

# **THE UNIVERSITY OF TARTU STUDENT UNION'S RULES OF PROCEDURE**

Adopted by the Student Parliament's 09.11.2015 general meeting's regulation.

Amended by the Student Parliament's 12.11.2020 general meeting's regulation.

[entered into force on 13.11.2020]

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# I. General provisions

1. These Rules of Procedure have been adopted on the basis of clauses 42.1 and 48 of the Statutes of the University of Tartu Student Body (hereinafter **the student body**).
2. These Rules of Procedure provide for the University of Tartu (hereinafter **the university**):
  - 2.1 The Student Parliament's organisation;
  - 2.2 The basis for the faculty, institute and college student councils' organisation;
  - 2.3 The student body's board's (hereinafter the **board's**) organisation;
  - 2.4 The principles and procedure for reporting by the student union [entered into force 12.11.2020];
  - 2.5 The rules of procedure of the student body's monitoring committee.

## **II. The Student Parliament**

### **The procedure for convening a regular meeting of the Student Parliament**

3. A regular Student Parliament meeting is a meeting whose date and time have been adopted by a majority vote of the Parliament's composition.

4. The time of the first regular meeting will be announced to the composition of the Student Parliament no later than by the beginning of the Parliament's mandate. The remaining regular Student Parliament meetings shall be agreed upon at the first regular meeting of the new Student Parliament. The dates and times for the regular Student Parliament meetings will be published on the University of Tartu Student Union's website.

5. The convening of the meeting shall be organised by the board, who will forward the notice of convening the meeting to the Student Parliament members via e-mail. The convening notice includes the time and place of the meeting and a reference to the agenda and materials. The convening notice must be forwarded to the representatives at least 5 calendar days before the meeting takes place. The deadline will start running from the calendar day following the day on which the convening notice was sent. The notice is considered delivered if it has been forwarded by a board member to the Student Parliament member's e-mail that the member had submitted.

5<sup>1</sup> The time of a regular Student Parliament meeting can be changed only by the Parliament composition's majority vote in favour, if the time of the meeting to be changed and the decision to change it are reproducible in writing.

The time of a regular meeting of the Parliament may be changed once during the members' term of office. The board has the right and obligation to take the Student Parliament members' interests into account and agree to change the time of more than one Student Parliament meeting if it is justified. [entered into force on 13.11.2020]

The board will immediately inform the members of the Student Parliament of the time of the new regular meeting and will publish it in at least one of the most commonly used information channels of the student body. The decision to modify the time of a regular meeting will be invalid if it has been adopted in breach of the requirements laid down in this paragraph.

### **The procedure for convening an extraordinary meeting of the Student Parliament**

6. An extraordinary meeting of the Student Parliament is a meeting whose date and time has been agreed upon outside of a regular meeting.

7. An extraordinary meeting of the Student Parliament will be convened if the conditions set in the Statutes of the University of Tartu Student Body have been met and with a minimum of 5 working days' notice. [entered into force 01.07.2019]

8. In order to convene a meeting, the person who wishes to convene said meeting, and who is not a member of the Board, has to present an application to the Board either in writing or in a form that's reproducible in writing, that contains the reason for convening the meeting and the names and signatures of the people who wish to convene the meeting.

9. In the case of matters requiring a decision at an extraordinary meeting, the person who raised the topic has an obligation to prepare the draft decision or regulation themselves, unless they've agreed otherwise with the Board.

10. The members of the Student Parliament will be notified of convening an extraordinary Student Parliament meeting by the Board or the person demanding convening said meeting via their official e-mail. The convening notice must contain the meeting's time and place and a reference to the agenda and materials.

11. It is recommended that an extraordinary meeting not take place within 2 weeks before or after a regular meeting.

### **Participating in the meeting**

12. Participation in the meetings are mandatory for the Student Parliament members. If a member of the Student Parliament has violated the obligation to be present at a meeting during their term in office, the Board may report the infringement in reports or the student union's information channels.

13. A member can be absent from a meeting if they have a good reason. A good reason is, in particular, performing work duties, simultaneous study activities, traffic disruption, unexpected illness or an unexpected severe illness of a close person that prevents them from attending the meeting.

14. The Board has to be notified of the good reason in advance and not later than by the beginning of the meeting. At the Board's request, in order to accept the good reason, appropriate evidence must be provided within 7 calendar days of the Board's request.

### **The agenda of the Student Parliament meeting and the submission of drafts**

15. The draft agenda of the Student Parliament's meeting must be submitted to the Student Parliament members together with the convening notice. Only drafts that fall within the competence of the Student Parliament and meet the draft requirements can be placed on the agenda (the draft requirements are set out in paragraph 17.1.). [entered into force 01.07.2019]

Other matters in which the Student Parliament adopts a position but does not make a decision (hereinafter a request) can also be submitted to the Student Parliament for discussion.

16. In accordance with the requirements of the Statutes of the Student Body and the Rules of Procedure, the right to initiate a draft is open to the members of the Student Parliament, the Board, Institute or College Student Councils or the student body.

In order to initiate a draft, an application must be sent to the Board unless otherwise stated in the meeting's convening notice.

17. The person submitting the draft or request has an obligation to submit an application for submitting a draft or request that is accompanied by the draft or other relevant documents and a corresponding explanatory memorandum. These documents are to be submitted to the Board. The application for initiating a draft or request must contain the initiator's name, the name of the person introducing the topic on the agenda at the meeting, if necessary, the list of the persons additionally invited to the Parliament's meeting with their necessary contact information, the signature of the initiator and the date. [entered into force 01.07.2019]

17.1 The draft must contain the text of the decision. The explanatory memorandum of the draft decision or regulation must contain a more detailed description of the reasons for submitting the draft and of the expected effects. When submitting a draft to change an existing decision or regulation, the explanatory memorandum must specify in particular the reasons for the changes and the possible effects of it, including the possible effects of existing legislation.

17.2 In the case of other requests, it is necessary to provide the relevant documents and, in the case of a question requiring a position to be taken, the wording of the recommended position. In addition, an explanatory memorandum containing the importance of the matter, the justification for its adoption and a description of the possible implications involved is required.

18. A matter requiring a decision of the Student Parliament must be added to the regular meeting's agenda no later than 2 calendar days before the regular meeting takes place. The due date shall start from the day preceding the day on which the meeting takes place. The Board must receive proposals for supplements no later than 17:00 on the deadline's day. If the matter is submitted after the deadline has passed, the proposed matter will be added to the agenda if at least half of the Student Parliament's composition votes in favour of it.

Issues that do not require a decision can be added to the agenda until the agenda is approved. After the agenda has been approved, it can only be changed if at least 2/3 of the Student Parliament's composition votes in favour of supplementing the agenda.

19. A matter requiring a decision of the Student Parliament must be added to the agenda of an extraordinary meeting no later than on the calendar day preceding the date of the extraordinary meeting. The Board must receive the proposals for supplements no later than 17:00 on the deadline's day. Matters submitted after the expiry of the deadline referred to in this paragraph shall be placed on the extraordinary meeting's agenda if, before the agenda is adopted, a majority of the Student Parliament's composition votes in favour of amending the agenda.

