



University of Gjakova “Fehmi Agani”

Regulation

On elections at the University of Gjakova and the work of
Faculty Council

Gjakova

March 2015

In support of the article 23 of the Status, as well as in accordance with The Law on High Education of Republic of Kosovo, and article 3, point 1, sub-point 1.1. of MEST Administrative Instruction – 03/2015; Holding Student Elections and election of bodies and counsels of academic units at the University of Gjakova “Fehmi Agani” (UGJFA), Founding Council (SC)¹, at the meeting hold on 10/03/2015, approved:

Regulation
On elections at the University of Gjakova and the work of Faculty Council

Article 1

The procedure of elections at Faculty Councils of UGJFA, as well as the way of they work, is going to be regulated by this regulation.

I. Election procedures in Faculty Councils

Article 2

Composition of the Faculty Council must conform to article 74 of UGJFA Status and provisions of this regulation.²

Article 3

- (1) Elections on members of Faculty Council is made based on priority list of gained votes according to this procedure:
1. For election of members of Faculty Council from the ranks of professors (full –time professors, associate professors and assistant professors), the right to vote have professors with a full-time(primary) employment at the faculty.
 2. For election of members of Faculty Council from the ranks of assistants, the right to vote have the professors and assistants with a full-time(primary) employment at the faculty.
 3. For election of members of Faculty Council from the ranks of administration, the right to vote has the entire non-academic staff with a full-time(primary) employment at the faculty.
 4. A representative from the rank of students in the Faculty Council, is elected according to the proposal of Faculty Student Council, conform to the provisions of Regulation on student’s elections.
 5. The Faculty Secretary- Legal Affairs Officer is ex officio member of Faculty Council without a right to vote.
- (2) All the candidates that contradicts the article 171 of University Status, and article 17.3 on Law for Civic Services of Republic of Kosovo, have no right to be elected or to elect, due to the fact that such a thing is qualified as conflict of interest.

¹ In general elections 2015, the first ones at UGJFA, (SC) refers to (TFC)- Temporary Founding Council, based on the Provisional Status of UGJFA.

² In the absence of academic and administrative staff, at the faculties of: Education, Philology and Medicine formal conditions for holding general elections have not been met. When the conditions are met, general elections will be organized for the remaining election mandate. Up to the regular elections, the representation of faculty at the University Senate shall be done the Dean, in the manner determined by the TFC of UGJFA.

- **Verification of mandates**

Article 4

- (1) In the first meeting, Faculty Council verifies the mandates of faculty council members, based on the report of faculty secretary, for regularity of elections of faculty council members, with the proposal on verification of mandate.
- (2) Voting for the report is done entirely if none of the mandates is contested, if any of the mandates is contested, initially it is voted for all non-contested mandates, and then on each contested mandate is voted separately.
- (3) If the Faculty Council realizes that the election is made irregularly, the repetition of contested election is requested.
- (4) The member of Faculty Council whose decision is contested or whose decision for mandate verification is delayed, has the right to participate in the meeting, but without a right to vote.
- (5) After mandate verification, members of Faculty Council sign the statement as follows:
I declare that I will perform my duties honorably and faithfully, fairly and without taking sides, with conscience and responsibility, that I will conscientiously and devotedly represent the interests of the University and adhere to the Status of the University.

II. Election of Senate representative

Article 5

- (1) The representative of faculty in Senate, is elected with absolute majority, from the ranks of academic staff (professors and assistants) with full-time (primary) employment at the faculty.
- (2) For election of faculty representative from the preceding line, the right to vote has the entire academic staff with full-time (primary) employment at the faculty.
- (3) Representative in the Senate, of non-academic staff is elected with the absolute majority from the rank of non-academic staff with full-time employment in all academic units of UGJFA.
- (4) For election of non-academic staff from the preceding line, the right to vote has all non-academic staff with full-time employment at UGJFA.

III. Candidacy

Article 6

All interested to be elected in Faculty Council and Senate must apply in advance for candidacy, according to dynamics of elections in UGJFA.

IV. Election of interim chairman of Faculty Council and of Dean representative at the Senate

Article 7

- (1) Interim chairman of Faculty Council is elected among proposed candidates of Faculty Council, by majority of votes of general number of members of Faculty Council.

- (2) If none of proposed candidates gains the majority of votes of general number of members then the second round of voting is organized only for the candidate with the largest number of votes. If the candidate does not gain the majority of votes of general number of members, in the second round, it is considered that the candidate has been refused and the Faculty Council is obliged to propose another candidate.
- (3) In case of equal votes, the voting is repeated.
- (4) Interim chairman of FC, is at the same time the representative of faculty Dean and Senate until the election of Dean.

