

# **THE INTERNAL REGULATION OF JANÁČEK ACADEMY OF MUSIC AND PERFORMING ARTS IN BRNO**

**as of 26 May 2017**

## **Rules of Procedure of the Academic Senate**

The Academic Senate approves the following internal regulation of the Janáček Academy of Music and Performing Arts in Brno (hereinafter referred to as “JAMU”), on a proposal from its member and chairperson prof. PhDr. Silva Macková:

### **PART ONE ACADEMIC SENATE AND ITS BODIES**

#### **CHAPTER ONE LEGAL REGULATION**

##### **Article 1**

#### **Legislation and Rules of Procedure of the Academic Senate**

(1) The Academic Senate of JAMU (hereinafter referred to as the “Senate”) is a self-governing, representative, academic body of JAMU pursuant to Section 7 (1) (a) and Section 8 (1) of Act No. 111/1998 Sb., on higher education and on amendments and supplements to certain other acts (the Act on Universities), as amended (hereinafter referred to as the “Act”). Its powers and rules of procedures are regulated, in particular, by Section 8 (4) and Section 9 of the Act. Further regulations of the powers and rules of procedure of the Senate are stipulated in Section 10 (2), Section 12a (3), Section 14 (5), Section 23 (3), Section 28 (3), Section 34 (2 and 5) and Section 35 (2) of the Act.

(2) The Rules of Procedure of the Senate summarize the powers of the Senate, and regulate elections of its Chairperson, Vice-Chairpersons and Secretary, as well as the mode in which the Senate may act.

#### **CHAPTER TWO THE POWERS OF THE SENATE**

##### **Article 2**

#### **Decisions on the structure of JAMU**

(1) The Senate makes decisions, on a proposal from the Rector, on the establishment, merger, consolidation or dissolution of any units of the university (Section 22 (1) of the Act).

(2) The Senate makes decisions, upon the prior consent of bodies or persons determined as JAMU officers by the Senate, on the establishment or cancellation of joint workplaces within the units of JAMU.

##### **Article 3**

#### **Approval of internal regulations**

The Senate approves:

- a) the Rules of Procedure of the Senate on a proposal from a member of the Senate;
- b) an internal regulation of the faculty on a proposal from the Senate of the Faculty;

- c) rules of the system assuring the quality of educational, creative and related activities, and the system for internal evaluation of such educational, creative and related activities, on a proposal from the Rector, upon prior consideration by the Arts Council of JAMU and approval by the Council for Internal Evaluation;
- d) any other internal rules and regulations of JAMU and any units thereof on a proposal from the Rector.

#### Article 4

##### **Approval of other documents**

(1) The Senate approves the following documents proposed by the Rector:

- a) the budget and medium-term forecast;
- b) the annual management report.

(2) After being considered by the JAMU Arts Council, the Senate approves the following documents proposed by the Rector:

- a) the strategy on educational and creative activities and the annual strategy implementation plan;
- b) the report on internal evaluation of the quality of educational, creative and related activities and notes thereto;
- c) the annual activity report.

#### Article 5

##### **Prior approval for appointment and removal of members of bodies**

(1) The Rector seeks prior approval from the Senate for the following:

- a) the appointment and removal of members of
  1. JAMU Arts Council;
  2. the Council for Internal Evaluation;
  3. JAMU Disciplinary Commission;
- b) removal of a Dean, after previously consulting the Academic Senate of the Faculty, if the Dean
  1. fails to discharge their duties, and/or
  2. harms the interests of JAMU or any part of its faculty;each of the above in a serious manner.

(2) The Director of the University Institute seeks prior approval from the Senate for the appointment and removal of members of the Arts Council of said Institute.

#### Article 6

##### **Proposal for appointment of a member of a body**

(1) The Senate passes a resolution on a proposal to appoint a Rector, or it proposes the removal of the same from their office, if applicable.

(2) The Senate recommends to the Rector the appointment of one third of the other members of the Council for Internal Evaluation, of whom at least one must be a student at JAMU.

Article 7

**Conditions for admission to study**

The Senate approves conditions for admission to attend study programmes which do not take place at the faculties.

Article 8

**Audit of financial management**

The Senate audits the use of funds pertaining to JAMU.

Article 9

**Supervision of acts by units**

On a proposal from the Rector, the Senate cancels internal regulations, decisions, resolutions or any other act adopted by a body of any unit of JAMU, or suspends the effects thereof, if such internal regulation, decision or act is in violation of special legislation or the internal regulations of JAMU.

