible part of the University website.
8. The proposal for an internal regulation of a unit is signed by the Rector and the director; the director's signature is to certify that the director has become acquainted with the proposal. A person authorised by the Rector acts on behalf of the mover. Paragraphs 2 to 7 apply with the necessary modifications.

## **Article 15 Approval of the Budget**

1. The Rector gives an introductory speech on the draft budget. The financial details of the draft budget are usually presented by the Chief Financial Officer.
2. The Economic Commission of the Senate is to submit its opinion on the draft budget. In its opinion, the Commission may recommend to the Rector modifications to the draft budget.
3. The draft budget must be discussed with the units of the University. Should a body of any unit of the University have serious reservations concerning the draft budget, the dean or the secretary of the faculty, or the director of a unit, is to present his reasoned opinion at the meeting of the Senate.

## **Article 16 Audit of Financial Management**

1. The audit of financial management, including the audit of the use of funds of the University, is carried out by the Senate:
  - a) when considering the annual report on financial management;
  - b) through the Economic Commission of the Senate;
  - c) in other cases in the manner determined by the resolution of the Senate.
2. The members of the Senate authorised by the Board have the right to be provided with all information relevant for such audit, except for information classified in the public interest under relevant legislation. A written authorisation, specifying the subject matter and the time of the audit, is issued by the President of the Senate.
3. The members of the Senate referred to in paragraph 2 will present their report at the meeting of the Senate which is to deal with the audit results. Managers whose divisions have been audited must be invited to the meeting. They have the right to present their opinions and the members of the Senate may ask them questions concerning the findings of the audit.
4. Where necessary, the period of time during which the audit is to be carried out may be extended, or the audit may be repeated.
5. Should the audit identify any deficiencies, the Senate will invite the relevant body of the University or units to remedy them.

## **Article 17 Approval of the Strategic Plan**

1. The relevant background documents must be submitted no later than five weeks before the meeting of the Senate.
2. The Rector is to give an introductory speech on the proposal for the strategic plan of the University. The Vice-Rectors may present detailed comments on the strategic plan in individual areas.
3. The competent commissions of the Senate are to express their opinions on the proposal for a strategic plan.
4. Amendments proposed by the members of the Senate must be submitted to the Rector through the Office of the Senate no later than five days before the meeting of the Senate. The Rector will express his opinion on the amendments. Late submissions are not permissible.
5. The respective deans or directors of other units may comment on those sections of the strategic plan which concern their faculties or units. Their opinion may also be submitted in writing.
6. Paragraphs 2 to 5 apply by analogy to annual updates to the strategic plan. The Senate may recommend that a new proposal for a strategic plan be submitted instead of an annual update to the strategic plan.

## **Article 18 Approval of Annual Reports**

1. The Rector is to give an introductory speech on annual reports. The Vice-Rectors may present detailed comments on individual areas included in an annual activity report. The financial details of an annual report on financial management are usually presented by the Chief Financial Officer.
2. The competent commissions of the Senate are to express their opinion on the draft annual reports.
3. Amendments proposed by the members of the Senate must be submitted to the Rector through the Office of the Senate no later than five days before the meeting of the Senate of the University. The Rector will express his opinion on the amendments. Late submissions are not permissible.

## **Article 19 Approval of the Internal Evaluation Report**

1. The Rector, or a member of the Internal Evaluation Board authorised by the Rector, is to give an introductory speech on the report concerning the internal evaluation of the quality of educational, creative, and related activities of the University, or on an appendix to the report.
2. The competent commissions of the Senate are to express their opinion on the draft report concerning the internal evaluation of the quality of educational, creative, and related activities of the University or on the draft appendix to the report.
3. The Senate may resolve to require that an appendix be submitted to the report concerning the internal evaluation of the quality of educational, creative, and related activities of the University.

## **Article 20 Other Actions Related to Evaluation**

1. The respective deans or directors of other units must be invited to participate in the evaluation of activities concerning the units of the University. They have the right to present their opinions, and the members of the Senate have the right to ask them questions concerning the activities subject to evaluation and the process of evaluation.
2. Amendments proposed by the members of the Senate must be submitted to the Rector through the Office of the Senate usually no later than five days before the meeting of the Senate. Amendments may be proposed at the meeting of the Senate only if warranted by the course of the debate. The Rector will express his opinion on the amendments.

