

## **Section 6**

# **Procedure for election of the Academic Board of FH Upper Austria**

## Contents

1. General .....	3
2. Timing and procedure of elections.....	3
3. Eligible voters and candidates.....	3
4. Election commission.....	4
5. Nominations .....	5
6. Election and election result.....	5
7. Term of office of the Academic Board .....	6
8. Entry into force.....	6

## 1. General

Pursuant to section 10 *Fachhochschulgesetz* (University of Applied Sciences Act), FH Upper Austria must establish an Academic Board.

- (1) The Academic Board comprises six degree programme directors, six representatives of teaching and research staff, and four students. In addition, the elected Head and Deputy Head of the Academic Board are members.
- (2) For the election of representatives of individual groups, ranked lists must be prepared in accordance with section 5. The following individual groups are defined:
  - a) Degree programme directors
  - b) Representatives of teaching and research staff (in accordance with section 7 University of Applied Sciences Act)
  - c) Students (delegated in accordance with section 1[3])Degree programme directors are explicitly not to be included in the group representing teaching and research staff. Teaching and research staff who are also students at FH Upper Austria can only be included in the group representing students.
- (3) The Austrian National Union of Students (ÖH) is responsible for the distribution of mandates for student representatives and delegating representatives.

## 2. Timing and procedure of elections

- (1) The Academic Board elections must be concluded four weeks prior to the end of the current Academic Board's term of office at the latest.
- (2) Election is by secret ballot and votes must be cast in person. Transfers of votes are not permitted. Any eligible voter who is unable to cast their vote in person may request a postal vote from the election commission. Votes returned by post must be sent in a sealed envelope and received by the competent election sub-commission before the close of voting. The election sub-commission must put the postal vote into the ballot box in such a way as to ensure that the ballot remains secret.
- (3) The period for submitting votes must last three working days. These days must be determined so that, as far as possible, all eligible voters are able to cast their votes.
- (4) The Election Commission (see section 4) will publish lists of candidates no later than two weeks before the first day of the election.
- (5) The Election Commission (see section 4) will publish a list of the eligible voters in each faculty at least eight weeks before the first day of the election, set a deadline for submission of any appeals and decide on these.

## 3. Eligible voters and candidates

The cut-off date for eligibility to vote is 12 weeks prior to the first day of the election.

- (1) Election of representatives of the university of applied sciences degree programme directors (group pursuant to section 1[2a]) established at FH Upper Austria:
  1. All directors of university of applied sciences degree programmes established at FH Upper Austria on the cut-off date for eligibility are eligible voters for the election.
  2. All directors of university of applied sciences degree programmes established at FH Upper Austria on the cut-off date for eligibility are eligible to stand as candidates in the election.

(2) Election of representatives of teaching and research staff (group pursuant to section 1[2b]).

1. Eligible voters:

- All employed teaching staff with a contract for at least 25% of full-time working hours.
- External faculty members, and employed teaching staff with a contract for less than 25% of full-time working hours, who at the cut-off date have taught at least six hours per semester week annually at FH Upper Austria over the last four semesters. Teaching staff who have taught at more than one faculty are allocated to the faculty at which they have taught the most hours over the last four semesters.
- Research staff who are employed by F&E GmbH at the cut-off date (with a contract for at least 25% of full-time working hours) and have taught at least two hours per semester week at the faculty annually over the last four semesters.

2. Eligible candidates:

- All employed teaching staff (except VG1) at the faculty with a contract for at least 50% of full-time working hours, who have been employed at FH Upper Austria as teaching staff for at least three years.
- All employed grade research professors (L2, VG3, VG4 or VG5) with an indefinite contract for at least 50% of full-time working hours, who have been employed at FH Upper Austria for at least four years and have taught at least six hours per semester week every semester for the last four semesters.

(3) External faculty members in the meaning of section 7(2-3) University of Applied Sciences Act are not entitled to stand for election due to the lack of certainty that they will continuously serve as members of the Academic Board.

