



THE STATUTE

**OF THE SLOVAK ACCREDITATION AGENCY
FOR HIGHER EDUCATION**

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The Executive Board of the Slovak Accreditation Agency for Higher Education (hereinafter referred to as the "Executive Board ") approved on 17 April 2019 according to Sec. 7 par. 10 letter d) point 1 of Act no. 269/2018 on Quality Assurance in Higher Education and on Amendments to the Act no. 343/2015 Coll. on Public Procurement and Amendments to Certain Acts, as amended later regulations (hereinafter referred to as the "Act") this Statute of the Slovak Accreditation Agency for higher education (hereinafter referred to as "the Statute"):

PART I.

Introductory provisions

Article 1

Introductory provisions

1. Slovak Accreditation Agency for Higher Education (hereinafter referred to as the "Agency") was established by Act as an independent public entity carrying out external quality assurance activities of higher education.
2. In its activities, the Agency shall be governed by the Act, other generally binding legal regulations of the Slovak Republic, Standards and Guidelines for quality assurance in the European Higher Education Area, and by this Statute.
3. The Statute shall govern in particular the basic structure of the Agency, its bodies, and activities.
4. Definitions and terms in this Statute are used by the Act.

Article 2

Name and the seat of the Agency

1. The full name of the Agency is: "Slovak Accreditation Agency for Higher Education", in Slovak "Slovenská akreditačná agentúra pre vysoké školstvo".
2. The seat of the Agency shall be Bratislava, Slovak Republic.
3. The Agency shall be a legal entity and shall act on its behalf in legal relations.

Article 3

Scope of the Agency

1. The Agency shall in particular:
 - a) decide on:
 1. the compliance of the internal system of the higher education institution and its implementation with the Standards for the internal system¹
 2. granting or non-granting of accreditation of a study programme,
 3. granting, non-granting, or withdrawal of accreditation of habilitation procedure and inaugural procedure,
 4. the imposition of a corrective measure,
 5. the termination of the procedure for the application for consent to act as a private higher education institution,
 6. objection of bias against the composition proposal of the working group;

¹ Sec. 3 of the Act

- b)** provides the Ministry of Education, Science, Research and Sport of the Slovak Republic (hereinafter referred to as "the Ministry of Education")
 1. a statement on the application for state consent,
 2. incentives to modification of the standards,
 3. comments on proposals concerning higher education;
 - c)** maintain a list of
 1. the reviewers from whom the Executive Board sets up the working groups,
 2. legal entities that are members of the European Association for Quality Assurance in Higher Education or are registered in the European Quality Assurance Register for Higher education and their evaluation reports for assessment of the compliance with the internal system and its implementation with the Standards for the internal system are automatically recognized by the Agency;
 - d)** monitor compliance with the standards;
 - e)** issues
 1. Standards,
 2. Methodology for standards evaluation,
 3. Principles for registration in the list of reviewers, which adjust in particular the procedure for the registration in the list of reviewers and requirements for the registration of reviewers;
 - f)** makes an entry in the register of study fields and the register of study programmes;
 - g)** draw up
 1. Tariff proposal of fees for the Agency's activities (hereinafter referred to as the "fee tariff") and a proposal for its amendment,
 2. Analysis of the development of the higher education system in the Slovak Republic including the analysis of internal evaluation reports on internal systems,
 3. Annual report on the Agency's activities and management;
 - h)** publish on its website²
 1. Standards and Methodology for standards evaluation,
 2. Internal regulations and rules of the Agency,
 3. Tariff of fees,
 4. Samples of applications according to Sec. 21 par. 1 letter a) and b) of the Act and the internal evaluation report including the form and manner of their delivery,
 5. Information on the commencement of proceedings according to Sec. 21 par. 1 of the Act,
 6. Complete applications according to Sec. 21 par. 1 letter a) and b) of the Act,
 7. Evaluation reports of the working groups after discussion in the Executive Board,
 8. The basis for the decision or the opinion of the Agency and the opinion of the Agency Opposition Assessment Board (hereinafter referred to as the „Board of Appeal“),
 9. Decisions of the Agency and statements of the Agency on applications according to Sec. 21 par. 1 letter b) of the Act,
 10. Statements of the Board of Appeal according to Sec. 22 par. 2 of the Act,
 11. Resolutions of the authorities of the Agency;
 - i)** perform business activities according to Sec. 20 par. 7 of the Act.
- 2.** The Agency is obliged to:
- a)** request an evaluation of its activities from the European Association for Quality Assurance in Higher Education at least every five years;
 - b)** ensure demonstrable professional development of its employees, members of its bodies, and reviewers within the Agency's remit;
 - c)** publish the Proposal of principles for registration in the list of reviewers, exclusion from the list of reviewers, and creation of the working groups of the Executive Board on its