20. If the Board receives a proposal to supplement the agenda before the meeting's convening notice is forwarded to the Student Parliament, the Board will add the proposal to the draft agenda of the meeting that will be forwarded to the Student Parliament together with the meeting's convening notice. If the proposal to supplement the agenda has been submitted to the Board after they have forwarded the meeting's convening notice to the Student Parliament, the members of the Student Parliament will be immediately informed of the proposal.

21. The following may be omitted from the agenda:

21.1 Drafts and requests that do not comply with the requirements of their presentation;

21.2 Drafts and requests that do not fall within the competence of the Student Parliament.

The person who submitted the draft or request must be notified that their draft or request was omitted from the agenda. The notification must be accompanied by a justification. [entered into force 01.07.2019]

22. Drafts submitted at the meeting whose inclusion in the agenda is put to a vote and whose inclusion is opposed by the Student Parliament will be placed on the agenda of the next meeting at the request of the person who submitted said draft. The request must be submitted in a form that allows for reproduction in writing. The request must be accompanied by the draft together with the explanatory memorandum.

23. If an item on the agenda requires the Student Parliament to take a decision, it must be clear from the name of the item on the agenda submitted to the Student Parliament.

24. Before approving the meeting's agenda, the members of the Student Parliament have the right to object to items on the agenda. The item will be removed from the agenda if at least 2/3 of the Student Parliament's composition votes in favour of such an amendment proposal.

25. The meeting's agenda, together with any lawfully made amendments, is approved at the beginning of the meeting with a majority vote of the members present.

### **The procedure for conducting a Student Parliament meeting**

26. A Student Parliament meeting is public. At the Student Parliament meeting, all members of the Student Parliament have both the right to vote and the right to speak; members of the Board, the Monitoring Committee, and persons invited by the Board have the right to speak. [entered into force 01.07.2019]

Invited persons have the right to speak on matters concerning them.

27. The meeting is chaired by a member of the Student Union's Board or by another person approved by the Student Parliament. If the Student Parliament wishes that the meeting would be chaired by a person not in the Board, they must inform the Board members present about this fact before the first item on the agenda is discussed. A person other than a member of the Student Union's Board is elected as chair of the meeting at the beginning of the meeting with a majority vote of the Parliament members present.

28. At the Student Parliament meeting, the items on the agenda are discussed in the order they are listed on the agenda.

29. To discuss an item on the agenda, the meeting's chair will call upon the person who added the item to the agenda or some other person appointed to present said item on the agenda, of whom the chair has been notified. After the introduction of the item on the agenda, a discussion will take place, where the word will be given in the order of requests. The order of requests is kept by the meeting's chair. The meeting's chair may set a time limit for speeches. If the time limit is exceeded, the meeting's chair may interrupt the speaker.

30. The meeting's chair may end the discussion if they find that the item on the agenda has received sufficient response or if the Student Parliament members so wish. If a member wishes to continue the discussion, the continuation of the discussion will be decided by a majority vote of the members present. After the discussion has ended, the person who presented the item on the agenda shall have the floor for a brief final word.

### **The procedure for conducting a virtual Student Parliament meeting**

30<sup>1</sup>. The Student Parliament meeting can be held in a virtual manner on the Student Union Board's orders. It is important that the provisions of the student body's Rules of Procedure and the principles of conducting a Student Parliament meeting are respected. In the case of personal elections, the Student Union's Board must ensure an anonymous vote. At a virtual Student Parliament meeting, the Student Parliament can take any decisions that it could take in physical form.

### **Voting at a Student Parliament meeting**

31. All persons with voting rights in the room shall participate in the vote. During the meeting, when entering or leaving the room, a member of the Student Parliament must notify the person taking the minutes accordingly. The votes of persons who leave the room before the start of voting will not be taken into account.

32. A member of the Student Parliament can't vote and will be excluded from the quorum if the Student Parliament meeting is processing a transaction with them or with a person with an economic interest equal to theirs. A Student Parliament member also can't vote and is excluded from the quorum in the event of any other apparent conflicts of interest. [entered into force 01.07.2019]

33. Voting is public if the Rules of Procedure or the Electoral Rules don't require a secret vote or if it has not been decided to declare the vote closed. The Student Parliament has the right to demand a secret vote only when decisions are taken.

A majority vote of members present is required to declare the vote secret.

34. The vote is always secret in the event of a personal election. The general and special procedures for conducting a secret vote are set out in the Electoral Rules.

35. In a public vote, decisions are taken by signalling with one's hand or using an electronic voting system according to the instructions of the meeting's chair.

The votes are counted by the meeting's chair.

When using an electronic voting system for a public vote, the general requirements for a public vote must be met. In addition to the general requirements for a public vote, it must be possible to identify through the electronic voting system (specific requirements):

1. the identity of the voting Student Parliament member;

2. the position or decision that the members are voting for or against;

3. the number of votes cast in favour or against the position or decision;

4. the vote cast for or against the position or decision must be attributable to the Student Parliament member who cast the given vote.

Failure to comply with the general and specific requirements of the electronic voting system shall result in a partial or total repetition of the public electronic vote or, if it is impossible to eliminate the error, nullifying the voting results.

### **Adopting a Student Parliament decision by e-voting**

36. The Student Parliament may take decisions without assembling, by so-called e-voting. Regulations cannot be adopted outside regular and extraordinary meetings. E-voting can be carried out on matters that may be voted in public or in secret, provided that the voting system ensures the secrecy of the voter and complies with other conditions necessary for conducting a secret vote. [entered into force 01.07.2019]

37. A separate e-mail list or the UT document management information system is used for e-voting. The draft decision can be sent for decision-making by a member of the Board or jointly by at least three members of the Student Parliament. The draft submitted by the Student Parliament members must be accompanied by an application signed by the members who submitted it.

38. To initiate an e-vote, the members of the Student Parliament will be sent a draft, accompanying materials and, where appropriate, an explanatory memorandum using the dedicated e-mail list or UT document management information system. [entered into force 01.07.2019]

It is possible to vote in favour or against the draft. An e-vote is deemed unsuccessful if less than 80% of the Student Parliament members participate in it.

39. If the draft has been forwarded to the Student Parliament members through the prescribed e-mail list or the UT document management information system, the Student Parliament has 3 days to discuss it. The duration of the discussion is extended if it's requested by the Board or at least three members of the Student Parliament. If the time for discussion is not extended or if there's no discussion taking place, an e-vote will begin after those 3 days.

40. The members of the Student Parliament will have at least 5 calendar days for the vote. The deadline will start to run from the next working day after the 3 days for discussion have passed.

41. If there are less than 10 calendar days until the Student Parliament meeting, the president can choose to not put the draft to an e-vote and add the draft to the next meeting's agenda.

42. Only clearly expressed votes are taken into account in the e-vote. To this end, the Board shall give clear instructions before the vote is taken on what is deemed appropriate for the vote to be taken into account. In the event of an unclear vote, it is considered that the Student Parliament member has not voted. Late votes are not taken into account when counting the votes.