Article 10

**Opinions**

The Senate gives its opinion on the following matters, incl. (without limitation):

- a) proposals for study programmes which do not take place at the faculties;
- b) intent of the Rector to appoint or remove Prorectors;
- c) juridical acts requiring the approval of the Administrative Board pursuant to Section 15 (1) a) to d) of the Act;
- d) suggestions and opinions of the Administrative Board pursuant to Section 15 (3) of the Act.

CHAPTER THREE

**CHAIRPERSON, VICE-CHAIRPERSON AND SECRETARY**

Article 11

**Chairperson and Vice-Chairperson**

(1) The Senate has a Chairperson and a Vice-Chairperson. The Chairperson, who chairs the meetings and activities of the Senate and acts as the representative of the Senate towards third parties, as well as the Vice-Chairperson, who substitutes for the Chairperson whenever the same is absent or busy, are elected by the Senate when it next convenes after either post becomes vacated.

(2) If there is no such Chairperson or Vice-Chairperson, the post of the Chairperson is taken by the Secretary, and if there is no Secretary, by the oldest member of the Senate, so as to expedite their election.

Article 12

**The term of office of the Chairperson and Vice-Chairperson**

(1) The post of Chairperson or Vice-Chairperson may be held by the same individual for a maximum of two consecutive terms of office.

(2) The term of office of the Chairperson or Vice-Chairperson of the Senate terminates upon discontinuance of their membership of the Senate or upon the election of another member for their post.

### Article 13

#### **Elections of Chairperson and Vice-Chairperson**

(1) The members of the Senate propose candidates among themselves. If the candidate agrees with the nomination, then the same is included amongst the ballot papers.

(2) Voting on the election of the Chairperson and Vice-Chairperson is by secret ballot (Article 30 (2)), with the Chairperson being elected first.

(3) The candidate is elected if the same has obtained the majority of the votes cast by all the members of the Senate. If no candidate is elected in this way, a second round of voting takes place, for which nominations include only the two candidates who ranked first and second in the first round; whenever necessary, a decision on the final order of the candidates with an equal number of votes is made by drawing lots.

(4) If none of the candidates is elected in the second round, the election is repeated.

### Article 14

#### **Secretary**

(1) The Secretary carries out administrative and technical activities necessary for the activities of the Senate, and fulfils other tasks assigned by the Chairperson of the Senate.

(2) The Secretary is elected by the Senate by the majority of the members present for election of the Chairperson and Vice-Chairperson; in all other respects, Articles 12 and 13 shall apply with necessary modifications.

## **PART TWO THE ACTING OF THE SENATE**

### **CHAPTER ONE THE FORM OF ACTING**

#### Section 1

#### **General provisions**

#### Article 15

#### **The form of acting**

The Senate acts through the meetings it holds. Such meetings are open to the public.

### Article 16

#### **Costs of activities**

(1) The costs of the activities of the Senate are paid by the Rectorate of JAMU.

(2) In duly justified cases, the Senate is entitled to request, through the Rector, for an opinion of an independent expert on arriving at an opinion.

Article 17

**Reduction in time restrictions**

In the event of an urgent matter arising, the Chairperson may reasonably reduce the time restrictions in place for calling a meeting.

Article 18

**Information on the activities of the Senate**

(1) Notification of a meeting, its agenda and any supporting materials, minutes of the meeting and any other documents and information relating to the activities of the Senate shall be sent to the email addresses of persons with the relevant competency as saved in the JAMU information system; a message sent by email shall be deemed to have been received upon its sending.

(2) The Senate may decide to give all or some of the documents according to paragraph (1) to the members of the Senate in paper form.

Article 19

**Information on proposals and supporting materials for decisions**

(1) Proposals according to Articles 2 to 4 and Article 7 and supporting materials for decisions according to Article 6 paragraph (1) shall be made accessible to members of the academia of JAMU, by those proposing the same, in a manner allowing remote access no later than 7 calendar days before they are to be discussed.

(2) JAMU is obliged to post its draft budget, medium-term forecasts and the strategy for educational and creative activities, as well as the annual strategy implementation plan on its website, or in another standard manner, for at least 10 days prior to consideration of the same by the Senate; this shall not apply when such proposal or draft is approved by the Senate but not approved by the Administrative Board, which refers it back for further consideration with comments.