² www.saavs.sk

- website for at least 30 days, evaluate the comments received during this period and publish their evaluation together with the approved text of the principles;
- d) publish the Tariff proposal of fees and the proposal to change it on its website for at least 30 days, evaluate the comments received during this period and their evaluation together with a proposal to submit to the Ministry of Education;
 - e) immediately inform the Ministry of Education and the bodies representing universities of any proposal it publishes on its website;
 - f) deposit the annual accounts and the annual activity and economy report of the Agency in a public part of the register of accounts; financial statements within the period according to a special regulation³, the annual activity and economy report of the Agency by 30 June.

PART II.

Agency authorities and advisory authorities

Article 4

Agency Authorities

1. The Agency authorities according to Sec. 5 of the Act consist of:
 - a) Chair of the Executive Board,
 - b) Vice-Chair of the Executive Board,
 - c) the Executive Board,
 - d) Agency Opposition Assessment Board (hereinafter referred to as the „Board of Appeal“),
 - e) Agency Controller,
 - f) Head of Agency.

Article 5

Chair of the Executive Board

1. The Chair of the Executive Board shall be the statutory body of the Agency.
2. The Chair of the Executive Board shall manage the Agency, act on its behalf, and represent it externally.
3. The Chair of the Executive Board shall be appointed and excluded by the Minister of Education, Science, Research and Sport of the Slovak Republic (hereinafter referred to as the “Minister of Education”) based on a selection process and under conditions laid down in the Act.
4. The term of office of the Chair of the Executive Board shall be six years.
5. The resignation of the Chair of the Executive Board shall at the same time constitute the resignation of membership of the Executive Board.
6. If the Chair of the Executive Board terminates his/her term of office before the expiry of his/her term of office as a member of the Executive Board, the Vice-Chair of the Executive Board shall perform the functions of the Chair of the Executive Board until a new Chairman is appointed.
7. The Chair of the Executive Board shall be represented in his/her absence by the Vice-Chair of the Executive Board. The absence of the Chair of the Executive Board means a period longer than 5 working hours days unless it is a matter which cannot be postponed.

Article 6

Competencies of the Chair of the Executive Board

The Chair of the Executive Board shall in particular:

1. performs management and decision-making activities, unless they have been entrusted by the Act or internal regulation of the Agency to the Executive Board or the Board of Appeal. In the

³ Act no. 431/2002 Coll. on Accounting

context of this activity, it shall, in particular, issue guidelines, orders, notices, and other normative and internal management acts to ensure the proper performance of the Agency's activities;

2. ensures the performance of the function of the employer in labor relations concerning the Agency;
3. convene and chair the meetings of the Executive Board;
4. ensure the elaboration and submission to the Executive Board for approval of:
 - a) Statute proposal or its amendments,
 - b) Standards proposal or their amendments,
 - c) Proposal of methodology for standards evaluation or their changes,
 - d) other relevant materials;
5. submit to the Minister of Education a proposal for the appointment of the Vice-Chair of the Executive Board from among the members of the Executive Board;
6. appoints and dismisses the Head of Office;
7. is responsible for the efficient and effective use of funds under the relevant provisions of the Act and their settlement with the state budget and for the management of the Agency's assets;
8. represents the Agency externally in international relations; if the Agency is a member of an international organisation, it shall be represented by the Chair of the Executive Board or a member of the Executive Board or his employee authorized by him;
9. signs the Agency's internal rules and decisions approved by the Executive Board within its remit; however, they shall not sign them if they are unlawful;
10. appoints and dismisses the Chair and members of the working groups after approval by the Executive Board;
11. establishes permanent or temporary advisory bodies to the Chair, as a general rule, to prepare documents for decision-making by the institutions, preparation of documents for methodological or analytical work of a recommendatory nature.

Article 7

Vice-Chair of the Executive Board

1. The Vice-Chair of the Executive Board shall represent the Chair of the Executive Board in his/her absence.
2. The term of office of the Vice-Chair of the Executive Board shall be six years.
3. If the Vice-Chair of the Executive Board terminates his term of office before the expiry of his/her term of office as a member of the Executive Board and the position of Chair of the Executive Board is vacant, the Vice-Chair of the Executive Board shall perform the duties of Chair of the Executive Board fully appointed by the Minister of Education.
4. The Vice-Chair of the Executive Board may resign without leaving the Executive Board.

