

# **Election Regulations for Committees and Governing Bodies at Rhine-Waal University of Applied Sciences**

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## **Article 1: Principles of the election process**

### **Section 1 Scope**

These election regulations apply to elections for the following governing bodies:

- Senate
- faculty councils
- Equal Opportunities Commission; and

as well as to elections for committees and the following positions/offices at Rhine-Waal University of Applied Sciences:

- Dean
- Vice-dean;
- Support staff for the dean (i.e. the “dean’s office”, provided one is permitted by the faculty regulations)
- Equal opportunities officer and her representatives;
- Representative for students with disabilities or chronic illnesses (*Beauftragte/r für Studierende mit Behinderung oder chronischer Erkrankung*) and their student deputy representative
- as well as for initiatives put forth by members.

## **Article 2: Elections for the Senate, faculty councils and equal opportunities commission**

### **Section 2 Basic principles of elections**

(1) The following groups are considered separate voter pools in elections at Rhine-Waal University of Applied Sciences:

- a) Professors
- b) Academic staff, including lecturers for special tasks (*LfbA*)
- c) Non-academic staff
- d) Currently enrolled students.

(2) A voter’s membership in one of the aforementioned voter pools is determined by their membership status on the day of the deadline for requests to amend the voter registry (see Section 9 (3) sentence 1).

(3) Eligible voters who simultaneously belong to multiple groups or faculties must declare to election administrators (*Wahlleitung*) their intent to vote for a specific group or faculty before the deadline set in the election notice; this decision cannot be rescinded for this particular election. Students accepted to multiple faculties must

declare their intent upon enrolment. If an eligible voter does not declare their intent in accordance with sentence 1 before the deadline, the election administrators will automatically assign them to one group or faculty.

(4) Representatives and deputy representatives from the aforementioned voter pools will be elected to the governing committees and bodies of Rhine-Waal University of Applied Sciences and its faculties separately by voters from the same pool in general, direct, free, equal and secret elections.

(5) The election notice, election announcement, and final election results will be published in German and English. Only the original German version is considered legally binding in the Federal Republic of Germany.

(6) Elections are conducted by ballot box or online; the Executive Board, in coordination with the election administrators and the Senate Election Committee, will decide whether to conduct an election by ballot box or online. Postal ballots conforming to the provisions in Section 16 are also permitted upon request.

(7) Nominated candidates are elected to committees and governing bodies by majority vote (first-past-the-post system).

### **Section 3**

#### **Distribution of seats; Term of office**

(1) The number of available seats, terms of office, and the distribution of seats by voter pool for the Senate, faculty councils and equal opportunities commission are set forth in the Constitution of Rhine-Waal University of Applied Sciences.

(2) The term of office for newly elected members commences with the summer semester following the election (from 1 March). Faculty regulations can define alternate provisions with regard to the term of office for faculty council members.

### **Section 4**

#### **Date of elections**

(1) Elections for the Senate and faculty councils will be held every two years; elections for the Equal Opportunities Commission will be held every four years. The election for the Equal Opportunities Commission will be held together with the Senate election. Faculty council elections will be held together and occur in the year after the Senate election. Student members in the Senate, the faculty council, the Equal Opportunities Commission and the deputy representative of the representative for students with disabilities or chronic illnesses (within the meaning of Section 13c (2) of the HSRW constitution) will be elected annually. Elections for student members and the student deputy representative within the meaning of Section 13c (2) of the HSRW constitution will be held together with the election for the Senate or the faculty council, whichever is scheduled to occur that year. Combined elections should occur before the examination phase at the end of the winter semester. Preparation for elections will begin sufficiently early.

(2) The date of elections will be set by the election administrators in agreement with the Senate Election Committee and the Executive Board. Dates should be set with the goal of achieving the highest voter turnout. Accordingly, the date should be selected to give as many eligible voters as possible the chance to cast their vote. Elections may not occur outside of lecture periods.

