



INTERNAL REGULATION 2/2019

STATUTE OF THE SLOVAK ACCREDITATION AGENCY FOR HIGHER EDUCATION

as amended on 26 January 2023

Bratislava 26 January 2023

STATUTE OF THE SLOVAK ACCREDITATION AGENCY FOR HIGHER EDUCATION

approved by the Executive Board of the Slovak Accreditation Agency for Higher Education (hereinafter referred to as the "Executive Board") on 17 April 2019 pursuant to § 7 par. 10(d) point 1 of Act No. 269/2018 Coll. 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") as amended by the Executive Board on 26 January 2023 (hereinafter referred to as the "Statute"):

I. part 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 Agency shall be a legal entity and shall act on its behalf in legal relations.
3. The Agency shall be an independent body governed by public law which carries out external quality assurance activities in higher education.
4. The seat of the Agency shall be Bratislava, Slovak Republic.

Article 3 Scope of the Agency

1. Agency
 - a) decides on
 1. 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. non-granting, or withdrawal of accreditation of inaugural procedure,
 5. the imposition of a corrective measure,

¹ Par. 3 of the Act

- 6. the termination of the procedure for the application for approval to act as a private higher education institution,
- b) provides to 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 approval,
 - 2. incentives to modification of the standards,
 - 3. comments on proposals concerning higher education,
 - 4. information on facts indicating academic fraud or involvement in academic fraud²,
- c) manages a list of
 - 1. reviewers from whom the Executive Board sets up the review panels,
 - 2. legal entities that are members of the European Association for Quality Assurance in Higher Education or are registered with the European Quality Assurance Register for Higher Education whose 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) monitors the compliance with standards;
- e) issues
 - 1. standards,
 - 2. methodology for evaluation of standards,
 - 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) develops
 - 1. a proposal of fees for the Agency's activities (hereinafter referred to as the "fee schedule") and a proposal for its amendment,
 - 2. analysis of the development of the higher education system in the Slovak Republic, including surveys among students, university employees, employers and other affected entities and analysis of internal evaluation reports related to internal systems,
 - 3. Annual report on the Agency's activities and economy;
- h) publishes on its website³
 - 1. Standards and Methodology for standards evaluation,
 - 2. internal rules and regulations of the Agency,
 - 3. fee schedule,
 - 4. application samples 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 review panels after discussion in the Executive Board,
 - 8. the basis for the decision or the statement of the Agency and the statement of 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) performs business activities according to Sec. 20 par. 7 of the Act.

² § 62b and 108l of Act no. 131/2002 Coll. on higher education institutions and on the amendment of certain acts as amended by Act no. 137/2022 Coll.

³ www.saavs.sk

2. 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, removal from the list of reviewers, and creation of the review panels of the Executive Board on its 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 proposal of fees and the proposal to change them 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) inform immediately 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 report on activity and economy of the Agency in a public part of the register of accounts; financial statements within the period according to a special regulation⁴, the annual report on activity and economy report of the Agency by 30 June.

II. part

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) Board of Appeal,
 - e) Agency Auditor,
 - f) Head of Office.

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.

⁴ Law no. 431/2002 Coll. on accounting.

7. The Chair of the Executive Board shall be represented in his/her absence by the Vice-Chair of the Executive Board.

Article 6 Competencies of the Chair of the Executive Board

The Chair of the Executive Board shall in particular:

1. perform 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 context of this activity, s/he shall, in particular, issue provisions, orders, measures, and other normative and internal management acts to ensure the proper performance of the Agency's activities;
2. embody the function of employer in labour 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) draft internal regulations of the Agency,
 - e) 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. represent 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 by an employee authorized by him;
9. sign 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. appoint and remove the Chair and members of the review panels after their approval by the Executive Board;
11. establish 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;
12. represent the Agency in media, communicates and makes public statements on behalf of the Agency in person or through a person authorized by him.

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 a membership in the Executive Board, the Minister of Education shall receive a nomination of a new member from the respective organization that nominated the terminated member according the relevant provision of the Act; this does not apply for the Chair of the Executive Board.