Article 8

Executive Board

1. The Executive Board shall consist of nine members, including the Chair and Vice-Chair of the Executive Board.
2. The term of office of a member of the Executive Board shall be six years. The same person may serve as a member of the Executive Board for a maximum of two terms.
3. A member of the Executive Board may not be appointed as a member of the Board of Appeal within the following four years after the termination of his/her term of office.
4. After the termination of membership in the Executive Board, the Minister of Education shall be nominated by the appointment of a new member to whom the current member of the Executive Board has been or should have been appointed under the relevant provision of the Act; this does not apply in the case of the Chair of the Executive Board.

Article 9

The powers of the Executive Board

1. The Executive Board shall in particular:
 - a) take decisions according to Sec. 4 par. 2 letter a) of the Act,
 - b) receive statements according to Sec. 4 par. 2 letter b) of the Act,
 - c) approve standards proposals and proposals for their amendment,
 - d) approve the methodology for the standards evaluation and proposals for its modifications,
 - e) approve the Tariff proposal of fees and proposals for its changes before submitting the tariff for approval to the Ministry of Education,
 - f) approve the budget proposal of the Agency,
 - g) approve the financial statements proposal and the distribution of the economic result or the settlement of the economic result,
 - h) approve the annual activities and economy report proposal of the Agency,
 - i) approve the Agency's internal regulations and amendments thereto, including;
 1. the Statute of the Agency, on a proposal from the Chair of the Executive Board,
 2. the Rules of Procedure of the Agency,
 3. the Organisational Rules of the Executive Board,
 4. Regulation of conflicts of interest of members of collective bodies, members of working groups of the Executive Board and Agency staff,
 5. the Agency's internal quality assurance system,
 6. Principles for registration in the list of reviewers, exclusion from this list, and creation of working groups of the Executive Board
 7. the Agency's management rules and rules for conducting business,
 - j) register persons to the list of reviewers and exclude them from the list,
 - k) supervise compliance with the internal quality assurance system of the Agency's activities,
 - l) methodically manage and direct, manage and coordinate the activities of working groups,
 - m) establish permanent or temporary advisory bodies,
 - n) perform other tasks under the act or the internal regulations of the Agency.
2. The convening, conduct, and manner of deliberations of the Executive Board shall be specified in the Rules of Procedure of the Executive Board.

Article 10

Board of Appeal

1. The Board of Appeal shall examine the procedures of the Executive Board and the working groups based on the objections lodged by the participant od procedure to the decisions or statements of the Executive Board.
2. The Board of Appeal shall have five members and two alternates, who shall be appointed and excluded by the Minister for Education.
3. The term of office of a member of the Board of Appeal shall be four years. The same person may serve as a member of the Board of Appeal for a maximum of two terms.
4. A member of the Board of Appeal shall, in addition to the reasons specified in the relevant provisions of the act, be replaced by an alternate for the following reasons:
 - a) if the member concerned notifies the Board of Appeal of a conflict of interest in the case under discussion or the Board of Appeal decides to exclude a member of the Board of Appeal from the hearing due to a conflict of interest,
 - b) during the period of incapacity for work or absence of a member of the Board of Appeal, if such a member persists more than 30 consecutive calendar days,

- c) if the member concerned notifies the Board of Appeal that, for any reason, it shall not attend the activities or meetings of the Board of Appeal for more than 30 consecutive calendar days,
 - d) a member of the Board of Appeal has resigned or his/her term of office has otherwise ceased until a new member of the Board of Appeal has been appointed.
5. In the event of the replacement of a member of the Board of Appeal by an alternate within the meaning of this point of the Statute, the alternate shall have the status of a full member of the Board of Appeal for as long as the reason for replacing the member of the Board of Appeal lasts.
 6. The convening, conduct, and manner of deliberations of the Board of Appeal shall be specified in the Rules of Procedure of the Board of Appeal. The rules of procedure of the Board of Appeal shall be approved by the Board of Appeal, after the prior opinion of the Executive Board.

Article 11 Agency Controller

1. The Agency Controller is appointed based on the results of the selection process and dismissed by the Minister of Education.
2. The Agency Controller shall in particular:
 - a) control the management and economy of the Agency,
 - b) give an opinion on annual activities and economy report within 15 days;
 - c) comment on the financial statements within 15 days,
 - d) submit proposals to the Chair of the Executive Board to eliminate the identified deficiencies,
 - e) perform other tasks under the act or the internal regulations of the Agency.
3. In carrying out his/her activity, the controller shall be entitled to request information and explanations from the relevant bodies of the Agency, their members, and the staff of the Agency and to consult all the Agency's accounting records and other documents to the extent specified in law.
4. The controller has the right to attend meetings of the Executive Board if the Executive Board discusses the proposal of financial statements, the proposal of annual activity and economy report of the Agency for the calendar year or other funding and management materials agencies.
5. The term of office of the controller is four years. The same person may perform the position of the controller for a maximum of two terms

