



University of Gjakova “Fehmi Agani”

**REGULATION ON PROCEDURES
OF GENERAL ELECTIONS IN UGJFA**

Gjakova, Januaray 2020

Based on the article 23 of the Status, as well as in accordance with Law on High Education of Republic of Kosovo and article 3, section 1.1. of MEST's Administrative Instruction 02/2015, elections, elections of bodies and councils of academic units in University of Gjakova" Fehmi Agani" (UGJFA) was made, the Steering Council (SC) of university on the meeting held on 31.01.2020, by changing and supplementing approved:

REGULATION AND PROCEDURES
ON
GENERAL ELECTIONS IN UGJFA

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1. General provisions

Article 1

- (1) All the regulations and procedures must refer and be based on Provisional Status of University of Gjakova, Law on Higher Education of Republic of Kosovo and other enforced normative acts.
- (2) Every complaint against decisions based on these regulations and procedures should be addressed:
 - Initially to Central Electoral Commission
 - Then to Steering Council of UGJFA

Article 2

- (1) As stated below, elections will be announced by the Steering Council and will be held on 3 UGJFA Faculties, based on article 44 and 74 of the Status:
 1. Members of faculty councils from the professors;
 2. Members of faculty councils from the assistants;

3. Members of faculty councils from non-academic staff;
 4. Members of Senate from academic staff;
 5. Members of Senate from non-academic staff;
- (2) Elections for Senate members from non-academic staff, as defined in point 5 of this article, will be held on Central Administration, as well.

Article 3

- (1) Academic staff of UGJFA includes groups, as stated in article 151, point 2 of provisional Status:
1. Full-time professor
 2. Associated professor
 3. Assistant professor
 4. Temporary lecturer. This call (degree) will be temporary only for the establishment phase.
 5. Assistant
 6. Lector
- (2) According to Status the staff category called “new assistant” are not academic staff category in UGJFA, so they do not have a right to participate in UGJFA elections described in these regulations and procedures.
- (3) According to Status the staff category called “temporary lecturer” is staff category only in the establishment phase of UGJFA, but in the absence of staff they have a right to participate in UGJFA elections of the faculties mentioned above.

Article 4

- (1) All mandatory legally elected through these elections, will keep their mandate for four years (except members of the Steering Council).
- (2) In case of resign, breach of contract, retirement, death, mandatory’s exclusion, or any other reason of the vacant residue, the council of academic unit proposes to the body (Senate) a new member for the remained mandate.

Article 5

- (1) Every member of UGJFA staff with a full contract (primary) will have a right to participate in these elections.
- (2) In order to have the right to be listed as:
 - a. Voters
 - b. Candidates
 the person needs to apply rules as stated in:
 1. Article 173 of Civil Service Law of Republic of Kosovo which states that “ Civil servants cannot keep leading positions in political party and be politically active”.
- (3) In the disputed cases according to (2) about the right to vote and the right to run, the decision must be made by the Central Electoral Commission.
- (4) For every negative decision according to (3) the reasons must be given in a written form by the Central Electoral Commission.

2. ELECTORAL REGULATIONS

Article 6

- (1) The members of Faculty council from the ranks of professors will be elected from the professors of this faculty as defined by article 155 (full-time professor), 156(associate professor), and 157(assistant professor) of the Status.
- (2) Up to 30 professors will be elected members of Faculty Council.
- (3) In all such faculties where the general number of professors-as defined in (1) of this article- does not exceed number 30, all the professors are automatically appointed as members of faculty council. In these case there will be no elections.
- (4) In all such faculties, where the general number of registered candidate professors, does not exceed number 30, all the registered candidates are automatically appointed as members of faculty council. In these case there will be no elections and mandates will remain vacant if the number is not fulfilled.

Article 7

- (1) The members of faculty council from the ranks of assistants will be elected from faculty academic staff, as defined in article 151, point 2, and described in details in article 155(full-time professor), 156(associate professor), and 157(assistant professor), and 159(assistant) of the Status.
- (2) The number of assistants elected on faculty council is at most 5(five) members.
- (3) In all such faculties, where the general number of assistants does not exceed number 5, all automatically registered candidates are appointed as members of faculty council. In these case there will be no elections and mandates will remain vacant if the number is not fulfilled.

