

DIRECTIVE FOR FACULTY ELECTION REGULATIONS

Adopted on 30 August 2006

Amended by the executive board on 22 November 2011, following agreement by the university council on 7 November 2011.

Amended by the Executive Board on 15 November and 20 December 2016 with the agreement of and partly on the proposal of the university council on 12 December 2016

Amended by the Executive Board on 3 November 2020 with the agreement of the university council on 7 December 2020.

N.B. This directive does not apply to the faculty of Medicine. For the faculty of Medicine, on 2 September 2014 the Executive Board, following agreement by the university council on 17 October 2014 and the consent of the Minister of Education, Culture and Science on 18 December 2014, a separate directive has been adopted for Election Regulations for the Student Council of the Faculty of Medicine following the reorganisation of the participation bodies with effect from 1 January 2015. The staff of the faculty of Medicine are represented by the works council of the UMCU which has a permanent Education and Research committee, with additional members elected from among and by staff with a background in academic education and research.

From: the Higher Education and Research Act

Article 9.5. Guidelines for Deans

The executive board may set down guidelines with a view to the organisation and coordination of the exercise of the powers referred to in Articles 9.14, third paragraph and 9.15, first paragraph.

Article 9.14 General duties and powers of the Dean

[...]

3. Without prejudice to Article 9.5, the Dean shall set down the faculty regulations pertaining to the arrangement of the administration and organisation of the faculty.

[...]

Article 9.38b Faculty regulations

The faculty regulations shall provide for, at least, the topics listed in Article 9.34, third paragraph, subsections [...] d [...].

Article 9.34 Regulations pertaining to university council

[...]

3. The regulations shall, at least, provide for:

d. the manner and organisation of the elections of the council members,

[...]

ELECTION REGULATIONS OF THE FACULTY COUNCIL

<name>

CONTENTS

Chapter 1	General
Chapter 2	Electoral Committee
Chapter 3	Voting rights
Chapter 4	Nomination of candidates
Chapter 5	Election
Chapter 6	Establishing the result
Chapter 7	Filling of vacancies
Chapter 8	Concluding and transitional provisions

From: the Higher Education and Research Act

Article 9.37 Faculty council

1. In the event that a university comprises more than one faculty, a faculty council shall be attached to each faculty.
[...]
3. Article 9.31, second up to and including sixth paragraphs, shall apply *mutatis mutandis*.

Article 9.31 University council

- [...]
2. The council shall have a maximum of twenty-four members.
3. Half of the council shall be composed of members elected by and from among the staff, and the other half shall be composed of members elected by and from among the students.
4. Those who sit on the executive board or the supervisory board, or fulfil the position of Dean of a faculty, cannot also sit on the council.
5. Candidates for the election of the section of the council elected from among and by the staff may be nominated by staff members and by staff organisations.
6. The members of the council shall be elected by secret written ballot. A ballot for a section of the council shall only be taken in the event that the number of candidate members for such a section exceeds the number of seats allocated to that section. [...]

CHAPTER 1 - GENERAL

Article 1.1 Definitions

The terms below used in these regulations are defined as follows:

Staff:

- the academic staff employed by the university, assigned to the job families of Education and Research of the job categorisation system,
- all the staff employed by the university who do not belong to the academic staff (support and administrative staff), with the exception of student assistants in so far as they are also students,

who are set to work at the faculty

Personnel organisation:

an employees' organisation as referred to in the Collective Agreement (CAO) for Dutch Universities (*CAO Nederlandse Universiteiten*), as well as an association that is a member of such an employees' organisation, and which has university staff among its members

Student:

the person who

- (i) is registered as a student at Utrecht University for a bachelor's or master's degree programme as referred to in Article 7.3a(1) and is attending a course at the faculty according to the registration in the OSIRIS database; or
- (ii) receives financial support from Utrecht University on the grounds of Art. 7.51e of the Higher Education and Research Act (*Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek, WHW*) (tuition-fee-free fulfilment of board function without registration) and immediately prior to this financial support met the condition under (i) above

Staff delegation:

that part of the council that is elected by and from among the staff and the PhD scholarship candidates

Student delegation:

that part of the council that is elected by and from among the students

Council:

the faculty council

Reference date:

the annual date set by the Central electoral office for registering voters

Session:

the annual meeting period of the council, which commences on 1 September and ends on 31 August

PhD scholarship candidates:

Contracted PhD candidates who are preparing their thesis with an external stipend¹ and who:

- are attached to the university for a period of more than two years; and
- as part of their PhD studies perform work at the university without there being an employment contract with the university; and
- do not have an employment contract with another employer; and
- are registered in the PhD candidate monitoring system of the university; and

¹ VSNU definitions of types of PhD candidates: Category 2b: PhD scholarship candidates with a different / external grant provider. Grant provided by organisations other than the university as referred to under 2a (...). Source: https://www.vsnu.nl/files/documenten/Feiten_en_Cijfers/Typering_promovendi_2019.pdf.