(3) For elections by ballot box, voting must be scheduled on a work day from 09:00 to at least 15:30. For online elections, voting must occur over a period of least three, but no more than five work days. The start and end times of the voting period must be recorded in the corresponding calendar. Voting periods can deviate from the aforementioned rules on a case-by-case basis for good reason.

## **Section 5**

### **Eligibility to vote**

(1) In accordance with Section 9 (1) HG NRW, all members of Rhine-Waal University of Applied Sciences are actively and passively eligible to vote in elections for the Senate. All members of Rhine-Waal University of Applied Sciences who are also members of a faculty are actively and passively eligible to vote in elections for their respective faculty board. Section 9 (3) sentence 2 HG NRW remains unaffected.

(2) Eligibility to vote for the Equal Opportunities Commission is governed by Section 13 (1) sentence 1 of the HSRW constitution.

(3) (Intentionally omitted.)

(4) University members on an official leave of absence longer than six months are not eligible to vote.

## **Section 6**

### **Election bodies**

(1) The Senate Election Committee and the election administrators are the electoral bodies responsible for the elections defined under Section 1, hyphens 1-3.

(2) The Senate will elect members to its election committee in accordance with Section 12 (1) sentence 4 HG NRW. Accordingly, members are elected separately by their respective voter pool. The Senate Election Committee consists of:

- a) One professor
- b) One academic staff member
- c) One non-academic staff member
- d) One student.

The election committee will elect a chairperson and a deputy chairperson from its ranks.

(3) As a standing committee, the responsibilities of the Senate Election Committee include:

- a) Appointing election administrators to oversee elections for the Senate, faculty councils and equal opportunities commission
- b) Monitoring the election process
- c) Ruling on objections lodged in accordance with Section 9 (3) and Section 11 (5)
- d) Electing replacements for resigning committee members in accordance with Section 24 (3).

(4) The election administrators are appointed by the Senate Election Committee. Up to three election administrators can be appointed. Their primary responsibility is to organise and conduct specific elections; their specific responsibilities include:

- a) Scheduling election dates
- b) Updating and publishing election notices
- c) Updating and publishing the voter registry, nomination forms and the postal ballot request form
- d) Receiving and verifying nomination requests, as well as returning invalid and/or incomplete nomination requests and ruling on the inadmissibility of nominations
- e) Publishing amendments to the election notice and issuing calls for more nominations, as appropriate
- f) Enlisting the help of election workers
- g) Updating candidate lists
- h) Updating and publishing the election announcement
- i) Updating ballots
- j) Updating, distributing and sending out election documents and forms for the voter registry
- k) Ensuring an orderly election and maintaining order in the voting room
- l) Receiving postal ballots
- m) Counting votes or exporting digital vote tallies in the case of online elections
- n) Drafting the post-election report
- o) Verifying and publishing election results
- p) Notifying and appointing elected candidates
- q) Archiving the election results.

## **Section 7**

### **Election workers**

If necessary, the election administrators will appoint eligible voting members of Rhine-Waal University of Applied Sciences as election workers for assistance. An appointment as an election worker can only be refused for good reason. The Executive Board will decide at its own dutiful discretion whether the reasons given for a refusal are justified.

## **Section 8 Election notice**

(1) The election administrators will announce elections via an official election notice no later than six weeks before the first day of voting.

(2) The election notice will contain the following:

- a) The day and place it was issued.
- b) The governing bodies or committees that are eligible for election.
- c) The place and time of publishing of the voter registry and nomination forms, including special notes that only those persons listed in the voter registry are eligible to vote as well as the fact that each voter has the right to request corrections to the voter registry in accordance with Section 9 (3).
- d) The type of election (Section 2 (6)) and voting system (Section 2 (7)) that will be used.
- e) The total number of open seats on the governing bodies or committees according to voter pool and, in the case of the equal opportunities commission, to gender as well.
- f) The proper form, place and deadline for submitting nominations, including special notes that nominations are only valid if submitted on time and in the proper form, and that only properly nominated candidates are eligible for election.
- g) The time and place that the candidate list will be published.
- h) The election days, the time frame for voting, and acceptable forms of ID for voter verification purposes.
- i) A note about the option of receiving a postal ballot in lieu of in-person voting as well as additional details on how to request and submit postal ballots.
- j) The time and place that election results will be published.
- k) A note about the gender parity requirement for governing bodies and committees as well as the related documentation required for all efforts undertaken by the Senate Election Committee (and others) showing that proper steps were taken to achieve gender parity in the event that these efforts were ultimately unsuccessful (see Section 11b HG NRW).
- l) A note about the potential consequences of not achieving gender parity in a committee or governing body without specific and justifiable reasons (i.e. immediate dissolution and re-constitution of the corresponding committee or governing body).