## **Article 21 Consideration of Motions Returned by the Administrative Board**

1. The Chair of the Administrative Board will be invited to attend a meeting to consider again a motion returned to the Senate by the Administrative Board under the Higher Education Act; the Chair of the Administrative Board may authorise a member of the Administrative Board to attend the meeting of the Senate.
2. The Board will request the Rector's opinion as a background document.
3. If the draft budget motion has been returned, the procedure concerning an extraordinary meeting of the Senate will be followed. The time limit for convening the meeting commences on the day on which the resolution of the Administrative Board was delivered to the Office of the Senate.

## **Article 22 Prior Approval of Appointments and Dismissals of Members of the Research Board**

1. The appointments and dismissals of members of the research board of the University are presented to the Senate and justified by the Rector.
2. The background documents relevant for the appointment of members of the research board of the University include CVs of the nominees, focusing mainly on their research activities. The motion must be accompanied by the written permission of nominees with the appointment.
3. A member of the research board who is to be dismissed must be informed of the intention to dismiss him and of the meeting of the Senate at which this issue is to be considered. If the member of the research board who is to be dismissed contests the dismissal, he has the right to present his opinions at the meeting of the Senate.

## **Article 23 Nominations and Prior Approval of Appointments and Dismissals of Members of the Internal Evaluation Board**

1. The members of the Senate may propose Senate nominations for members of the Internal Evaluation Board through the Board no later than two weeks before the meeting of the Senate at which the Senate is to pass a resolution on the nominations. The Board will submit the nominations approved by the Senate without delay to the Rector, accompanied by all voting results. The number of nominations may exceed the number of members of the Internal Evaluation Board to be appointed on the Senate's proposal under the University Constitution.
2. The appointments and dismissals of members of the Internal Evaluation Board are presented to the Senate and justified by the Rector. Where the Rector does not intend to appoint persons nominated by the Senate under paragraph 1, he must provide justification as well.
3. The Senate is not required to give its prior approval to appointments of members of the Internal Evaluation Board nominated by the Senate.
4. Article 22 (2) and (3) applies by analogy to the consideration of prior approval.

## **Article 24 Election of a Candidate for Rector**

1. Nominations for candidates for Rector are submitted through the Office of the Senate no later than thirty days before the date of the election.
2. A nomination must be accompanied by:
  - a) the written consent of the nominee to his candidature;
  - b) a brief CV of the nominee and characteristics of his activity at the University; and
  - c) a brief summary of the nominee's platform.
3. Upon the expiration of the time limit under paragraph 1, the nominees may make a presentation at a pre-election meeting of the Senate held no later than seven days before the date of election. They may also make presentations at pre-election meetings at faculties or other units on dates agreed with the deans, presidents of academic senates of faculties, or directors of other units. Presentations of candidates are not permissible at the election meeting of the Senate.
4. The date of the election meeting of the Senate must be announced no later than sixty days before the meeting. The documents referred to in paragraph 2 (b) and (c) must be sent to all members of the Senate no later than twenty-one days before the date of the election meeting.
5. The election is conducted by secret ballot.
6. A candidate who obtains an absolute majority of votes of all members of the Senate is considered elected.
7. If none of the candidates is elected, a run-off will be held between the two nominees who obtained the highest number of votes. If there are more than two candidates who have equally obtained the highest number of votes, or if there are more candidates who have equally obtained the second highest number of votes, all candidates who have obtained an equal number of votes will participate in the run-off as well. A run-off is also to be held if the only two candidates standing in any round of the elections obtained an equal number of votes. If neither of the two candidates standing in the given round obtained an absolute majority of the votes of all members of the Senate, the person who obtained more votes is to participate in a run-off.
8. If the sole candidate standing in the given round fails to obtain an absolute majority of votes of all members of the Senate, the election comes to an end. In such a case, a new election is to be held from newly nominated candidates within one month. New nominations must be submitted within fourteen days.
9. A person who received two successive nominations and failed to be elected may not stand in the new election or in an election held within three years of the first unsuccessful election in which he stood as a candidate; this provision does not apply if less than two thirds of all members of the Senate participated in the last unsuccessful election.
10. A nominee may withdraw his candidature during the election, but only before the beginning of the given round.
11. The election is arranged for by the election commission consisting of five members elected by the Senate from among its members. A nominated candidate may not be a member of the election commission. Each member of the election commission must be from a different faculty or unit.
12. The Board is to submit a motion to appoint the elected candidate as Rector to the Ministry of Education, Youth and Sports within seven days of the date of election.

