

APPROVED
Minutes of the Senate meeting No. 171 of 18.05.2022
Minutes of the Constitutional Assembly No. 2-8/2022/01 of 26.05.2022
EKA Board Decision No 1-3/22-13 of 26.05.2022

Effective from 01.06.2022.

EKA University of Applied Sciences CONSTITUTION

Preamble

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

The EKA University was registered in the Educational Institution Register on February 2, 2000, the registration certificate No. 3343800214.

The EKA University's Accreditation certificate No. 017 was issued on February 8, 2001. The EKA University has been granted permanent accreditation on November 16, 2006.

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

I. General provisions

1. The EKA University is an autonomous institution of higher education and science with the rights of self-government, which operates in accordance with the laws and regulations of the Republic of Latvia and the Constitution of the EKA University. The rights of self-government shall be implemented by the administration and staff of the EKA University in accordance with the procedure laid down in this Constitution, by participating in the management and administration of study, scientific research, administrative and business affairs.

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

3. The founder of the EKA University is the limited liability company "Alberta Koledža" (hereinafter – the Founder), registration No. 40003549193, with its legal address at Skolas iela 22-2, Riga, Latvia. According to the Statutes and this Constitution, the Founder of the EKA

University shall respect and implement their rights and obligations at the EKA University through the Board.

4. The full name of the EKA University is: “The EKA University of Applied Sciences (*Ekonomikas un kultūras augstskola*)”, abbreviated as EKA”.
5. The type of the EKA University is a university of applied sciences. The EKA University provides the study process in the areas of social sciences, humanities and arts, natural sciences (information technology). The EKA University in their scientific research and academic activity specializes in the area of social sciences.
6. The business activity of the EKA University shall take place in compliance with the Commercial Law. It is defined and regulated by the Founder on the basis of the Statutes of the limited liability company “*Ekonomikas un kultūras augstskola*”.
7. The study, research work and artistic creation freedom shall be ensured at the EKA University, if this freedom does not conflict with the rights of other persons, the Constitution of the EKA University College and the laws and regulations.
8. The EKA University has its own symbols, attributes and the seal.

II. Aim and tasks of the EKA University

9. The main aim of sustainable operation of the EKA University is to provide students with the opportunity to obtain practically applicable, research-based and practical experience-based higher education that meets international requirements and is internationally recognized.
10. The operation directions of the EKA University are as follows:
 - 10.1. to provide education required for the growth of a creative person and prepare specialists who are able to work professionally in a particular specialty and continue their development at the next level of education;
 - 10.2. to provide lifelong learning through the organization of professional development and retraining in line with the requirements of economic development;
 - 10.3. to perform scientific research and creative activities in line with the current situation.
11. The EKA University shall carry out the following tasks based on regular improvement of its activities in accordance with the set objectives:
 - 11.1. develop study programmes, select academic staff, provide laboratories, workshops, libraries and other structures to enable students to acquire knowledge, academic education and professional skills in accordance with the level of scientific development and Latvian cultural traditions, and in a manner that is as concise and didactically fully-fledged as possible. It ensures such assessment and examination requirements and procedures that

the degrees and titles conferred, diplomas and professional qualifications obtained, as well as the acquisition of parts of study programmes are mutually recognized by Latvian and foreign universities;

11.2. define the curriculum and forms of study programmes, admission requirements and additional rules, enrolment procedure, research and scientific activity directions;

11.3. academic degrees, professional degrees and professional qualifications, doctor degrees are conferred, and the relevant higher education diplomas and other education documents are issued upon successful completion of a study programme in accordance with the procedure laid down in the laws and regulations of the Republic of Latvia;

11.4. combine the acquisition of theoretical content of the study process with the acquisition of practical skills;

11.5. carry out fundamental and applied research;

11.6. foster the preparation of young scientists;

11.7. implement internal quality assurance and data protection systems.

12. While providing study programmes and performing scientific activities, the EKA University shall be entitled to:

12.1. organize conferences, congresses, competitions, courses, lectures, seminars, other types of education services and other forms of activity provided for by the laws and regulations of the Republic of Latvia;

12.2. conclude agreements with other higher education institutions and scientific institutions in the Republic of Latvia and abroad;

12.3. establish own foundations and cooperate and be a member and participant of other foundations;

12.4. be a member and participant of associations and organizations, as well as establish such associations and organizations;

12.5. within their autonomy, the EKA University ensures the integrity of study, research and artistic creation activity. In the course of its operation, it contributes to the growth and development of science, art and the state language. The EKA Universities provides students with opportunities to engage in sports.