Article 12 Head of Office

The head of the office in particular:

1. ensures the proper running of the Agency, including the administrative, technical, spatial, and personnel provision,
2. manages the Agency's office based on the instructions and to the extent determined by the Chair the Executive Board,
3. submits to the Executive Board the budget proposal of the Agency and the proposal for the distribution of the economic outturn or adjustment of the outturn of the Agency,
4. submits to the controller and the Executive Board the accounts proposal and the proposal of annual activities and economy report of the Agency,

5. performs other tasks assigned to him/her by law, this Statute, or other internal regulations of the Agency.

Article 13

Working group

1. The Executive Board to assess a specific application or examine a complaint sets up the working groups of persons from the list of reviewers in a manner and for conditions specified in the law.
2. The working group shall be appointed and excluded by the Chair of the Executive Board, together with the former with the consent of the Executive Board.
3. The composition of the working group shall take into account the type of procedures.
4. Principles for registration to the list of reviewers, exclusion of the list of reviewers, and creation of the working groups shall be determined by the Agency's internal regulations.
5. The proceedings of the working group shall be governed by the law and the relevant methodology of the Agency.

PART III.

Common provisions on the Agency authorities and the Working group

Article 14

1. The Executive Board and the Board of Appeal shall adopt their conclusions by resolution only at their meetings; in the case of the creation of a working group, a resolution may be adopted outside the meeting. The resolution of the Executive Board shall be adopted if at least seven members of the Executive Board vote in favor. The resolution of the Board of Appeal shall be adopted if an absolute majority of all the members of the Board of Appeal votes in favor.
2. Manner and form of adoption of resolutions from meetings, including resolutions adopted per roll, shall be specified in the Rules of procedure of the competent authority.
3. A member of the Executive Board, a member of the Board of Appeal, the Controller, and a member of the Working Group shall be required to act independently; that is, it is not bound by the orders of the person who nominated him/her for the position, or the person who appointed him to the position.

Article 15

Incompatibility of functions

1. The function of a member of the Executive Board, a member of the Board of Appeal, the controller and the head of office shall be incompatible with the duties provided in the relevant provisions of the law.
2. The Chair of the Executive Board may not engage in any other business or be a member of the management, supervisory or control bodies of legal entities carrying on business, to the extent provided in the Public Works Act.
3. The function of the Chair and the Vice-Chairman of the Executive Board, the function of a member of the Board of Appeal, who was appointed under the provisions of Sec. 9 par. 5 of the Act and the function of the head of the office is incompatible with an employment relationship or other employment relationship with a university in the territory of the Slovak Republic.
4. The function of a member of the Executive Board shall be incompatible with that of a member of the Board of Appeal, the function of controller, and head of office. The function of a member

of the Board of Appeal is incompatible with the function of controller, and with the function of the head of office. The function of head of office is incompatible with the function of the controller.

5. If a person is to become a member of the Executive Board, a member of the Board of Appeal, a controller or the Head of the Office and performs a function or activity incompatible with that function, he/she shall terminate such function or activity no later than the date of appointment. A member of the Executive Board, a member of the Board of Appeal, the Controller, and the Head of the Office shall be obliged to notify in writing within 30 days of his appointment that he/she fulfills the conditions for the incompatibility of his/her function. A member of the Executive Board, a member of the Board of Appeal, and the Controller shall deliver a written notice to the Minister of Education that he/she meets the conditions for the incompatibility of his/her function. The Head of office shall deliver written notification to the Chair of the Executive Board that he/she fulfills the conditions for incompatibility of his/her function.
6. A member of the Executive Board, a member of the Board of Appeal, the Controller, and the Head of the Office may not be registered in the list of reviewers. The Agency shall exclude from the list of the reviewer, the person who has been appointed as a member of the Executive Board, a member of the Board of Appeal, a Controller, or the Head of the Office.

PART IV.

Common provisions on the Agency authorities and the Working group

Article 16

Performance of the Agency

1. Within the extent of its competence, the Agency performs the activities specified in the provision of Sec. 4 par. 2 and other relevant provisions of law. In performing these activities, the Agency conducts proceedings under Part 3 of the Act.
2. The Agency has the obligations specified in the provisions of Sec. 4 par. 3 and other relevant provisions of law.
3. The Agency shall conduct proceedings, in particular in respect of the accreditation of the study programme, the accreditation of the habilitation procedure, and the procedure for the appointment of professors (hereinafter "Inaugural procedure").
4. The Agency shall initiate proceedings under the relevant provisions of the law upon application or on its own initiative.
5. The Agency shall initiate proceedings on its own initiative by the decision of the Chairperson of the Executive Board Board or Head of Office.