Article 9 Competencies of the Executive Board

1. Executive Board shall in particular:
 - a) take decisions according to § 4 sec. 2 letter a) of the Act,
 - b) receive statements according to § 4 sec. 2 letter b) of the Act,
 - c) approve standards proposals and proposals for their amendments,
 - d) approve the methodology for the standards evaluation and proposals for its modifications,
 - e) approve the proposal of fees and proposals for its changes before submitting the fees 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 review panels 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 review panels of the Executive Board,
 7. the Agency's management rules and rules for conducting business activities.
 - j) register persons in the list of reviewers and remove them from the list,
 - k) supervise the compliance with the internal quality assurance system of the Agency's activities,
 - l) methodically manage and coordinate the activities of review panels,
 - 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 terms of procedure 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 review panels based on the objections lodged by a proceeding party 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, s/he 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 Auditor

1. The Agency Auditor is appointed based on the results of the selection process and dismissed by the Minister of Education.
2. The Agency Auditor shall in particular:
 - a) control the management and economy of the Agency,
 - b) give an opinion on annual activity 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 Auditor 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 the respective law.
4. The Auditor has the right to attend the 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 issues.
5. The term of office of the Auditor is four years. The same person may perform the position of the Auditor for a maximum of two terms.

Article 12 Head of Office

The head of the office shall in particular:

1. ensure the proper running of the Agency, including the administrative, technical, spatial, and personnel provision,
2. manage the Agency's office based on the instructions and to the extent determined by the Chair the Executive Board,
3. submit to the Executive Board the budget proposal of the Agency and the proposal for the profit and loss distribution of the Agency,
4. submit to the Auditor and the Executive Board the financial statements 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 Review Panel

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

III. part Common provisions on the Agency authorities and the review panel

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 review panel, a resolution may be adopted outside the meeting. The meeting may also be held by videoconference or other means of information and communication technologies without the physical presence of the Executive Board or the Board of Appeal. The resolution of the Executive Board shall be adopted if at least seven members of the Executive Board vote in favour. 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 favour. If the Executive Board does not adopt a resolution in the procedure for granting accreditation, this means not granting the relevant accreditation. If the Board of Appeal does not adopt a resolution, this shall constitute confirmation of the decision or confirmation of the Agency's statement.
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 review panel 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 Auditor 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 out 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 higher education institution 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 Auditor, and Head of Office. The function of a member of the Board of Appeal is incompatible with the function of the Auditor, and with the function of the Head of Office. The function of Head of Office is incompatible with the function of the Auditor.
5. If a person is to become a member of the Executive Board, a member of the Board of Appeal, an Auditor, or the Head of 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 Auditor, and the Head of 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 Auditor 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 Auditor, and the Head of 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, an Auditor, or the Head of Office.

IV. part Performance of the Agency

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 proceeding, and the proceeding for the appointment of professors (hereinafter "Inauguration proceeding").
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 Chair of the Executive Board or Head of Office.

Article 17

Principles of the Agency

The Agency, its employees, members of the bodies, review panels, 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

Remedies

1. A party to the proceedings 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.

V. part

Financing and management of the Agency

Article 19

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 manage the bookkeeping and economic management of the Agency.
3. The Agency shall be managed according to the revenue and expenditure budget, the draft of which shall be submitted by the Head of Office to the Executive Board no later than one month after the approval of the volume of funds allocated to the Agency from the national budget for the year in question and approved by the Executive Board. The Agency shall be managed according to the budget of revenue and expenditure for the preceding calendar year or to the draft submitted by the Head of Office, to the extent that the Chairman of the Executive Board gives his consent.
4. The Head of Office shall submit to the Auditor the draft financial statements and the draft annual report on the Agency's activities and economy for the calendar year before its submission to the Executive Board.
5. A proposal for the profit and loss distribution shall always be submitted by the Head of Office to the Executive Board together with the financial statements' proposal and the proposal of annual activities and economy report of the Agency activities and operations unless 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 auditor together with the provision of the necessary information.

VI. part Final provisions

This Statute was approved at the meeting of the Executive Board on January 26, 2023, and shall enter into force upon its approval.

Bratislava, 26 January 2023

prof. Ing. Robert Redhammer, PhD.
Chairman of the Executive Board