(3) The election notice will be signed by the election administrators and published university-wide. It will be sent out electronically and published on the homepage of Rhine-Waal University of Applied Sciences until the end of the voting period. The election administrators reserve the right to correct obvious mistakes in the election notice at any time.

## **Section 9**

### **Voter registry**

(1) The election administrators will produce a registry of all eligible voters at Rhine-Waal University of Applied Sciences. Voters cannot cast a vote unless they are listed in the voter registry. The voter registry must be available for viewing on both campuses, at the latest, on the date of publication of the election notice and remain available for

viewing until the end of the voting period. If the voter registry is made available earlier than this time, then this fact must be announced separately, together with the time and place for viewing. The election administrators must continuously update the voter registry until three work days before the first day of the election.

(2) Voters listed in the voter registry will be separated by voter pool and faculty.

(3) Eligible voters can request corrections to inaccurate information in the voter registry up to three work days prior to the first day of the election. The Senate Election Committee strives to decide on requested corrections without delay, but in any case no later than the start of the voting period.

## **Section 10 Nominations**

(1) Candidates are nominated for election to committees and governing bodies separately by voter pool in accordance with a formalised process . University members may only nominate candidates from their voter pool and, in the case of faculty council elections, only voters from that specific faculty are eligible to submit nominations. Only passively eligible voters (as defined by Section 5) can be nominated for election.

(2) Nominations must be submitted to the election administrators within three weeks after issuance of the election notice. Completed and signed nomination forms can be submitted in digital or hard copy.

(3) Each nomination form must contain the following:

- a) Specific election for which the person(s) is (are) being nominated
- b) The voter pool which the nominee(s) are representing
- c) The full name(s), voter pool and faculty of the nominee(s).

(4) Each nomination form must be signed by the nominee and at least two other people who are eligible to nominate candidates for the election, with voter pools and faculty affiliations clearly indicated.

## **Section 11 Verifying the validity of nominations**

(1) Nomination forms must be submitted to the election administrators. The date of receipt will be marked on each form.

(2) The election administrators will verify the submitted forms for correctness and completeness without delay. If any errors or mistakes are found, the election administrators will return the form so that these can be corrected in a timely manner. Forms must be corrected and resubmitted within five work days.

(3) If the number of nominations for a voter pool does not meet or exceed the number of seats available for that pool, the election administrators will issue a second call for



nominations with an appropriate deadline for the affected voter pool that deviates from the regular procedure defined in Section 8 (3). If the number of nominations remains insufficient even after this second call, the election will be held regardless of the number of nominations.

(4) The election administrators will decide on the validity of submitted nominations without delay. The election administrators will not accept any nominations that either were submitted after the deadline or do not comply with the requirements defined in Section 10 without it being possible to remedy the deficiencies in a timely manner according to subsection (2) before the election announcement is published.

(5) Rejected nominations can be appealed. Rejected nominees can appeal these decisions to the election administrators in writing or in person by no later than two working days after announcement of the rejection notice. The Senate Election Committee will decide on appeals without delay.

