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# “MIHAI VITEAZUL” NATIONAL INTELLIGENCE ACADEMY

## METHODOLOGY FOR ELECTING THE REPRESENTATIVES OF DOCTORAL STUDENTS AND POSTDOCTORAL RESEARCHERS FOR THE ACADEMIC MANAGEMENT STRUCTURES

Approved in the “Mihai Viteazul” National Intelligence Academy’s meeting on  
April 26<sup>th</sup>, 2023

BUCHAREST, 2022  
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## **1. Legal Basis**

### **Art. 1.**

The legal basis for this *Methodology* is represented by:

1. Law of National Education no. 1/2011, with subsequent additions and amendments;
2. Order no. 3.666/30.03.2012 on Students' Rights and Obligations Code;
3. Government Decision no. 206/1995 on the reorganization of the National Intelligence Institute as National Intelligence Academy, with subsequent additions and amendments;
4. Government Emergency Ordinance no. 41/2016 on setting simplifying measures within the central public administration, as well as for amending and supplementing certain legislative acts, with subsequent additions and amendments;
5. Order no. 3.751/2015 to approve the framework Methodology for setting and electing the management structures and positions within the national higher education system;
6. University Charter of "Mihai Viteazul" National Intelligence Academy;
7. Regulation on the organization and functioning of "Mihai Viteazul" National Intelligence Academy' Senate, 2022;
8. Regulation on the organization and functioning of the Council for Doctoral University Studies (2022);
9. Regulation on organization and functioning of the Intelligence and National Security Doctoral School (2022);
10. Internal Regulations of the Romanian Intelligence Service.

## **2. General Provisions**

### **Article 2.**

- (1) This Methodology sets the election process for the representatives of doctoral students and postdoctoral researchers within "Mihai Viteazul" National Intelligence Academy (ANIMV) for the academic management structures, in order to support and defend the rights and interests of doctoral students and postdoctoral researchers, by complying with the representation principle stated by the Law of National Education no. 1 of 2011, with subsequent additions and amendments, and by the Order no. 3.666/30.03.2012 on approving the Code of students' rights and obligations.
- (2) The election of the representatives of doctoral students and postdoctoral researchers within the academic management structures of ANIMV is done by universal, direct and secret voting using a classical system based on ballots or by electronic voting.
- (3) The appointed doctoral students or postdoctoral researchers are rightfully legal representatives of the doctoral students and postdoctoral researchers' interests within the ANIMV academic community.
- (4) The ANIMV management does not get involved in the organization of the election process for the representatives of doctoral students and postdoctoral researchers

within the ANIMV management structures.

**Art. 3.**

- (1) The complete mandate of the representatives of doctoral students and postdoctoral researchers within ANIMV management structures lasts one academic year. The mandate of the representatives of doctoral students and postdoctoral researchers is usually between 1<sup>st</sup> of March and 28<sup>th</sup> of February.
- (2) In unexpected situations, the mandate of the representatives of doctoral students and postdoctoral researchers within ANIMV management structures may be reduced, as a partial mandate, or it may be extended, as an extended mandate. These unexpected situations may be decided and justified by each academic management structure and the mandates are to be reduced or extended with approval of the doctoral students and postdoctoral researchers.
- (3) The election of the representatives of doctoral students and postdoctoral researchers within ANIMV management structures are usually being organized at least 30 days prior to the expiration of the regular mandate of the management structure or whenever the seat of the representative of the doctoral students in that management structure becomes vacant, but not later than 10 days since its vacancy.
- (4) The number of doctoral students and postdoctoral researchers represented within each ANIMV management structure is stated in the functioning regulations of those structures and by specific decisions of those academic management structures.

