

(The Cabinet of Ministers
October, 11 2017
regulation No 566)

EKA University of Applied Sciences Constitution

Preamble

The EKA University of Applied Sciences (hereinafter - the University) was founded on May, 28, 1998.

The University's Accreditation Certificate No 017 has been issued on February 8, 2001. The University has been registered in the Educational Institution Register on February 2, 2000, the registration certificate No 3343800214. The University has been granted permanent accreditation on November 16, 2006.

The original Constitution of the University was approved by the Cabinet of Ministers February, 6, 2003 regulation No 82 "Regarding the approval of the EKA University of Applied Sciences Constitution".

I. General provisions

1. The University is an autonomous higher education and research institution with the right of self-government, which operates in accordance with the Latvian Constitution, the Law on Education, the Law on Institutions of Higher Education, the Law on Scientific Activity, other laws and the Constitution of the University. The right of self-government shall be implemented by the management and personnel of the University according to the procedures prescribed in the Constitution, while participating in management and administration of study, research, administrative and business affairs.

2. The legal status of the University is a limited liability company.

3. The founder of the University is the limited liability company "Alberta koledža" (hereinafter - the Founder), registration No 40003549193 with legal address at Skolas iela 22-2, Rīga, Latvia. The founder of the University, in accordance with the Bylaws (rules and regulations) and the Constitution, shall

exercise and implement its rights and obligations at the University through the Executive Board.

4. The legal address of the University is at Lomonosova iela 1 k-5, Rīga, Latvia.

5. The full name of the University is: The EKA University of Applied Sciences, abbreviated as "EKA".

6. The operation of the University shall take place in accordance with the Commercial Law. It is defined and regulated by the Founder on the basis of the Bylaws of the limited liability company "Ekonomikas un kultūras augstskola".

7. The study, research and artistic creative freedom shall be provided at the University as long as this freedom does not conflict with the rights of other persons, the University's Constitution and regulations.

8. The University has its own symbols, paraphernalia and the seal.

II. Aim and tasks of the University

9. The University's primary mission is to provide students with the opportunity to obtain higher education that is practically applicable, built on the foundations of science and practical experience and one that meets international requirements. An integral part of that mission is the organization of scientific and research activities.

10. The main objectives of the University are as follows:

10.1. to provide quality education and prepare international specialists who would be able to operate professionally in an occupation and to continue their education at the next level;

10.2. to organize training and retraining according to the requirements of economic development;

10.3. to design programs, which combine professional and humanitarian aspects, thus contributing to the development of professional and intelligent specialists while raising the cultural level of the members of the public.

11. In order to ensure the study process, the University shall develop its educational resources while creating modern material and technical support, providing access to information on the Internet to all students of the University, building its library, and establishing study and internship system for the acquisition of practical skills.

12. In accordance with its aims, the University:

12.1. shall determine content and forms of the study programs, additional rules of the enrollment, enrollment procedures, research and scientific work directions;

12.2. upon successful completion of the program, shall award academic degrees, professional degrees and professional qualifications, professional qualifications, doctoral degrees, issuing appropriate University diplomas and other educational documents in accordance with the laws and regulations of the Republic of Latvia;

12.3. shall combine the acquisition of the parts of the theoretical content with the acquisition of practical skills of the study process;

12.4. shall conduct basic (fundamental) and applied research;

12.5. shall promote the preparation of young scientists; shall implement internal quality assurance and data protection systems.

13. While implementing the study programs and conducting research activities, the University shall be entitled:

13.1. to organize conferences, congresses, contests, courses, lectures, seminars, provide other types of educational services and other types of activities according to the laws and regulations of the Republic of Latvia;

13.2. to enter into agreements with other institutions of higher education and research from the Republic of Latvia and abroad;

13.3. to establish its own foundations, as well as to interact and be a member and participant of other foundations;

13.4. to be a member and participant, and to establish associations and organizations.