43. E-voting is subject to the same majority requirements as voting at a meeting.

44. The minutes with the results of the e-vote will be sent to the Student Parliament within 7 calendar days of the end of the vote. The e-vote's minutes must include in particular:

44.1 the date of composing the e-vote's minutes;

44.2 the legal basis for e-voting;

44.3 the first and last name of the person who conducted the e-vote;

44.4 the first and last name of the person who took the minutes of the e-vote;

44.5 the first and last name of the Student Parliament member who participated in the e-vote;

44.6 a brief description or the name and circumstances relating to the position that was voted on in the e-vote;

44.7 the e-vote's results regarding the position;

44.8 the Student Parliament's explicitly adopted decision regarding the position.

### **Minutes of a Student Parliament meeting**

45. Meetings of the Student Parliament are recorded in the minutes. The minutes are drawn up and formalised by a person appointed by the Board (hereinafter recording secretary). The meetings can be recorded in order to make it easier to draw up the minutes. The minutes will be formalised into a protocol document form valid at the University of Tartu. [entered into force 01.07.2019]

46. There will be no recording at a closed Student Parliament meeting. A meeting can be declared closed by a Student Parliament composition's majority vote.

47. The minutes shall include:

47.1 the number of the meeting, with a common account being held of the regular and extraordinary meetings of one composition;

47.2 the time and place of the meeting;

47.3 the time at which the meeting starts and the time at which it ends;

47.4 the names of the persons present, with the names of the Student Parliament members present, the Student Parliament members absent and guests present indicated separately;

47.5 the agenda of the meeting;

47.6 a summary of the discussion on the item on the agenda, the name of the person presenting it, voting results and the decision or position adopted;

47.7 other relevant data.

48. At the request of a member of the Student Parliament or of a person with the right to speak in the room, their disagreement, speech or proposal can be added to the minutes. In order to record the

exact disagreement in the minutes, the member of the Student Parliament has to notify the recording secretary at the meeting immediately before or after their speech. [entered into force 01.07.2019]

If the disagreement, speech or proposal presented at the meeting can be reproduced, one can request adding it to the minutes later as well.

49. The recording secretary has an obligation to keep an account of the number of people with voting rights in the room. The attendance check takes place before each vote and is carried out by the recording secretary.

50. The minutes are sent to the Student Parliament members preferably within 2 weeks of the meeting, but no later than 10 calendar days before the next Student Parliament meeting. [entered into force 13.11.2020] The contents of the minutes may be contested within 5 working days of its submission to the Student Parliament members. If the contents of the minutes aren't contested within the designated time limit, they will be submitted to the Student Parliament for approval at the next meeting. In the event of a dispute, the comments will be collected during the period of contesting and recorded in the minutes as corrective entries. The minutes with corrections will be approved at the beginning of the next Student Parliament meeting.

### **Forwarding information**

50<sup>1</sup>. The official e-mail of a student council member will be the e-mail that each student representative is required to submit to the Board before the beginning of their mandate and through which contact with the student representative is expected.

51. Information will be communicated to the members of the Student Parliament by official e-mail. A member of the Student Union is obligated to inform the Board of their contact details that are necessary to participate in the work of the Student Parliament.

52. Any change in the official e-mail address must be communicated to the Board by the Student Parliament member as soon as possible. If this information is not communicated, the Board will not be responsible for the information not reaching the Student Parliament member in time.

### **Reporting**

53. The Student Parliament reports to the student body. The Student Parliament's report is submitted to the student body together with the Student Union Board's report. The Student Parliament's report must contain information on the Student Parliament's key positions and activities in the university.

54. The Student Union Board is responsible for composing and submitting the report.

### **III. The Faculty Student Council**

#### **The faculty student council meetings**

55. At least one faculty student council meeting must take place before the forthcoming faculty council meeting.

The meeting will discuss the topics on the faculty council meeting's agenda. Faculty student council meetings may also be held to discuss other issues on an ongoing basis.

56. The dates of the meetings will be agreed upon on an ongoing basis by the members of the faculty student council. For this, the faculty student council will appoint a member from amongst themselves, who will be responsible for agreeing on the time of the meetings and finding the venue for them.

56<sup>1</sup>. In order to better organise the work of the faculty student council, the members of the faculty student council elect a president from amongst themselves.

56<sup>1</sup>.1 The faculty student council president's tasks are:

56<sup>1</sup>.1.1 to organise cooperation with the faculty student council and the institute student councils that belong under the same faculty;

56<sup>1</sup>.1.2 to prepare the materials of the faculty student council meeting;

56<sup>1</sup>.1.3 to turn to the Student Union Office with any questions if the faculty student council needs advice in its work;

56<sup>1</sup>.1.4 to formalise proposals and drafts that are to be added to the faculty student council or Student Parliament meeting's agenda;

56<sup>1</sup>.1.5 to be responsible for the faculty student council's compliance with the reporting obligation.

57. The faculty student council may also hold regular meetings using technical solutions. It is not possible to hold meetings through technical solutions if there's an item on the meeting's agenda that requires secret voting.

58. The faculty student council meetings are recorded in the minutes if decisions and positions are taken at the meeting. When taking and formalising the minutes, the faculty student council must comply with the provisions of these Rules of Procedure concerning the minutes of a Student Parliament meeting, as appropriate.

59. The faculty student council organises meetings with the institute and college student councils that belong to the area of responsibility of their faculty. For these meetings, the faculty student council may appoint a specific representative from their composition.

60. Participation in the meetings referred to in point 59 of the Rules of Procedure is compulsory for members of the faculty, college and institute student councils. After the meeting, a brief summary of the topics discussed at the meeting will be recorded by the faculty student council members in a work environment agreed by the Student Union Board. [entered into force 01.07.2019]

61. At the first joint meeting following the elections, the members of the faculty student council must present to the institute student council members their rights and obligations, the student body's main legal acts and the structure of the student union and the university.

62. A joint meeting of the faculty and institute student councils will give the institute student councils the opportunity to give guidance to the faculty student council and keep them up to date on what's going on in the institute and the positions the institute student council has adopted, which the Student Parliament and the faculty student council should take into account. At the meeting, the faculty student council will also be able to introduce to the institute student councils the positions of the faculty student council and Student Parliament that the institute council has to base itself on.

### **Adopting decisions and forming positions by the faculty student council**

63. The faculty student council will take decisions within the limits of its competence, as set out in the Statutes of the Student Body. The faculty student council will base its decision-making process regarding university-wide issues on the positions, decisions and regulations of the Student Parliament. A faculty student council member will represent the positions of the faculty's students within the limits of their competence.

64. Voting at a faculty student council meeting will be carried out in accordance with the provisions on voting at a Student Parliament meeting. Secret elections do not require an Electoral Committee; the elections are conducted by at least one person.

### **Participating in the faculty council's work**

65. The faculty student council members are obligated to participate in the faculty council's work.

66. A member of the faculty student council puts the student body's interests above their own personal interests when representing the faculty's students at the faculty council.

67. A member representing students at the faculty council, but who is also an employee of the university, will base their work in the faculty council meetings on the interests of the student body.