## **Article 25 Motion to Dismiss the Rector**

1. A motion to dismiss the Rector must be submitted in writing, stating grounds for the dismissal. If the mover is the academic senate of a faculty, the motion must be accompanied by a verbatim record of the resolution, the results of voting, and other information required for assessing the validity of the resolution, and it must be signed by the president of the academic senate of the faculty. The grounds for such motion may only be the facts connected with the execution of the office of Rector.
2. The Senate must first decide on the permissibility of the motion. A motion will be declared permissible if the majority of members present, but no less than one third of all members of the Senate, approve it. Should the motion be impermissible, the Senate will refuse it; a refused motion is no longer to be considered.
3. If the motion has not been refused, it will be considered at the subsequent meeting of the Senate. The Rector must have at least fifteen days to prepare for this meeting. In the debate, the Rector will comment on the grounds stated in the motion and he has the right to put questions concerning these grounds to persons who have submitted the motion.



## **Article 26 Approving the Dismissal of a Dean**

1. The Rector's intention to dismiss a dean must be presented in writing, stating grounds for the dismissal and the opinion of the academic senate of the respective faculty. The grounds for such motion may only be the facts connected with the execution of the office of dean. The dean who is to be dismissed must be invited to the meeting of the Senate and has the right to present his opinions at the meeting.
2. With respect to a dean's dismissal of the Rector's own motion, the president of the academic senate of the faculty is required to convene, without delay, a meeting of the academic senate of the faculty at the Rector's request, so that the meeting can take place within ten days of the delivery of the request, unless the request stipulates a longer time limit.

## **Article 27 Delegation of Representatives to the Higher Education Institutions Board**

1. The Senate delegates representatives of faculties to the Higher Education Institutions Board on the proposal of the academic senate of the respective faculty. Each faculty proposes the number and composition of delegates in accordance with the Constitution of the Higher Education Institutions Board.
2. Representatives of the University as a whole are delegated by the Senate upon the proposal of the Board.
3. The Senate is to decide on the delegation no later than one month before the end of the term of office of the Higher Education Institutions Board. If a vacancy arises during the term of office, the Senate is to decide on the delegation without undue delay.
4. The academic senate of a faculty may submit a motion to dismiss a representative delegated under paragraph 1. The motion to dismiss a representative delegated under paragraph 2 may be submitted by the Board or a group of at least three members of the Senate. The motion must include justification. Article 22 (3) applies by analogy.

## **Article 28 Removal of a Member of the Senate from Office**

1. A member of the Senate may be removed from office if he fails to attend three successive meetings of the Senate without prior excuse.
2. A member of the Senate who is to be deprived of his mandate must be invited in due form to the meeting of the Senate at which a vote on his removal is to be taken. The member may explain the reasons for his unexcused absence at past meetings orally or in writing.

## **Article 29 Interpretation of Internal Regulations of the University**

1. A body of the University or unit, or any member of the academic community, may submit a motion to clarify the interpretation of University internal regulations. In his motion the mover must state the title of the internal regulation, identify the provision which is to be interpreted and state why its interpretation is in dispute.
2. The person who proposed an interpretation has the right to present his legal opinion in the debate. In the case of controversy, the persons holding other legal opinions also have the right to be heard. These persons may be represented by legal experts invited by them.
3. If any person referred to in paragraph 2 so proposes, or if the Senate so resolves, the final decision will be postponed until the subsequent meeting of the Senate and an independent legal opinion will be requested.
4. The interpretation of the internal regulation of the University approved by the Senate is published on the publicly accessible part of the University website.

## **Article 30 Remedying Incorrect Measures**

1. If a resolution of the Senate, its Board, or a measure of the President of the Senate is contrary to the relevant legislation or to an internal regulation of the University or its unit, the Senate will repeal it; this decision must include justification. If the repealed measure of the Senate was one which approved an internal regulation of a unit, a new proposal must be submitted within two months.
2. If, according to the Senate, a measure of another body of the University or its unit is contrary to the relevant legislation or to an internal regulation of the University or its unit, the Senate will invite the relevant body to remedy it. This decision must include justification.

