

FACULTY COUNCIL ITC

October 2017

Electoral rules and regulations

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Chapter 1. GENERAL PROVISIONS

Article 1. Definition of terms

1. In these rules of procedure, the following definitions apply:
 - a. *the Act*: the Higher Education and Research Act (WHW);
 - b. *the university*: the University of Twente;
 - c. *the faculty*: the faculty Geo-Information Science and Earth Observation (ITC) of the university;
 - d. *the dean*: the rector (head) of the faculty referred to in Article 9.12 of the Act;
 - e. *Faculty Council, council*: participatory decision-making body of the faculty as referred to in Article 9.37 of the Act;
 - f. *members of the council*: the members of the Faculty Council;
 - g. *section*: the staff or the students;
 - h. *staff*: the faculty staff with a permanent or temporary employment contract regardless of the scope of the employment;
 - i. *students*: those who are registered as a student in this faculty;
 - j. *electoral committee*: the faculty electoral committee referred to in Article 7 of these rules of procedure;
 - k. *electoral register*: an overview of all persons who have the right to vote;
 - l. *day(s)*: working day(s);
 - m. *reference date*: the date/period referred to in Article 6.1 of these rules of procedure;
 - n. *place of inspection*: the place referred to in Article 10 of these rules of procedure;
 - o. *candidate*: the person who has been deemed eligible to be elected;
 - p. *nominee*: the candidate who has received enough signatures on the candidate nomination form, referred to in Article 14 of these rules of procedure;
 - q. *candidate nomination form*: a form presented by a candidate who can potentially be nominated;
 - r. *voting list*: an overview of the list of nominees accepted by the electoral committee;
2. The remaining terms that appear in these rules of procedure have, insofar as these also appear in the Act, the same meaning as in the Act.

3. The articles cited in these rules of procedures, when not explicitly referred to an external document, are from these rules of procedures.
4. Wherever the masculine form is used in these rules, the feminine form can also be read.
5. All relevant information, lists and forms are available through the Faculty Council website.

Article 2. Election date

1. The election of members of the Faculty Council takes place on the date defined (in consultation with the dean) by the Faculty Council.

Article 3. Voting procedure: first distribution of seats

1. The election of the members of the Faculty Council is held separately for each section.
2. In compliance with the provisions in Article 9.37, third paragraph, of the Act, the members of the Faculty Council are directly chosen by and from the section to which they belong.
3. The Faculty Council has 10 seats. Five seats are held by members of the staff section of the faculty and five seats are occupied by members from the student section.

Article 4. Duration membership

1. The members from the staff are elected for two years and the students for one year.
2. The members of the Faculty Council stand down simultaneously per section when the term of office has expired and are immediately eligible for re-election following Article 5.3 of the Faculty Council Rules and Regulations.
3. Besides regular resignation, membership terminates through:
 - a. resignation in writing addressed to the chairman of the council;
 - b. transfer to a section other than that for which the person in question has been elected member;
 - c. loss of membership of the voting community;
 - d. termination of registration as student on the basis of the provisions in Article 7.42 of the Act;
 - e. death.
4. The member filling a vacancy steps down on the date when the person he replaces would have stepped down.

Chapter 2. RIGHT TO VOTE

Article 5. Right to vote

1. Only those persons, on the reference date, who are on the electoral register have voting right and may vote in the election of members of the Faculty Council.
2. A person entitled to vote may exercise the right to vote in only one section.
3. Determination of the voting right on the reference date:

Staff voting right

- Staff member of the ITC-faculty at the start of the new Faculty Council staff section term;
- appointment as staff member of the ITC-faculty for at least 3 months;
- appointment as staff member of the ITC-faculty at least 1 week before the election date.

Student voting right

- registered in ITC's student information system for a course with duration of at least 3 months; AND
- registered in ITC's student information system as intramural student or extramural student on the start of the new Faculty Council student section term; AND
- present as registered student in ITC's student information system at least 1 week before the election date; OR
- registered in ITC's student information system as intramural or extramural PhD student on the start of the new Faculty Council student section term.