14. In order to conduct educational and research activities, the University has the right to establish institutes, departments, branches and other structural units. Their creation, restructuring and closing shall be done in accordance with the Senate decisions, the applicable laws and regulations, the University's Bylaws and this Constitution.

III. Management and structure of the University

15. The representative, managerial and decision-making bodies (institutions) of the University are as follows:

15.1. The Board (an executive body established by the Founder);

15.2. The Constitutional Assembly;

15.3. The Senate;

15.4. The Rector;

15.5. The Academic Court of Arbitration.

16. The top management and decision-making body dealing with strategic, financial and economic matters is the Founder.

17. In deciding certain issues, the bodies mentioned in paragraph 15 of this Constitution shall observe the exclusive authority of the Founder described in the Bylaws of the University. The Founder shall have the exclusive authority to decide the following:

17.1. To recommend either the Rector of the University elected by the Constitutional Assembly or the Interim Rector for approval by the Cabinet of Ministers;

17.2. The University's study fees, changing and coordinating of other paid services, which are directly or indirectly connected with the study process;

17.3. The approval of the University's strategic long-term goal guidelines and the strategic action plan;

17.4. Coordinating the issues related either to the establishment of new University study programs or study directions or the closure or substantial modification of existing study programs or study directions;

17.5. Coordinating the decisions about the establishment or closing of the University's representative offices and branches;

Making 17.6 decision on the University's restructuring and closing.

18. The Board is the University's governing body established by the Founder to deal with strategic and financial matters of the University and shall bear responsibility about:

18.1. recommending a candidate for the Rector's position to be elected at the Constitutional Assembly and calling for the Rector's resignation;

18.2. recommending the Senate to convene an emergency meeting of the Constitutional Assembly;

18.3. making proposals to the Senate about the formation, restructuring or closing of the University's structural units;

18.4. determining the University's personnel remuneration, approving the University's budget;

18.5. drafting the University's Constitution or its amendments;

18.6. performing other obligations.

19. The Board shall operate under the University's strategic long-term goal guidelines and the strategic action plan approved by the Founder.

20. The Constitutional Assembly is the highest collegiate representative and governing body and a decision-making body in academic and scientific matters.

21. The Constitutional Assembly of the University functions according to the Law on Institutions of Higher Education and the Regulations of the Constitutional Assembly.

22. The elections of the Constitutional Assembly shall be organized by the Board of the University.

23. The Constitutional Assembly shall have twenty representatives elected by secret ballot. Twelve representatives shall be elected from the academic personnel, four representatives – from the students' self-government council candidates and four representatives – from the general personnel.

24. The term of the mandate of the elected representatives of the Constitutional Assembly is four years. The Constitutional Assembly representative may be recalled before the expiry of the mandate on the basis of electoral decision that shall be made in the same manner as the decision about the election of the representative. The current Constitutional Assembly shall be convened annually. If necessary, the special Constitutional Assembly may be convened by the Senate of the University's Rector.

25. The Constitutional Assembly shall elect its Chair, Vice-Chair and Secretary to serve for the period of four years.

26. The Constitutional Assembly shall:

26.1. adopt and amend the Constitution of the University;

26.2. vote either to elect the Rector or ask for his or her resignation;

26.3. listen to the Rector's report;

26.4. elect the Senate;

26.5. elect the Academic Court of Arbitration;

26.6. approve and amend the Bylaws (i.e. rules, guidelines and regulations) of the Constitutional Assembly, the Senate, and the Academic Court of Arbitration;

26.7. be entitled to address conceptual issues of the University's business and development to make decisions on them.

27. The University's Senate is a collegiate governing body of the University having authority to approve the procedures and rules governing all spheres of the University life. Aspects of the Senate activities, which are not covered in the Constitution, may be described in the Senate Rules.