### **Reporting**

68. In the fall semester, the faculty student council will submit an annual plan to the Student Union Board, including a plan of meetings with the institute and college student representatives and planned activities in a form reproducible in writing by the end of September at the latest. [entered into force 01.07.2019]

68<sup>1</sup>. During the spring semester, but no later than before the last Student Parliament meeting, the faculty student council will present a report on their activities to the Board and Student Parliament at a Student Parliament meeting in a form that's reproducible in writing. [entered into force 01.07.2019]

69. The faculty student council will submit its report to the Board before the Student Parliament meeting and in a reproducible form. The faculty student council will present the report in free form at the Student Parliament meeting.

70. The faculty student council's activities and key positions are reflected in the Board's report to the student body in free form. Freedom of form also includes the monthly newsletter and a public social media post.

# **III<sup>1</sup>. The procedure for the dismissal of a faculty student council member from the composition of the faculty student council**

## **Initiating a dismissal procedure and its principles**

70<sup>1</sup>. A dismissal procedure is a procedure related to a faculty's student representative, with the objective to identify the circumstances stated in the student body statutes chapters 23<sup>1</sup> and decide on the dismissal of the student representative from the respective student council's composition.

The procedure for the dismissal of a faculty student council member begins with including a proposal to that effect to the faculty student council meeting's agenda.

The dismissal proposal will be added to the meeting's agenda as a point requiring dismissal at least 15 working days before its substantive discussion. The dismissal proposal must include:

1. the name of the student representative whose dismissal from the faculty student council's composition will be discussed at the meeting;
2. the motive and basis for the dismissal of the given person;

The motive for the dismissal is a set of circumstances that provide the basis for the dismissal of the student representative from the faculty student council's composition.

The basis for the dismissal is the legal basis for terminating a student representative's mandate under the Statutes of the Student Body.

## **Relation of the dismissal procedure to other legislation**

70<sup>2</sup>. In addition to these Rules of Procedure, the faculty student council is obligated to follow the provisions of clauses 23<sup>1</sup>, 23<sup>2</sup> and 51.4 of the Statutes of the Student Body when handling a dismissal procedure.

The dismissal procedure will follow and not conflict with the legislation in force in the Republic of Estonia, and the general principles of administrative procedures will be followed when handling the dismissal procedure, provided that these Rules of Procedure and the Statutes of the Student Body do not give rise to any specificities.

## **The rights and obligations of the person being dismissed in regards to the dismissal case**

70<sup>3</sup>. Regarding the dismissal procedure, the person being dismissed has the right to:

1. receive legal advice from the student body's office until the dismissal procedure's decision is made;
2. receive an overview of the faculty student council's dismissal proposal and explanations on its more specific contents;
3. submit relevant evidence to solve the dismissal case, subject to these Rules of Procedure;
4. consult the evidence collected by the faculty student council at the substantive discussion of the dismissal procedure, via the e-file or at a time and place specified by the Student Union Board;
5. be heard by the faculty student council by submitting or providing written or oral explanations on the dismissal proposal. The person to be dismissed may provide written explanations regarding the dismissal proposal until the beginning of the substantive discussion on the dismissal case. Oral explanations on the dismissal proposal may be given only during the substantive discussion of the dismissal case;
6. consult the minutes of their oral hearing;
7. request the recording of their oral hearing and a copy of the recording file;
8. request that corrective entries be made in the minutes of their oral hearing within 3 days after the minutes have been made available in the E-file;
9. appeal against the dismissal decision of the faculty student council by lodging a complaint in a form reproducible in writing to the Student Union Board within 14 calendar days of the announcement of the dismissal decision.

The person to be dismissed will have their mandate as a student representative suspended until the final settlement of the dismissal case, and they shall be considered as a temporarily absent student representative, within the meaning of point 24 of the Statutes of the Student Body. The mandate shall be suspended from the moment when the notice of convening a faculty student council meeting, together with the agenda containing the proposal for dismissal, is deemed to have been delivered to the faculty student council members.

### **Delivering the dismissal proposal**

70<sup>4</sup>. The dismissal proposal must be added to the agenda before its substantive discussion. The notice of convening the meeting, together with the agenda containing the proposal for dismissal, must be forwarded to the faculty student council members in a format reproducible in writing at least 10 working days before the substantive discussion of the dismissal case at the meeting.

The notice of convening the meeting, together with the agenda, will be sent to the student council member's official e-mail.

The meeting's convening notice, together with the agenda containing the proposal for dismissal, is presumed to be received if the official e-mail of the student council member has been used for delivery. A faculty student council member may rely on a statement that the notice of convening a

meeting, together with an item on the agenda containing the proposal for dismissal, has not reached their sphere of influence within the time limit only if they prove it before the substantive discussion of the dismissal case.

If the meeting's convening notice, together with the agenda, is sent to the faculty student council members in a manner other than the official e-mail of the student council members, the sender is obligated to verify, if necessary, that the faculty student council member received or was due to receive the notice together with the agenda within the time limit.

### **Verifying in the dismissal procedure**

70<sup>5</sup>. Before the dismissal case's substantive discussion, the faculty student council has to gather evidence of importance for resolving the dismissal case.

The evidence must be authentic. The faculty student council must remove all evidence that is not authentic with good reason from the dismissal case.

In order to verify whether the person to be dismissed has circumvented the important obligations set upon them by the mandate of a faculty student representative within the meaning of point 23<sup>1</sup> of the Statutes of the Student Body, the faculty student council has the right to turn to the student body to seek appropriate evidence. If this is in accordance with current law and there is no other valid reason, the student body is obligated, at the request of the faculty student council, to provide the necessary evidence to resolve the dismissal case.

The faculty student council may collect evidence until the substantive discussion of the dismissal case, with the exception of evidence obtained in the hearing of the person to be dismissed. The person to be dismissed can provide evidence until the faculty student council has made a dismissal decision in a form reproducible in writing. For the purposes of the dismissal case, the faculty student council will draw up an E-file in the data and document repository used by the student body, which shall include all documents, recordings and other relevant records of the dismissal case. Access to the e-file must be granted, in particular, to the person being dismissed, the Student Union Board, the Monitoring Committee and the Appeals Committee provided for in chapter VII<sup>1</sup> of these Rules of Procedure.

### **Minutes of a dismissal case's substantive discussion**

70<sup>6</sup>. The substantive debate on the dismissal case begins at the meeting by opening the relevant item on the agenda. The substantive discussion of the whole matter must be recorded in the minutes.

The decision reached by the faculty student council during the substantive debate on the dismissal case must be logically followable, precise and complete.

In particular, the minutes of the substantive discussion on the dismissal case must reflect:

1. the dismissal proposal and the date on which it is being discussed;
2. the faculty student council members who are taking part in the substantive discussion;

3. the participation of the person to be dismissed in the substantive discussion of the dismissal case and introducing their rights and obligations to them;

4. a list of the evidence gathered and which circumstance is to be proven with which piece of evidence, including an assessment to the information gathered – whether the evidence gathered forms a sufficient basis for dismissing a student from the faculty student council’s composition;

5. the evidence submitted by the person to be dismissed, an assessment to their relevance in the dismissal case and their probative value;

6. the oral hearing of the person to be dismissed, the authenticity of which is confirmed by the signature of the person to be dismissed after they have examined the explanations provided for in the minutes;

7. a justification on whether the legal bases for dismissing a student representative from a faculty student council’s composition, laid down in points 23<sup>1</sup> and 23<sup>2</sup> in the Statutes of the Student Body, have been fulfilled;

8. the explicit dismissal decision of the faculty student council, showing the name of the student to be dismissed and the basis for the dismissal under the Statutes of the Student Body.