## **Article 31 The Rector's Motion to Repeal or Suspend Incorrect Measures Adopted by Units**

1. The Rector submits to the Senate motions to repeal or suspend internal regulations adopted by units, and decisions or other acts made by the bodies of units. The motion must include the verbatim text of the measure and the reasons for which it is considered contrary to the relevant legislation or an internal regulation of the University.
2. The dean of the faculty concerned or the director of the unit concerned must be invited to the meeting of the Senate and has the right to present his opinions at the meeting. These persons may be represented by legal experts invited by them.
3. If the Senate so resolves, the vote on the Rector's motion will be postponed until the subsequent meeting of the Senate and an independent legal opinion will be requested.

4. The information on the approval or dismissal of the Rector's motion to repeal or suspend measure is published on the publicly accessible part of the University website. If an internal regulation of a unit was repealed or suspended, a new proposal must be submitted within two months.

5. The preceding paragraphs do not apply to decisions and other acts made pursuant to the Administrative Procedure Code.

## **Article 32 Opinions on Certain Legal Transactions**

1. The Senate will be informed, usually by the Rector, of the intention to undertake legal transactions under section 15 (1) of the Higher Education Act; specific financial details will usually be provided by the Chief Financial Officer. With respect to transactions under section 15 (1) (a), (c), and (d), the relevant background documents must include draft contracts, with respect to transactions under section 15 (1) (d), the relevant background documents must also include an assessment of the expected financial or other benefit to the University.

2. The Senate will be informed, usually by the Chief Financial Officer, of the intention to make a contract for the use of non-residential premises or real property. The relevant background documents must include draft contracts and a financial analysis.

3. If a competitive bidding is organised with respect to the legal transactions under paragraphs 1 or 2, the Senate must be informed of its rules, including the evaluation criteria.

## **Article 33 Opinion on the Intention to Appoint a Vice-Rector or the Chief Financial Officer or to Dismiss a Vice-Rector**

1. The Senate will be informed by the Rector of his intention to appoint a Vice-Rector or the Chief Financial Officer, or to dismiss a Vice-Rector.

2. The relevant background documents for the appointment of a Vice-Rector must include a short description of the nominated person, focusing mainly on his activities at the University. The relevant background documents for the appointment of the Chief Financial Officer must include a short description of the nominated person, focusing mainly on his professional experience. Nominated persons must be invited to the meeting of the Senate; they have the right to present their opinions and they will answer the questions asked by members of the Senate concerning their activities at the University or their professional experience, or concerning their plans for the intended office.

3. The Rector's intention to dismiss a Vice-Rector must be presented with justification for the dismissal. The Vice-Rector who is to be dismissed must be invited to the meeting of the Senate, and has the right to present his opinions.

## **Article 34 Opinion on the Rector's Intention to Issue a Directive**

The relevant background documents required for consideration of the Rector's intention to issue a directive must include a draft of the directive. In simple cases, if there is no doubt concerning the sense of the directive, a summary of the content may substitute for a verbatim text.

## **Article 35 Answer to a Question Asked by a Member of the Senate**

A question put to the Rector, Vice-Rector, or Chief Financial Officer by a member of the Senate may be answered immediately or, if preparation is required or the Senate so resolves, in writing within fifteen days. A written answer will be sent to the member and the President of the Senate.

## **Part III Bodies of the Senate**

### **Article 36 The Board**

1. The Board consists of the President of the Senate, the Vice-President, and four other members; each member of the Board must come from a different faculty. The members of the Board are elected by secret ballot by the Senate for one year, and they may be dismissed by secret ballot; the President of the Senate is elected from among the members of the academic staff. The members of the Board remain in office even after their term of office as members of the Senate expired, until the new President of the Senate has been elected.

2. The President of the Senate convenes meetings of the Senate and represents the Senate externally. The Vice-President of the Senate may act as a substitute for the President.