**Art. 4.**

- (1) The representatives of doctoral students and postdoctoral researchers carry out activities to support and defend the rights and interests of doctoral students and postdoctoral researchers, which do not contradict the regulations, the laws in force and the majority rights.
- (2) The representatives of doctoral students and postdoctoral researchers within ANIMV management structures have the following rights:
  - a) To be informed in due time about the date and time of the meetings, the place, the agenda, the projects for the decisions of the academic management structures and for the documents under discussion;
  - b) To exercise their right to vote according to their own believes;
- (3) The representatives of doctoral students and postdoctoral researchers within ANIMV management structures have the following obligations:
  - a) To participate in the meetings of the academic management structures they were elected to;
  - b) To promote the interests of the doctoral students and postdoctoral researchers, with proposals for an adequate conducting of the education and research process;
  - c) To disseminate among the doctoral students and postdoctoral researchers the data concerning the decisions made by the academic management structures;
  - d) To propose the updating of procedures, methodologies and regulations that influence the professional activities of doctoral students and postdoctoral researchers at ANIMV.

**Art. 5.**

- (1) It is forbidden both to condition the vote of representatives of doctoral students and postdoctoral researchers within the academic management structures and to demand a justification of the vote casted during the meeting of these structures.
- (2) In the case of breaching of these regulations, the representatives of doctoral students and postdoctoral researchers within the academic management structures are required to announce ANIMV, SRI and Foreign Minister structures, according to the laws in force.

### **3. Election Committee for the elections of representatives of doctoral students and postdoctoral researchers**

#### **Art. 6.**

- (1) The election for the representatives of doctoral students and postdoctoral researchers is organized by an Election Committee consisting of 3 members of which one is the chairman. This Committee may consist of doctoral students or postdoctoral researchers enrolled in doctoral university study programs or in advanced research postdoctoral ones.
- (2) The chairman of the Election Committee coordinates its entire activity and submits the election results to be approved by CSD, CSUD and by the Senate, as necessary.
- (3) The Committee membership is established at least 15 days prior to the election due date and is recorded in the order of the day per unit by the Doctoral School Secretariat.

#### **Article 7.**

- (1) The Election Committee has the following attributions:
  - a) It is in charge of the good organization and conducting of the election of the representatives of doctoral students and postdoctoral researchers within ANIMV's university management;
  - b) It informs the doctoral students and postdoctoral researchers about the election of the representatives of doctoral students and postdoctoral researchers using ANIMV official communication channels: animv.eu platform, internal communication network;
  - c) It demands from the Doctoral School Secretariat, at least 10 days prior to the election due date, the lists of eligible doctoral students and postdoctoral researchers and of those enrolled in doctoral university study programs or in advanced research postdoctoral ones;
  - d) It draws up the lists of candidates and electors and publishes them using official ANIMV communication channels - animv.eu platform, internal communication network, displaying means - at least 5 days prior to the election due date;
  - e) With the support of Doctoral School Secretariat, it draws up ballots, when using a traditional voting system, and multiplies them according to the number of electors;
  - f) It verifies the number of ballots and the accuracy of the data written on them;
  - g) It verifies the ballot box making sure it is empty and seals it with the seals of 2

- Election Committee members;
- h) It verifies the vote stamps making sure it is imprinted the term "VOTED";
  - i) It verifies the vote cabins making sure it allows the vote to be confidential;
  - j) It carries out any other activity needed for a proper organization of the voting process;
  - k) It opens and closes the voting station at due hours;
  - l) It verifies the identity of each voter based on his/ hers ID card and finds him/her on the voting list;
  - m) It gives the ballot and the voting stamp to the person who is to vote;
  - n) It makes sure that, after voting, the ballots are introduced in the ballot box and gives back the ID card to the voter after receiving the voting stamp;
  - o) It unseals the ballot box after the voting station is closed;
  - p) It verifies each ballot, selecting the valid ones out of the invalid ones and counts the number of votes received by each candidate.