If it is necessary for a fair and accurate resolution of the dismissal case, the entire substantive discussion of the matter will be recorded.

### **The substantive discussion of the dismissal case without the participation of the person to be dismissed**

70<sup>7</sup>. At the beginning of the substantive discussion on the dismissal case, the faculty student council will identify the basis and motive for the dismissal.

The faculty student council is competent to settle the dismissal case if the quorum set out in point 23<sup>2</sup> of the Statutes of the Student Body is fulfilled.

The minutes of the case’s substantive debate must indicate the participation of the person to be dismissed.

If the person to be dismissed participates in the dismissal case’s substantive discussion, the faculty student council will also be guided by point 70<sup>8</sup> of these Rules of Procedure in the case’s substantive discussion.

Subsequently, the faculty student council will examine the evidence collected in the case in a comprehensive and complete manner, identifying the circumstances necessary to resolve the dismissal case. The minutes must indicate which circumstance is to be proved with which piece of evidence.

The evidence collected will be added to the minutes as annexes or as a list and stored in the E-file of the person to be dismissed.

## **The substantive discussion of the dismissal case with the participation of the person being dismissed**

70<sup>8</sup>. If the person being dismissed participates in the dismissal case's substantive discussion, they will be briefed on their rights and obligations listed in paragraph 70<sup>3</sup> of these Rules of Procedure. A signature is taken from the person being dismissed to confirm that they have been briefed on their rights and obligations.

If necessary, the faculty student council will explain the content of the dismissal proposal's specific complaint to the person being dismissed.

After the publication and evaluation of the evidence collected by the faculty student council, the person being dismissed is given an opportunity to provide their own evidence. If the faculty student council refuses to accept a piece of evidence provided by the person being dismissed, the refusal must be justified in the minutes.

The person being dismissed shall be heard at their request after they've submitted their evidence. The person being dismissed may provide explanations on the dismissal proposal in free form or by answering the faculty student council members' questions. After the hearing, the person being dismissed reads the statements recorded in the minutes and certifies them as true with their signature.

## **Closing the substantive debate of the dismissal procedure and taking a decision**

70<sup>9</sup>. After examining the evidence, the faculty student council will draw up a summary of the minutes, which must indicate whether the evidence examined in the course of the dismissal case's substantive discussion constitutes a sufficient basis for the dismissal of the person being dismissed, pursuant to point 23<sup>1</sup> of the Statutes of the Student Body, and will conclude the substantive discussion of the case.

70<sup>10</sup>. After concluding the dismissal case's substantive discussion, the faculty student council makes an explicit decision to:

1. remove the student representative's (name) mandate in the faculty student council and the Student Parliament in accordance with points 23<sup>1</sup>.1- 23<sup>1</sup>.5 and 23<sup>2</sup> of the Statutes of the Student Body or;

2. maintain the student representative's (full name) mandate in the faculty student council and the Student Parliament and terminate the dismissal case.

The faculty student council will formalise the minutes of the dismissal case within 2 calendar days of the date of the meeting. The minutes will be signed by the faculty student council members who made the decision, after which the minutes are added to the E-file.

If the person being dismissed contests the content of their hearing's minutes within the time limit, the faculty student council processing the dismissal case will record the reasoned comments as underlined additions to the minutes. The minutes with the reasoned additions will be signed by the faculty student council members who made the decisions and made accessible in the E-file of the

person being dismissed. If the faculty student council decides to maintain the mandate of the person being dismissed, the faculty student council can decide to completely delete the E-file of the person being dismissed, together with the data, documents and files contained therein.

If the faculty student council decides to remove the mandate of the person being dismissed, their E-file, together with its contents, will be kept until the expiry date of the appeal period for the person being dismissed that's provided for in the legislation and will be deleted only with the written permission of the student body's Monitoring Committee.

### **Declaring the decision in the dismissal case and its entry into force**

70<sup>11</sup>. After the decision on the dismissal case has been taken and the dismissal case's minutes have been added to the E-file, the faculty student council declares the dismissal case's decision by using the Student Parliament's e-mail list. The decision on the dismissal case will be deemed to have been declared from the moment the faculty student council has declared it by using the information channel referred to in this point. [entered into force 01.07.2019]

70<sup>12</sup>. The faculty student council's dismissal decision enters into force if the person being dismissed doesn't exercise the right of appeal or contest provided for in these Rules of Procedure or other legislation within the time limit.

## **IV. The Institute Student Council**

### **Establishing an institute student council**

71. The Student Union Board is responsible for electing student representatives to the institutes' councils, the faculty student council is responsible for appointments.

[the second and third sentences are repealed]

72. [repealed]

73. The faculty student council must inform those students of forming an institute student council whose curriculum is managed by the given institute.

If the institute is not responsible for any curricula, the institute student council members are appointed by the relevant faculty student council. To this end, the faculty student council will announce a competition where all students of the faculty can apply.

73.1. The faculty student council may, in cooperation with the institute, set the criteria to be met by the candidates.

73.2. Applying to the institute student council must be announced publicly, giving the faculty's students a reasonable period of time for their candidacy. Where possible, notices should also be put out in paper form at the appropriate institute.

73.3. The competition's notice must include the following information:

73.3.1. the conditions for participation in the competition;

73.3.2. a list of the necessary candidacy documents;

73.3.3. the deadline for submitting the documents;

73.3.4. the contact details to which the documents are to be submitted.

73.4. The faculty student council can make a discretionary decision on the basis of the applications received. The faculty student council may also involve members of other bodies in the Student Union or the university's structure units in the decision-making.

73.5. The results of the competition will be made public at the same time as the results of the elections referred to in point 72 of these Rules of Procedure.

73.6. The results of the competition can be contested by lodging an appeal with the Monitoring Committee.

### **Organisation of the institute student council**

74. The meetings of the institute student council must take place at least once before each institute council meeting. The meetings of the institute student council, the adoption of decisions at the

meetings and the minutes of the meetings must be conducted in accordance with the provisions of these Rules of Procedure concerning the meetings of the faculty student council.

75. When participating in the institute council's work, one must take into account the provisions of these Rules of Procedure concerning participating in the work of the faculty council.

76. The members of the institute or college student council will elect a student council president from amongst themselves to better organise the institute student council's work.

77. The president's tasks are to:

77.1. organise cooperation with the faculty student council and other institute student councils who belong under the same faculty;

77.2. prepare the materials for the institute student council meetings;

77.3. turn to the Student Union Office with any questions if the institute student council needs advice in their work;

77.4. formalise proposals and drafts for inclusion in the agenda of the faculty student council or Student Parliament meeting;

77.5. be responsible for complying with the student council's reporting obligation.