Article 6. Reference date

1. The election date/period is designated as the reference date.

Chapter 3. FACULTY ELECTORAL COMMITTEE

Article 7. Composition

1. There is a faculty electoral committee, which is composed of three members.
2. The faculty electoral committee is assisted by an official secretary, who is designated by the dean.
3. The dean appoints the chairman and the deputy chairman from the members of the electoral committee.
4. The dean informs the ITC community about the establishment of the electoral committee.
5. Membership of the electoral committee is incompatible with membership of the council.
6. The meetings of the electoral committee are held in public.
7. The electoral committee members will be discharged upon submission of the official final report.

Article 8. Tasks

1. The electoral committee shall prepare and carry out the election of the members of the Faculty Council. Its duties are:
 - a. establish and announce at least 5 weeks before the reference date the schedule for the elections;
 - b. establish the election days on which the electronic voting must be carried out;
 - c. establish the electoral register on the basis of data issued by or on behalf of the dean;
 - d. make available all the forms that enable the elections;
 - e. decide on requests to amend the electoral register;
 - f. decide on the validity of the candidate nomination;
 - g. take all measures to ensure an orderly election process;
 - h. establish and publish the election result.
2. A report on the election and elections' process shall be signed by the chairman and secretary of the electoral committee. The Dean has the responsibility to inform the ITC community about the new composition of the FC.
3. The dean provides the electoral committee with the information needed to carry out its duties.

4. An interested party can complain to the Dean against decisions of the electoral committee within five days of the decision.

Chapter 4. ELECTORAL REGISTER

Article 9. Electoral register

1. The electoral committee ensures that the relevant electoral register for each section of the voting community is prepared on time.
2. In the electoral register, the following details of each person entitled to vote appear:
 - a. family name;
 - b. initials;
 - c. ITC email address;
 - d. section to which the person eligible to vote is assigned;
 - e. student registration number or personnel's number.
3. The electoral committee shall be advised by the faculty council if changes lead to modification of the electoral register. The electoral committee is charged with ensuring that the necessary action is taken immediately.

Article 10. Making the electoral register available for inspection

1. The electoral committee makes the electoral register available for inspection from 10 working days until 2 working days before the reference date, respecting the privacy rules.
2. The electoral committee determines beforehand the time period when and the place where the electoral register shall be open for inspection by the faculty community.

Article 11. Amendment electoral register

1. If as a result of an official amendment to the electoral register, a person is deleted for reasons other than those referred to in Article 5, the person in question is duly informed in writing.
2. Any member of the electoral community can see his or her own data in the electoral register. The electoral committee can request proof of identity before inspection.
3. Any member of the electoral community who is of the opinion that he or she is not correctly represented in the electoral register can request, in writing and giving reasons, the electoral committee, no later than the last day of the period referred to in Article 10.2 to amend the same.
4. The electoral committee can also officially amend the electoral register up to the same day.

Article 12. Decisions amendment electoral register

1. The electoral committee decides on the request for amendment no later than a date and time set by the electoral committee and announced beforehand and, if necessary, modifies the electoral register.
2. The electoral committee immediately sends a copy of this decision to the person who submitted the request for amendment.
3. The electoral committee immediately makes a copy of the decision available to interested parties for inspection.

Chapter 5. CANDIDATE NOMINATION

Article 13. Candidate nomination period

1. The date for candidate nomination is set by the electoral committee.
2. The electoral committee announces the date and place for candidate nomination at least two weeks in advance of the candidate nomination.
3. Specific candidate nomination forms are obtainable from the Faculty Council's website.
4. Candidate nomination forms can be submitted to the election committee up to and including the day preceding the day of candidate nomination.

Article 14. Candidate nomination form

1. A candidate is entered on the candidate nomination form with family name, initials, ITC email address, and student or personnel number. The initials may be completely or partly replaced by given names. For the student candidates the course code is added. For staff candidates the department name is added.
2. Only those candidates are eligible who are:
 - a. In ITC faculty service at least 6 months prior to the Faculty Council term and having a contract that will last the full two year term of the Faculty Council;
 - b. existing students studying in one of the programmes or courses of the ITC faculty and available from 1 January to 31 December of the year following
3. A candidate nomination form is signed by at least 10 people entitled to vote, who belong to the same section.
4. A person entitled to vote may sign more than one nomination form.
5. A candidate nomination form may not be signed by any of the candidates.