Article 20

**Derogatory procedure**

(1) If the Senate derogates from Articles 16 to 18, Article 22, Articles 24 and 25, Article 28 (1) or Article 29 (3), such procedure shall be considered compliant with the present Part herein unless a justified objection is raised by a member of the Senate with authority pursuant to Article 23 (3).

(2) Objections may be raised within 3 days from the day on which the Complainant learned about reasons to raise the same, although no later than 7 days from the day on which the given meeting ended. Objections are lodged with the Chairperson of the Senate to the filing office of the Rectorate of JAMU.

Section 2

**Meetings**

Article 21

**Calling meetings**

(1) Meetings of the Senate, with indication of the intended agenda, are called by the Chairperson whenever necessary, typically once per quarter of the calendar year. Without undue delay after announcement of election results, the Chairperson of the Election Committee shall call the first meeting of the Senate after the election, which is chaired by him/her until the Chairperson of the Senate is elected; the meeting may not be scheduled earlier than the day following that on which the term of office of the last member of the Senate terminates.

(2) If requested in writing by at least a third of the members of the Senate or by a person with authority in accordance with Article 23 (3), the Chairperson shall call an extraordinary meeting of the Senate, which shall take place within 3 weeks from the day on which they receive such application; an extraordinary meeting is convened without delay if requested by the Rector.

## Article 22

### **Notice of meeting**

(1) The members of the Senate and persons with authority in accordance with Article 23 (3) are notified of the date and hour of a meeting of the Senate by the Chairperson no later than 2 weeks before said meeting; such notice shall indicate the day, venue, time and agenda of the meeting, together with any supporting materials. In justified cases, such supporting materials may be provided at the start of the meeting.

(2) A member or a person with authority in accordance with Article 23 (3) may request to add an item to the agenda of a meeting of the Senate. If the item requires any supporting materials in order to discuss it, they should be provided in good time to the Secretary, whose task it is to prepare such supporting materials for the meeting of the Senate.

## Article 23

### **Attendance of meetings**

(1) The members of the Senate are obliged to be present at meetings in person, unless compelling reasons prevent them from doing so; presence by proxy is not allowed. For the purposes of this internal regulation, the Participants of meetings shall mean members of the Senate and persons with authority in accordance with paragraph 3 who attend meetings.

(2) If necessary for an item up for discussion, the Chairperson may invite other persons to a meeting. The public has the right to be present at meetings.

(3) The following persons have the right to take the floor at a meeting of the Senate whenever required by them:

- a) the Rector or Prorector acting on behalf of the Rector;
- b) the Dean of Faculty;
- c) the Chairperson of the Administrative Board or a member of the Administrative Board acting on behalf of the same;
- d) a member of the Council for Internal Evaluation authorized by the Chairperson of the Council for Internal Evaluation.

## Article 24

### **Opening and chairing meetings**

(1) The Chair opens the meeting with the announcement that the meeting has been called properly and duly, the Chair verifies the quorum of the Senate, appoints the taker of the minutes and presents the agenda of the meeting for approval, alteration or supplementation.

The items on the agenda requested by the person with authority in accordance with Article 23 (3) must be discussed by the Senate.

(2) Each item on the agenda is presented by the Chair or a person authorized by the same as the rapporteur. Then a debate is opened for such an item on the agenda; any Participant of the meeting may claim the floor, either in advance or before the debate ends.

#### Article 25

##### **Closing the meeting**

(1) At the end of the meeting, the Chair reads the wording of the resolutions adopted and any other significant items in the minutes; objections by the Participants to any wording not withdrawn after the debate shall be included in the minutes.

(2) The meeting is closed when the Chair announces the end of the meeting.

### **CHAPTER TWO RESOLUTIONS**

#### Section 1

##### **General provisions on passing resolutions**

#### Article 26

##### **Quorum**

A quorum exists if the majority of its members are present at the meeting.

#### Article 27

##### **Conflict of interests**

If there are grounds to believe, regarding the relationship of any member of the Senate to an item under debate or to persons affected by the item, that the interests of such a member are in conflict with the interests of JAMU, said member of the Senate is obliged to notify of such a fact without delay.

#### Article 28

##### **Procedure before passing a resolution**

(1) Draft wordings of resolutions are presented by the chair. The vote is taken on draft wordings of resolutions in the order in which they were presented. The vote on the amendment is taken before the amended resolution. If any of the resolutions passed by the Senate excludes any other resolution, no vote is taken on such other resolution.