V. Meetings

Article 8

- (1) Faculty Dean (further addressed as “chairman”) calls and leads the meeting.
- (2) If the Dean is absent, the meeting is prepared and lead by Vice-dean. If Vice –dean has no possibility of participating in the meeting, the meeting of Faculty Council is led by the oldest member.
- (3) Chairman calls the meetings as needed. During the regular period of studies, Faculty Council meetings are held at least once per month.
- (4) Exceptional meetings can be held at any time according to foreseen procedures. Agenda for this meeting must be restricted to one main point. At Faculty Council meeting can be decided on calling of another future meeting of Faculty Council, in the case members of Faculty Council that are not present must be specially invited.
- (5) In case of Dean or Vice-dean discharge, the election procedure is organized by the oldest member of Council without any delay.
- (6) Faculty Council meetings are opened for the public, with the exception of cases when Faculty Council decides differently.
- (7) Members of Faculty Council are invited at least three days before the meeting. Invitations can be written, send by fax or e-mail, or any other technical form, by which the delivery and information are safe.
- (8) Chairman has the right to invite experts, or other persons to the meeting, any time.
- (9) Chairman is obliged to call the Faculty Council meeting if this is requested by at least 1/3 of Faculty Council members, and if the aim is justified in written. If the chairman of Faculty Council does not respond to the request within three days of receiving the request, Faculty Council meeting is called by the oldest member of Faculty Council.

VI. Meeting attendance and representation

Article 9

- (1) All Faculty Council members have the right and are obliged to participate on the Faculty Council meetings.
- (2) During the Faculty Council meetings, members must vote personally, vote delegation is forbidden.
- (3) Before the Faculty Council meeting starts, members must sign the attendance list, which is the integral part of report. Faculty Council member can be absent in the meeting by

justifying the reason. The member of Faculty Council must inform the chairman on time about his/her absence.

Article 10

- (1) For a Faculty Council member, it is considered a conflict of interest, in accordance to Kosovo legal regulation and University Status, if he/she runs counter to his/her public, family and operational interest.
- (2) If Faculty Council does not make a different decision, a member in conflict of interest, must leave the meeting during the time when that issue is discussed.
- (3) The member in conflict of interest has no right to vote on relevant issue.

VII. Beginning of the meeting and agenda approval

Article 11

- (1) Chairman opens, leads, stops and ends the meeting.
- (2) Chairman in coordination with Vice-Deans, faculty secretary, and the relevant administrative services, prepares and takes care of Faculty Council meeting material.
- (3) Chairman is obliged to include in the agenda the justified written proposals, 72 hours before the meeting. Written proposals can be sent personally or by e-mail, and must be signed by the applicant.
- (4) At the beginning of the meeting, the chairman ascertains whether there is a quorum, proposes the agenda, opens the discussion related to agenda, ascertains the approval of agenda.
- (5) Chairman gives the floor to the speaker, ascertains the closure of the consideration of the given topic, puts the issue into voting, ascertains approval or refusal of proposal, takes measures to ensure the smooth running of the meeting, ascertains the end of the meeting and takes other necessary actions for leading the meeting conform to this regulation.
- (6) Members of Faculty Council have the right to propose changing and supplementing the agenda, by justifying the proposal.
- (7) Materials or request attached during the meeting can be approved by absolute majority of votes.

VIII. The progress of the meeting

Article 12

- (1) After agenda approval, review and decision on issues within the approved points of agenda is made.
- (2) Report and justification on each point of agenda is presented by the chairman or the person assigned by the chairman, and afterwards this chairman opens the discussion.
- (3) All members of Faculty Council that are present can participate in discussion and present their ideas and proposals on issues that will be decided in the meeting.

- (4) The chairman gives the floor according to the order of presentation for discussion. At the Faculty Council meeting nobody can discuss without taking the floor by the chairman of the meeting.
- (5) The chairman is responsible for compliance of these work procedures, and actions and behavior of members according to the order.
- (6) For each point of agenda, participants can discuss at most two times; the first time up to five minutes, and the second time up to two minutes.
- (7) The chairman has the right to request from the speaker to adhere to the topic.
- (8) The participant who takes the floor is obliged to adhere to the issue that is being reviewed. Every participant that ascertains that any fact on his word has been distorted, with the chairman's permission, has the right to appear for a reply immediately after the end of discussion of the participant, towards who the reply is addressed. Reply on the same issue is allowed to the participant in discussion only two times, and according to the rule, it can last at most two minutes.
- (9) The chairman has the right to stop the meeting at most for 30 minutes. In accordance with Faculty Council this time can be prolonged.
- (10) The chairman is obliged to stop the meeting if he himself is not able to guide it properly.

Article 13

Based on the proposal of chairman or some other member of Faculty Council, the Faculty Council can decide that review on some specific issues to be stopped and to be prepared in more detail for the next meeting.

