

APPROVED
by Baiba Ramaņa, Chairperson of the Board
of the Foundation “Academic Information Centre”,
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Rules of Procedure of the Appeals Commission for Foreign Study Programmes

1. General Provisions

- 1.1. Rules of Procedure of the Appeals Commission for Foreign Study Programmes (hereinafter referred to as Rules of Procedure) shall determine the composition and selection, duties and rights, and organisation of the decision-making and work of the Appeals Commission for Foreign Study Programmes (hereinafter referred to as Commission).
- 1.2. The Commission is a collegial institution that examines appeals on the decisions made by the Accreditation Commission for Foreign Study Programmes, in compliance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (hereinafter referred to as ESG 2015), ensuring uniform and correct application thereof. Commission in its work shall comply with regulatory acts of Latvia, and these Rules of Procedure.
- 1.3. The Accreditation Department of the Foundation “Academic Information Centre” (hereinafter referred to as “the Centre”), i.e. The Quality Agency for Higher Education (hereinafter referred to as “the Agency”) ensures the updating of the Rules of Procedures and performs functions of the secretariat for the performance of organisational activities specified in the Rules of Procedures, and appoint the secretary of the Commission.
- 1.4. The personal data specified in the documents received or drawn up within the framework of the work of the Commission, to ensure the performance of the activities of the Commission, shall be processed by the Centre.

2. Composition and Selection of the Commission

- 2.1. The Commission shall consist of three members. Commission shall be established by the Centre, determining that the Agency shall oversee ensuring the selection of applicants and the work of the Commission.
- 2.2. The Agency organises the selection of applicants, by publishing the announcement on the website www.aika.lv.
- 2.3. The applicant shall apply, by submitting a career summary (CV) in Europass format, and a cover letter. In the cover letter and career summary, the applicant shall provide grounds for conformity with the requirements laid down in Clause 2.5 of the Rules of Procedure.
- 2.4. The application shall be submitted electronically by sending it to the e-mail address aika@aic.lv. The Agency ensures consideration of documents submitted by applicants, selecting eligible candidates. If necessary for the evaluation process, the applicant shall be requested to submit additional information. The Agency prepares a proposal for the composition of the Commission, including the chairperson, and submits it to the chairperson of the Board of the Centre for approval.
- 2.5. Applicants must meet the following requirements:
 - 2.5.1. Experience in the quality assessment in higher education
 - 2.5.2. Academic experience

- 2.5.3. Legal experience
 - 2.5.4. Education which corresponds to at least EQF Level 7
 - 2.5.5. At least B2 level English and Russian language proficiency in accordance with the Common European Framework of Reference for Languages (the distribution of levels is available on – www.europass.lv).
- 2.6. When selecting applicants, it shall be considered that the Commission altogether has both academic and legal experience, as well as a representative of students in the Commission.

3. Rights and Duties of the Commission

- 3.1. The term of office of the members of the Commission is two years. The member of the Commission has the right to terminate his activity in the Commission by submission to the Agency for the termination of his duties. If a member of the Commission terminates his duties in the Commission, the Centre approves another candidate for a member of the Commission for the remaining period from the day of the Commission's approval.
- 3.2. The Commission considers appeals of decisions of the Accreditation Commission for Foreign Study Programmes (hereinafter referred to as the contested decision) and makes the final decision in accordance with the procedures specified in the Administrative Procedure Law.
- 3.3. The Commission shall have the following duties:
 - 3.3.1. To consider and evaluate contested decisions with the nature of a final resolution on its merits.
 - 3.3.2. To peruse and to evaluate the case materials used in the adoption of the contested decision.
 - 3.3.3. To hear the opinion of the participant in the administrative process regarding the validity of the contested decision and compliance with the procedural conditions of its making.
 - 3.3.4. To participate in the meetings of the Commission on-site or remotely, with prior coordination with the chairperson of the Commission and the Agency.
 - 3.3.5. To participate in decision-making, in accordance with the procedures set out in the Rules of Procedures, and to prepare the written decision.
 - 3.3.6. To ensure the preparation of explanations to the court if the Commission's decision has been appealed to the court.
 - 3.3.7. To represent the Commission in court if the Commission's decision has been appealed.
 - 3.3.8. To consider other issues within the competence of the Commission in accordance with the regulatory framework.
- 3.4. The Commission shall have the following rights:
 - 3.4.1. To request, receive or otherwise obtain information necessary for decision-making.
 - 3.4.2. To invite to the Commission meeting the members of the Accreditation Commission for Foreign Study Programmes, the experts of the assessment procedure, participants in the case and the representatives of institutions and organisations, and other persons whose opinion is essential for decision-making.
 - 3.4.3. To peruse the actual conditions in the higher education institution, its branches or representative offices.
 - 3.4.4. To express an individual opinion on the decision to be made, that must be recorded to the minutes.
 - 3.4.5. To receive organisational and technical support from the Agency to organise the Commission's work in accordance with the provisions of Clause 5.3 of the Rules of Procedures.

- 3.4.6. To make suggestions for improving the work of the Commission and the Secretariat in decision-making.
 - 3.4.7. other rights in accordance with the regulatory framework.
- 3.5. The Commission shall fulfil its duties:
- 3.5.1. objectively, independently and autonomously,
 - 3.5.2. with confidentiality,
 - 3.5.3. by ensuring the protection of personal data,
 - 3.5.4. by respecting the joint and several liability for decision-making.