## **Section 12**

### **Election announcement**

(1) The election administrators will publicly announce all confirmed nominations immediately after the deadline set forth either in Section 10 (2), Section 11 (2) sentence 3, Section 11 (3) sentence 1 or, at the latest, within four working days of the start of the voting period. The election announcement will be sent out digitally and published on the homepage of Rhine-Waal University of Applied Sciences. It will include:

- a) A general call to vote, with details on the voting period and, in the case of elections by ballot box, when and where voting will occur on campus.
- b) A notice that voters must bring personal identification; for ballot box elections, an official photo ID is required; for electronic elections, voters are authenticated when accessing the online voting portal.
- c) The general rules for voting.
- d) The full list of confirmed nominees.

(2) For ballot box elections, the election announcement will also be posted in the designated voting areas. Announcements must remain posted until the end of the voting period.

(3) Section 8 (3) sentence 1 applies with regard to the signing of the election announcement.

## **Section 13**

### **Exercising the right to vote; casting a vote**

(1) Only candidates who were properly nominated and confirmed are eligible for election.

(2) Voting should occur, at the latest, three weeks after the final nomination deadline defined by Section 10 (2).

(3) Votes must be cast via an official paper or electronic ballot.

(4) Each ballot will list the names of the nominees in alphabetical order. Nominees' full names and faculties must be indicated. Ballots must contain a space for voters to allocate their available votes to specific candidates. Ballots must have clear instructions on how many votes each voter has and indicate that no more than three votes can be allocated to a single candidate.

(5) Every eligible voter can have up to three votes in every election. The number of available votes cannot exceed the number of seats for the voter's pool in the specific committee or governing body.

(6) Available votes can be given to a single candidate or distributed among different candidates. Voters are permitted to allocate fewer votes than available without invalidating the ballot.

(7) Voters must personally write the number of votes they wish to give to a candidate in the appropriate box next to that candidate's name.

(8) Ballots must clearly indicate the information set forth in subsections (4) through (7).

(9) Ballots will be invalidated by any of the following:

- a) The official form issued by the election administrators was not used.
- b) The voter's intention is not absolutely certain.
- c) Additional amendments or conditions were added.
- d) The number of allocated votes exceeds the number of available votes.
- e) The number of votes given to a single candidate exceeds the limit set by subsection (6) in connection with subsection (5).
- f) (In online elections) the electronic ballot was flagged as invalid.

(10) If voters make a mistake or unintentionally invalidate their ballot, they may request a new one in exchange for the invalid ballot. The election administrators will destroy the invalid ballot immediately.

## **Section 14**

### **Election by ballot box**

(1) Voters must cast their vote in person. Voters physically unable to mark and insert their ballots into the ballot box due to a disability may receive assistance from a support person of their choice.

(2) Voters' identities and proper listing in the voter registry must be verified before they cast their votes. Thus, voters must show proper photo identification. If all eligibility requirements have been met, voters will be handed the ballot for their specific voter

pool and election workers will take appropriate steps to ensure that they cannot mistakenly receive any additional ballots.

(3) The voter registry will be updated accordingly when a voter has cast their votes.

(4) The election administrators will take appropriate steps to ensure that voters can mark and submit their ballots in private.

(5) Ballot boxes must be constructed in such a way that the ballots contained within cannot be removed without completely opening the box.

(6) Before voting commences, the election administrators or an authorised election worker must verify that all ballot boxes are empty. The verifying person must then close and lock the ballot boxes so that ballots cannot be inserted or removed unattended. The election administrators are responsible for keeping ballot boxes safe and secure. At least two election workers must be on duty at all times in each voting room during an election. The election administrators are responsible for notifying election workers in a timely manner of the day and time they will be working.

## **Section 15**

### **Order in the voting room; Disruptions**

(1) The election administrators and election workers are responsible for ensuring order in the voting room. The election administrators are responsible for ensuring that voters are not influenced by others, whether by direct interaction, audio recording, writing or image.

(2) If an election is disrupted by outside factors, the election administrators may decide to conduct a new election via postal ballot for the affected voter pool in accordance with Section 16. Deadlines for this re-do election can be shortened in an appropriate fashion.