IX. Requests and complaints

Article 14

- (1) Each member of Faculty Council has the right to make a request-complaint on relevant topic.
- (2) The chairman has the right to ask that the request-complaint to be handled in written.
- (3) Requests-complaints on procedure rules must be briefly justified. By a request a speaker pro and a speaker against, can take the floor. Requests-complaints on procedure rules can be submitted for two reasons:
 - a) Request on closure of list of registered speakers, if the request is approved by majority; only speakers registered on the list during request submission have the right to take the floor.
 - b) Request on the end of review, if the request is approved by the qualified majority of 2/3 of members, discussion ends and other requests are voted.

X. Decision- voting and election

Article 15

- (1) Decisions of Faculty Council are all-powerful by minimal quorum of 50% +1 of general number of members.
- (2) Before voting the chairman formulates the proposal of decision or request related to that point of agenda.
- (3) After review end of discussions, according to agenda, the Faculty Council takes the decision or conclusion.
- (4) Decisions of Faculty Council are made by absolute majority of votes of general number of members.
- (5) If there are more proposals of decisions or conclusions, initially it is voted on those in materials or proposals by faculty authorities, then on other proposals.
- (6) The voting is done by acclamation, by hand raising or secrete vote. This is decided in the Faculty Council meeting.
- (7) The voting is done “pro”, “against”, and “abstention”.
- (8) In case of equal number of votes, the proposal is considered refused.

Article 16

- (1) The procedure of secret voting is implemented by the commission nominated by Faculty Council, consisting of three members.
- (2) Based on the voting results, after the voting, the chairman, respectively the head of commission, concludes that proposal of decision or conclusion is approved or has been refused.

Article 17

- (1) A secret voting is applied on:
 - a. Nomination of candidates for the election of Dean by the Senate.
 - b. The election of the interim chairman of Faculty Council, who will be the Dean’s representative in Senate, as well.
 - c. Issues affecting privacy of any of the Faculty Council member.
 - d. Issues when the chairman requests secret voting.
- (2) The counting of votes for these issues is done under the supervision of the secretary of faculty.

XI. Nomination of the list of the candidates for the position of Dean

Article 18

- (1) Each member of Faculty Council has the right to propose a candidate for the position of Dean.
- (2) Proposals for candidates must be well justified and must include a short biography of the candidate.

- (3) Each candidate must be voted separately through secret voting. Two candidates that reach the relative majority can be nominated as candidates for Dean, for election at the Senate.
- (4) Order of candidates in the list of nominees reflects the number of reached votes according to order.
- (5) In the case of equal votes, the final voting is held for the affected candidates.

XII. Keeping order at meeting

Article 19

- (1) The chairman of the meeting takes care of keeping the order at meeting.
- (2) The chairman and participants at the Faculty Council meeting are obliged to adhere to the meeting rules and procedures.
- (3) These measures may be imposed for violation of order of meeting:
 - Remark
 - Word taking
 - Expel from the meeting

Article 20

- (1) Oral remarks can be imposed to the attendee if by behavior and discussion he/she disrupts and disturbs the normal work of the meeting.
- (2) Word taking is imposed to the member if by behavior and statement he/she disrupts the normal work of Faculty Council upon which he/she was already warned.
- (3) Remark and word taking is imposed by the chairman.
- (4) Expel from the meeting is imposed by Faculty Council by majority of votes. Participant, upon who this measure has been imposed, is obliged to leave the meeting immediately. Expel from the meeting is done only for that particular meeting.

XIII. Meeting report

Article 21

- (1) A record is kept in each meeting of Faculty Council. The report is signed by the chairman and record keeper.
- (2) The record must consist of these elements:
 - a. Place, date, the time of the beginning and the ending of the meeting.
 - b. Agenda
 - c. The list of participants and of those absent.
 - d. All the proposals and results of relevant voting.
 - e. The essential notes on the progress of the meeting.Additional documents must be attached to the record.
- (3) Record must be prepared within one week after the Faculty Council meeting and as an extract must be sent to the members of Faculty Council, on the occasion of sending the material for the next meeting.

- (4) The record is approved in the next meeting.
- (5) The record is saved at the Faculty-University archive, along with reviewed materials according to the points of agenda, as long term documents.

XIV. Faculty Council acts

Article 22

- (1) Faculty Council issues:
 - Decisions
 - Conclusions
 - Recommendations
- (2) Faculty Council gives authentic interpreting of issued documents.
- (3) The keeper of record is obliged to prepare decisions, conclusions and recommendations from the Faculty Council meeting, whereas the regulations are prepared by the corresponding commission.

Article 23

Provisions of these rules and procedures apply to all the members of Faculty Council and other persons invited or engaged at the Faculty Council.

Article 24

Regarding all issues not included in this regulation and procedure, provisions of the Status and other legal acts are implemented.

XV. Final provisions

Article 25

- (1) The chairman of Faculty Council takes care for the proper implementation of these procedures.
- (2) Authentic interpreting of this regulation is done by the Steering Council.
- (3) Regulation is enforced immediately after being approved by the Steering Council.

Article 26

Amendments and supplements to this regulation can be made according to the same approval procedure.

PROF. Dr. Hasan Mujaj

Chairman of TFC

