

Rules of Organisation and Operation of the Hungarian Accreditation Committee

(Adopted via Decision 2019/9/X/1 of the HAC Board)

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RULES OF ORGANISATION AND OPERATION OF THE HAC

Having regard to Section 5.7 of the Deed of Foundation of the HAC, these Rules lay down the detailed rules governing the organisational structure and operations of the HAC, thereby establishing its structural and operational framework. The rules herein are to be interpreted together and in line with the stipulations of the Deed of Foundation. These Rules of Organisation and Operation do not include the stipulations already specified in the Deed of Foundation.

I ORGANISATIONAL STRUCTURE OF THE HAC

- I. (1) The HAC consists of the HAC Board, a separate Board of Appeals and the Secretariat working alongside the HAC Board and the Board of Appeals, as well as a separate Financial Supervisory Board, which shall operate in accordance with Act CLXXV of 2011 on the right of association, on public benefit status and on the operation and support of non-governmental organisations (the NGO Act).
- (2) The HAC Board may establish permanent or ad hoc committees, colleges and working groups to carry out its tasks. The committees, colleges and working groups of the HAC are preparatory bodies whose decisions are not binding for the HAC Board.
- (3) Subject to the approval by the HAC Board, the President of the HAC may contract an ad hoc agent for a definite period to carry out a task approved by the HAC Board. Such agent shall report to the HAC Board on the work performed and the results achieved.
- (4) All members of the HAC Board or of any preparatory body, as well as all persons participating in preparatory work shall sign a confidentiality agreement. By doing so they acknowledge the obligations therein as well as the legal consequences of not meeting such obligations.
- (5) The organograms of the HAC are included in Annex 2.

I.1 THE HAC BOARD

2. (1) The HAC Board is the decision-making body of the HAC.
- (2) The HAC Board
 - a) Adopts final decisions in the procedures belonging to the scope of operations of the HAC, with the exception of appeal procedures.
 - b) Adopts the assessment criteria, guides and additional rules of procedure (assessment documents) for the procedures belonging to the scope of operations of the HAC.
 - c) Adopts the Rules of Organisation and Operation and Deed of Foundation of the HAC, as well as additional detailed rules, policies and reports relevant to the operations and financial management of the HAC.
 - d) Elects its officials and the members of permanent or ad hoc committees, colleges, working groups and advisory bodies.
 - e) Issues position statements and proposals on matters relevant to the HAC.
 - f) Comments on proposed amendments to regulations submitted to it and formulates proposed amendments to regulations.
- (3) Draft legislation referred to by the relevant ministry or other entity for commenting must first be submitted to the President of the HAC, who decides whether the HAC Board

needs to be involved in the process of commenting.

(4) Decisions adopted by the HAC Board pursuant to Paragraph (2)(a) may be contested by submitting a request for appeal, with the exception of review procedures.

3. (1) The procedures for appointing and discharging members of the HAC Board are governed by Act CCIV of 2011 on national higher education (HE Act) and by Government Decree 19/2012 of 22 February 2010 on certain aspects of quality assessment and enhancement in higher education (Quality Decree).

(2) In discharging their duties, members of the HAC Board must act as unbiased, objective assessors and formulate expert opinions with a view to improving the quality and maintaining the competitiveness of higher education, taking into account the teaching and research requirements applicable to their discipline, the quality assurance standards of the European Higher Education Area, and proceeding independently from their delegating body, person or any employment or other work relationship in existence during the period of their membership.

(3) Only reasoned decisions adopted in the form of a resolution by the HAC Board are considered expert opinions of the HAC in the meaning of the HE Act.

(4) Members of the HAC Board are required to study and be prepared about the cases they are to decide; must prepare a written proposal as necessary; must attend the relevant meetings; and must actively participate in formulating the opinions, position statements and expert opinions of the HAC.

(5) Members of the HAC Board must participate in the work of the preparatory bodies for their discipline as chairperson or member and may be elected chairperson or member of any other preparatory body. Members of the HAC Board may perform additional tasks on an ad hoc basis upon the request of the President of the HAC.

I.2 PRESIDENT

4. (1) The President of the HAC is the chairperson of the HAC Board, as stipulated by the Quality Decree.

(2) Responsibilities and powers of the President:

- a) Represents the HAC.
- b) Plans, organises and oversees the professional work performed by the HAC.
- c) Coordinates the activities of the preparatory committees and the HAC Board.
- d) Decides on the use of the HAC budget; plans, oversees and controls the financial management of the HAC.

- e) Ensures that the human and physical resources required for the operation of the HAC Secretariat are available, subject to the constraints of the budget.
- f) Performs the responsibilities specified by the laws governing the operations of the HAC for the leader of the organisation.
- g) Oversees the professional activities performed by the Secretariat and exercises employer's rights with respect to employees of the Secretariat.
- h) Convenes and chairs the meetings of the HAC Board with assistance from the Secretariat, with the exception of its initial meeting.
- i) Decides issues that need not be decided by the HAC Board, or which are referred to the President by the HAC Board.
- j) Makes sure that the internal rules of procedure and criteria of the HAC as well as

the reports required by law are published through the Secretariat.

k) Liaises with international higher education bodies and organisations and represents the HAC at their events and meetings.

(3) The President represents the HAC on his/her own.

(4) The President may delegate the responsibilities specified in points (a), (d), (g), (j) and (k) in accordance with the rules specified herein. Delegated responsibilities may not be delegated further.

I.3 VICE PRESIDENTS

5. (1) The HAC Board shall elect two vice presidents upon the proposal of the President of the HAC by the majority vote of the members present, in secret ballot. Vice presidents shall be invited to perform the responsibilities of vice presidents for the duration of the cycle by the President of the HAC.

(2) The professional area to be overseen by the vice president shall be determined at the time such vice president is elected.

