

Election Regulations.

For the election of student representatives of the School of Arts to the General Student Council (ASR) of HOGENT as referred to in Article II.314 of the Codex of Higher Education

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Chapter 1. General provisions

Article 1

For the purposes of these regulations, the following definitions shall apply:

Academic year

A period of one year starting at the earliest on 1 September and at the latest on 1 October and ending on the day before the start of the following academic year. This period is determined annually in the academic calendar.

Special Decree

Special Decree of 13 July 2012 regulating the administrative organisation and operation of certain public-law colleges.

Codex of Higher Education

Flemish Government Decree of 11 October 2013 codifying the provisions set by decree on higher education.

Electoral roll

The list of eligible voters.

Successor

This is a student representative who was not initially elected to a mandate but who, based on the ranking of the election results, takes the place of an initially elected student representative when the latter's mandate is terminated prematurely.

Student Participation Regulations

The Student Participation Regulations as approved by the General Assembly of the Student Council on 14/05/2020 and the Executive Council on 03/07/2020.

Reference date

The deadline for fulfilling the prescribed conditions to be eligible to vote.

Voting list

The list of candidates for the mandates to be filled.

Electoral calendar

A schedule drawn up by the Electoral Committee containing the chronological sequence of the elections.

School of Arts

Being the School of Arts KASK (Royal Academy of Fine Arts) & Conservatory of University College Ghent.

Election round

All the activities associated with an election that begin with a call for nominations and end with the election result becoming final.

Article 2

The purpose of the elections is to appoint the student representation for the School of Arts on the General Student Council (ASR).

The student representatives of the School of Arts are elected by direct election from among the students of the School of Arts. Within these Regulations, there are two mandates to be elected. To ensure gender diversity, the two delegates must belong to different gender identities.

Article 3

§1 The mandate of student representatives on the General Student Council (ASR) lasts one academic year and is renewable. Every academic year, an election is organised to fill all mandates. If a mandate becomes vacant, by-elections may be organised.

§2 An election round starts on the initiative of the Chair of the Electoral Committee with the publication of a call for nominations.

§3 The mandate commences at the start of the academic year following the elections, except in the case of by-elections, where the mandate commences after the results of the elections are announced.

§4 If the mandate of the initially elected representative comes to an end prematurely or if he/she no longer possesses the capacity on the basis of which the mandate was granted, the successor shall automatically take his/her place. If there is no successor, a by-election may be organised by decision of the Electoral Committee.

§5 Successors and representatives elected in by-elections shall complete only the mandate of the initially elected representative.

§6 If there are vacancies, no more than one election round shall be organised per academic year, unless the Electoral Committee decides otherwise.

§7 For the purposes of these Regulations, elected students who have not yet re-enrolled for a subsequent academic year shall retain the status of students until the start of the following academic year.

Article 4

Delegation to the General Student Council (ASR) follows the order of precedence in the election results.

In the event that the elected person with the most votes does not take up his/her mandate on the ASR or terminates it prematurely, the next in line shall be called upon, taking into account gender diversity.

Chapter 2. The Electoral Committee

Article 5

§1 The Electoral Committee of HOGENT is responsible for organising the elections of student representatives.

§2 The Electoral Committee has the following composition:

- Head of Social Services Department (chair);
- 1 participation coach (secretariat);
- 1 member of staff of the Student Affairs Department;
- 2 members appointed by ASR, sitting on behalf of the students.

On the initiative of the Chair, an advisory member may join the Electoral Committee.

Article 6

§1 Members of the Electoral Committee may not form part of the Electoral Committee if they themselves or their relatives by blood or marriage up to the third degree are candidates in the elections. Cohabiting partners are equated with relatives.

§2 Members of the Electoral Committee who are in a situation of incompatibility as described in §1 or who are absent for a long period shall be replaced for the duration of the incompatibility or absence by decision of the Chair of the Electoral Committee in consultation with the Chair of the ASR.

Article 7

§1 The Electoral Committee shall take all necessary measures to ensure the orderly conduct of the elections.

§2 The Electoral Committee shall decide on any problem arising from the application of these Regulations.

Article 8

The seat of the Electoral Committee is at the same address as the Student Facilities Directorate.

Chapter 3. Eligible voters and electoral rolls

Article 9

§1 Students belonging to the School of Arts are eligible to vote in elections of the student representation of the School of Arts on the General Student Council (ASR).

§2 Students of the School of Arts within the meaning of §1 include:

- students of the School of Arts: those who are enrolled at the time of the compilation of the electoral roll and whose main enrolment is registered in the School of Arts in the HOGENT student database;
- students who undertake part of their studies at the college within the context of international mobility and exchanges.

Article 10

§1 A single electoral roll is drawn up for the School of Arts.

§2 The reference date of the electoral roll is the latest date on which an eligible voter may stand as a candidate.

§3 A student can find out whether he/she is eligible to vote and, consequently, whether he/she is on the electoral roll, via the Student Affairs Department of the School of Arts. A notice shall be sent to the students informing them of this possibility.

§4 Students who do not appear on the electoral roll due to a material error may be added to it by the Secretariat of the Electoral Committee.

Article 11

Reasoned objections to an electoral roll must be submitted within seven calendar days of publication of the notice referred to in Article 10, §3 at revoltekiest@hogent.be. The Electoral Committee shall make its decision no later than the date specified in the electoral calendar for the hearing of objections. The electoral roll shall be definitively closed at the end of the objection period or, as the case may be, after the Electoral Committee has ruled on the objection lodged.

Chapter 4. Nomination

Article 12

The following may be elected as student representatives to the General Student Council (ASR): those who are eligible to vote, as laid down in Article 9 of these Election Regulations.

Article 13

§1 The call for nominations shall be announced to all eligible voters through the internal School of Arts communication channels.