4. Decision-making Procedure

- 4.1. The Commission shall make the decision on the contested decision in an on-site or remote meeting, after evaluating all the case materials necessary to make the decision.
- 4.2. The Commission shall be entitled to make the decision only if at least two members of the Commission are present at the meeting.
- 4.3. In a decision-making process the Commission shall comply with the Administrative Procedure Law and other regulatory acts.
- 4.4. The Commission shall decide by mutual agreement. If the Commission cannot come to a mutual agreement, an open vote shall be held, and the decision shall be made by a simple majority. In case of an equal number of votes, the vote of the Chairperson of the Commission shall be decisive.
- 4.5. The member of the Commission shall refrain from the consideration of the appeal of the contested decision and the decision-making in the event of a conflict of interest or in any case where doubts may arise about the Commission member's objectivity in decision-making.
- 4.6. A situation of conflict of interest in any case, but not only, means the following situation:
- 4.6.1. If the member of the Commission has participated in the preparation of the contested decision or was a participant in the process of making the latter.
 - 4.6.2. If the member of the Commission holds or has held during the last two years a position in the higher education institution implementing a study programme or a study programme group on which the decision is being made.
 - 4.6.3. If the member of the Commission participates or has participated during the last two years in a cooperation or a scientific project implemented by the higher education institution implementing a study programme or a study programme group on which the decision is being made.
 - 4.6.4. If the member of the Commission had during the last two years made any kind of decision related to the higher education institution implementing a study programme or a study programme group on which the decision is being made.
 - 4.6.5. If the member of the Commission is or has been during the last two years in contractual relations with the higher education institution implementing a study programme or a study programme group on which the decision is being made.
 - 4.6.6. If a relative of the member of the Commission is elected or holds an officials position in the higher education institution implementing a study programme or a study programme group on which the decision is being made.
5. The member of the Commission shall inform in writing the chairperson of the Commission and the Agency, whereas in the situation of a conflict of interest of the chairperson of the Commission – the members of the Commission and the Agency, about the situation of conflict of interest or any doubts regarding the adoption of an objective decision. The chairperson of the

Commission shall organise the decision-making without the participation of the member of the Commission who is subject to a conflict of interest.

6. The Commission shall make the decision within the time limit specified in the Administrative Procedure Law.

7. The reasoning for the Commission's decision, including considerations of usefulness, shall be included in the minutes of the Commission's meeting.

8. A member of the Commission who has an individual opinion on a case, shall express it in a reasoned manner at the Commission meeting and shall submit it in writing to the chairperson of the Commission within three working days after the Commission meeting. The individual opinion of the Commission member shall be added to the Commission's decision.

9. The Agency shall prepare the draft minutes of the Commission meeting within five working days. The Commission, based on the minutes of the Commission meeting, shall prepare a full Commission decision within ten working days.

10. The Agency shall send the decision and the related documents to the higher education institution and the Accreditation Commission for Foreign Study Programmes in accordance with the regulations on notification of administrative acts.

11. The Commission's decision can be appealed to the court within one month from the date of its entry into force in accordance with the procedure prescribed by law.

5. Organisation of the Work of the Commission

5.1. The meetings of the Commission shall be open unless otherwise established by the chairperson of the Commission.

5.2. The work of the Commission shall be organised by the chairperson, who shall:

5.2.1. Establish the timetable and agenda of the Commission meetings.

5.2.2. Chair the meetings of the Commission.

5.2.3. Organise the decision-making in accordance with Chapter 4 of the Rules of Procedure.

5.2.4. Ensure appropriate consideration of the appeal, excluding discriminatory treatment of the appellant.

5.2.5. Be responsible for the timely and high-quality performance of the tasks thereof.

5.2.6. Fulfil other duties to ensure the work of the Commission.

5.3. The work of the Commission shall be organisationally and technically ensured by the Agency, providing material technical, organisational, informational and legal support to the Commission, incl.:

5.3.1. Receiving, checking, and registering appeals on decision of the Accreditation Commission for Foreign Study Programmes.

5.3.2. Preparing work documents for Commission members and electronically sending them for review at least five working days before the Commission meeting or, in urgent cases, immediately after receiving them.

5.3.3. Preparing information requests for the parties to the case, other institutions, and persons as instructed by the chairperson of the Commission.

5.3.4. Providing technical support for the Commission meeting, including for remote meetings.

5.3.5. Electronically informing the members of the Commission about the time and place of the meeting at least three working days in advance.

- 5.3.6. Taking minutes of the Commission meeting, preparing a draft minute of the Commission meeting within five working days after the meeting, and sending it electronically to Commission members for approval.
 - 5.3.7. Managing other issues of the Commission's organisational and technical support.
- 5.4. The chairperson of the Commission and the secretary of the Commission sign the minutes of the Commission meeting. The date of the meeting, the start and end time, the persons participating in the meeting, the agenda items, the main conclusions of the Commission and the arguments that support them, the regulatory basis for the Commission's decision, including considerations of usefulness, the individual opinion of the members of the Commission, the results of voting and the decisions made are recorded to the minutes of the Commission meeting.