Article 15. Submission candidate nomination form

1. A candidate personally submits his candidate nomination form to the electoral committee. On request the person should give proof of identity.
2. Candidate nomination form submission by proxy is allowed in case of the candidate's absence on the relevant date. A written statement of the candidate shall be provided. On request the person should give proof of identity.
3. The electoral committee gives proof of receipt stating date and time to the person submitting the candidate nomination form.

Article 16. Examination of candidate nomination forms

1. The electoral committee meets to examine the candidate nomination forms as soon as possible after expiry of the period in which candidate nomination forms can be submitted.

Article 17. Omissions

1. If the voting list does not meet the requirements mentioned in Article 13 to Article 15 the electoral committee duly informs the person who handed in the candidate nomination form, as quickly as possible.
2. The electoral committee allows the person concerned to correct the identified omissions within two days.

Article 18. Validity submitted candidate nomination Forms

1. Within two days of expiry of the date referred to in Article 17.2 the electoral committee decides on the validity of the candidate nomination list.

Article 19. Deletion of candidates

1. The electoral committee deletes any candidate from the candidate nomination form:
 - a. who does not meet the criteria of Article 14;
 - b. whose nomination, even after application of the criteria in Article 17.2, cannot be deemed valid;
 - c. who is part of the electoral committee.

Article 20. Invalid nomination forms

1. A nomination form is invalid if:
 - a. it is not handed in to the electoral committee before the day of candidate nomination referred to in Article 13.1;
 - b. it is not handed in personally;
 - c. it has not been signed, possibly even after the application of the provisions in Article 19.1.b by the required number of voters;
 - d. it does not meet the conditions like in the form as applied in Article 13.3.
2. The electoral committee immediately makes available for inspection its decision on the validity of the nomination form and on the retention of the candidates appearing on it.

Article 21. Establishment of voting list

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1. Once the nominees have been accepted by the electoral committee the electoral committee establishes, for each section separately, the voting list.
2. The list of accepted nominees is published in alphabetical order.
3. The electoral committee immediately makes the voting lists public.
4. Once a voting list has been established by the electoral committee the candidates have the opportunity to introduce themselves to the electorate. This is by means of a written text of maximum 200 words. The candidate should submit the relevant text to the electoral committee within three working days of the candidate nomination becoming irreversible. In its turn, the electoral committee draws the attention of the candidates to this opportunity no later than one working day after the candidate nomination has become irreversible.

Article 22. Nominees campaign

Nominees can in all fairness use available means to approach and inform voters during their campaign as long as no voter feels offended, annoyed or hampered in his daily duties/work. Campaign via bulk email is prohibited.

Chapter 6. ELECTORAL DOCUMENTS

Article 23. Sending the information

1. At least 10 days before election day the secretary of the electoral committee will inform each person on the electoral register about the information on the elections on the Faculty Council website, which contains at least the following information:
 - a. the section, for which the election is taking place;
 - b. the names of the nominees for this election listed in the order as given on the relevant list;
 - c. the duration of the electronic voting;
 - d. the electronic address of the voting program;
 - e. the way, in which the voter can access the voting program.
2. A person entitled to vote who has received no e-mail or one whose e-mail has broken down can still request the electoral committee to send him the e-mail referring to Article 23.1 (no later than the working day preceding the election day)
3. On the election day, before 10.00 hrs (GT+1), every person entitled to vote is sent an election day reminder through e-mail with the same information as stated in Article 23.1.

Chapter 7. VOTING

Article 24. Voting procedure

1. Voting takes place via the electronic voting program that can be accessed via the faculty website.
2. The voting process:
 - a. The election will be held by secret electronic ballot;
 - b. The maximum number of votes that can be cast is one for each section;
 - c. The voter indicates the nominee of choice on the electronic ballot paper by filling in the voting box in front of the names of the nominees;
 - d. Voting occurs by clicking on the voting button within the voting program.
3. Based on the election result, distribution of the seats is determined using the voting program.

Article 25. No voting

1. If the number of nominees in a section is smaller than or equal to the number of seats to be filled, no voting takes place in the section and the nominees concerned are declared elected.

