

*On 14 December 2020, the Rules of Procedure of the Academy of Fine Arts in Prague were registered with the Ministry of Education, Youth and Sports (reference number MSMT-45740/2020-1) in accordance with Section 36(2) of Act No. 111/1998 on institutions of higher education and amending and supplementing other acts (the Higher Education Act).*

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## **RULES OF PROCEDURE OF THE ACADEMIC SENATE OF THE ACADEMY OF FINE ARTS, PRAGUE 14 DECEMBER 2020**

### **Part one Opening provisions**

#### **Article 1 Basic provisions**

The Rules of Procedure of the AVU Academic Senate (hereinafter only “Rules of Procedure”) are the internal regulations of the Academy of Fine Arts in Prague (hereinafter only “AVU”) within the meaning of Section 17(1)(c) of Act No. 111/1998 on institutions of higher education and amending and supplementing other acts, the Higher Education Act, as amended (hereinafter only “Act”). The Rules of Procedure govern membership in and the functioning and activities of the AVU Academic Senate (hereinafter only “senate”), as well as the organizational and procedural aspects of the meetings of this autonomous representative academic body.

#### **Article 2 Inaugural meeting and election of chair and vice-chair**

1. Each new senate shall convene within one month after senate elections. Until the election of a new chair, the first meeting of the elected senate is called and chaired by the chair or vice-chair of the senate from the previous electoral term.
2. At its first meeting, the senate elects a chair and vice-chair. The election of the chair and vice-chair is by secret ballot.
3. The first step towards the election of a chair is the creation of a candidate list. From a list of senate members, each member of the senate marks at most two candidates for the function of senate chair. All such nominated candidates are given an opportunity to express themselves on their candidacy. This is followed by the election of the chair. The election is by secret ballot; in the first round, the candidates participate as well. Each member of the senate marks just one candidate from the candidate list. The election is won by that candidate who receives more than half the votes of all members of the senate.
4. If none of the nominees receives more than half the votes of all members of the senate in the first round, a second round is held; advancing to the second round are the two nominees who received the greatest number of votes. The candidates are given a chance to express themselves on their candidacy. If several candidates are tied for first or second place, all these candidates advance to the second round. If none of the candidates in the second round receive more than half the votes of all members of the senate, the candidate who received the greatest number of votes advances to the third round. In case of a tie, all those candidates who received the greatest same number of votes in the second round advance to the third round. If no candidate receives more than half the votes of all members of the senate in the third round, the election ends and a new election must be held.
5. After a chair has been elected, a vice-chair of the senate is chosen in the same manner.

### **Article 3**

#### **Senate proceedings**

1. Meetings of the senate are as a rule held once a month from October to June. The preliminary dates are listed in the schedule of the academic year.
2. Meetings of the senate are called by the chair or vice-chair or, as needed, upon a request from the rector or one of the vice-rectors. Special meetings may also be called on the basis of a request from at least one fourth of the senate's members.
3. Senate meetings are headed by the chair, in his/her absence by the vice-chair, or by another member of the senate authorized to do so by the chair.
4. Senate meetings follow the agenda prepared by the senate chair. The agenda is published on the senate's information board and sent electronically to all members of the senate at least one week prior to the meeting along with an invitation and documents to be discussed. The first point of order of all senate meetings is to approve the meeting agenda.
5. The rector or a vice-rector acting on his/her behalf, the chair of the AVU Board of Trustees or a member of the Board of Trustees acting on his/her behalf, the chair of the AVU Artistic Council (hereinafter only "Artistic Council"), or an authorized member of the Artistic Council have the right to appear before the senate anytime they request to do so.

6. The senate may invite other persons familiar with the subject being discussed to attend its meetings and may also request a position from AVU's academic community (hereinafter only "academic community") or its Artistic Council. These persons do not have voting rights.
7. One's absence from a senate meeting may be excused at least one day in advance by informing the senate's chair, vice-chair, or secretary. Members of the senate with two unexcused absences from senate meetings in one academic year shall be removed from the senate by the senate chair on the date of their second unexcused absence. Members of the senate with four excused absences from senate meetings in one academic year shall be removed from the senate by the senate chair on the date of their fourth excused absence. The dismissed member of the senate shall be replaced without undue delay in accordance with Article 12 of the Election Regulation of the AVU Academic Senate). Exemptions from this rule are fellowships or study exchanges associated with the artistic or study activities of the member of the senate lasting at most one semester.
8. Senate meetings are open to the public – see Section 8(4) of the Act.
9. In justified cases, a member of the senate or all its members may participate in a meeting using some means of long-distance communication (hereinafter only "online presence"). Such means of long-distance communication must be capable of enabling immediate interaction among the members of the senate as well as verification of the senate members' identity (for instance, by logging in using the information issued by AVU). The online presence of a member of the senate is recorded in the meeting minutes with the note "online presence." For secret ballots by the senate, the chosen means of long-distance communication must be capable of allowing members of the senate to cast a secret ballot even in combination with other technological means for ensuring a secret ballot.
10. In justified cases, the chair or vice-chair of the senate may decide that motions will be voted on outside of the senate meeting using technological means (hereinafter only "per rollam voting"). In cases of per rollam voting, the chair or a person authorized by him/her sends all members of the senate the relevant motion and documents along with a request that they express their agreement or non-agreement with this motion or reject per rollam voting, in writing or using technological means and within a given deadline which may not be shorter than 3 (three) days from the delivery of this motion. A more detailed schedule and the course of per rollam voting are determined by the chair or a person authorized by him/her. If a member of the senate does not respond within the given deadline, it is assumed that they abstained from voting. If a member of the senate only responds to some of the points of the motion, it is assumed that the member of the senate has abstained on the remaining points of the motion. Any members' responses coming after the given deadline shall not be taken into consideration.
11. If per rollam voting is to be by secret ballot, the chosen technological means must be capable of enabling the members of the senate to cast their votes in secret.
12. The chair of the senate or another member of the senate authorized by the chair shall inform the other members of the senate of the results of the per rollam voting without undue delay, but no later than by the next senate meeting.
13. Per rollam voting is not possible for the motions listed in Section 9(1)(a) of the Act.

