

**RULES OF PROCEDURE OF THE APPEALS COMMITTEE OF THE NATIONAL
ACCREDITATION BUREAU FOR HIGHER EDUCATION**

Pursuant to Act No. 111/1998 Coll., on Higher Education and on Amendments and Supplements to Some Other Acts (Act on Higher Education), as amended, on the basis of the provisions of Section 134(5) of Act No. 500/2004 Coll., Code of Administrative Procedure, as amended, and on the basis of Article 36(7) of the Statute of the National Accreditation Bureau for Higher Education, the Appeals Committee of the National Accreditation Bureau for Higher Education decided on the following Rules of Procedure on 10 February 2023:

Article 1 Introductory provisions

1. The Rules of Procedure of the Appeals Committee of the National Accreditation Bureau for Higher Education (hereinafter referred to as the "Rules of Procedure", "Appeals Committee" and "NAB") regulate the details of the Appeals Committee's activities, in particular the preparation, conduct and recording of meetings of this administrative body, voting within the Appeals Committee, the designation and status of the members and the Presiding Member of the Appeals Committee, as well as the publication of the Appeals Committee's decisions in accordance with the Higher Education Act, the Rules of Procedure and the NAB Statute.

Article 2 The Presiding Member of the Appeals Committee

1. The Presiding Member of the Appeals Committee shall direct the activities of the Appeals Committee in individual cases and act on its behalf.
2. The Presiding Member of the Appeals Committee shall be determined for each case. The order for determining the Presiding Member is based on the alphabetical order of the surnames of the members of the Appeals Committee.
3. The Presiding Member of the Appeals Committee cannot, in a given case, be a member of the Appeals Committee who is or is to become a member of the academic community whose matter is to be considered by the Appeals Committee. In such a case, the next member in alphabetical order who is not excluded under the first sentence shall take his/her place. The omitted member shall, irrespective of the alphabetical order, become the Presiding Member in the first subsequent case in which he/she is not excluded from being the Presiding Member.
4. If the Presiding Member of the Appeals Committee is unable to complete the deliberations on a given case for serious personal reasons, the Appeals Committee shall decide on a new Presiding Member, based principally on the order of precedence set out in Article 2, paragraph 2 of these Rules of Procedure.

Article 3 Acting on behalf of the Appeals Committee externally

1. In the cases provided for in these Rules of Procedure or by law, either the Presiding Member shall act alone externally on behalf of the Appeals Committee, or the Appeals Committee shall act by vote.
2. The Presiding Member of the Appeals Committee shall, acting alone, provided that this is not expressly within the authority of the Appeals Committee as a whole, take all actions that are not decisions (except as set forth in Section 5 of this Article) and issue all resolutions except:

- a) a resolution as to whether or not a person is a party to the proceedings,
 - b) a resolution to discontinue the proceedings,
 - c) a resolution on the objection of bias.
3. By voting in accordance with the Rules of Procedure, the Appeals Committee:
 - a) takes all decisions in the matter,
 - b) adopts any resolutions not made by the Presiding Member of the Appeals Committee independently.
 4. If there is any doubt as to whether the Presiding Member of the Appeals Committee acts alone or the Appeals Committee as a whole acts by vote, the Appeals Committee as a whole shall decide on this by vote.
 5. The Office of the National Accreditation Bureau for Higher Education (hereinafter referred to as the "NAB Office") performs all tasks related to the specialist, organisational and technical support of the Appeals Committee's activities, within the scope established by the Statute of NAB and the Act.

Article 4 Preparation of the Appeals Committee meeting

1. Documents are prepared by the NAB Office, which is obliged to ensure that such documents are made available to the members of the Appeals Committee and, where appropriate, to other persons involved in the Appeals Committee's activities, in electronic form, no later than 10 days before the date of the Appeals Committee meeting.
2. Documents for the administrative decision of the Appeals Committee consist mainly of the submission in question, the file document to which the submission in question relates and also the standpoint of the NAB Board, if so provided by law or the Statute of the NAB.
3. The Appeals Committee is entitled to request supplementary documents on the item under consideration, usually through the NAB Office.
4. The Appeals Committee may request the provision of an expert opinion through the Director of the NAB Office.

