

ACT No. 111

On Higher Education Institutions and on Modification and Amendment of Other Acts - The Enactment Connected with the Accreditation Commission

Article 2 - Introductory Provisions

(6) The type of the higher education institution is declared in its Statute; it must comply with the standpoint of the Accreditation Commission.

Article 21 - Other Duties of Public Higher Education Institutions

- (1) Public higher education institutions are due to perform the following tasks:
- c) Provide the Accreditation Commission and the Ministry with information needed as per this Act for their activities. This information will be provided upon a request of the Accreditation Commission or the Ministry free of charge and in due term;

Article 23 - The Faculty

(3) A decision re the establishment, merger, amalgamation, splitting or dissolution of a faculty is made by the Academic Senate of the public higher education institution upon a proposal of the Rector. Such a decision is subject to an affirmative standpoint of the Accreditation Commission.

Article 39 - State Permission

- (7) The Ministry shall make its resolution on the request no later than 150 days upon the date of its receipt. Prior to making a resolution the Ministry shall ask the Accreditation Commission to present its standpoint over the design of study programmes.
- (8) The Ministry shall not grant the state permission in the following cases:
- a) The Accreditation Commission has issued a negative standpoint in case of all submitted study programmes;

Article 42 - Other Duties of Private Higher Education Institutions

- (1) A private higher education institution is due to perform the following tasks:
- c) Provide the Accreditation Commission and the Ministry with information needed as per this Act for their activities. This information will be provided upon a request of the Accreditation Commission or the Ministry free of charge and in due term;

Article 44 - Study Programme

- (2) Each study programme consists of the following parts:
- a) The study programme title, its type, form and objectives of studies;
 - b) Classification of the study programme into branches of study, their attributes and feasible combinations as well as definition of graduate profiles in particular branches of study;
 - c) Characterisation of individual subjects of study;
 - d) Principles and conditions pertaining to curriculum design; possibly the length of practical training required;
 - e) The standard length of study expressed in academic years as it pertains to an average study load;
 - f) Conditions that must be met by students within the framework of their study programme and upon its completion as per Article 45 subsection 3, Article 46

- subsection 3 and Article 47 subsection 4, including the contents of state examinations;
 - g) The academic degree awarded;
 - h) Links to other types of study programmes at the same or a similar field of study.
- (3) The contents and the chronological succession of courses are specified within the curriculum. The same applies to the form of study and the method of study results verification.
- (4) The form of study determines the following: daily (full-time) studies, distance studies, or a combination of these.

Article 79 - Application for study programme accreditation

- (1) A written application of a higher education institution for study programme accreditation includes the following:
- a) Designation of the higher education institution or its part in charge of providing the study programme;
 - b) Components of the study programme as per Article 44, subsection 2;
 - c) Evidence of staff, financial, material, technical and information provisions pertaining to the study programme for at least the standard length of study;
 - d) Objectives of the study programme, its motivations and expected number of admitted applicants;
 - e) In case of study programmes in the field of health services, it is necessary to acquire the standpoint of the Ministry of Health concerning possible employment of graduates in this field.
- (2) The Ministry is to convey the application immediately to the Accreditation Commission that shall make its judgement no later than 120 days from the date of receipt.
- (3) Should it be possible to eliminate any insufficiencies that may occur in the Application, the Accreditation Commission shall call upon the higher education institution to eliminate these in due term and at the same time it shall interrupt its reviewing procedure. Should the higher education institution fail to eliminate the insufficiencies in due term, the Accreditation Commission shall issue its standpoint based on original documentation.
- (5) The Ministry shall not award the accreditation in the following cases:
- a) The study programme does not comply with requirements listed in Part 4 of this Act;
 - b) Sufficient staff, equipment and information provisions are not granted for the study programme;
 - f) The Accreditation Commission has issued a negative standpoint.
- (6) On the ground of reasons listed in subsection 5 letters a) and b), the Accreditation Commission shall not issue an affirmative standpoint to the Application for study programme accreditation.

Article 80

- (1) An accreditation of a study programme is awarded for at most double of the standard length of study. The period of accreditation shall not exceed ten years in case of doctoral study programmes starting the date the resolution comes into effect.
- (2) Validity of an accreditation can be extended repeatedly. Proceedings on the extension of accreditation's validity are subject to stipulations in Article 79.
- (3) While providing an accredited study programme, the higher education institution may request an accreditation of its extension.