Article 8

- (1) The members of Senate from the ranks of academic staff will be elected of each faculty as defined in article 151, point 2, and is described in details in articles 155(full-time professor), 156(associate professor), and 157(assistant professor), and 159(assistant) of the Status.
- (2) One member of academic staff from each faculty will be elected as a member of Senate.

Article 9

- (1) Faculty Secretary-The Legal Officer is ex officio member of faculty council without a right to vote.
- (2) One member of non-academic staff will be elected as a member of faculty council.

Article 10

- (1) One member of Senate from the ranks of non-academic staff will be elected from non-academic staff of all faculties and Central Administration of UGJFA, as defined by the Status-article 44, point 2 and sub point 1.6.

- (2) In case of equal votes of the candidates for the mandate of the Senate member from non-academic staff, priority will be given to the candidate of female gender.

3. Voter lists

Article 11

- (1) It is the task of Administrations of Faculties and Central Administration to offer completed data, on voters with the right to vote, to the Central Election Commission.
- (2) In case of delay or refusal to submit data to any of faculties, disciplinary measures will be taken by the Steering Council, following the announcement by the Central Election Commission.

Article 12

- (1) A list of voters with the right to vote will be prepared by Central Election Commission. For each of 6 faculties and central administration, including the following data:

Academic staff

- Serial number
- Name
- Surname
- Date of birth
- Personal number
- Scientific Degree-Professional title
- Department

Non-academic staff

- Serial number
- Name
- Surname
- Date of birth
- Personal number
- Position
- Office/Unit

4. Candidates

Article 13

- (1) Each staff member of UGJFA that is registered on the list of voters has the right to be registered as a candidate for mandate as pointed in article 1.
- (2) Being a member of Central Election Commission or any other election commission of the faculty is not an obstacle for being a candidate in general elections.
- (3) Voters with the right to vote have the right to register for more than one mandate.
- (4) If a staff member is elected for more than one mandate, the position in Senate predominates compared to the position on the Faculty Council. Central Election

Committee is obliged to clarify such appointment repetitions before the announcement of the final election results.

- (5) Exercises of more than one mandate is not permitted. If one of the members is elected in management position, he /she must declare which position he/she wants to keep.

5. Candidates 's registration

Article 14

- (1) Each voter with the right to vote has the right to register as a candidate for any mandate he/she is appointed to his/her category and faculty.
- (2) Preparation of registration procedures must be made for each faculty.
- (3) Election committee of faculty must appoint a period for registration from 8:00 -14:00 during the registration day, a date which will be announced by Central Election Committee.
- (4) The registration day must be at least 2 days before election day.
- (5) Voters with the right to vote, which are unable to participate in registration procedures, must be given a possibility of registration through written applications.
- (6) A relevant registration form, appendix 1, will be available in the Deanery and on web page of UGJFA.

Article 15

- (1) Central Election Committee is obliged to check every registration of candidacy for validity, referring to voters lists and provisions of these rules and procedures.
- (2) Official list of candidates will be prepared by the Central Election Committee, for each faculty and central administration, including the following data:

Academic staff

- Serial number
- Name
- Surname
- Date of birth
- Personal number
- Scientific Degree- Professional title
- Department

Non-academic staff

- Serial number
- Name
- Surname
- Date of birth
- Personal number
- Position
- Office/Unit

- (3) Official list of candidates will be published by Central Election Committee on the election day, at the faculties Deanery and on the UGJFA's web page.

6. Central Election Committee

Article 16

- (1) Central Election Committee will fulfill its obligations, as stated in the University Status and other legal acts.
- (2) Founding Committee establishes Central Election Committee (CEC), CEC basically consists of one university professor, general secretary and one university assistant.

Article 17

- (1) Each member of staff will have the right to appeal against decisions of Central Election Committee based (4) in a written form and with based reasoning to the Steering Council of University. Decision about appeal must be taken within 4 weeks after admission. Decision of Steering Council is final.