#### **4. Conducting the elections of representatives of doctoral students and postdoctoral researchers**

##### **Art. 8.**

- (1) For each process of election of the representatives of doctoral students and postdoctoral researchers, the academic management structure that will hold the election sets by its own decision an election calendar (Annex no. 1) at least 30 days prior to the date when that mandate of that structure ends or no longer than 10 days after the vacancy of a position for doctorand student within that management structure.
- (2) The candidacies of doctoral students and postdoctoral researchers are submitted directly or by e-mail at the Doctoral School Secretariat within the set term, according to the election calendar, and are registered according to the ANIMV's internal rules (Annex no. 2).
- (3) The candidacies are verified by an Election Committee that establishes the candidates' validity.
- (4) The doctoral students and postdoctoral researchers who are enrolled in the advanced university studies or in an individual research programs have the right to run for the vacant positions within ANIMV academic management structures.
- (5) During the period of break or grace, doctoral students and postdoctoral researchers have the right to elect the candidates for the vacant positions.
- (6) The following students cannot run in the elections:
  - a) The doctoral students and postdoctoral researchers during a period of break or of grace;
  - b) The doctoral students and postdoctoral researchers who have been sanctioned for deviations from the academic behavior, according to the national legislation;
  - c) The doctoral students and postdoctoral researchers who have been disciplinary sanctioned for deviations from the professional behavior, according to the national legislation;
  - d) The doctoral students and postdoctoral researchers who do not comply with the

enrollment procedure for vacant positions;

- e) The doctoral students and postdoctoral researchers who have accumulated more than 4 academics with doctoral students and postdoctoral researchers, doctoral students and postdoctoral researchers in different management structures.

(7) Candidates invalidated by the election committee may notify ANIMV, SRI and Foreign Minister's structures, according to the legislation in force.

**Art. 9.**

- (1) When the elections are conducted using a traditional ballot system, the voting is carried out by applying the voting stamp on the ballot, in the box containing the name of the candidate who is to be elected
- (2) On the stamp there is inscribed the word "VOTED";
- (3) A ballot is to be canceled, after the voting, if:
  - a) It was not stamped;
  - b) There are more stamps on the ballot than the number of vacant positions for which the round of elections is organized;
  - c) The ballot was stamped outside the boxes or it was stamped or twice or more than two times in the same box;
  - d) Any other writings or graphical marks appear on the ballot, except for the stamp "VOTED".

**Art. 10.**

- (1) In case of electronic, on-line elections, the voting shall be conducted on the animv.eu platform via Google Forms app.
- (2) The voting form generated via Google Forms app will be set so as it does not collect the electors' e-mail addresses, thus insuring the electronic vote confidentiality.
- (3) To carry out the electronic vote a standard "multiple responses" form is being created. Each candidate will receive within the form the question: "Do you agree to choose DS./PD.RSR. Surname. Name for [ANIMV academic management structure]?" and the answer choices "YES" and "NO".
- (4) The voting is conducted by choosing the box corresponding to the answer "YES" or "NO", for each candidate, at the elector's choice.
- (5) After having completed all the options, the electronic voting form is sent by choosing the "Send" button.
- (6) An electronic voting form is to be canceled after its sending if:
  - a) Neither "YES" or "NO" option has been selected for a candidate;
  - b) Options "YES" and "NO" were simultaneously selected for all candidates;
  - c) The sender mentioned his/ her identity in any way.

**Art. 11.**

- (1) The elections are considered valid regardless of the number of doctoral students

and postdoctoral researchers who cast their vote.