Article 81

- (1) An accreditation of a study programme may be requested by legal entities with domicile in the Czech Republic undertaking educational, scholarly, research, developmental, artistic or other creative activity. Such a request is made together with a higher education institution.
- (2) The legal entity shall present a request for accreditation as well as a contract on mutual co-operation while providing a study programme made with a higher education institution. This higher education institution admits applicants for studies in study programmes and awards appurtenant academic degrees to the graduates of these study programmes. The location of study programme implementation is also designated on the higher education diploma.
- (3) A legal entity as per subsection 1 may request an accreditation of a study programme independently. Should the Accreditation Commission express its affirmative standpoint, the Ministry shall invite the higher education institution to make a contract as per subsection 2 and grant the accreditation upon making this contract. Should the higher education institution refuse to make such a contract, it shall declare its resolution together with substantiation to the Ministry and Accreditation Commission within thirty (30) days.
- (4) The request for accreditation of a study programme as per subsections 1 through 3 is subject to stipulations in Article 79 appropriately.
- (5) In case of joint implementation of a doctoral study programme, the contract also stipulates representation of the legal entity and the higher education institution in the Specialist Board.

Article 82 - Accreditation of Habilitation Procedures and Procedures for the Appointment of Professors

- (1) Authority of a higher education institution or its part to perform habilitation procedures or procedures for the appointment of professors in the pertinent field is subject to accreditation awarded by the Ministry.
- (2) A written request of a higher education institution for accreditation comprises of the following:
 - a) Designation of the higher education institution or its part that is to perform the procedure;
 - b) Field of habilitation or appointment;
 - c) Information on educational, scholarly, research, developmental, artistic or other creative activity of the higher education institution or its part in the pertinent field;
 - d) Information on professors and other academic staff lecturing and pursuing this field or a similar field at the higher education institution or its part;
 - e) A list of members of the Scientific Board at the higher education institution or its part.
- (3) The accreditation of habilitation procedures and procedures for the appointment of professors is subject to stipulations in Article 79, subsections 2 and 3 by analogy.
- (4) The Accreditation Commission shall assess whether or not the facts documented as per subsection 2, letters c) through e) constitute sufficient pre-requisites for an objective assessment of pedagogical, scholarly or artistic qualifications of an applicant for the appointment of a professor or an associate professor. The Accreditation Commission shall then express its standpoint over the request.
- (6) The Ministry shall not award the accreditation in the following cases:

- a) The higher education institution does not provide sufficient guarantees for performing habilitation procedures or procedures for the appointment of professors;
 - b) No accreditation has been awarded for a doctoral study programme within the framework of which the field of habilitation / appointment or its substantial portion is lectured at the higher education institution or its part;
 - c) The request contains incorrect data deemed crucial for awarding the accreditation;
 - d) The Accreditation Commission has issued a negative standpoint.
- (7) An exception from stipulations in subsection 6, letter b) can be made by the Ministry in case of newly established branches.
- (8) The accreditation for habilitation procedures or procedures for the appointment of professors may be awarded for a fixed period.

Article 83 - The Accreditation Commission

- (1) The Accreditation Commission consists of 21 members. The Chair, vice-chair and members of the Accreditation Commission are appointed by the Government upon a nomination of the Minister. Prior to making a nomination, the Minister shall request references from the representation of higher education institutions, the Governmental Board of the Czech Republic for Research and Development and the Academy of Sciences of the Czech Republic and discuss the nomination with these institutions.
- (2) Members of the Accreditation Commission are appointed for a six-year term; they can be appointed for the maximum of two terms of office. Upon the first appointment of the members of the Accreditation Commission, the Government is to specify the names of one third of members whose term of office shall expire in two-year time and one third of members whose term of office shall expire in four-year time.
- (3) Members of the Accreditation Commission represent irreproachable persons enjoying general authority as experts.
- (4) The membership in the Accreditation Commission is incompatible with the duties of the Rector, vice-rectors and deans.
- (5) A member of the Accreditation Commission may be dismissed only in case of losing one's integrity, long-term non-participation in the work of the Accreditation Commission, or upon his/her own request.
- (6) Members of the Accreditation Commission perform their duties independently.
- (7) In order to perform specialist preparatory work for its proceedings, the Accreditation Commission may establish work groups the composition of which must correspond to the type of the study programme, its form and objectives of studies.
- (8) The mode of action of the Accreditation Commission as well as its work groups is stipulated in the Statute of the Accreditation Commission approved by the Government. Upon approving the Statute by the Government, the Ministry shall make it public in an appropriate manner.
- (9) Material and financial means for the activities of the Accreditation Commission are provided by the Ministry.
- (10) Submissions to the Accreditation Commission are made via the Ministry.
- (11) Activity of the Accreditation Commission members and their work groups is deemed an act in the interests of the public⁴⁾. These persons are provided with reimbursement of travel expenses as per special regulations⁵⁾ and may be provided with a recompense.