## **Article 4**

### **Decision-making and voting**

1. The Senate is quorate when more than half of all members are present in each of its chambers. In the cases enumerated in Section 9(1) and (2) of the Act, passage of a motion requires a majority of votes from all members of the senate or at least three-fifths of all members of the senate. In all other cases, more than half of votes from all those present is required for a resolution to be valid.
2. Voting is principally by secret ballot or by a voice vote, depending on a decision by the senate. In the cases enumerated in Section 9(1)(h) of the Act, voting is by secret ballot.
3. If the senate is voting on a matter relating to one of its members, this member does not participate in voting.

## **Article 5**

### **Meeting minutes**

1. Each meeting of the senate shall be recorded in meeting minutes. The minutes contain the date of the meeting, the list of the present, excused, and unexcused members of the senate, any other attendees, the meeting agenda, a summary of the presented motions and discussions, the outcomes of voting, and the senate's resolutions.
2. A rough draft of the minutes, verified by the senate chair, shall be sent to the members of the senate for comments within the shortest time possible following the senate meeting, but no later than within 14 days. After these comments have been processed, the minutes are delivered to AVU management as well. The minutes become definitive upon approval at the next senate meeting, where this approval as a rule represents the second point of the meeting and where additional comments may be raised prior to approval.
3. The minutes from the senate meetings are available on the senate information board and in the public section of the AVU website.

## **Article 6**

### **Termination of membership and resignation**

1. Membership in the senate is terminated on the date of any of the following events:
  - a) death,
  - b) resignation,
  - c) a situation in which the member holds incompatible offices as per Article 3 of the Election Regulations of the AVU Academic Senate,
  - d) removal – per Article 3(7) of the Rules of Procedure,
  - e) conclusion of the member's study or employment relationship with AVU.
2. Resignations must be submitted in writing to the chair of the senate, who shall replace the resigning member via co-optation in the manner described in Article 12 of the Election Regulations of the AVU Academic Senate.

## **Article 7**

### **Working groups**

As needed, the senate shall establish working groups from among its members in order to address specific topics (in particular conceptual, legislative, economic, operational, and communications or study-related).

## **Article 8**

### **Administrative support**

The secretary of the senate is an employee of AVU entrusted with performing administrative tasks associated with the senate's activities. He or she shall be present at meetings and record the meeting minutes.

## **Part two**

### **Proposal for appointment of rector**

## **Article 9**

### **Announcing the election of a candidate for the office of rector**

1. The senate announces the election of a candidate for the office of rector.
2. The senate elects a five-member election committee from among its members, which organizes and manages the election of a candidate for the office of rector. The election committee chooses a chair and vice-chair from among its members. Membership in the election committee is incompatible with candidacy for the office of rector.
3. The election committee is quorate when its chair or vice-chair and more than half of its members are in attendance. The election committee makes decisions by a majority vote of members in attendance. In case of a tie, the deciding vote is that of the chair or, in his/her absence, the vice-chair.
4. Members shall observe confidentiality regarding circumstances that they learn about in relation to the performance of their office, unless they are required by law or the internal regulations of AVU to make such circumstances public; this confidentiality requirement may be lifted by a senate resolution.
5. The election committee shall publish an announcement of the election on AVU's official notice board, in the public section of the AVU website, and in another appropriate manner at least 50 days prior to election day.

## **Article 10**

### **Proposals for a candidate for the office of rector**

1. Any member of the academic community may propose a candidate for the office of rector (hereinafter only "candidate"). A valid proposal must include the written approval of at least 30 members of the academic community. Members of the academic community may sign multiple

nomination papers in support of more than one candidate. Proposals for candidates are submitted to the senate via the senate's secretary no later than 30 days prior to election day.