77<sup>1</sup>. In the procedure for dismissal of an institute student council's student representative, the institute student council is guided by points 70<sup>1</sup>-70<sup>12</sup> of these Rules of Procedure, taking into account the specificities arising from dismissing a student representative of an institute student council that are reflected in points 58.4, 59<sup>1</sup> and 59<sup>2</sup> of the Statutes of the Student Body.

78. The institute student council will present a summary of its activities in an informative way to the students of their institute once a semester. The faculty student council will coordinate the details of reporting with the institute student council under their management by the fifth week of the ongoing academic semester.

A copy of the report must reach the Board and the faculty student council in a form reproducible in writing immediately after its presentation to the institute's students.

79. The institute student council's reports are made public on the Student Union's website and, if possible, by using internal lists of the institute.

## **IV<sup>1</sup>. The principles of the establishment and organisation of the College Student Councils**

79<sup>1</sup>. The college student council is autonomous in organising the elections of the college council's student representatives and its work.

The University of Tartu Student Union's legislation is binding on the college student councils. In matters not covered by such legislation, the college student council has the right and obligation to organise the college student life independently, but in coordination with the Student Union Board. The college student councils are legally equated to institute student councils.

79<sup>2</sup>. The college student council in office is responsible for electing student representatives to the college councils, coordinating its activities with the Student Union Board. The relevant faculty student council is responsible for appointing student representatives to the college councils.

79<sup>3</sup>. The college student council will carry out the set objectives, plans and activities autonomously while being guided by what they've coordinated with the Student Union Board.

In order to promote and improve the student life of the college, the college student council may, in coordination with the Student Union Board, draw up its own:

1. Rules of Procedure;
2. Development Plan;
3. Strategy;

4. Any other document or plan promoting the development of the college's student life, if it is consistent with the objectives of the University of Tartu student body.

The college student council has the right to deviate from the general electoral rules of the student body if it serves the specific needs of the college and is of the greatest benefit, considering the student body's interests as a whole. Deviating from the general electoral rules must be coordinated with the Student Union Board, who must give their agreement in a form reproducible in writing.

79<sup>4</sup>. The dismissal procedure for the dismissal of a student representative of a college student council is governed by points 70<sup>1</sup>-70<sup>12</sup> of these Rules of Procedure, taking into account the specificities resulting from the dismissal of a college student council's student representative that arise in particular from points 59.6, 59<sup>1</sup> and 59<sup>2</sup> of the Statutes of the Student Body.

79<sup>5</sup>. The college student council reports on its activities to its college students first in the fall semester and secondly in the spring semester.

After reporting to the college's students, the student council must submit a copy of its report to the faculty student council under whose administration the college student council operates and to the Board. The report must be submitted in a reproducible format.

79<sup>6</sup>. The college student council's representative will agree upon the more detailed matters of reporting with the Board no later than October of the current academic year.

## **V. The student body's representatives in the University Senate**

80. The Senate's student members are obligated to hold a meeting before each Senate session.

81. The meetings of the Senate's student members are organised and attended by the Student Union Board and the competent representatives of the Student Union Office.

82. The meetings of the Senate's student members must be agreed upon as soon as the time for the Senate session is known. If there is no immediate need to hold a meeting, the Senate's student members may also discuss the matters on the agenda of the Senate session through technical means.

83. The Senate's student members have an obligation to place the interests of the student body above their own personal interests at the Senate sessions and to base their work upon the positions of the student union's bodies.

84. A member representing the students in the Senate who is also an employee of the university must be guided at the Senate sessions by the interests of the student body.

## **VI. The Student Union Board and Office**

[entered into force 01.07.2019]

### **The Student Union Office**

85. The Student Union Board supports and manages the student union bodies' communications with various structural units of the university. The Student Union Board is authorised to form a Student Union Office for this purpose.

86. The Student Union Office acts in accordance with the guidelines received from the Board. An office member will communicate directly with the members of other bodies if the Board has instructed the office member to do so.

87. The Board assigns tasks to the office members. The Board is responsible for the office members' activities.

88. The Student Union Office is accountable to the Board.

### **Organisation of the Board**

89. The Board actively takes action to stand for the interests, needs, rights and obligations of the student body. To this end, the Board members may act jointly by sharing tasks between themselves on an ongoing basis or by defining more specifically the areas of activity for each Board member. The principles governing the organisation of the Board are defined by the president of the student body. [entered into force 01.07.2019]

90. The Board's main task is to represent the Student Union's bodies in communications with the Rector's Office, the Study Department and other university-wide structural units and external partners. [entered into force 01.07.2019]

90<sup>1</sup>. The main common working form for the Board members is the Board meeting. At the Board meeting, the Board plans its work and takes decisions within the limits of its competence.

90<sup>2</sup>. The Board will take the Board meetings' minutes if necessary for achieving effective, transparent, clear work and better interests of the student body.

90<sup>3</sup>. The Board will formulate the decision taken at a Board meeting in a written format in the meeting's minutes if at least one Board member opposes the adoption of the decision. Adoption of the Board's decisions works on the principle of the composition's majority votes in favour. If the decision is taken in writing, the minutes have to indicate:

1. The date of the meeting or the adoption of the decision;
2. The Board members participating in the meeting;
3. The problem or position to be discussed;

4. The Board members' justifications in favour or opposition to the adoption of the decision, together with said Board members' names;
5. The results of the vote on the issue or position;
6. The Board's expressly adopted decision.

The Board members will sign the minutes of the meeting containing the adopted decision. A decision taken by the Board will be invalid if it has been adopted in a manner that has substantially infringed the requirements laid down in this paragraph.

91. The Board must provide regular reports on its activities and those of the Office to the members of the student union's bodies. The student body president is responsible for the reporting.

92. The Board must act in accordance with the Student Parliament's regulations, decisions and positions.

93. A Board member's mandate is terminated if:

1. The Board member withdraws their mandate early;
2. The Board member is dismissed;
3. A force Majeure causes it to happen;
4. The Board member completes a 2-year term of office.

[The second sentence is repealed]

94. Within three months of the end of the term of office of a Board member, except in the event of a dismissal, the departing Board member is obligated to provide, if necessary, transfer training to transfer the Board member's position and to prepare the materials necessary for the Student Union Board's work, to ensure the Board's effective and rapid functioning.

### **Dismissing a Board member**

95. Dismissing a Board member requires a Student Parliament composition's majority vote at a Student Parliament meeting.

95<sup>1</sup>. The dismissal of a Board member is subject, as appropriate, to the given Rules of Procedure's chapter "III1. The procedure for the dismissal of a faculty student council member from the composition of the faculty student council".

[entered into force 01.07.2019]

96. To dismiss a Board member, a written application with justifications must be submitted no later than three working days before the Student Parliament's meeting.

97. A dismissal application must be signed by at least six members of the Student Parliament.

98. The dismissed Board member's mandate expires from the moment the dismissal vote's results are announced, after which the deputy of the dismissed Board member is elected from amongst the

rest of the Board members. A majority vote of the composition is required to approve the deputy. The deputy's mandate lasts until a new Board member takes office.

99. At the same meeting, the time for electing a new Board member is agreed upon. The new Board member will be elected at the Student Parliament meeting in accordance with the electoral procedure for electing a Board member.