13. The EKA University shall organize its work in the best interests of public, as well as inform the public about its activities, study and scientific research directions and opportunities, promoting the offer of study and research work opportunities according to the interests and abilities of the individual. The EKA University offers its achieved scientific research, artistic and professional knowledge, methods and results to the public.

14. For the purpose of educational and scientific activity, the EKA University shall be entitled to establish institutes, departments, branches and other bodies. Their establishment, reorganization and liquidation shall be carried out in accordance with decisions of the Senate, existing laws and regulations, the Statutes of the EKA University and this Constitution.

III. Administration and structure of the EKA University

15. The representation, management and decision-making bodies of the EKA 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 highest management and the decision-making body of the EKA University regarding strategic, financial and economic matters is the Founder.

17. In their operation, the bodies referred to in section 15 of this Constitution shall respect the exclusive authority of the Founder in deciding certain matters as set by the Statutes of the EKA University. The following matters fall only within the authority of the Founder:

- 17.1. to agree and refer the Constitution of the EKA University and its amendments to the Constitutional Assembly for their approval;
- 17.2. to recommend the Rector or the acting Rector elected by the Constitutional Assembly to the Cabinet of Ministers for their approval;
- 17.3. to establish tuition fees, other fee services of the EKA University directly or indirectly linked to the study process;
- 17.4. to approve guidelines for long-term strategic objectives and strategic action plan of the EKA University;
- 17.5. to agree issues regarding introduction of new study programmes or study directions at the EKA University or closing of existing study programmes or study directions or their substantial modification;
- 17.6. to agree decisions on establishment or liquidation of branches and representative offices of the EKA University;
- 17.7. to adopt a decision on reorganization and liquidation of the EKA University.

18. The Board is a governing body of the EKA University established by the Founder regarding strategic and financial matters, and its responsibilities shall be as follows:

- 18.1. to propose candidates for the election to the post of the Rector to the Constitutional Assembly and to initiate dismissal of the Rector;
 - 18.2. to convene extraordinary Constitutional Assembly;
 - 18.3. to make proposals to the Senate on establishment, reorganization or liquidation of departments of the EKA University;
 - 18.4. to set the remuneration of the EKA University's staff, approve the budget of the EKA University;
 - 18.5. to propose amendments to the Constitution of the EKA University and agree them;
 - 18.6. to perform other duties assigned to it.
19. The Board shall operate in compliance with the guidelines for long-term strategic objectives and the strategic action plan of the EKA University as approved by the Founder.
20. The Constitutional Assembly is the highest collegiate representative and governance body and decision-making authority for academic and scientific matters.
21. At the EKA University, the Constitutional Assembly shall act in accordance with the Law on Higher Education Institutions and the Regulation on the Constitutional Assembly.
22. Election of the Constitutional Assembly shall be organized by the Board of the EKA University.
23. Twenty representatives are members of the Constitutional Assembly and shall be elected by secret ballot. Twelve representatives shall be elected from the academic staff, four from the candidates from the Student Council and four from the general staff.
24. The term of the mandate of members of the Constitutional Assembly shall be four years. A member of the Constitutional Assembly may be revoked before the expiry of his/her term the mandate, on the basis of a decision of the voters of that representative taken following the same procedure as the decision on the election of this representative. A regular Constitutional Assembly shall be convened annually. If necessary, extraordinary meetings of the Constitutional Assembly may be convened by the Senate, the Rector or the Board of the EKA University.
25. The Constitutional Assembly shall elect its Chair, Deputy Chair and Secretary for a term of four years.
26. The Constitutional Assembly shall:
- 26.1. approve the Constitution of the EKA University and its amendments;
 - 26.2. elect and revoke the Rector at the initiative of the Board ;
 - 26.3. listen to the Rector's report;
 - 26.4. elect the Senate, withdraws its members in accordance with the procedure laid down in the regulations of the EKA University;