(2) The Senate seeks Rector's opinion on any draft rules of procedure of the Senate and any draft internal regulations.

#### Article 29

##### **Passing resolutions**

(1) A resolution that qualifies as a resolution of the Senate necessitates the following:

- a) A three-fifths majority of all members is required with respect to:
  1. a proposal to remove the Rector;

2. the draft budget, medium-term forecast and the strategy for educational and creative activity, and the annual strategy implementation plan, if the original draft is to be approved which has not been approved by the Administrative Board

b) The majority of all members approve:

1. a proposal to appoint a Rector;
2. the election of the Chairperson or Vice-Chairperson of the Senate.

c) The Majority of members must be present in all other cases.

(2) A member does not approve a proposal unless the same expresses approval.

(3) The Chair shall announce whether a resolution has been passed immediately after ascertaining the result of the vote.

## Article 30

### **Voting**

(1) Unless otherwise decided by the Senate, the vote is public. The vote is conducted by secret ballot on:

- a) any prior approval for the appointment or removal of members of bodies in accordance with Article 5;
- b) proposals for the appointment or removal of the Rector;
- c) proposals for the appointment of members of JAMU bodies in accordance with Article 6 (2);
- d) any opinion on the intent of the Rector to appoint or remove Prorectors;
- e) any election of the Chairperson, Vice-Chairperson or Secretary of the Senate.

(2) The vote by secret ballot shall use ballot papers in which options are pre-printed. Each member votes by circling the option of their choosing; otherwise the ballot paper shall not be valid.

## Section 2

### **Proposal to appoint a Rector**

#### Article 31

#### **Procedure for acceptance of a proposal**

The acceptance procedure with respect to a proposal to appoint a new Rector shall be established by the Senate no later than 6 months prior to expiry of the term of office of the Rector or within 14 days following termination of the office of the Rector; if the Senate fails to do so, or no resolution is adopted on the proposal to appoint a Rector with adherence to the procedure established by the Senate within 3 months after its establishment, the following provisions of this Section shall apply.

## Article 32

### **Proposal of candidates**

(1) The Chairperson of the Senate shall invite the members of the academia of JAMU without delay to propose candidates for Rector; such notice shall be posted in the public section of the JAMU website.

(2) Proposals shall contain:

- a) the first name and surname of the candidate, their place of residence and telephone number;
- b) a declaration by the candidate that the same concurs with the candidacy and permits details to be published on their candidacy and programme;
- c) the hand-written signature of the candidate.

(3) Proposals are submitted in writing by being cast in designated, sealed boxes located in the buildings of each of the faculties of JAMU. The deadline for filing proposals shall be at least 7 days after publishing the notice in accordance with paragraph 1.

### Article 33

#### **List of candidates and verification of their signatures**

(1) After the deadline for the filing of proposals expires, the Chairperson and two members of the Senate open the boxes with proposals, ascertain the candidates and add their names to a list, which may be inspected by the members of the academia in the office of the Chairperson.

(2) Within 7 days after the expiry of the deadline for filing the proposals, the Chairperson of the Senate or members of the Senate authorized by the Chairperson shall verify the agreement of the candidates with the candidacy; if the agreement cannot be verified within such a time limit, such a person shall not be considered a candidate.

### Article 34

#### **List of candidates**

After the deadline expires for verifying the agreement of the candidates with their candidacy, the Chairperson of the Senate shall publish the list of candidates in alphabetical order in the public section of the JAMU website.

### Article 35

#### **Curriculum vitae and programme**

The candidates shall submit their curriculum vitae in the Czech language, including details on their experience and programme in paper form, to the Chairperson of the Senate to a designated address and electronically to [senat@jamu.cz](mailto:senat@jamu.cz) within 14 days from the day of verification of their agreement; if any candidate fails to send their curriculum vitae and programme in a proper and timely manner, the same shall be deemed to have withdrawn their candidacy and shall be deleted from the list of candidates.

### Article 36

#### **Presentation**

The candidates will present themselves and their programme at a meeting of the Senate. If a candidate fails to present their programme, the same shall be deemed to have withdrawn their candidacy and shall be deleted from the list of candidates.

Article 37

**Initial phase of decision-making**

(1) If the proposal to appoint a Rector is not passed in the first round, a second round shall take place, to which all candidates who ranked first and second in the initial round shall progress.