Article 17

Principles of the Agency

The Agency, its employees, members of the bodies, working groups, and external collaborators shall adhere to the principles of transparency, objectivity, impartiality, equal and fair treatment. They refrain from conflicts of interest and act with a high moral and ethical approach.

Article 18

Regulations issued by the Agency

1. The Agency shall issue its internal regulations and rules, in particular:
 - a) the Statute of the Agency,

- b) the Organisational rules,
 - c) the Rules of Procedure of the Executive Board,
 - d) Accreditation Standards,
 - e) Methodologies for Standards evaluation,
 - f) the Regulation of conflicts of interest of members of the collective bodies, members of working groups of the Executive Board and Agency staff,
 - g) the Agency's internal quality assurance system,
 - h) Principles for registration in the list of reviewers, exclusion from this list, and creation of working groups of the Executive Board
 - i) the Agency's management rules,
 - j) Tariff of fees,
 - k) other documents.
2. The Chair of the Executive Board of the Agency may issue its own rules, in particular for smooth and operational provision of the organisation.

Article 19 Remedy

1. A participant of the procedures has the right to object to the decision or statement of the Agency (hereinafter referred to as "objections") within the period and in the manner specified by law.
2. The Agency's office shall be responsible for the organisational, material and technical provision of the opposition proceedings under the law.
3. Decisions or other documents of the Agency in opposition proceedings under the law, other than a decision on the matter or a decision entrusted by law to the Board of Appeal, shall be issued and signed by the Chair of the Board of Appeal.
4. A written copy of the decision taken by the Board of Appeal shall be drawn up by the Chair of the Board of Appeal or a member of the Board of Appeal authorized by him/her or, on his/her behalf, the office of the Agency and signed by the Chair of the Board of Appeal.

PART V.

Financing and management of the Agency

Article 20

1. The Agency's funds shall be kept in accounts with the State Treasury. The funds related to the business activity are kept by the Agency in a separate account in the State Treasury.
2. The Head of Office shall keep the accounts and management of the Agency.
3. The Agency shall operate under the revenue and expenditure budget, the proposal of which for the following calendar year shall be submitted by the Head of office to the Executive Board by 31 October of the calendar year concerned and approved by the Executive Board. If the Executive Board does not approve the revenue and expenditure budget until 31 December of the calendar year concerned, the Agency shall operate until approved by the proposal revenue and expenditure budget submitted by the Head of office, subject to the agreement of the Executive Board.
4. The Head of the office shall submit to the controller the accounts proposal and the proposal of the annual activities and economy report of the Agency and operations for the calendar year by 31 March of the following calendar year at the latest and to the Executive Board no later than 30 days after receipt.

5. A proposal for the distribution of the economic outturn or the adjustment of the economic outturn shall always be submitted by the Head of the office to the Executive Board together with the accounts proposal and the proposal of annual activities and economy report of the Agency activities and operations if the Chair of the Executive Board decides otherwise.
6. Legal acts relating to the assets of the Agency shall be performed by the Chair of the Executive Board with the prior consent of the Executive Board if this is required by applicable law.
7. The Agency is authorized to conduct business activities to the extent provided by law. The Agency's business is managed by the Chair of the Executive Board or, on his/her behalf, by the Head of office.
8. The Head of office shall ensure the keeping of clear accounting records of income and expenses from business activities under the law and shall make this available on request to any member of the Executive Board and the controller together with the provision of the necessary information.

PART VI.

Final provisions

Article 21

1. This Statute shall enter into force on the day following its approval by the Executive Board.
2. Immediately after the entry into force of the Statute, two members whose term of office is two years from the date of appointment and two members whose term of office is four years from the date of appointment shall be chosen by lot from among the other members of the Executive Board; the term of office of the remaining members of the Executive Board shall be six years. The draw shall be organized by the Chair of the Executive Board directly at a meeting of the Executive Board to ensure transparency and equal treatment of all members of the Executive Board.
3. The first rules of procedure of the Board of Appeal shall be adopted by the Executive Board. The rules of procedure proposal of the Board of Appeal shall be submitted by the Chair of the Executive Board.
4. Amendments to the Statute must be adopted by the Executive Board on a proposal from the Chair of the Executive Board.

Article 22 Effectiveness

This Statute was approved at the meeting of the Executive Board on April 17, 2019, and shall enter into force upon its approval.