- 26.5. elect the Academic Court of Arbitration;
- 26.6. approve the regulations on the Constitutional Assembly, the Senate and the Academic Court of Arbitration;
- 26.7. be entitled to adopt conceptual operation and development matters of the EKA University for consideration and decision-making as far as it meets strategic long-term aims and strategic development plans defined by the Founder.
27. The Senate is a collegiate governing and decision-making body of the EKA University staff that approves the procedure and regulations governing all fields of activity of the EKA University. Issues of the operation of the Senate, which are not specified in the Constitution, may be laid down in the Senate Rules.
28. The Constitutional Assembly shall elect the Senate for a period of three years. A senator may be revoked prior to the expiry of the mandate on the basis of a decision of the Constitutional Assembly. The procedure, operation and scope of responsibility of the Senate shall be regulated by the Senate Rules.
29. The Senate shall consist of twenty members, fifteen of which are representatives of the academic staff of the EKA University, four are student representatives of the EKA University and one is a representative of the general staff.
30. Decisions of the Senate on strategic, financial and economic issues shall come into force after they have been agreed with the Founder of the EKA University.
31. The Senate shall draft the Constitution of the EKA University or amendments to the Constitution. The following bodies shall be entitled to submit proposals for amendments to the draft Constitution or the Constitution to the Senate: the Founder, the Senate, the Rector, at least 10 per cent of all members of the Constitutional Assembly and the Student Council.
32. Upon a proposal of the Board, the Senate shall decide on establishment, reorganization or liquidation of departments of the EKA University, as well as approve the regulations of these departments.
33. Decisions of the Senate, which are not administrative acts, may be challenged at the Academic Court of Arbitration of the EKA University within one week after the Senate meeting, by submitting an application with a reasoned request for decision annulment. During a regular Senate meeting, the Academic Court of Arbitration shall report on the results of the examination of the application. If the Academic Court of Arbitration considers it to be justified, the issue shall be considered at the Senate repeatedly; if it is found to be unjustified, the decision of the Senate shall remain valid.

34. The Senate decisions shall comply with the budget of the EKA University approved by the Board, the guidelines for strategic long-term aims and the strategic action plan approved by the Founder.

35. The Rector is the senior official of the EKA University who exercises its overall administration and represents it without any special authorization.

36. The Rector shall be elected by the Constitutional Assembly of the EKA University for a term not exceeding five years, electing the same person not more than twice.

37. The regular Rector elections shall be held at least one month before the mandate of the present Rector expires. Until the newly-elected Rector is approved, the former Rector shall be in office.

38. If the conduct of the Rector is found to be in breach of the law or if there is a significant threat to his/her reputation, and this may harm the operation of the EKA University, if the Rector does not ensure achievement of the aims set in the development strategy of the EKA University or has lost the trust of the Board or the Constitutional Assembly, the Board may initiate the dismissal of the Rector. The decision of such a proposal shall be submitted to the Constitutional Assembly for consideration. Within 30 days after its receipt, the Chair of the Constitutional Assembly shall convene the Constitutional Assembly to decide on the dismissal of the Rector. The Board may dismiss the Rector if at least two thirds of the members of the Constitutional Assembly vote for it.

39. The Rector shall:

39.1. be responsible for the compliance of the operation of the EKA University with the Law on Higher Education Institutions and other laws and regulations, as well as the Constitution of the EKA University;

39.2. be responsible for the quality of the education to be obtained and scientific research carried out at the EKA University;

39.3. foster the creative development of the EKA University staff and ensure academic freedom of the academic staff and students;

39.4. perform representative functions of the EKA University, carry out other activities to ensure successful operation of the EKA University and represent it in cooperation with other institutions and individuals;

39.5. ensure administration of the EKA University and be responsible for achieving the goals set out in the development strategy of the EKA University, as well as useful and lawful use of the financial resources of the EKA University in accordance with the law, other legislative acts, as well as the Constitution of the EKA University, decisions of the Board and the Senate;