## VII. The Monitoring Committee

100. After being elected, the members of the Monitoring Committee elect a president from amongst themselves, who will be responsible for carrying out the tasks assigned to the Monitoring Committee, including:

- 100.1. responding to the complaints sent to the Monitoring Committee within the time limit;
- 100.2. submitting reports within the time limit;
- 100.3. the continuity of the Monitoring Committee members' work;

100<sup>1</sup>. In the event of resignation, the Monitoring Committee member must submit their resignation application to the Student Union Board and the Student Parliament. [entered into force 01.07.2020]

101. The Monitoring Committee has one month to resolve complaints, starting from the date when the Monitoring Committee members received said complaint.

102. Complaints are forwarded to the Monitoring Committee by a member of the Student Union Board or an Office member authorized by the Board or the person lodging the complaint. If the complaint is received directly by the Monitoring Committee, the Student Union Board must be informed thereof. [entered into force 01.07.2019]

103. A Monitoring Committee with at least three members is competent to resolve complaints. The majority of the Monitoring Committee's composition must vote in favour of the decision on the complaint. [entered into force 01.07.2020]

104. The Monitoring Committee must inform the complainant, the student representatives and the Student Union Board of the decision on the complaint. If the complaint is satisfied, the Board, on the basis of the Monitoring Committee's decision, must take appropriate measures to resolve the problem. The Board and the Monitoring Committee cannot, however, go beyond its competence. [entered into force 01.07.2020]

105. Disclosure of the complainant's personal data and the contents of the complaint to third parties is prohibited unless the complainant has given written consent for it.

106. At the end of the fall semester, the Monitoring Committee will present an overview of its activities to the Student Parliament. At the end of the spring semester, the Monitoring Committee will present a report to the Student Parliament. The report will be presented both at the last meeting of the leaving Student Parliament and the first meeting of the starting Student Parliament. The report submitted at the end of the spring semester is approved by the Student Parliament.

106.1. A fee of 180 euros will be paid to the Monitoring Committee once per academic year for the approved report. The fee will be distributed equally among the members of the Committee. A Monitoring Committee member may refuse the fee by submitting a written application to the Board. [entered into force 01.07.2020]

106.2. If the Student Parliament doesn't approve the report, it will be noted. No fee will be paid to the Monitoring Committee for the unapproved report. [entered into force 01.07.2020]

[entered into force 01.07.2020]

## **VII<sup>1</sup>. The procedure for appealing against a faculty, institute or college student council's dismissal decision**

### **The appeal procedure's objective, principles and definitions**

106<sup>1</sup>. The appeal procedure is a specific type of administrative procedure established by these Rules of Procedure to determine whether the student council has made a legitimate decision in the dismissal procedure.

No new evidence is presented, collected or evaluated in the appeal procedure.

The principle of investigation is binding to the Appeal Committee, which is obliged to determine the content of the law applicable to the appeal proceedings.

The appellant is a person within the meaning of these Rules of Procedure who contests the student council's dismissal decision by virtue of their right of appeal.

The defendant is the student council whose decision in the dismissal proceedings the appellant wishes to contest.

The Appeal Committee is a three-member temporary impartial committee formed on the initiative of the Board and set up by the Chair of the Appeal Committee, which examines the legality of the defendant's dismissal decision on the basis of the appellant's application.

### **The right of appeal and the grounds for satisfying the appeal**

106<sup>2</sup>. The person to be dismissed can appeal against the student council's dismissal decision within 14 calendar days of the announcement of the dismissal decision by submitting an application to the Board that is reproducible in writing.

The appellant's appeal against the student council's dismissal decision must be satisfied if the student council has committed a significant infringement of the dismissal procedure when making the decision in the dismissal case. The dismissal procedure has been significantly infringed if it is accompanied by an illegal or unjustified dismissal decision. In particular, the following is considered a serious infringement of the dismissal procedure:

1. if the student council has exceeded its competence in the resolution of the dismissal case, as laid down in the Statutes of the Student Body;
2. failure to present their rights and obligations to the person being dismissed in a situation where the dismissal procedure expressly requires it;
3. the person to be dismissed has not been served with the notice of convening a meeting with the agenda containing the dismissal proposal within the time limit;
4. the person to be dismissed has not been able to examine the evidence collected by the student council on any occasion before the dismissal decision;

5. the student council has not allowed an oral hearing of the person to be dismissed in the substantial discussion of the dismissal case or has unjustifiably refused to accept written explanations;

6. the student council has not presented the minutes of their oral hearing to the person being dismissed;

7. the student council has unjustifiably refused to accept the evidence provided by the person to be dismissed;

8. the minutes of the substantive discussion on the dismissal case do not show the evidence collected that the case is based on, as well as the assessment of the probative value or relevance of the evidence collected and its admissibility;

9. the minutes of the dismissal case drawn up by the student council do not show any logical reasons on which the dismissal decision could be made;

10. an offence has been committed to collect evidence, or the evidence collected has been deliberately distorted by a student council member.

### **Forming and forwarding an appeal to the board**

106<sup>3</sup>. To initiate the appeal procedure, the appellant must draw up and submit a timely statement of appeal reproducible in writing to the Board (hereinafter the appeal), stating:

1. the date;
2. their first and last names;
3. [repealed – 13.11.2020];
4. the full name of the student council whose composition the student representative belongs to (hereinafter the defendant);
5. their contact details;
6. whether they want their complaint to be examined in an oral or written proceeding;
7. an explanation on how the defendant significantly infringed the dismissal procedure;
8. an explanation on what kind of decision and why they are requesting from the Appeal Committee;
9. their signature.

The appellant may submit an appeal to the Board electronically or in paper form. A complaint is deemed to have been received by the Board within the time limit if, within 14 calendar days of the date of announcing the dismissal decision, it has:

1. been sent to the e-mail address of at least one Board member or Office staff member and said Office or Board member has confirmed receiving the appeal;

2. been submitted in paper form to the University of Tartu Student Union Office (Ülikooli 18B) and personally handed over to an Office staff member or Board member. The appeal is considered to have been lodged if the Student Union Office member or the Board member marks the date of submitting the appeal onto the appeal in paper form along with their handwritten signature;

3. been sent to the Student Union Office's address (Ülikooli 18B Tartu) by letter. If the appeal has been sent by letter, it is considered timely if it is posted no later than the last date of the time limit for lodging a complaint.

### **Forming an appeal committee and the grounds of competence**

106<sup>4</sup>. After an appeal has been received, the Board will appoint a person responsible for handling the appeal from amongst the Student Union Office or Board members.

Said person will be the Chair of the Appeal Committee, who will be responsible for the entire appeal case from the time of their appointment until the appeal is resolved. The Appeal Committee Chair's mandate starts from the date of their appointment by the Board and ends with the Appeal Committee making a decision in the appeal case.

The Board has the right to change the Appeal Committee's Chair if there is a valid reason for it.

106<sup>5</sup>. The Chair of the Appeal Committee will set up the Appeal Committee immediately after their appointment.

In addition to the Chair of the Appeal Committee, the Appeal Committee will be composed of one Student Parliament member and one Monitoring Committee member.