28. The University's Senate shall be elected by the Constitutional Assembly to serve for the period of three years. A Senator may be recalled prior to the expiry of the mandate on the basis of the Constitutional Assembly decision. The Senate's composition, election procedure, operation and its scope of responsibility shall be governed by the Senate Rules.

29. The Senate shall consist of twenty members, of whom fifteen are the University's academic personnel representatives, four representatives of the University's students and one representative of the general personnel.

30. The Senate decisions on strategic, financial and business matters shall enter into force after the consent from the Founder is received.

31. After recommendation from the Board, the Senate shall decide on the University's structural unit formation, restructuring or closing, including the approval of the rules and regulations of those units.

32. The Senate decisions which are not administrative acts may be challenged at the Academic Court of Arbitration of the University within one week after the Senate meeting by submitting a letter that describes a supported request for canceling the decision. At the subsequent Senate meeting, the Academic Court of Arbitration shall report the results of reviewing of the letter. If the Academic Court of Arbitration finds the challenge legitimate, then the decision shall be reconsidered in the Senate, if it does not, the decision shall remain in force in the Senate.

33. The Senate decisions shall comply with the University's budget approved by the Board, with the guidelines of the long-term strategic objectives and the strategic action plan approved by the Founder.

34. There shall be the Advisory Board created at the University to be engaged in consulting activities on strategic issues. It is entitled to raise the matters for consideration at the Senate and the Constitutional Assembly. The formation and operation of the Advisory Board shall be regulated by Senate approved bylaws.

35. The Advisory Board is run by its Chair. The Advisory Board shall be convened by either by a suggestion of its Chair or at least a third part of the advisors.

36. The Rector of the University is the highest official who exercises its

general administration and shall represent it without any special authorization.

37. The Rector shall be elected by the Constitutional Assembly of the University for a term not exceeding four years, and the same person shall not be elected more than two times in a row.

38. The regular Rector elections shall be held at least one month before the expiry of the mandate of the current Rector. Until the approval of the newly elected Rector, the responsibilities of the Rector shall be assumed by the former Rector.

39. The Rector shall be asked to resign by the Cabinet of Ministers after the recommendation by the University's Senate or the relevant ministry, if violations of laws and regulations are discovered in the Rector's activities.

40. The Rector shall:

40.1. be responsible for the University's complying with the Law on Institutions of Higher Education and other laws and regulations, as well as the University's Constitution;

40.2. be responsible for the quality of acquired education and scientific research carried out at the University;

40.3. promote creative development of the University's personnel and providing academic personnel and students with academic freedom;

40.4. represent the University by signing cooperation agreements with the management of Latvian and foreign higher education institutions;

40.5. be responsible for the implementation of the University's strategic long-term goal guidelines and the strategic action plan, and shall prepare the University's budget;

40.6. perform other responsibilities of the Rector described in laws and regulations and the University's Constitution.

41. The Rector shall have the right to issue orders for all administrative matters outside the jurisdiction of other management institutions. The University's personnel shall comply with the orders.

42. The Academic Court of Arbitration of the University shall act on the basis of regulations approved by the Constitutional Assembly with three arbitrators, who are elected for three years. Two representatives from the University's academic personnel shall be elected through secret ballot by the Constitutional Assembly. The students' representative shall be elected to the Academic Court of Arbitration by the Students' Self-government Council.

43. The Academic Court of Arbitration shall:

43.1. review the letters of students and academic personnel concerning violations of academic freedom and restrictions or violations of rights described in the University's Constitution;

43.2. review conflicts among the University's officials as well as structural management institutions which stand in mutual subordination;

43.3. review application letters about challenging either administrative directive or factual action and shall make appropriate decisions on them;

43.4. perform other tasks stipulated by the University's Constitution.

44. The decisions made by the Academic Court of Arbitration shall be complied with by the University's administration.

45. Administrative directives or factual actions of the University may be challenged by the University's personnel at the University's Academic Court of Arbitration, but the decision made by the Academic Court of Arbitration may be appealed to the court following the steps described in the Administrative Procedure Law.

