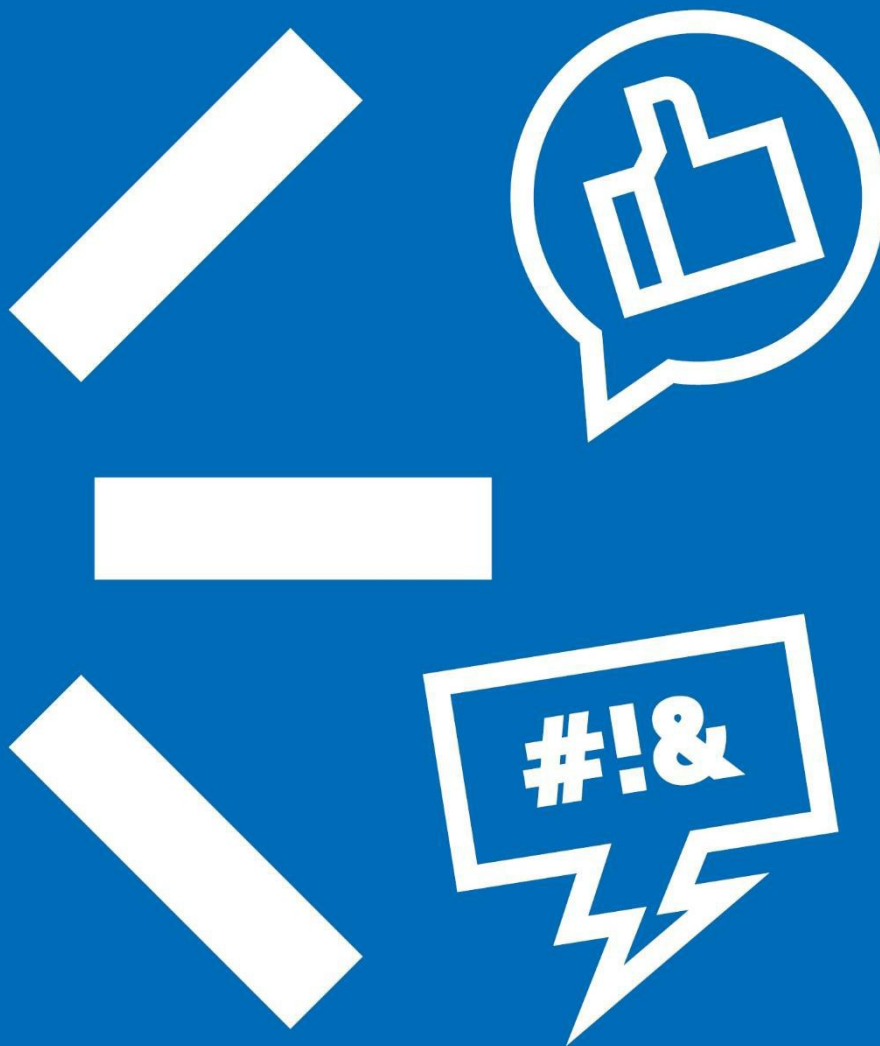


# Election Regulations

For the election of student representatives to the Departmental Student

Councils and the General Student Council.



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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 universities of applied sciences.

### **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.

### **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.

### **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 these elections is to elect student representatives to the Departmental Student Councils (DSRs) and the General Student Council (ASR) in accordance with the Participation Regulations.

### **Article 3.**

§1 The mandate of student representatives on the Departmental Student Councils lasts one academic year and is renewable. Every academic year, 'initial elections' are 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 Chairman 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/they no longer possesses the capacity on the basis of which the mandate was granted, the successor shall automatically take his/her/their 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.

### **Article 4.**

§1 Two elected members are delegated to the ASR from each Departmental Student Council. To ensure gender diversity, the two delegates must belong to different gender identities.

§2 Delegation to the 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/their mandate on the ASR or terminates it prematurely, the next in line shall be called upon, taking into account gender diversity.

§3 If there is no order of precedence based on an election result, the representatives declared elected shall decide among themselves whom to delegate to the ASR.

## **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 Student Support Office (chairman);
- 1 participation coach (Secretariat);
- 1 member of staff of the Student Affairs Office;
- 2 members appointed by ASR, sitting on behalf of the students.

On the initiative of the Chairman, 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 Chairman of the Electoral Committee in consultation with the Chairman 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 Office for Student Services and Student Life.

# **Chapter 3. Eligible voters and electoral rolls**

## **Article 9**

§1 Students belonging to the department concerned are eligible to vote in elections of student representatives to the Departmental Student Councils.

§2 Students of the department within the meaning of §1 are those students who are registered with the department and whose registration is recorded in the student database of HOGENT. If enrolled in different departments or in one or more departments and the School of Arts, the student is deemed to belong to the department/School of Arts in which his/her/their main enrolment is registered.

## **Article 10**

§1 One electoral roll is drawn up per department.

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

§3 A student can find out whether he/she/they is eligible to vote and, consequently, whether he/she/they is on the electoral roll, via the Education Office or the participation coaches. 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](mailto: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: 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 HOGENT communication channels.

§2 The call shall at least specify:

- 1° the deadline for submitting the nomination;
- 2° the eligibility conditions;
- 3° the period during which votes are cast;
- 4° the method of nominating candidates.

## **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](mailto: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, taking into account the gender quorum stipulated in the Participation Rules, namely: no more than two thirds of the student representatives on the Departmental Student Council may be of the same gender.

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 gender quorum stipulated in the Participation Regulations 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 Chairman 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/their 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 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 determined in the Organisational Regulations.

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

§3 Within three working 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 college for the attention of the Chairman 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 president of University College Ghent (Chairman of the Committee of Tellers);
- The government commissioner;
- The data protection officer;
- The Head of the Legal Affairs Office.

The Chairman 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 stipulated in the Participation Regulations, 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.