- in the case of exercising their passive voting rights, have received permission from the external provider of the stipend

CHAPTER 2 – ELECTORAL COMMITTEE

Article 2 Duties

1. The Electoral Committee will prepare and hold the elections.
2. The Electoral Committee will take the decisions that are necessary for fulfilling its duties under its mandate on behalf of the dean.

Article 3 Composition

1. The Electoral Committee has three <option: five> members, one of whom is the chairperson.
2. The members will be appointed and dismissed by the dean, having consulted the faculty council. The dean will appoint the chairperson from among the members.
3. One member will be appointed from among the students of the faculty.

CHAPTER 3 – VOTING RIGHTS

Article 4 Voting rights

1. Each staff member and each PhD scholarship candidate has active and passive voting rights for the election of the members of the staff delegation of the council. <Option: The passive voting rights will be exercised in the electoral district within which that staff member is put to work for the majority of that staff member's working hours. Since PhD scholarship candidates do not have an employment contract, their passive voting rights will be exercised in the electoral district where their PhD supervisor is put to work for the majority of that PhD supervisor's working hours. Where work is carried out equally in several districts, the choice of the staff member or the PhD scholarship candidate will be followed.
The following electoral districts have been formed for the elections, each with a certain number of seats on the council:
 - a. Faculty office staff: <x> seat(s)
 - b. Staff /PhD scholarship candidates of Department(s) of <name(s)>: <x> seat(s)
 - c. Staff /PhD scholarship candidates of Department(s) of <name(s)>: <x> seat(s)etc.>
2. Each student has active and passive voting rights for the election of the student members of the council. <Option: The passive voting rights will be exercised in the electoral district within which the student is registered for the student's major. The following electoral districts have been formed for the elections, each with a certain number of seats on the council;
 - a. Students of Department(s) of <name(s)>: <x> seat(s)
 - b. Students of Department(s) of <name(s)>: <x> seat(s)etc.>

Article 5 Electoral registers

1. The Electoral Committee will establish an electoral register for each delegation within five working days following the reference date of the year in which the election is to be held. The registers will state, with respect to the status on the reference date, at least (i) the surname and initials of each voter as registered in the university administrative systems and (ii) the unique user name assigned by the university to the voter.
2. As soon as they have been established, the electoral registers will be placed by the Electoral Committee at a location to be decided, where they can be inspected until the end of the period for candidate nominations.
3. The Electoral Committee will make the amendments to the registers, either in its official capacity or at the request of a voter, which it deems necessary for the correct implementation of the law and

these regulations. A request may be submitted to the Electoral Committee only before the end of the period for candidate nominations.

CHAPTER 4 – NOMINATION OF CANDIDATES

Article 6 Period and location of candidate nominations

1. The period for and location of candidate nominations will be determined by the Electoral Committee and announced at least six weeks before the commencement of this period.
2. The candidate nominations will be placed on lists, a model of which will be decided on by the Electoral Committee. Lists may be submitted for each delegation <option: for each electoral district> <option: for the staff delegation <or: student delegation> and the electoral districts referred to in Article 4>.

Article 7 Form of candidate nominations

1. A candidate list is numbered and will contain no more than thirty candidates. The candidate list may be submitted under a name of no more than forty characters.
2. The candidate list will be submitted in writing and supported by at least twenty supporting voters of the delegation concerned, with their signatures. A voter may only sign one candidate list. A candidate list may not be signed by the candidates appearing on the list.
3. Supplementary to paragraph 2, a candidate list for the staff delegation may also be submitted by organisations of personnel without supporting signatures as referred to in paragraph 2.
4. A voter may stand as a candidate for one seat only. Each candidate will submit an irrevocable written statement in which they agree with their candidature, which will be submitted at the same time as the nomination. A PhD scholarship candidate who is standing as a candidate will also submit at the same time as the nomination evidence of agreement from the external funder of the PhD process.
5. Each candidate and each supporting voter as referred to in paragraph 2 will state on the candidate list at least the information referred to in Article 5(1). <Option: Each candidate <option: for the staff delegation or for the student delegation> will also state the district to which the candidate belongs.>

Article 8 Establishing valid candidates

1. The Electoral Committee will check the candidate nominations for any omissions with respect to the requirements laid down in these regulations. It will notify the submitting parties of any omissions found as soon as possible.
2. Omissions with respect to the requirements referred to in Article 7 may be rectified. To this end, the missing documents for the candidate nominations may be submitted to the Electoral Committee up to three working days following the notice referred to in paragraph 1. Rectification of omissions may not lead to the nomination of a new candidate or the submission of a new candidate list.
3. Following the period for rectifying omissions referred to in paragraph 2, the Electoral Committee will decide in a public session on the validity of the candidates nominated.