- (2) After the voting procedure is closed, the election committee will proceed to record the number of votes received by each candidate, in descending order, and will let the candidates know the voting results the same day, by ANIMV official communication means: animv.eu platform, internal communication network, displaying means.
- (3) The candidate who received the highest number of votes out of the total valid votes, in descending order, are appointed representatives in ANIMV academic management structures.
- (4) In the event that two or more candidates with the same number of votes rank last, the election committee will let those candidates know that a drawing of lots will be carried out to appoint one of them as representative of doctoral students and postdoctoral researchers in the academic management structures. The drawing of lots will be conducted by the election committee's chairman in the presence of the candidates having the same number of votes.
- (5) In the event that the vote was conducted using an electronic system, on-line, the drawing of lots may be carried out while the candidates having the same number of votes are on-line, or it may be carried out using an electronic system for random selection, if the candidates having the same number of votes agree.
- (6) The election committee shall register the final result of the voting in minutes addressed to CSD, CSUD, ANIMV Senate and, if necessary, registered at the Doctoral School Secretariat.
- (7) The minutes are to be signed by the election commission's chairman and members and is to be recorded according to internal regulations by the Doctoral School Secretariat.
- (8) Possible appeals regarding the election process for the representatives of doctoral students and postdoctoral researchers within the academic management structures may be filled to the ANIMV, SRI and Foreign Minister's structures, in accordance with the legislation in force.

**Art. 12.**

- (1) The results of the election are endorsed by CSD, CSUD, submitted to the ANIMV Senate to be validated, based on the minutes drawn up by the election committee and based on specific decisions made by CSD and CSUD.

**Art. 13.**

- (1) The representative of doctoral students and postdoctoral researchers elected in ANIMV academic management structures begins his/ her mandate after the ANIMV Senate validate the results.
- (2) The status of representative of doctoral students and postdoctoral researchers within ANIMV academic management structures shall cease:
  - a) on 28<sup>th</sup> (29<sup>th</sup>) of February each academic year;
  - b) when the mandate of the management structure ceases;
  - c) when graduating the university doctoral study program or the advanced research

- postdoctoral program;
- d) when a written declaration of relinquishing the status of member in ANIMV academic management structures is submitted;
  - e) when the ANIMV Senate approves a request for revocation for duly justified reasons.

## **5. Final Provisions**

### **Art. 14.**

- (1) This *Methodology* comes into force on the date of its approval by the ANIMV Senate.
- (2) This *Methodology* is updated as often as necessary and when legislation amendments occur.
- (3) On the date of the coming into force of this *Methodology* any other provisions opposite to it are repealed.
- (4) This *Methodology* is amended by the ANIMV Senate Decision no. 12 (2022-2023).

**Activities calendar for organization and conduct of the elections for representatives of doctoral students and postdoctoral researchers within the [academic management structure]**

No.	Activity	Term
1.	Setting up the Election Committee	At least 15 days prior to the election date
2	The Election Committee makes public the lists of elector doctoral students and postdoctoral researchers	At least 10 working days prior to the election date
3.	Students submitting the candidacies	At least 5 working days prior to the election date
4	The Election Committee validates the candidacies and makes public the list of candidates	At least 5 working days prior to the election date
5	Possible invalidated candidates submit their appeals	At least 3 working days prior to the election date
6	The Election Committee addresses the possible appeals submitted by invalidated candidates	At least 1 working day prior to the election date
7	Conduct of the elections announced date	On the set and
8	The Committee counts the votes and draws up the minutes regarding the election conduct and results of the elections and displays it / sends it to the students	No later than 2 working days after the closing of the voting process
9	Submitting the possible appeals regarding the conduct of the elections and their results	No later than 1 working day after displaying/ sending the minutes to the students
10.	The Committee addresses the possible appeals regarding the conduct of the elections and their results	No later than 2 days after having received the appeals
11.	Communicating to CSUD and CSD the elections results and the minutes	No later than 2 days after the elections have ended or the appeals have been addressed, as necessary

**To the Election Committee for organization and conduct of the  
elections for representatives of doctoral students and  
postdoctoral researchers within the  
ANIMV [academic management structure]**

I, the undersigned ....., doctoral student enrolled in ..... year for the  
doctoral university study program ....., I express my intention to  
run for one of the vacant positions for representative of doctoral students and postdoctoral  
researchers within CSUD/CSD.

Date

Signature,