Article 26. Irregularities; new elections

1. The electronic voting referred to in the previous articles is declared invalid as soon as it has been established that irregularities occurred during voting which, assumingly, could be of influence on establishing the election result. In this case, the electoral committee directly calls a new election.
2. The electoral committee immediately makes a copy of this decision available for inspection at the Faculty Council office.

Chapter 8. DETERMINATION OF SEAT ALLOCATION

Article 27. Total vote

1. With regard to each voting list per section, the following shall be established:
 - a. the number of votes cast for each nominee appearing on the list;
 - b. the sum of the numbers of votes referred to under a. This sum is called the total vote.

Article 28. Ranking nominees

1. Nominees are ranked in the order of the quantity of votes on the so-called ranking list of a section. Insofar as nominees have received an equal number of votes, a rank is assigned by drawing lots.
2. Insofar as nominees have received an equal number of votes and for the allocation of seats a ranking needs to be established, the rank will be assigned by drawing lots. This drawing will be done by the electoral committee in the presence of the nominees who have received an equal number of votes. This will be done as soon as possible after the release of the results

Article 29. Allocation seats

1. The available seats are assigned to nominees according to their position on the ranking list.

Chapter 9. ESTABLISHING AND PUBLISHING OF THE RESULT

Article 30. Informing nominees

1. The electoral committee informs each nominee in writing as to whether the person has been declared elected or not.
2. Elected nominees are asked whether they accept their election. In case a nominee objects to his/her election, the electoral committee is authorised to accept the objection.
3. In case Article 30.2 is applicable the electoral committee accepts the nominee(s), not previously declared elected, with the highest position on the ranking list.
4. Nominees whose election is now assured are informed of this in writing.

Article 31. Establishing election result and reporting

1. Immediately after the election result has been determined, the electoral committee prepares an official report on all the elements of the elections and the election processes. The electoral committee sends the report, including the final election outcome with the nominees who have accepted their election, to the Dean of the Faculty (with copy to the chair of the Faculty Council). The Dean of the Faculty informs the entire Faculty community about the election outcomes and about the composition of the new sections of the Faculty Council.
2. All documents used and produced by the electoral committee during the election process will be filed and archived in and by the ITC Faculty Bureau.

Chapter 10. SEAT VACANCIES

Article 32. Vacancies

1. In the event that a nominee does not accept his election, or in the case of a vacancy the electoral committee declares elected the nominee placed next highest on the ranking list. Disregarded in this respect is the nominee:
 - a. who has transferred to a section other than that for which he or she was nominated;
 - b. who has lost his or her membership of the voting community;
 - c. who is not prepared at that moment to accept possible election;
 - d. who has terminated his or her registration as a student.
2. The nominee from this list, who is eligible for appointment following the determined order, meeting the criteria in Article 29, is declared elected.
3. If a vacancy cannot be dealt with in the way referred in Article 32.1 and Article 32.2, because of the lack of candidates/nominees, the vacant seat remains unoccupied. However, as soon as at least one third part of the number of available seats in a section is vacant, the vacancies are dealt with by holding an interim election, unless a general election is to take place for that section within six months.
4. Deviation may be made from the provisions in the previous paragraph provided the faculty council and the dean so agree.

Article 33. Vacancies at interim elections

1. An interim election is organised as if it were a normal election, with the proviso that:
 - a. the election relates only to the vacant seats;
 - b. those who have lost their right to vote are deleted from the electoral register.

Article 34. Informing candidates regarding vacancies

1. With regard to the vacancies the criteria in Article 32.1 accordingly apply.

Chapter 11. FINAL PROVISIONS

Article 35. Unforeseen circumstances

1. In cases not covered by these rules of procedure, the electoral committee decides as far as possible in accordance with the import of the provisions of the Act and the Elections Act (Stb. 1989. no. 423).

Article 36. Adoption and citation

1. These electoral rules and regulations were approved by the Faculty Council dd. October 2017.
2. These rules of procedure can be cited as the “Electoral Rules and Regulations of the Faculty of Geo-Information Science and Earth Observation (ITC) of the University of Twente (UT)”