2. Candidate proposals shall include:
  - a) the nominee's written consent with the candidacy,
  - b) a brief biography of the candidate,
  - c) a brief summary of the candidate's election program,
  - d) with the exception of candidates born after 1 December 1971, to whom the Lustration Act does not apply, a declaration on the part of the candidate that he or she meets the conditions for the performance of office as established by Act No. 451/1991 establishing additional prerequisites for the performance of certain positions in state institutions and organizations of the Czech and Slovak Federative Republic, the Czech Republic, and the Slovak Republic, as amended.
3. Candidates are required to submit the materials listed in paragraph 2 of this article in electronic form as well.
4. The election committee shall return incomplete proposals or proposals containing mistakes to the proposer along with instructions on how and by when the proposal shall be corrected or completed.
5. The materials submitted by the proposer shall be made available to all members of the senate at a designated place at least 21 days prior to election day. Within the same deadline, they shall also be available at a designated place for viewing by any member of the academic community.

## **Article 11**

### **Pre-election assembly and pre-election meeting of the senate**

1. Candidates who have been nominated pursuant to Article 10(1) must appear before the academic community at a public pre-election assembly organized by the election committee. The election committee decides on the order in which the candidates appear, whether and how their speaking time will be limited, and what form the discussion will take. The designated conditions must be equal, and none of the candidates may be placed at a disadvantage.
2. Candidates may appear at additional gatherings on the AVU premises at times coordinated with the election committee.
3. Candidates who have been nominated pursuant to Article 10(1) must appear before the academic community at a pre-election meeting of the senate, held at least seven days prior to election day.

## **Article 12**

### **Electoral meeting**

1. The candidate's election takes place at the senate's electoral meeting.
2. The candidates are not allowed to make any speeches at the senate's electoral meeting.

3. The date of the electoral meeting is announced at least 60 days prior to election day.
4. The election is organized by the election committee.
5. The candidate is elected by secret ballot, with each member of the senate casting their vote for just one candidate.
6. Voting is done using paper ballots. Each member of the senate shall insert a paper ballot, with the name of a candidate marked, into the ballot box.
7. Ballots on which multiples candidates have been marked, on which no candidate is marked, or from which it is not clear which candidate has been marked are invalid.
8. Upon completion of voting, the election committee counts the votes cast for the various candidates and announces the results along with information as to how many ballots were issued and received, how many were valid, and how many votes each candidate received.
9. The election is won by that candidate who receives more than half the votes of all members of the senate. If none of the candidates receives more than half the votes in the first round, a second round is held; advancing to the second round are the two nominees who received the greatest number of votes.
10. If several candidates are tied for first or second place, all these candidates advance to the second round.
11. If none of the candidates in the second round receive more than half the votes of all members of the senate, the candidate who received the greatest number of votes advances to the third round.
12. In case of a tie, all those candidates who received the greatest same number of votes in the second round advance to the third round. If no candidate receives more than half the votes of all members of the senate in the third round, the election ends and a new election must be held.
13. Any of the nominated candidates may withdraw over the course of the elections, always prior to the start of the relevant round.

### **Article 13**

#### **Proposal for appointment**

The chair of the senate shall submit the proposal to appoint the elected candidate to the office of rector to the Ministry of Education, Youth and Sports within seven days of election day.

### **Part three**

#### **Proposal for removing the rector from office**

1. The senate shall deliberate on any proposal to remove the rector from office.
2. A proposal to dismiss the rector may be submitted by any member of the senate in writing.

3. The reason for the proposal for the rector's dismissal must be a circumstance relating to the performance of the rector's function.
4. The senate shall first assess the admissibility of the proposal for the rector's dismissal. An assessment of the proposal as admissible requires the approval of more than half of the present members of the senate. If the proposal is not admissible, the senate rejects it. The rejected proposal is not discussed any further.
5. If the proposal for the rector's removal from office is not rejected, the proposal shall be discussed at the next meeting of the senate. The rector is guaranteed the chance to prepare for this meeting for a period of at least 15 days. During debate, the rector may respond to the reasons for the proposal and has the right to ask the individuals who submitted the proposal questions regarding these reasons.
6. The senate votes on the proposal to dismiss the rector by secret ballot.
7. A proposal for dismissing the rector is approved if at least three-fifths of all members of the senate vote in favor – Section 9(4) of the Act.
8. The chair of the senate shall submit the approved proposal for the rector's dismissal to the Ministry of Education, Youth and Sports within seven days of the decision.

## **Part four**

### **Final provisions**

1. The Rules of Procedure of the Academic Senate of the Academy of Fine Arts in Prague of 19 July 2017, registered with the Ministry of Education, Youth and Sports under reference no. MSMT-19855/2017, are hereby repealed.
2. All the terms used in this text, such as member, chair, etc., may refer to a man as well as a woman.
3. These Rules of Procedure were approved by the senate on 7 October 2020 pursuant to Section 9(1)(b)(1) of the Act.
4. In line with Section 36(4) of the Act, these Rules of Procedure become valid and effective on the date of their registration at the Ministry of Education, Youth and Sports.

doc. MgA. Tomáš Vaněk, m. p.

Rector