It is not allowed to appoint persons to the Appeal Committee who have a personal interest in the outcome of the appeal proceedings and members of the student body who were processing the appellant's dismissal case. The Appeal Committee will take decisions that establish rights and obligations on the basis of a majority vote in favour.

Procedural acts of an organisational nature may be carried out solely by the Chair of the Appeals Committee if they are urgent and not intended for giving rights or creating obligations to third parties.

The Appeal Committee has the right to collectively resolve matters not covered by the appeal procedure of these Rules of Procedure in accordance with the general principles of the administrative procedure and the legislation of the Republic of Estonia.

### **Verifying the compliance of the appeal**

106<sup>6</sup>. The Appeal Committee will examine as a matter of priority the time limit for lodging an appeal. If the appeal is not submitted within the time limit, the Appeal Committee will reject the appeal and allow the appellant to submit a request for reinstatement of the appeal period.

The appeal period is reinstated if the appellant was unable to lodge an appeal within the time limit for a valid reason.

If the Appeal Committee identifies significant deficiencies in the contents of the lodged appeal, the Appeal Committee will ask the appellant further questions about the contents of their appeal or return the appeal to the appellant and set an additional time limit for bringing the appeal into compliance.

### **Ways of discussing the appeal**

106<sup>7</sup>. The Appeal Committee will discuss the appellant's appeal in written or oral proceedings, as indicated in the appeal.

Before discussing the appeal, the Appeal Committee will examine all the materials on which the dismissal decision was based. At the request of the Appeal Committee, the student body will submit all the material on which the dismissal decision was based to them.

### **Resolving the appeal in an oral proceeding**

106<sup>8</sup>. If the appellant wishes to resolve the appeal in an oral procedure, the Appeal Committee will determine the time and place for discussing the appeal and will inform the appellant and the defendant accordingly. The Appeal Committee will allow the defendant to examine the appeal before the oral hearing and formulate their position on the appeal by setting a reasonable period of time for the examination.

The defendant will appoint a representative for the oral hearing of the appeal. The defendant may have up to two representatives.

106<sup>9</sup>. The Chair of the Appeal Committee will chair the oral hearing. Before the start of the oral hearing, the Chair of the Appeal Committee will, where necessary, distribute the work between the members of the Appeal Committee if it's necessary for the speedy, economical and smooth running of the hearing.

106<sup>10</sup>. The oral hearing of the Appeal Committee shall be recorded. The minutes must indicate:

1. the time, place and date of the oral hearing of the appeal;
2. the composition of the Appeal Committee;
3. the full name of the appellant;
4. the name of the defendant and the full name(s) of its representative(s);
5. the facts of the appeal to be discussed;
6. a summary of the contents of the appellant's appeal;
7. the defendant's position on the appeal;
8. the questions asked by the Appeal Committee and the appellant's and defendant's answers to them;
9. the decision, which shall be drawn up together with the minutes within three working

days of the oral hearing of the appeal;

10. the signatures of the members of the Appeal Committee.

The minutes will be drawn up and sent together with the decision to the appellant and defendant within three working days of the oral hearing of the appeal. At the end of the oral hearing, the Appeal Committee will send the minutes together with the decision to the contact details provided by the appellant and defendant.

106<sup>11</sup>. At the beginning of the appeal's oral hearing, the Chair of the Appeal Committee will announce the appeal to be discussed and introduce the composition of the Appeal Committee. After that, the appellant's and defendant's presence is verified.

The Appeal Committee will allow the appellant and defendant to submit requests for dismissal regarding the Appeal Committee's composition. The need for dismissal must be justified and proven at the request of the Appeal Committee by the party requesting the dismissal.

The Chair will resolve the request to dismiss a member of the Appeal Committee on the spot. The Board will resolve the request to dismiss the Chair of the Appeal committee based on the appellant's or defendant's dismissal request that's reproducible in writing.

If a member of the Appeal Committee is being dismissed, the oral hearing of the case is suspended, and the Chair will appoint a new time and place for the oral hearing. The Chair will fill the missing member's seat in the Appeal Committee before the new appointed oral hearing of the case. If the dismissal of the Chair of the Appeal Committee is requested, the case's oral hearing will be suspended. The Board will resolve the request to dismiss the Chair as soon as it receives the request and appoints a new Chair in accordance with point 1064 of these Rules of Procedure. The new Chair will contact the members of the Appeal Committee without delay and appoint a new time and place to discuss the case, following the relevant provisions of the appeal proceedings in these Rules of Procedure.

106<sup>12</sup>. At the Appeal Committee's request, the appellant will provide a brief overview of the lodged appeal's contents. The Appeal Committee shall subsequently ask the defendant's opinion on the merits of the appeal. During the oral proceedings, the Appeal Committee has the right to ask the appellant and defendant specifying questions regarding the dismissal case.

The Appeal Committee has the right to interrupt the defendant and appellant at any time, depending on the purpose of the proceedings.

The Appeal Committee will close the oral hearing of the appeal case if it is certain that by the end of the oral hearing, they have gathered the information necessary to resolve the appeal.

### **Resolving the appeal in a written proceeding**

106<sup>13</sup>. If the appeal is resolved in a written procedure, the Appeal Committee will allow the defendant to submit their position on the appeal in writing before the appeal is resolved. The Appeal Committee will set a reasonable time limit for submitting a reply in writing.

The Appeal Committee will resolve the appeal in a written proceeding within five working days of the establishment of the Appeal Committee.

The Appeal Committee may hold consultations for the appeal's written proceeding if it is necessary to resolve the appeal.

Minutes are not drawn up in the appeal's written proceeding. The Appeal Committee will formalise the decision and send it to the appellant and the defendant.

### **The Appeal Committee's powers in resolving the appeal**

106<sup>14</sup>. When examining the appeal, the Appeal Committee has the power to:

1. Satisfy the complaint and declare the decision to dismiss the defendant as unlawful.
2. Dismiss the complaint.

The Appeal Committee's decision must be precise, unequivocal, logical and complete. The Appeal Committee's decision enters into force if the appellant does not use their right to challenge or appeal provided for in these Rules of Procedure or any other legal act within the time limit.

106<sup>15</sup>. Finding a significant infringement of the dismissal procedure results in the annulment of the dismissal decision made by the student body and maintenance of the appellant's mandate.

Identifying a significant infringement of the dismissal procedure will not eliminate the appellant's significant infringements of the obligations arising from their student representative's mandate. The student body has the right to consider the significant infringements of the obligations of a student representative committed by the appellant throughout the duration of the appellant's mandate.

### **VIII. Implementing provisions**

107. The Rules of Procedure will enter into force on 1 January 2016.

108. Until 1 January 2016, the Rules of Procedure adopted with the student body's regulation, which entered into force on 1 January 2014, will apply.

109. Amendments to the Rules of Procedure made before [the date of entry into force] require a 2/3 majority vote of the Student Union's composition; after [the date of entry into force], it requires a 2/3 majority vote of the Student Parliament. With the Student Parliament's 12.11.2020 decision, making amendments to the Rules of Procedure requires a majority vote of the Student Parliament, starting from 13.11.2020.