## **Section 16**

### **Postal ballots**

(1) The election administrators will hand out or send out postal ballots to eligible voters upon request. Requests must be submitted using the proper form provided by the election administrators. Requests for postal ballots can be submitted before the deadline set by the election administrators in the election notice. The voter registry will be updated accordingly when a postal ballot has been issued.

(2) Postal ballots consist of the following:

- a) Written and sworn declaration
- b) Explanation of the voting process for postal ballots
- c) Envelope for sealing the marked ballot
- d) Pre-addressed return envelope
- e) The official ballot(s).

(3) Voters must allocate their available votes in accordance with Sections 13 and 14 and seal the ballot(s) in the appropriate envelope. Voters must also declare in writing that they physically marked their ballot(s) themselves. Sealed ballots, together with this written declaration, must be placed into the appropriate pre-addressed return envelope, which in turn must be sealed and posted to the election administrators.

(4) Postal ballots must be received by the election administrators before the deadline. The election administrators will mark the date and time of receipt on each envelope. The election administrators will then gather and securely store all postal ballots. Ballots received after the deadline will be stored unopened in a sealed container until the election results are deemed incontestable.

(5) Postal ballots will be rejected if:

- a) The voter in question is not listed in the voter registry.
- b) The return envelope for the sealed ballot does not also contain the aforementioned written declaration or the declaration was improperly or insufficiently completed.
- c) The ballot(s) was (were) not submitted in the proper sealed return envelope.
- d) Either the return envelope or the ballot envelope were not properly sealed.

(6) Rejected postal ballots will be noted in the post-election report and archived together with this report in a sealed package.

(7) Voters who have received a postal ballot can opt to vote in person on their designated day in accordance with Sections 13 and 14 if exchange for physically returning their postal ballots.

## **Section 17**

### **Online elections**

(1) Online elections for the Senate, faculty councils, equal opportunities commission and student representatives within the meaning of Section 13 (c) (2) of the HSRW Constitution must adhere to the Regulations on Digital Teaching and Online Elections for Universities and Student Bodies in North Rhine-Westphalia (HDVO). The online election system used must comply with the current security requirements defined by the German Federal Agency for IT Security (BSI) for online election software. Compliance with technical requirements must be proven via suitable documentation.

(2) Rhine-Waal University of Applied Sciences can hire an external service provider to conduct an online election. In this case, HSRW will secure contractual assurances from the external service provider to comply with the legal requirements of these election regulations as well as the aforementioned HDVO regulations. HSRW will also verify compliance with these contractual obligations.

(3) Election documents will be sent to voters electronically. These documents will include explanations on the authentication process and accessing the election portal. The election portal will contain both the user's digital ballot and the required written declaration.

- (4) Voters will be authenticated via the process defined in the election notice.
- (5) Votes are cast in the election portal by completing and submitting the electronic ballot in accordance with the provided instructions.
- (6) Voters and support persons must formally declare that they cast their votes themselves or, in the case of a support person, that the votes were cast in accordance with the voter's clear and explicit intentions.
- (7) In the event of technical issues during an online election or a serious violation of subsection (1), the Senate Election Committee will decide how to proceed. If technical issues cannot be resolved, the election may continue via ballot box.
- (8) Voting by postal ballot in accordance with Section 16 is permitted in online elections. Voters who have requested and received a postal ballot must be prevented from accessing the online election platform.

## **Section 18**

### **Counting votes and determining election results**

- (1) The election administrators and election workers will begin counting votes immediately after the polls close.
- (2) In ballot box elections, ballots will be physically removed from the ballot boxes and tallied together with the unopened postal ballots. The total number of votes cast will then be compared to the number of votes recorded in the voter registry. Any discrepancies must be noted in the election record.
- (3) The election administrators will open postal ballots in the presence of at least one election worker and determine whether any of the rejection criteria set forth in Section 16 (5) apply. Valid postal ballots will then be opened and the votes cast therein counted.
- (4) At this point, ballots will be counted openly and by voter pool.
- (5) Election workers will count the number of valid votes received by each candidate.
- (6) For online elections, votes are automatically counted and prepared by the online election system. The election administrators must print out the results of an online election immediately after polls close. This print-out must be initialled by two election administrators. Postal ballots must then be counted and added to these electronic tallies in accordance with subsections (2) through (4).
- (7) The number of candidates elected depends on the number of seats available for the corresponding voter pool. Candidates are elected according to the number of votes received. In the case of a tie, the winner will be determined by drawing lots.