Article 5 Regular and extraordinary meetings of the Appeals Committee

1. The Appeals Committee shall meet as scheduled at regular meetings. The schedule shall always be drawn up and approved at the last ordinary meeting of the calendar half-year preceding the calendar half-year for which the schedule is approved. If a schedule is not adopted, regular meetings shall be held on the second Friday of each calendar month unless the members of the Appeals Committee unanimously agree on a different date.
2. The Appeals Committee may convene an extraordinary meeting in case of urgent need at the proposal of any member of the Appeals Committee to the other members of the Committee. Along with the proposal, the member shall also propose a date for such a meeting. Such a meeting shall be decided by the members of the Appeals Committee by electronic communication, and the proposal must be submitted at least 10 days before the proposed date of the extraordinary meeting. Members of the Appeals Committee who fail to comment within 3 days of the date of circulation of the proposal shall be deemed to have voted against the proposal to convene an extraordinary meeting.
3. The venue of the Appeals Committee meetings is the NAB headquarters. The Appeals Committee may decide that a meeting of the Appeals Committee, whether ordinary or extraordinary, shall be held at a different venue no later than 7 days before such meeting.

Article 6 Meeting of the Appeals Committee

1. The meetings of the Appeals Committee are held either in-person, online via video conference, or mixed (hybrid sessions). The form of the meeting will be chosen well in advance by agreement among the members of the Appeals Committee prior to each scheduled meeting. The deliberations of the Appeals Committee outside the meeting ("per rollam") are governed by Article 10 of these Rules of Procedure.
2. Members of the Appeals Committee shall attend the meetings of the Appeals Committee, and any absence shall be excused in advance to the other members by electronic communication.
3. In addition, other persons invited by the Appeals Committee may attend the meeting, unless precluded by law.
4. A staff member of the NAB Office designated by the NAB Office Director in agreement with the Appeals Committee shall attend the Appeals Committee meetings as recorder. The recorder may not be an employee who participated in the administrative proceedings of the case in the first instance.
5. A meeting of the Appeals Committee shall be opened by the Presiding Member of the Appeals Committee whose case is to be considered as the first item on the agenda of that meeting. The Presiding Member of the Appeals Committee whose case is being considered as the last item of a given meeting shall close the relevant meeting of the Appeals Committee. This Presiding Member shall also preside over any further discussions on the agenda and schedule of meetings of the Appeals Committee.
6. If the Presiding Member of the Appeals Committee who is to open or close the meeting is not present, or if that Presiding Member is unable to open or close the meeting for any reason, the most senior member of the Appeals Committee present shall open or close the meeting.

Article 7 Course of the meeting

1. Deliberations are governed by an agenda listing the cases and matters to be dealt with by the Appeals Committee. The NAB Office will send the draft agenda to the members of the Appeals Committee no later than together with the documents as provided for in Article 4 of the Rules of Procedure. The agenda is approved by the Appeals Committee as the first item of the meeting.
2. It is possible to expand the draft agenda to include another case only if the following conditions are met:
 - a) all members of the Appeals Committee are present at the relevant meeting, and
 - b) none of the members of the Appeals Committee disagreed.
3. The Presiding Member of the Appeals Committee shall present the case together with a motion for its decision. The case may also be presented by the person designated by the Presiding Member of the Appeals Committee, unless any member of the Appeals Committee objects to such course of action.
4. The presentation of the case is followed by a debate among the members of the Appeals Committee, during which all members of the Appeals Committee are entitled to make dissenting motions or further comments on the course of action proposed by the Presiding Member.
5. The debate shall be followed by a vote on the individual motions and comments, which shall be taken in the order in which they were tabled. If a motion or comment is adopted by the

Appeals Committee which contradicts another such comment or motion, they shall not be voted on unless the member who tabled the motion insists.

6. If the Appeals Committee does not approve any of the motions, the case will be adjourned to the next meeting of the Appeals Committee unless the Appeals Committee agrees to another adjournment date. At this meeting, this case will be dealt with as the first item, unless otherwise decided by the Appeals Committee.
7. If the Appeals Committee decides on an appeal against a decision of the NAB pursuant to the provisions of Section 83c(2)(b) of the Higher Education Act, it may only confirm the decision and dismiss the appeal or annul the contested decision or part thereof and return the matter for reconsideration or annul part thereof and discontinue the proceedings.
8. No appeal can be filed against the decision of the Appeals Committee.