#### 4. Election commission

- (1) An election commission made up of eligible voters (see section 3) must be established, comprising a three-member election sub-commission from each faculty. The dean of the faculty, in consultation with the faculty board, is responsible for establishing the election sub-commission in each faculty.
- (2) Persons on the lists of candidates for election cannot be members of the election commission. If a member of the election commission accepts nomination as a candidate, they must resign from the election commission. The commission member who has resigned is replaced by another suitable person.
- (3) The election commission must be appointed at least 12 weeks before the first day of the election.
- (4) The Head of the Academic Board must convene the inaugural meeting of the election commission and preside over election of the chairperson. The election commission elects a chairperson and deputy chairperson from among its members. Each sub-commission also elects a chairperson.
- (5) The election commission defines the precise election schedule:
  1. Election timing (voting days and times)
  2. Date of publication of the list of eligible voters, and appeals period
  3. Deadline for submission of nominations in the form of candidate lists, and their publication
- (6) The election commission is responsible for producing the list of nominations, preparing ballot papers and organising the ballot and vote counting, as well as publication of the results.
- (7) The election commission is also responsible for verifying the declarations of support required for the submitted lists of candidates in accordance with section 5(1d), and for ensuring compliance with section 10 University of Applied Sciences Act.
- (8) If too few nominations as defined in section 5(1b) or 5(1c) are received to fill all the mandates of the respective representative group, the election commission has a duty to ensure, in

cooperation with the deans of the faculties, that nominations are added to the lists or additional lists are submitted. In this case a grace period for submission must be set.

- (9) In meetings of the election commission, abstentions from votes are not permitted, except in cases where a conflict of interest is explicitly declared. In case of a tie, the chairperson has a casting vote. The election commission may delegate individual responsibilities to the election sub-commissions.
- (10) Minutes must be taken to record the decisions of the election commission and its sub-commissions.

## 5. Nominations

- (1) The following principles apply to preparation of ranked lists:
  - a) Each person who is eligible to stand for election may be a candidate on a maximum of one list for their representative group.
  - b) Each list of candidates for the representative group pursuant to section 1(2a) must contain at least two candidates.
  - c) Each list of candidates for the representative group pursuant to section 1(2b) must contain at least four candidates.
  - d) When submitting the list to the election commission, a sufficient number of declarations of support must be attached. The support of 10 percent of eligible voters in the respective representative group in the faculty nominating the candidate on the list are required. Quoted percentages are rounded to a whole number of persons. The declarations of support must be signed personally (declarations by e-mail or fax are not permitted). Each eligible voter may only support one list.

In case of doubt or appeal, the election commission will decide.

- (2) The election of representatives of individual groups in accordance with section 1(2a) and 1(2b) takes place on the basis of the candidate lists separately and simultaneously in all faculties. Each eligible voter may vote for any candidate list for their representative group.
- (3) Candidates are expected to possess experience in academic research.
- (4) When drawing up the lists, where possible care should be taken to ensure that representation in each group is gender-balanced.
- (5) The candidate lists may be submitted from the time the election dates are announced until the date set by the election commission. Each list must be submitted to the election commission by the first candidate on the list. The required declarations of support must be submitted together with the list.
- (6) The election commission verifies whether the list contains a sufficient number of candidates and is supported by a sufficient number of eligible voters. After the nomination period has ended and the nominations have been verified, the election commission publishes the accepted candidate lists at least two weeks before the election.

## 6. Election and election result

- (1) Each eligible voter has one vote in the election for their representative group, and can therefore vote for one list.
- (2) After voting has closed, the election commission determines the result.
- (3) The six mandates for each representative group are allocated to the candidate lists based on the election results. The Sainte-Laguë method is then separately applied for each representative group, applying the divisors 1, 3, 5, 7, and so on to the number of valid votes from all faculties. If a tie occurs when distributing votes according to the Sainte-Laguë method, the list that has

received the fewest mandates up to that point is prioritised. If the number of mandates received is equal, lots are drawn.

- (4) If a member of the Academic Board withdraws, they are replaced by the next candidate on the list. If there is no candidate on the list to take the vacant mandate, the mandate is allocated to another list according to the original election result in accordance with section 3. If the mandate made vacant cannot be allocated, a new election for the representative group in question must be held. The term of office of the advanced or newly elected member ends at the same time as that of the other members of the Academic Board.

## **7. Term of office of the Academic Board**

- (1) The term of office of the Academic Board is four years, beginning with the inaugural meeting and ending with the inaugural meeting of the newly elected Academic Board.

## **8. Entry into force**

- (1) Pursuant to the Academic Board resolution of 31 May 2023, and following approval by the provider FH OÖ Studienbetriebs GmbH, represented by the University President, the “Procedure for election of the Academic Board of FH Upper Austria” section of the statutes will enter into force on 1 September 2023.