CHAPTER 5 - ELECTION

Article 9 Form and time of election

1. The election will be held during an election period to be laid down by the Electoral Committee.

2. Votes will be cast electronically by means of a program in which the details of the seats and candidates are displayed to the voter.

Article 10 Election notice

The Electoral Committee will send in good time to each voter a notice of the election and an instruction on the manner of casting a vote. The Electoral Committee will make information about the candidate lists available in good time through the appropriate channels.

CHAPTER 6 – ESTABLISHING THE RESULT

Article 11 Establishing the valid votes

After the end of the election period the Electoral Committee will establish the number of valid votes cast for each candidate list and each candidate.

Article 12 Allocating seats to lists

1. The Electoral Committee will establish the electoral quota for a delegation <option: or district> by dividing the sum of the votes cast by the number of seats in the delegation <option: or the district>.
2. Each candidate list will receive so many seats as the number of times that the electoral quota is included in the number of votes cast on that list. No more seats will be allocated to a candidate list than the number of candidates on that list.
3. Seats which have not been allocated in the manner described in paragraph 2 (remaining seats) will then be assigned in succession to the list that has the largest average number of votes per allocated seat when allocating a remaining seat. If two or more lists have the same averages, lots will be drawn to decide which list will receive the remaining seat. A candidate list that has received less than two thirds of the electoral quota in votes will not receive a remaining seat.
<option in addition: Where there are remaining seats because there are fewer candidates for a particular district than there are seats available, the remaining seats concerned will be allocated to the list of another district that, following the allocation of a remaining seat, has the highest average number of votes per allocated seat. If two or more lists have the same averages, lots will be drawn to decide which list will receive a remaining seat.>
4. <if the faculty has districts with just one seat: For districts which have only one seat, contrary to the provisions of the first three paragraphs of this article the seat will be allocated to the candidate list that has received the most votes. If two or more lists have an equal number of votes, lots will be drawn to decide which list will receive the seat.>

Article 13 Declaring the candidates elected; ranking of candidates

1. The candidates on the list who have received the number of votes that is at least equal to two thirds of the electoral quota will be elected to the seats allocated to each list, in the order of the number of votes cast for them.
2. If not all the seats allocated to a list have been filled in the manner described in paragraph 1, the other seats will be allocated to the candidates in the order stated on the list.
3. The Electoral Committee will rank first the candidates on the list declared elected in accordance with the order as laid down in paragraphs 1 and 2 of this Article 13. The Electoral Committee will then rank the unelected candidates on the list in accordance with the order of the list submitted.
4. <if the faculty has districts with just one seat: For districts which have only one seat available, contrary to the provisions of the first three paragraphs of this article, the candidate who has received the most votes will be elected to the seat allocated to the candidate list referred to in Article 12(4). The Electoral Committee will then rank the unelected candidates on the list in accordance with the number of votes cast for them. If two or more candidates have received an equal number of votes, their place on the list will determine the order of the candidates concerned.

Article 14 Session for announcing the result

The Electoral Committee will establish the result of the election within two working days following the election period, and will announce this result in a public session.

CHAPTER 7 – VACANCIES

Article 15 Filling an interim vacancy

1. In the event of an interim vacancy, the Electoral Committee will appoint as the successor to the member of the faculty council the highest placed but unelected candidate on the candidate list from which the person to be succeeded was elected.
2. If the list referred to in paragraph 1 does not have an available candidate, the vacancy will be filled by the highest placed but unelected candidate from the list who received the highest average number of votes within the delegation <option: or the district> in accordance with Article 12(3) <if the faculty has districts with just one seat: or, if the vacancy is for a district that has only one seat, the unelected candidate who has received the most votes on the candidate list that has subsequently received the most votes>.

<option:

3. If the list referred to in paragraph 2 does not have an available candidate, the Electoral Committee will organise a one-off interim election for a vacant seat if:
 - a. it concerns an interim vacancy in the staff delegation and
 - b. the chairperson of the faculty council has notified the Electoral Committee of the interim vacancy prior to the date of announcing the period and location of the candidate nominations as referred to in Article 6.

Interim elections may only be held at the same time as the annual elections for the student delegation and will proceed in accordance with the provisions of these regulations. The term of office of the candidate elected in an interim election will end at the same time as that of the candidates elected under the normal procedure.

CHAPTER 8 – CONCLUDING AND TRANSITIONAL PROVISIONS

Article 16

In cases not provided for in these regulations, the Electoral Committee will decide.