## **Section 19**

### **Post-election report**

The election administrators will produce a report on both the election process and the results immediately after the final results have been determined. The post-election report must contain the following:

- a) Begin of voting (date/time)
- b) End of voting (date/time)
- c) Any noteworthy incidents during the voting period
- d) Total number of votes submitted by each voter pool
- e) Number of valid and invalid votes for each voter pool
- f) Names of the candidates and the number of votes they each received
- g) The order of allocation of seats (in accordance with Section 18 (7)) to elected candidates or replacement candidates (within the meaning of Section 24 (1))
- h) A statement on whether gender parity was achieved.

## **Section 20**

### **Publication of election results; notification of elected candidates**

(1) The election administrators will publish the final results of an election on the homepage of Rhine-Waal University of Applied Sciences for a period of two weeks.

(2) The election administrators will contact elected candidates in writing, requesting that they confirm within five work days whether they will accept their election. The election is considered accepted if no response is given before the deadline.

## **Section 21**

### **Verifying the integrity of elections**

(1) Objections to the integrity of an election can be lodged in writing or in person with the election administrators within fourteen days of publication of the election results per Section 20 (1).

(2) Any eligible voter may lodge an objection. However, objections must be based on very specific reasons:

- a) The final results were calculated incorrectly.
- b) Valid ballots were rejected or invalid ballots were permitted to an extent which affected the outcome of the election.
- c) Provisions defined in these election regulations were violated in a way which affected the outcome of the election.

(3) The Executive Board is responsible for ruling on objections.

(4) If the Executive Board declares an entire election or an election for a specific voter pool invalid, said election must be repeated to the required extent.

(5) If the re-do election occurs in the same semester as the original election, then it must be conducted with the same candidates and voter registry; if this is not the case, the re-do election must be conducted anew according to the general provisions set forth by these election regulations.

(6) The results of any investigation into the validity of an election must be announced publicly and provided to the objecting person as well as any persons directly affected.

## **Section 22**

### **Archiving election documents**

The election administrators will archive all election documents until the conclusion of the subsequent election for the same committee or governing body.

## **Section 23**

### **Termination of office**

Members of committee or governing body will cease to hold office:

- a) When the term of office expires.
- b) When a member resigns for good cause (refer to Section 10 (1) sentence 1, (2) HG NRW).
- c) When a member leaves Rhine-Waal University of Applied Sciences or their faculty.
- d) When a member's voter pool affiliation at Rhine-Waal University of Applied Sciences changes.

## **Section 24**

### **Replacement members and proxies**

(1) If one of the situations described under Section 23 b) to d) arises, a replacement member will assume the vacant position for the departing member's remaining term of office. Replacement members will be selected from the list of unelected candidates in the order produced according to Section 18 (7).

(2) Replacement members will be appointed according to subsection (1) if and for as long as an elected office is suspended due to a clash with a member's official administrative office within the meaning of Section 13 (2) HG NRW, or if an elected member is temporarily unable to exercise their elected office for a period of at least three months.

(3) The Senate Election Committee is responsible for deciding on the suitability and entry into office of replacement members within the meaning of subsections (1) and (2). If multiple replacement members have joined a committee or governing body and

a replacement membership ends, then the briefest replacement membership will be selected first for termination.

(4) Faculty members can designate proxies for individual meetings of the faculty council, provided the faculty regulations permit the use of proxies and there is a good reason for not attending. Proxies must belong to the same group as the member they are representing. Subsection (1) sentence 2 applies to the selection of a proxy. Subsection (3) sentence 2 applies to the termination of a proxy representation in the event that replacement memberships take effect. The chair of the faculty council is responsible for deciding whether the prerequisites for a proxy apply as well as when the proxy will begin. Additional details are set forth in the faculty regulations.