(2) If the proposal to appoint a Rector even fails to pass in the second round, a third round shall take place, to which all candidates who ranked first and second in the second round shall progress; if necessary, a decision on the final ranking of candidates with an equal number of votes in the second round shall be decided by a vote of the members of the Senate, and if there is still an equal number of votes, a decision on the final ranking will be made by drawing lots.

Article 38

**Repeated phase of decision-making**

(1) If the proposal to appoint a Rector is not adopted in the initial phase of decision-making, a repeated phase of decision-making on the proposal to appoint Rector shall take place, to which Article 37 shall apply *mutatis mutandis*. On a proposal from at least a third of all members of the Senate, the Chairperson shall add another candidate to the list of candidates prior to the repeated phase of decision-making, always provided such a candidate concurs with their candidacy.

(2) If the proposal to appoint a Rector fails to be adopted even in the repeated phase of decision-making, the membership of all the members of the Senate in the Senate shall cease to exist, pursuant to the Electoral Rules of the Academic Senate.

Article 39

**Filing a proposal to appoint a Rector**

The Chairperson of the Senate shall file a proposal to appoint a Rector with the President of the Czech Republic through the Minister of Education, Youth and Sports.

Article 40

**Special particulars of minutes**

The Chairperson of the Senate shall include the significant particulars of the procedure, in accordance with this Section, in the minutes of the meeting in which the Senate decided about a proposal for appointment of a Rector; the minutes shall be signed by all the members of the Senate in attendance for such a decision on the proposal for appointment of a Rector.

CHAPTER THREE  
**MINUTES OF A MEETING**

Article 41

**Taking minutes**

(1) The minutes of each meeting of the Senate are taken by the minutes taker and the same are then sent by the Secretary for verification and signature by the Chair of the meeting

without undue delay after the meeting ends. The Secretary shall then send the verified minutes to the members of the Senate and persons with authority in accordance with Article 23 (3).

(2) The minutes shall always indicate who called the meeting and how, when and where the minutes were taken, who was present in the meeting, who chaired the meeting and the approved agenda of the meeting, the result of elections, exact wording of passed resolutions and date of the minutes.

(3) If the Senate has not passed any draft resolution, the minutes shall include, in addition to the draft resolution of the member of the Senate, the reasons why said member requested the resolution to be passed. The members of the Senate and the persons with authority in accordance with Article 23 (3) may request their opinions be included in the minutes.

#### Article 42

##### **Comments on the minutes**

(1) The Participants of the meeting have the right to make comments on the minutes without undue delay after they have been sent. Such comments are presented to the Chair through the Secretary.

(2) The Chair shall accommodate the comments if they are justified, otherwise they are rejected. Any comments and methods of dealing with them are contained in an annex to the minutes.

#### Article 43

##### **Final wording of the minutes**

(1) The Secretary shall send the final wording of the minutes electronically to all the members of the Senate and persons with authority in accordance with Article 23 (3) without undue delay. The minutes shall also be signed by the minutes taker.

(2) The Secretary shall archive the minutes in both formats and publish them in electronic format in the public section of the JAMU website without undue delay.

### PART THREE

#### **TRANSITIONAL AND CONCLUDING PROVISIONS**

#### Article 44

##### **Transitional provisions**

(1) The Members of the Senate, the Chairperson, Vice-Chairperson and Secretary, in accordance with the previous internal regulations of JAMU, shall remain members of the Senate, the Chairperson, Vice-Chairperson and Secretary also in accordance with the present internal regulations.

(2) Meetings of the Senate called in accordance with the previous internal regulations of JAMU and any minutes thereof shall be governed by the previous internal regulations.

#### Article 45

##### **Repealing provisions**

(1) The following provisions shall be repealed in the Rules of electoral and other procedures of the Senate of 21 January 2009:

- a) Article 2;
- b) Article 3 (1) sentence one after the words “has twelve members of whom”;
- c) Article 3 (1) sentence two;
- d) Article 3 (2 to 4);
- e) Part Three and Part Four.

#### Article 46

##### **Effective date**

The present internal regulation shall come into force on the day of its registration by the Ministry of Education, Youth and Sports, and it shall become effective on the first day of the second calendar month following the month in which it came into force.

prof. Phdr. Silva Macková, m.p.  
Chairperson of the Academic Senate

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