§2 The call shall at least specify:

- 1° the deadline for submitting the nomination;
- 2° the eligibility conditions;
- 3° the period of voting;
- 4° the method of submitting nominations.

Article 14

§1 After the deadline for the submission of nominations, the Secretariat of the Electoral Committee shall verify that the nominations have been submitted in the prescribed form and within the prescribed time limit, and that they satisfy the relevant conditions.

§2 If a nomination does not satisfy the conditions set out in the call, the candidate shall be informed by email as soon as possible, stating the reason.

§3 The candidate may submit a reasoned objection to this notification of inadmissibility within three calendar days of receipt at revoltekiest@hogent.be.

§4 In the absence of a response within three calendar days to the notification that their nomination is inadmissible, candidates shall be deemed to have accepted the inadmissibility decision.

§5 The Electoral Committee shall decide on the objections lodged on the date indicated in the electoral calendar for that purpose.

Chapter 5. Candidates and voting lists

Article 15

§1 If the number of candidates is less than or equal to the number of mandates to be filled, the candidates are declared elected by the Electoral Committee, albeit taking into account the gender quorum.

Candidates can therefore not be declared elected if this would result in the gender quorum being exceeded. In that case, voting shall be organised only for those mandates that can actually be filled.

§2 A mandate cannot be effectively filled if a candidate's assumption of the mandate would result in the stipulated gender quorum being exceeded.

§3 If, at the end of an election round, it is found that one or more mandates could not be filled, the Electoral Committee may decide to organise by-elections.

Article 16

If the number of candidates exceeds the number of mandates to be filled, the Electoral Committee shall draw up a voting list of all accepted candidates, stating their surnames and first names. The order of the names on the voting lists is decided by random chance. Voters are presented with a random order of the voting list.

Article 17

The alphabetical voting list shall be made known through internal communication means to all students belonging to the relevant electoral roll.

Chapter 6. Voting

Article 18

§1 There is no obligation to vote.

§2 Proxy voting is not allowed.

§3 Voting shall take place electronically and exclusively via the election application provided for that purpose. The voting shall take place for a continuous period of at least 24 hours.

Article 19

The Electoral Committee is responsible for the smooth running of the voting and shall take all necessary measures to ensure the secrecy of voting.

Article 20

§1 Voters shall be invited to vote before the beginning of the voting period.

§2 Voters shall not have access to the election application before or after the fixed period of voting.

§3 In the event of unforeseen problems resulting in the temporary unavailability of the election application, the Chair of the Electoral Committee may decide to extend the period of electronic voting, giving reasons. Voters shall be informed of the additional period for voting.

Article 21

§1 Voters shall validly cast their vote by clicking on at least one candidate per voting list. Voters may click on up to three candidates per voting list.

§2 Once the voter has confirmed his/her vote, access to the election application is blocked, making it impossible to vote again.

§3 Invalid voting is not permitted by the electronic system.

§4 In case of several voting lists during the same election period, it shall be possible to cast blank votes for each voting list.

Chapter 7. Counting votes

Article 22

Immediately after the close of voting, a count of the votes cast shall be carried out under the supervision of the Electoral Committee.

Article 23

§1 The ranking shall be based on the number of votes cast. In the event of a tie, a decision shall be taken by drawing lots. The Electoral Committee shall organise the draw.

§2 The highest-ranked candidates are elected in accordance with the mandates to be held or filled, taking into account the gender quorum stipulated in the Student Participation Regulations. They are to be regarded as the initially elected representatives.

§3 Candidates who are unable to assume a mandate shall also be ranked according to the number of votes cast. They are to be regarded as the successors of the initially elected representatives. In the event of the premature termination of a mandate of an initially elected representative, the ranking of the successors is followed for the fulfilment of the mandate, taking into account the gender quorum described above.

§4 The ranking of successors arising from the initial election shall be supplemented, if necessary, by the ranking of successors from the by-election. Thus, successors from by-elections cannot occupy a higher position than the initial successors.

Article 24

§1 The results of the elections with the names of the elected representatives and successors, as well as the number of votes obtained, shall be recorded in a report endorsed by the Electoral Committee.

§2 The Chair and the Secretary of the Electoral Committee sign the election report, the original of which is kept in the College's archives.

§3 Within three calendar days of the signing of the report, the results of the elections shall be announced to the candidates and to all those entitled to vote through HOGENT's internal means of communication.

Chapter 8. Internal appeal

Article 25

§1 Internal appeals against the election results must be lodged by registered mail with the Committee of Tellers at the address of the administrative headquarters of the university for the attention of the Chair of the Committee of Tellers within five calendar days after the announcement of the results, on pain of nullity.

§2 If there are no objections, the result as published shall be final.

Article 26

The Committee of Tellers has the following composition:

- The managing director (Chair of the Committee of Tellers);
- The government commissioner;
- The data protection officer;
- The Head of the Legal Service.

The Chair of the Committee of Tellers invites a student as observer. The observing student is designated in advance by the General Student Council.

Article 27

§1 The Committee of Tellers shall examine the appeal and issue its decision within 30 calendar days of receiving the appeal.

§2 If the appeal is found to be well founded by the Committee of Tellers, the election in question shall be annulled and a new election shall be held.

§3 The new vote shall take place no later than 30 calendar days after the decision, unless the Committee of Tellers decides otherwise. This election is organised by the Electoral Committee.

Chapter 9. By-elections

Article 28

§1 If, after an election round, it is found that mandates have not been filled, new by-elections may be organised on a date to be determined by the Electoral Committee.

§2 In by-elections, only those students can stand as candidates who, in view of the gender quorum, can also actually assume the mandate.

Article 29

In the case of by-elections, the same procedure shall be followed as described in these Regulations.