3. The Board prepares the meetings of the Senate.

4. In urgent cases, between the meetings of the Senate, the Board is empowered to adopt opinions of the Senate, unless secret ballot is required under an internal regulation of the University. The Board may adopt such an opinion only after it informed the members of the Senate in advance and after the competent commission of the Senate has given its opinion. A debate is to be held at the subsequent meeting of the Senate to discuss the opinion adopted by the Board; the Senate may resolve to invalidate the opinion. This provision is without prejudice to the provision on extraordinary meetings of the Senate.

5. The Board also fulfils the tasks set out in the Code of Electoral Procedure for the Academic Senate of Charles University.

### **Article 37 Election of Members of the Board**

1. Regular elections of the President, the Vice-President of the Senate, and other members of the Board take place every year at the first regular meeting of the Senate held after 1 February. If the number of members of the Board falls below five, or if the position of the President of the Senate becomes vacant and the Vice-President is unable to hold it, extraordinary elections to fill the vacancies will be held at the next regular meeting of the Senate after the last of these vacancies arose during the term of office; this provision does not apply if the vacancy arose after 30 November, in which case the position of the President of the Senate will be held by the oldest member of the Board.
2. Candidates for the President of the Senate, Vice-President of the Senate, and other members of the Board may be nominated only by a member of the Senate or by a group of members of the Senate. The nominations cannot be accepted if they are inconsistent with the required composition of the Board.
3. At the election meeting, the Senate will appoint an election commission, composed of three members. The election commission may be composed of members of the Senate only. Each member of the election commission must come from a different faculty or unit. A member of the election commission may not stand as a candidate.
4. The election of the President of the Senate is followed by the election of the Vice-President of the Senate. The election of the Vice-President of the Senate is followed by the election of other members of the Board. Other members of the Board are elected jointly.
5. The elections are conducted by secret ballot. For elections to be valid, the number of valid votes cast must correspond to more than half the members of the Senate present.
6. The candidate who has obtained most votes is elected. If there is an equal number of votes, the decision will be made by drawing lots.
7. If, in the election of other members of the Board, two representatives of one faculty or unit have been elected to take a seat on the Board, only the election of the one who obtained the higher number of votes is valid; if both of them obtained an equal number of votes, the election is decided by drawing lots. This provision applies by analogy to the case in which the results of the election are inconsistent with the required composition of the Board.

## **Article 38 Meetings of the Board**

1. The Board meets as necessary.
2. The meetings of the Board may be attended by the Rector, Vice-Rectors, the Chief Financial Officer, the Head of the Rector's Office, the chairs of Senate commissions, and other persons invited by the Board or by the President of the Senate.
3. The minutes of the meetings of the Board are to be signed by the President of the Senate. The minutes are published within seven days of the meeting on the publicly accessible part of the University website and sent to all members of the Senate and to the Rector along with an invitation to the subsequent meeting of the Senate. The minutes are deposited in the Office of the Senate.
4. The information about the meeting of the Board and its conclusions are presented by the President of the Senate or a member of the Senate authorised by him at the subsequent meeting of the Senate.
5. The provisions of Part I apply with the necessary modifications to the meetings of the Board.
6. If the President of the Senate cannot be represented by the Vice-President of the Senate, or if the Vice-President of the Senate is unable to hold the vacated position of a President, the tasks of the President will be performed by the oldest member of the Board.

## **Article 39 Commissions of the Senate**

Commissions of the Senate are the initiating and auditing bodies in the respective areas of activity of the Senate.

## **Article 40 Establishment of Commissions of the Senate**

1. The Senate establishes commissions; the commissions which must be established include the Economic Commission, the Legislative Commission, the Social Commission, and the Study Commission. Any other commission of the Senate may be established or dissolved upon the proposal made by a member of the Senate or the Rector.
2. Any member of the Senate may apply for membership in a commission of the Senate at the meeting of the Senate; outside the meeting time, any member of the Senate may, on his own application, be appointed a member of a Senate commission by the Board. He may resign his membership in the commission of the Senate at any time; the resignation takes effect on the date of notification of the Board; the Board will invite members of the Senate to apply for membership in a commission if the number of its members from among the members of the Senate is less than five.
3. Upon the proposal of the chair of a commission of the Senate, or upon the proposal of at least three members of the Senate and after the chair of the commission of the Senate has given his opinion, the Board may appoint as a member of a commission of the Senate another member of the academic community or employee of the University; unless reasons worthy of special consideration arise warranting a different approach, the number of members appointed in this way may not exceed the number of commission members from among the members of the Senate; no account is to be taken of any decrease in the number of commission members from among the members of the Senate during the term of office of the commission.
4. The term of office of the commission of the Senate is identical to the term of office of the Board of the Senate.
5. The chair of a commission of the Senate is a member of the Senate elected by the commission from among its members. The chair of a commission of the Senate is elected and dismissed by the commission members from among the members of the Senate. The election of the chair of a commission of the Senate is held at the first meeting of the