## **Section 25**

### **By-elections in the faculty councils**

(1) These election regulations apply analogously to by-elections for professors in accordance with Section 12 (1a) of the HSRW Constitution, in conjunction with Section 13 (5) sentence 3 HG NRW.

(2) By-elections will be organised and conducted by the most recent, regularly-constituted election administrators. Deadlines for by-elections can be adjusted as necessary, provided it can be ensured that affected persons are given sufficient time to read and acknowledge the election notice and the election announcement, to submit nominations and to lodge objections. Adjusted deadlines must be announced publicly.

## **Article 3:**

### **Committee elections**

## **Section 26**

### **Committee elections**

(1) Committee elections will be conducted by ballot. Postal ballots and online elections are permitted. Sections 14 to 17 of these election regulations apply accordingly. The rules of procedure for individual committees may define deviating provisions.

(2) Provided there are no deviating provisions in a committee's rules of procedure, members will be elected separately by voter pool. Nominees are elected by relative majority. The nominee receiving the most votes will be elected. If multiple persons from a single voter pool are running for election, the nominees receiving the most votes will be elected. In the event of a tie, the winner will be determined by drawing lots.

(3) Provided there are no deviating provisions in these election regulations or the committee's rules of procedure, the committee chair will be elected by absolute majority vote. The nominee receiving more than half of all eligible votes will be elected. If no nominee receives more than half of all eligible votes, a run-off election will be held between the two nominees who received the most votes. The nominee receiving the



most votes in the run-off election will be elected. In the event of a tie, the winner will be determined by drawing lots.

(4) Subsection (3) applies analogously to the election of deputy representatives.

## **Section 27**

### **Dean elections**

(1) Faculty councils are responsible for initiating the election process for the dean. The process should be organised in a way that ensures continuity of office.

(2) The election of a new dean will occur in an electoral meeting organised by the responsible faculty council. The date and time of this electoral meeting will be set when initiating the election process for a new dean. Nominations must be submitted no later than three weeks before the electoral meeting. Nominations must be made public within the faculty no later than one week before the electoral meeting.

(3) If the presiding dean's term in office ends early due to resignation or leaving Rhine-Waal University of Applied Sciences, a new dean must be elected for the remaining term in office without delay. The faculty council will schedule the electoral meeting immediately after the end of the presiding dean's term of office (according to sentence 1) as well as the deadlines for submitting and publishing nominations within the faculty.

(4) Professors at Rhine-Waal University of Applied Sciences are eligible for election as dean. Section 27 (4) sentence 2 HG NRW remains unaffected.

(5) Only members of the corresponding faculty are eligible to submit nominations. Each nomination must be signed by at least two members eligible to submit nominations. Nominations submitted after the deadline will not be considered.

(6) If there is only a single nominee for election, then the election will be decided by simple aye/nay ballot. The nominee will be elected if they receive a majority of aye votes from the faculty council.

(7) If there are multiple nominees running for election, then they will be listed alphabetically on a ballot which permits voters to cast their vote for a single nominee. Each member of the faculty council has one vote. The nominee receiving the absolute majority of votes from the faculty council will be elected.

(8) If no nominee received an absolute majority of votes, then a second round of voting will occur. If an absolute majority of votes is not obtained in the second round of voting, then a new election with new nominees will be initiated. Nominees from the original election are eligible for nomination in the new election. The faculty council will immediately schedule a new electoral meeting after the unsuccessful election as well as new deadlines for submitting and publishing nominations within the faculty. Subsection (6) applies accordingly. If no nominee receives an absolute majority of votes in the first round of the new election, then a final round of voting will occur in which the nominee who receives the most votes overall will be elected (relative majority). In the event of a tie, the winner will be determined by drawing lots.

(9) Elected nominees will be immediately asked to confirm whether they accept the results of the election.