7. Election Committees of Faculties

Article 18

- (1) Each Election Committee of Faculty must consist of three members:
 1. Secretary of faculty- Legal Affairs Officer
 2. One respected faculty professor, appointed by faculty council.
 3. One respected faculty assistant, appointed by faculty council.
- (2) Secretary of faculty- Legal Affairs Officer must preside the election committee.
- (3) Election of two other members of ECF from the rank of academic staff is made with the absolute majority (50+1) of general number of faculty committee members through secret voting.
- (4) If after the first voting none of the candidates has gained the absolute majority of votes, in the second voting, candidates that have gained the most of votes according to (1).2 and (1).3. will be elected.
- (5) Protocols of election committee must be prepared and signed by the chairperson and members of ECF.
- (6) Meetings of election committee of faculty are convened by the Chairperson of ECF with the approval of Central Election Committee.

8.Election day

Article 19

- (1) Central Election Committee must decide and announce the election day.
- (2) On the election day, polling stations must be open from 8:00 -14:00 o'clock.

Article 20

- (1) Voters with a right to vote must personally casts the vote at the faculty polling station, to which they are appointed according to their contract.
- (2) None of the voters must not have the right to vote on more than on polling station.

Article 21

Central Election Committee in co-ordination with election committees of faculties must announce the location of polling stations.

Article 22

Elections must be held by election committees of faculties, under supervision of Central Election Committee.

9. Voting procedures and ballots

Article 23

- (1) During the voting time, at least two members of election committee of faculty must be present all the time to ensure the orderly conduct of electoral procedures.
- (2) Election committee of faculty must provide further procedural steps for the conduct of elections:
 - Opening and closure of polling stations on the scheduled time and keeping the polling station open during the specified election period.
 - Providing the necessary materials for the conduct of the voting.
 - Distribution of election materials.
 - Marking of voting procedures in the protocol of the electoral commission.
 - Sealing of ballot boxes and marking of seal numbers.
 - Quantification and counting of votes.
 - Marking of election results.

Article 24

Election procedures must consist of following steps:

- Election committee requires from the voter to identify him/herself by identification documents (ID);
- Election committee requires from the voter to identify with one of the categories of staff;
- Election committee finds the voter on the voters list;
- Election committee requires from the voter to register on the voting list;
- Election committee gives the voter appropriate ballots;
- The voter secretly marks the ballot at the voting booth;
- Election committee replaces a ballot upon request if the voter has damaged it;
- Voter casts the ballot in ballot box;
- Voter exits from polling stations immediately after voting;
- Election committee marks in the protocol every change of these procedures.

Article 25

- (1) Each ballot must consist of the names of all the candidates who are registered for certain mandates. Candidates must be listed on the ballot according to their surnames and names.
- (2) Each voter has the right to mark as many candidates as there are mandates in competition for certain elections. An appropriate notice must be given at the beginning of the ballot.
- (3) Ballots are valid when the maximum of predefined candidates or less- as stated in the ballot-are marked and when the aim of the voter is clear.
- (4) Ballots are not valid when more candidates then the predefined ones are marked-as stated in the ballot-or when no candidate is marked.

- (5) In all other cases of contesting the validity of the ballot, the decision must be made by Central Election Committee upon request of election committee of faculty.

Article 26

Each voter with a right to vote Has the right to submit an appeal about election procedures to the Central Election Committee. The relevant form, appendix 2, will be available on each polling station in faculties and on UGJFA web page.

10. Election results-short toss.

- (1) Central Election Committee is obliged to announce the official election results within 24 hours after the closure of polling stations.
- (2) In cases when 2 or more candidates have received the same number of votes for an inadequate number available mandates, then a short toss should be organized by Central Election Committee, which will decide on final division of mandates.
- (3) This short should be organized within 48 hours after the announcement of election results.

11. Complaint period

- (1) After official announcement of results, a 3 –day (working days) period for complaints is announced.
- (2) During this period written complaints on election procedures, election results and mandates, can be submitted.
- (3) It is the task of Central Election Committee to decide on all complaints within 4 days (working days) after admission.
- (4) After the end of this period, Central Election Committee must announce official election results.

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