

Memorandum of the Minister of Education, Youth and Sports on the Independence of the Accreditation Commission

In view of the role of the Accreditation Commission (hereinafter the “AC”) in the area of higher education quality assurance in the Czech Republic in compliance with Act No. 111/1998 on higher education institutions and on amendments and supplements to some other acts (The Higher Education Act), and in view of the participation of the Czech Republic in the European Higher Education Area, the Minister of Education, Youth and Sports has decided to issue this memorandum in order to specify the relationship of the Ministry of Education, Youth and Sports (hereinafter the “MoEYS”) to the AC.

Article I

The AC’s activities and the decision-making process

1. The AC is a leading expert authority that fosters the quality of higher education and evaluates, in a comprehensive manner, the scholarly, scientific and research work, development, innovation, artistic and other creative activities of higher education institutions, and it is independent of the MoEYS in its activities.
2. All processes related to the work of the AC and its decision-making – i.e. evaluation of the activities and quality of accredited activities of higher education institutions, issuance of positions pursuant to Section 84 (2) of the Higher Education Act and assessment of other matters related to higher education - are fully within the purview of the AC. The MoEYS is not authorised either to intervene in or to influence these activities.

Article II

Appointment of AC members

1. In the matter of presenting nominations for the members, Chair and Vice-Chair of the AC to the government of the CR in compliance with Section 83 (1) of the Higher Education Act, the Minister abides exclusively by the criterion of expertise. He/she fully respects the fact that the AC is a board composed of generally recognised expert authorities who are independent in the carrying out of their function, and that it is not composed of representatives of individual higher education institutions and other institutions or their representative bodies, associations or other entities. The commencement of the period of office of a newly-appointed member of the AC is always the 1st of September of the relevant even year. This guarantees the possibility of a regular change in AC membership after two years.

Article III

Financing of AC activities

1. In compliance with Section 83 of the Higher Education Act “material and financial resources for the activities of the Accreditation Commission are provided by the Ministry. The activities of the members of the Accreditation Commission and their working groups are considered activities in the public interest. These persons may receive a bonus for their work and their travel expenses are reimbursed pursuant to a special regulation“. The expenditure on the activities of the AC and bonuses to its members and members of working groups, possibly other experts who work for the AC, is part of the state budget – chapter 333 designated for the MoEYS. Its level is set annually by the MoEYS with regard to the planned number of meetings of the AC and the scope of its planned activities. The level of budgetary resources earmarked for the activities of the AC guarantees that the AC will be able to carry out its activities as determined by the Higher Education Act to the full extent and that the independence of the AC will not be threatened by a decrease in the level of these resources.
2. The costs of the activities of the AC is subject to an ex-ante, interim and ex-post financial audit in line with the relevant regulations. This guarantees their correctness, economy, effectiveness and efficiency. The management of the financial resources must be in compliance with the “Instruction of the Minister of Education, Youth and Sports No. 19/2009 on the provision of material and financial resources for the activities of the Accreditation Commission established in line with Act No. 111/1998 Coll. on higher education institutions and on amendments and supplements to some other acts (the Higher Education Act), as amended, and of its working groups.” The instruction sets out rules for covering the cost of the meetings of the AC and its working groups, the activities of the AC and its working groups between meetings, bonuses and travel expenses, funds and contributions for the membership of the AC in international organisations.

In no way do the Minister and the MoEYS intervene, through the provision of financial and material resources for the AC, in its expert activities. Nor do they influence its decision-making processes and mechanisms of operation. The MoEYS does not publish information collected in financial documents associated with the activities of the AC so as not to threaten the independence and operability of the AC.

Article IV The AC secretariat

1. The AC secretariat is part of the MoEYS. The staff of the AC secretariat are employees of the Czech Republic – the MoEYS. This means that they are subject to the relevant general labour regulations and the internal regulations of the MoEYS. The Head of the Commission’s secretariat is the AC secretary who is appointed and dismissed by the Minister at the recommendation of the Chair of the AC.
2. The activities of the AC secretariat in relation to the expert activities of the AC are managed by the AC Chair. The MoEYS is not authorised to intervene, by means of imposing obligations on the AC secretariat, in the expert activities of the AC and to influence its decision-making processes and mechanisms of operation through such obligations.

In Prague, 4 January 2010

PhDr. Miroslava Kopicová
Minister of Education, Youth and Sports