46. Individuals who do not belong to the University's personnel may challenge the University's administrative directives and factual actions by submitting an application letter to the Rector, but the Rector's decision may be appealed to the court following the steps described in the Administrative Procedure Law. If the challenged administrative directive was issued or the factual action was performed by the University's Rector, then the individuals who do not belong to the University's personnel may challenge the respective administrative directive or factual action at the Ministry of Education and Science, but the Ministry of Education and Science decision may be appealed to the court following the steps described in the Administrative Procedure Law.

47. The members of the Academic Court of Arbitration shall answer to the University's Constitutional Assembly.

48. Following the recommendation of the Senate, the Constitutional Assembly has the right to exclude certain individuals from either the Senate or the Academic Court of Arbitration, if those individuals by their actions are not conducive to complying with the Constitution and other internal rules of the University. In this case, a meeting of the Constitutional Assembly shall be called, which shall decide on the person's exclusion from either the Senate or the Academic Court of Arbitration and electing new individuals in these governing institutions.

IV. Personnel of the University

49. The University's personnel shall consist of:

49.1. academic personnel – staff holding elected academic positions at the University;

49.2. General personnel of the University;

49.3. students.

50. The University's personnel shall have a duty to promote study and research freedom, transparency of the University's management and its affairs, as well as to fulfill contractual obligations so that the University can complete its tasks in a manner that does not violate rights of the individual, without interfering into official duties or work execution.

51. The University's personnel shall have the rights in the order stipulated by this Constitution and the University's rules and regulations to participate in the University's management, to be elected in the University's governing institutions, as well as to exercise other rights stipulated by laws and regulations and labor contracts. If an individual, who is elected in one of the University's institutions of representation, management or decision-making, ceases to be employed by the University or graduates from it, then the individual's mandate at the respective institution ends.

52. The University's academic personnel shall conduct scientific research and take part in the students' education.

53. The election procedures, work objectives and tasks of the University's academic personnel are stipulated by the respective regulations of the University.

54. The general personnel of the University shall consist of the Rector, the Vice Rector, the Head of the Department, the Study Direction Director, the Study Program Director and other personnel, with the exception of the academic personnel, who get elected.

V. Student Self-government Council

55. The University students shall have their own self-government council – an elected, independent institution representing students' rights and interests at the University. It functions in accordance with the regulation that shall be written by the students and confirmed by the Senate.

56. The Student Self-government Council shall:

- 56.1. represent the University students in Latvia and abroad;
- 56.2. defend and represent the interests of the students in academic, material and cultural life areas at the University and other institutions;
- 56.3. determine the order by which students are elected to the University's collegiate institutions;

57. The decisions of the Student Self-government Council after approval by the Senate shall be mandatory for all students.

58. The Student Self-government Council shall have the right to request and receive information and explanations from any authorized representatives of the University's structural units in all matters affecting the interests of the students.

VI. Scientific research and international cooperation

59. Scientific research is an integral part of the University involving all academic personnel of the University. Its aim is scientific knowledge acquisition, scientific substantiation and further development of learning and studies, solving important practical problems using research methods.

60. Scientific research work at the University shall be conducted in accordance with the Law on Scientific Activity.

61. The University shall promote international cooperation with foreign universities within the framework of international and interuniversity exchange programs for students and academic or general personnel.

VII. The University's property and finances

62. The estate of the University consists of movable and immovable property as well as financial resources. The compliance of financial and economic activities of the University with the laws and regulations shall be verified annually by an independent, certified auditor.

63. The University shall be funded by its Founder. The University's Founder shall provide the necessary financial resources for the continuous operation of the University and for the completion of the tasks assigned by the Founder who also controls the spending. The University's estate shall be managed by the Founder according to the Charter's procedures, and by complying with the regulatory provisions. The University's institutions of academic and scientific management shall use the University's property and

financial resources according to the procedures stipulated by the Founder of the University.