(10) If the presiding dean runs for re-election during their current term of office, the vice-dean (*Prodekan*) will take charge of any faculty council meetings involving the planning or implementation of the upcoming election. If the vice-dean is also nominated for election, the faculty council will elect a professor from among its ranks to take charge of said meetings.

(11) In accordance with Section 27 (4) sentence 3 HG NRW, the election of a dean must be confirmed by the president.

## **Section 28**

### **Vice-dean elections**

The rules and procedures for the election of the dean apply analogously to the election of the vice-dean. The election of the vice-dean will occur after the election of the dean. The vice-dean's term of office will end together with the dean's. Sentence 3 does not apply to situations described in Section 27 (3).

## **Section 29**

### **Dean's office**

Where faculty regulations stipulate that a faculty will be run by a dean's office, Sections 27 and 28 apply analogously to the election of the dean and the vice-deans.

## **Section 30**

### **Publication and entry into force**

Election results will be posted publicly in suitable locations on both campuses for a period of two weeks. Faculty regulations may define deviating provisions.

## **Section 31**

### **Elections for equal opportunity officers and their representatives**

(1) At the beginning of a new term of office, the equal opportunities commission will elect an equal opportunities officer as well as her deputy representative based on her recommendation.

(2) Each member of the equal opportunities commission is granted one vote for the election of the equal opportunities officer. Equal opportunities officers are elected by secret ballot.

(3) If there is a single nominee running for election, then her election will be decided by simple aye/nay ballot. The nominee will be elected if she receives a majority of aye votes from the present voting members of the equal opportunities commission.

(4) If there are multiple nominees running for election, then they will be listed alphabetically on a ballot which permits voters to cast their vote for a single nominee. The nominee who receives the absolute majority of votes will be elected.

(5) If no nominee receives an absolute majority of votes, then a second round of voting will occur. If again no nominee receives an absolute majority of votes, then a third round of voting will occur between the two candidates who received the most votes overall in the second round of voting. The winner of this final round of voting is the nominee with the most votes. In the event of a tie, the winner will be determined by drawing lots.

(6) If there is only one nominee running for election in the third round of voting, then she will be elected if she receives more aye than nay votes.

(7) The rules set forth in subsection 2 apply analogously to the election of the equal opportunities officer's deputy representative.

**Article 4:**  
**Election for the representative for students with disabilities or chronic illnesses**

**Section 32**  
**Electing the representative and the student deputy representative**

(1) The representative for students with disabilities or chronic illnesses within the meaning of Section 62b HG NRW in connection with Section 13c of the HSRW Constitution will be elected by the Senate based on the recommendation of the Executive Board.

(2) The representative's deputy representative, who must be a student in accordance with Section 13c (2) of the HSRW Constitution, will be nominated and elected by the student body. The election will be conducted together with the elections for either the Senate or the faculty councils. The provisions set forth in Article 2 of these regulations apply accordingly.

**Article 5:**  
**Members' right to put forth initiatives**

**Section 33**  
**Member initiatives**

(1) Members of Rhine-Waal University of Applied Sciences are entitled to formally request that a specific governing body at Rhine-Waal University of Applied Sciences consider and decide on a matter that falls under its legal responsibilities. These member initiatives must conform to the formal requirements set forth in Section 11a (2) HG NRW and be addressed to the Senate Election Committee. The Senate Election Committee is responsible for verifying that member initiatives comply with the requirements set forth in Section 11a (2) HG NRW. If an initiative meets all requirements, it will be forwarded to the responsible governing body.

(2) Subsection 1 applies analogously to initiatives within faculties in accordance with Section 11a (3) HG NRW in conjunction with Section 12a of the HSRW Constitution. Initiatives within faculties must be submitted to the responsible dean.

**Article 6:**  
**Concluding provisions**

**Section 34**  
**Entry into force**

These amending statutes will enter into force on the day after the publication of the German original in the Official Notices of Rhine-Waal University of Applied Sciences.

Note: *These regulations entered into force in their present version on 4 November 2023.*