- 39.6. perform other duties as defined by the laws and regulations, the Constitution and internal regulations of the EKA University.
40. The Rector shall have the right to issue orders regarding all administrative matters which are not within the responsibility of other administrative bodies. The staff of the EKA University shall comply with these orders.
41. The Academic Court of Arbitration of the EKA University shall act on the basis of the Regulation approved by the Constitutional Assembly in a composition of three arbitrators elected for a period of three years. Two representatives from the academic staff of the EKA University shall be elected by the Constitutional Assembly by secret ballot. The student representative at the Academic Court of Arbitration shall be elected by the Student Council.
42. The Academic Court of Arbitration shall:
- 42.1 review applications from students and academic staff regarding restrictions or violations of their academic freedom and rights set out in the Constitution of the EKA University;
 - 42.2. review disputes between the officials of the EKA University, as well as administrative bodies of departments which are in mutual subordination;
 - 42.3. in cases prescribed by the Law on Higher Education Institutions, consider applications challenging an administrative act or actual conduct and take appropriate decisions on them;
 - 42.4. perform other tasks stipulated by the Constitution of the EKA University.
43. The decisions of Academic Court of Arbitration shall be implemented by the administration of the EKA University.
44. The administrative acts issued by the EKA University or actual conduct may be challenged at the EKA University Academic Court of Arbitration, but its decision may be appealed to the Court in accordance with the procedure laid down in the Administrative Procedure Law.
45. Individuals who are not part of the EKA University staff may challenge administrative acts issued by the EKA University or actual conduct by submitting an application to the Rector of the EKA University. The applicant may appeal against the Rector's decision to the Court in accordance with the procedure laid down in the Administrative Procedure Law.
46. Members of the Academic Court of Arbitration shall be accountable for their activities to the Constitutional Assembly of the EKA University.
47. Upon recommendation of the Senate, the Constitutional Assembly shall be entitled to exclude a person from the Senate or Academic Court of Arbitration, if the conduct of this person does not promote compliance with the Constitution and other internal rules of the EKA University. In such case, the Constitutional Assembly shall be convened, which shall decide on

excluding this person from the Senate or Academic Court of Arbitration and electing new persons.

IV. Staff of the EKA University

48. The staff of the EKA University shall consist of:

- 48.1. academic staff – employees elected to academic positions at the EKA University;
- 48.2. general staff of the EKA University;
- 48.3. students.

49. The staff of the EKA University shall have a duty to promote freedom of study and research, foster transparency in the administration of the EKA University and in the management of its affairs, and fulfil its contractual obligations, so that the EKA University can complete its tasks in a manner that does not violate rights of other persons and interfere with the performance of official or job duties.

50. Following the procedure set by this Constitution and EKA University's regulations, the staff of the EKA University shall have the right to participate in its management, to be elected in its governing bodies, as well as to exercise other rights laid down in laws and regulations. If employment relationship ceases with a person elected to one of the representation, governing or decision-making bodies of the EKA University, the authority of that person at the respective body shall be terminated.

51. The election procedure, aims and tasks of the academic staff of the EKA University shall be stipulated by the relevant regulations of the EKA University.

V. Student Council

52. The students of the EKA University shall have their own self-government body – an elected, independent institution representing the rights and interests of students at the EKA University. It shall operate in accordance with the regulation drawn up by the students and approved by the Senate.

53. The Student Council shall:

- 53.1. represent students of the EKA University in Latvia and abroad;
- 53.2. defend and represent the interests of students in academic, material and cultural life areas at the EKA University and other institutions;
- 53.3. determine the procedure for electing students to the collegiate bodies of the EKA University.

54. The decisions of the Student Council after their approval by the Senate shall be mandatory for all students.

55. The Student Council shall have the right to request and receive information and explanations from the authorized representatives of any department of the EKA University regarding all matters affecting the interests of students.

VI. Scientific research and international cooperation

56. Scientific research is an integral part of the work of the EKA University, and all academic staff and students of the EKA University participate in it. Its aim is acquisition of scientific knowledge, science-based learning and study and their further development, solving tasks of practical importance with research methods.

57. Research activity at the EKA University shall be carried out in accordance with the Law on Scientific Activity.

58. The EKA University shall promote international cooperation with higher education institutions in other countries within the framework of international and inter-university student, academic or general staff exchange programmes and concluded cooperation agreements.

APPROVED
EKA Board Decision No 1-3/22-13 of 26.05.2022

Transitional provisions

In compliance with Section 66 of the Law on Higher Education Institutions, the Regulation No. 566 of the Cabinet of Ministers as of October 11, 2017 "On the approval of the Constitution of the EKA University of Applied Sciences" shall be invalid from May 31, 2022. The revised version of the Constitution of the EKA University of Applied Sciences shall come in force on June 1, 2022.