commission of the Senate which is to take place within fifteen days of the expiration of the previous term of office of the commission of the Senate. The Secretary to the Senate will arrange for the convening of the first meeting of the commission of the Senate.

## **Article 41 Meetings of the Commissions of the Senate**

1. All members of a commission of the Senate must be invited to its meetings. The commission of the Senate may pass a resolution if at least three of its members from among the members of the Senate are present.
2. A resolution is passed if the majority of commission members present vote in its favour.
3. If a commission of the Senate so resolves, or in urgent cases with the cognisance of the President of the Senate, the commission may meet with fewer members, including the chair of the commission or a member of the commission from among members of the Senate authorised by the chair. This procedure is without prejudice to the second sentence of paragraph 1.
4. The provisions of Part I apply to the meetings of commissions of the Senate with the necessary modifications. Details are resolved by the commission of the Senate, and the Board must be notified of the resolution.

## **Part IV Common, Transitional, and Final Provisions**

### **Article 42 Secretaries**

1. The Secretary to the Senate is appointed by the Board for a period of time corresponding to the term of office of the Board. A member of the Board may not be appointed Secretary to the Senate.
2. The Secretary to the Senate participates in the meetings of the Senate, the meetings of the Board, and the meetings of the commissions of the Senate, and he takes the minutes; with respect to meetings of the Senate, the Secretary to the Senate oversees the making of audio recording, or, where appropriate, audio-visual recording, or makes a written record of the meeting.
3. Where necessary, the Board may appoint secretaries to commissions of the Senate for a period of time corresponding to the term of office of the commission of Senate. Their role is primarily to assist with the tasks of a respective commission of the Senate, and to take minutes of the meetings.
4. Certain tasks of the Secretary to the Senate may be delegated by the President of the Senate to the secretaries to the commissions of the Senate.
5. Secretaries are obliged to hold in confidence information acquired in connection with their office.

### **Article 43 Other Administrative Tasks**

The Rector's Office undertakes other administrative tasks connected with the activities of the Senate. Therefore, in addition to other measures, an employee of the University is assigned to work in the Office of the Senate.

### **Article 44 Archiving Documents and Other Records**

Documents concerning the activities of the Senate are stored in the Office of the Senate. The archiving of documents is governed by special regulations.

### **Article 45 Transitional Measures**

1. Articles 30 and 31 also apply to acts referred to therein which had been undertaken before this internal regulation took effect.
2. The motions submitted to the Senate before this internal regulation became effective are to be considered in accordance with the current regulations.

### **Article 46 Repealing Provision**

The following provisions are hereby repealed:

- a) Part II of the Code of Elections and the Rules of Order of the Academic Senate of Charles University in Prague of 24 September 1999;
- b) Article 1 (10) - (51) of the Amendment to the Code of Elections and the Rules of Order of the Academic Senate of Charles University in Prague of 25 January 2002 and 8 March 2002;
- c) Article 1 (5) - (54) of the Amendment to the Code of Elections and the Rules of Order of the Academic Senate of Charles University in Prague of 20 January 2006; and
- d) Article 1 (16) - (40) of the Amendment to the Code of Elections and the Rules of Order of the Academic Senate of Charles University in Prague of 15 May 2015.

### **Article 47 Final Provisions**

1. This Code was approved by the Senate on 25 November 2016.
2. This Code comes into force on the date of registration by the Ministry of Education, Youth and Sports.<sup>2</sup>

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<sup>2</sup> S. 36 of the Higher Education Act. The registration was completed on 14 December 2016.

3. This Code becomes effective on the first day of the calendar month following the date of coming into force.  
PhDr. Tomáš Nigrin, Ph.D. Prof. MUDr. Tomáš Zima, DrSc.  
President of the Academic Senate Rector