⁴⁾ Article No. 124, subsections 1 and 2 of the Work Code.

⁵⁾ Act No.119/1992 on Reimbursement of Travel Expenses, in the wording of the Act No. 44/1994.

Article 84

- (1) The Accreditation Commission takes heed to the quality of higher education and performs comprehensive evaluation of educational, scholarly, research, developmental, artistic or other creative activity of higher education institutions. In order to achieve these objectives, it must perform the following:
 - a) Evaluate activities pursued by higher education institutions and the quality of accredited activities; publish the results of such evaluations;
 - b) Assess other issues pertaining to the system of higher education presented to it by the Minister and express its standpoint over these issues.
- (2) The Accreditation Commission issues its standpoint over the following:
 - a) Requests for accreditation of study programmes;
 - b) Requests for authorisation to perform habilitation procedures and procedures for the appointment of professors;
 - c) Establishment, merger, amalgamation, splitting or dissolution of a faculty of a public higher education institution;
 - d) Granting the State Permission for a legal entity desiring to operate as a private higher education institution;
 - e) Determining the type of a higher education institution.

Article 85

- (1) Should the Accreditation Commission discover any deficiencies occurring while implementing accredited activities, it shall invite the higher education institution or the co-operating legal entity to make a remedy in due term.(2) In the event of serious deficiencies occurring while implementing a study programme, the Accreditation Commission shall make the following proposal to the Ministry depending on the nature of the matter:
 - a) Restriction of accreditation consisting in a ban on admitting new applicants to the studies in the pertinent study programme; or
 - b) Temporary termination of accreditation consisting in a ban on performing state examinations and awarding academic degrees; or
 - c) Withdrawal of accreditation.
- (3) In case of serious deficiencies in habilitation procedures or procedures for the appointment of professors, the Accreditation Commission shall invite the Ministry to withdraw or temporarily terminate the accreditation, depending on the nature of the matter. (4) The Accreditation Commission shall invite the Ministry to withdraw the accreditation in case of circumstances occurring at the higher education institution, its part, or at the co-operating legal entity, substantiating rejection of the request for accreditation.
- (5) Should the reasons for taking measures as per subsection 2, letter a) or b) or subsection 3 cease, the Accreditation Commission shall invite the Ministry to cancel the measures taken.
- (6) The Ministry shall make its resolution as per subsections 2 through 5 within 120 days upon receiving a proposal from the Accreditation Commission.

Article 87 - Scope of Authority of the Ministry

The Ministry performs the following tasks:

- o) Provision of material and financial means for the activities of the Accreditation Commission;
- p)

Article 92 - Representation of Higher Education Institutions

- 4) The representation of higher education institutions submits its recommended composition of the Accreditation Commission to the Minister.

Article 98 - Common, Temporary and Concluding Provisions

- (1) Branches of study, within which higher education institutions as per hitherto regulations provide a comprehensive part of undergraduate studies, undergraduate or postgraduate studies listed in the statute of these institutions, become study programmes as per this Act. Accreditation is awarded for the period of four (4) years under the following conditions:
 - a) A comprehensive part of undergraduate education as per Article 21 of the Act No. 172/1990 on Higher Education Institutions is deemed a bachelor study programme as per this Act;
 - b) Undergraduate education as per Article 18 of the Act No. 172/1990 is deemed a master study programme as per this Act;
 - c) Postgraduate study as per Article 22 of the Act No. 172/1990 is deemed a doctoral study programme as per this Act.
 - (1) Hitherto authorisation of higher education institutions and faculties to perform habilitation procedure and procedure for the appointment of a professor expire as of July 1, 1999. Should the Rector file a request to the Ministry within this term as per Article 82, subsection 2, hitherto authorisation to perform habilitation procedure and procedure for the appointment of a professor in pertinent fields remain in force until a resolution is made by the Ministry.
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