Article 8 Vote of the Appeals Committee

1. Voting is managed by the Presiding Member of the Appeals Committee.
2. If the nature of the matter under consideration permits and if all members of the Appeals Committee present agree, the Presiding Member of the Appeals Committee may allow members of the Appeals Committee who are not present to vote remotely by means of a speaker phone connection in the meeting room. During the period of such remote attendance, the member of the Appeals Committee shall be deemed to be present at the meeting, but that member may not act as Presiding Member of the Appeals Committee. This method of voting shall be allowed for up to 2 members of the Appeals Committee per meeting.
3. The Appeals Committee has a quorum if the majority of the members of the Appeals Committee are present at the meeting. The resolution is adopted by the majority of the members present.
4. A record of the vote shall be drawn up and signed by all members of the Appeals Committee present and by the person who was authorised to make the record.
5. The Appeals Committee may delegate the drawing up of the record to another person.
6. The voting record shall include in particular:
 - a) the date and place of the Appeals Committee voting,
 - b) a specification of the subject of the vote,
 - c) a list of the members of the Appeals Committee present and an indication of their vote,
 - d) any comments, objections and observations of the voting members of the Appeals Committee,
 - e) identification of the person responsible for drawing up the record.
7. The record is then sealed in a separate envelope, and the sealed envelope is part of the administrative file, provided that the record is pursuant to Section 38 of the Code of Administrative Procedure excluded from inspection when the administrative file is consulted.

Article 9 Minutes of the meeting

1. Minutes of the Appeals Committee meeting shall be taken.
2. The minutes of the meeting shall include in particular:
 - a) the date and place of the Appeals Committee meeting,
 - b) a list of persons present at the Appeals Committee meeting, designation of the Presiding Member for each case,

- c) a list of the cases heard (including the file numbers assigned to them) and the decisions reached by the Appeals Committee,
 - d) where a resolution of the Appeals Committee has been adopted, the wording of that resolution,
 - e) a brief record of the discussion, unless a member of the Appeals Committee requests a verbatim transcript of his or her speech,
 - f) a summary of the voting,
 - g) information on the date and place of the next meeting of the Appeals Committee, unless this is set by the approved schedule,
 - h) identification of the recorder.
3. The minutes of the meeting are sent electronically to the members of the Appeals Committee within 7 days after the end of the meeting. The minutes of the meeting shall be approved by the Appeals Committee at its next meeting. The final version of the approved minutes shall bear the signature of the Presiding Member and the recorder.
 4. The approved minutes of the Appeals Committee meeting are subsequently sent to the members of the Appeals Committee and the NAB Chair.

Article 10 Per rollam deliberation and decision-making

1. The Appeals Committee may also discuss the case outside the Committee meeting ("per rollam") via a closed electronic conference. The electronic vote shall be confirmed by the signature of the individual member at the next meeting of the Appeals Committee at the latest.
2. Deliberations outside the Appeals Committee meeting cannot take place if at least two members of the Appeals Committee disagree with them within 5 days of the distribution of the documents.
3. If the Appeals Committee fails to reach a decision on a case outside of a meeting of the Committee within 10 days of the date of distribution of the documents, the case will be deliberated at the next meeting of the Appeals Committee, whether regular or extraordinary, with the case being discussed as the first item of that meeting.
4. The provisions of the Rules of Procedure governing meetings of the Appeals Committee shall apply accordingly to per rollam decisions.

Article 11 Disclosure of information

1. The Appeals Committee shall, in accordance with the law, publish:
 - a) its Rules of Procedure in full,
 - b) the statement part of the appeal decision,
 - c) other information required by law or the NAB Statute.
2. The obligation to disclose information under this Article shall be carried out by the NAB Office.

Article 12 Final provisions

1. The Rules of Procedure of the Appeals Committee approved on 10 February 2017 are hereby repealed.
2. These Rules of Procedure shall enter into force on the date of their adoption and shall take effect on 1 April 2023.