(3) One of the vice presidents shall perform the tasks of the President of the HAC for the duration the President is incapacitated, based on the President's authorisation for the relevant period. A vice president substituting for the President shall not exercise employer's rights or undertake financial commitments in excess of 0.05% of the budget at the time.

(4) If it is not possible to issue an authorisation (force majeure), the senior vice president shall act as acting President. An acting President shall exercise all powers and perform all tasks of the President with the exception of terminating employment relationships and making changes between budget lines in excess of 10% of the sum of all budget lines.

(5) In the event of the resignation or death of the President, the senior vice president shall proceed as acting President, without limitations, in all matters belonging to the scope of authority of the President.

(6) Appointment as vice president may be revoked upon the proposal of the President by the qualified majority of the HAC Board. A vice president may resign from his/her position without giving an explanation.

I.4 SECRETARY GENERAL

6. (1) An officer selected by the HAC Board via a public tender, who shall perform his/her duties in the framework of a mandate agreement.

(2) The decision to publish an invitation for applications, and the content of such invitation shall be adopted by the HAC Board upon the proposal of the President.

(3) Members of the nominating committee that will assess applications and hear the applicants in person shall be elected simultaneously with the decision referred to in Paragraph (2). The nominating committee shall consist of a vice president nominated by the President of the HAC, two elected members of the HAC Board, a representative of the National Union of Students in Hungary and the employee representative of the HAC Secretariat.

(4) The decision on selecting the secretary general shall be adopted by the HAC Board on the basis of the preliminary opinion of the nominating committee, with a two-thirds majority of the members present.

(5) The secretary general may be elected for a period of at least one and at most four years, and may be re-elected once.

(6) The secretary general may be discharged or replaced by the HAC Board if decided by two thirds of its members present.

(7) Duties of the secretary general:

- a) Liaises with international higher education bodies and organisations;
- b) Represents the HAC at international events;
- c) Organises and oversees the activities designed to promote the participation of the HAC in international accreditation processes;
- d) Organises and oversees professional further training on international matters for experts and programme officers.

(8) The secretary general has the right to comment when participating in the work of the HAC Board, and shall regularly give an account of his/her activities to the HAC Board.

1.5 THE BOARD OF APPEALS AND FINANCIAL SUPERVISORY BOARD OF THE HAC

7. (1) The HAC has a Board of Appeals established in line with the Quality Decree and the HE Act to ensure that a new expert opinion to be formulated by the HAC on the same issue or regarding the same person in the context of a single process is formulated on the basis of unbiased and objective considerations.

(2) Appeal against decisions of the HAC Board may be sought through requests for appeal. Concerns regarding any other aspect of the processes of the HAC may be addressed through complaints.

(3) A request for appeal must be submitted by a rector, while anybody may make a complaint. Requests for appeal regarding applications for new programmes must be submitted to the Educational Authority. Requests for appeal regarding university professor applications must be submitted to the Ministry for Innovation and Technology.

8. (1) The HAC has a Financial Supervisory Board established and operating in accordance with the NGO Act and the Quality Decree.

(2) The Financial Supervisory Board supervises the operations and financial management of the HAC. Its work is supported by the HAC Secretariat.

1.6 HAC SECRETARIAT

9. (1) In the context of the tasks and processes of the HAC specified by law and described herein, the HAC Secretariat (hereafter: Secretariat) performs operative, legal, financial, administrative and clerical tasks and also carries out professional preparations, formulates proposals and contributes comments as specified herein.

(2) The Secretariat is an organisational unit without being a separate legal entity.

(3) The tasks referred to in Paragraph (1) are performed by Secretariat staff, who have entered into a legal relationship for work in the organisation. Detailed rules applicable to individual jobs and work arrangements are specified in the HR Policy.

(4) The organogram of the Secretariat is included in Annex 2.

1.7 DIRECTOR

10(1) The Secretariat is headed by the Director, who must be a full-time employee and perform his/her work in accordance with the applicable laws and HAC policies with reasonable professional care. The Director is considered an employee in a position of leadership in the meaning of Act I of 2012 on the Labour Code. Eligibility for the position

requires a degree in law.

(2) Responsibilities and powers of the Director:

- a) Oversees and organises the professional work as well as the operative, business and support functions of the Secretariat.
- b) Ensures continuous compliance of the policies, rules of procedure, guides and other documents as well as the procedures of the HAC with the applicable laws.
- c) Ensures that meetings of the HAC Board are professionally prepared and effectively conducted.
- d) Coordinates and oversees the internal quality assurance activities of the HAC with respect to the Secretariat.
- e) Liaises especially with ministries, public administration bodies and other higher education organisations as well as other entities of relevance to the activities of the HAC.
- f) Exercises employers' rights as a delegated power, with the exception of establishing or terminating employment.
- g) Exercises payment authorisation rights and may, as a delegated power, undertake financial commitments independently up to HUF 10 million.
- h) Represents the HAC at meetings and discussions if the President is incapacitated.

(3) The Director exercises the right to sign off documents concerning cases relevant to his/her role.

11. (1) The Deputy Director may carry out tasks of the Director specified in Section 10(2)(a), (b), (c), (d) and (e) as delegated tasks, limited to the responsibilities and powers specifically indicated in the job description of the Deputy Director.

I.8 ORGANISATIONAL STRUCTURE FOR DECISION-MAKING SUPPORT

12 (1) Decisions of the HAC Board must/may be preceded by work performed by preparatory committees, colleges and working groups (jointly referred to as preparatory bodies). Preparatory committees may be permanent or ad hoc committees. Site visit teams established for the purpose of accreditation processes that include site visits are ad hoc preparatory committees.

(2) Preparatory bodies may be established by the HAC Board at the proposal of any of its members.

13 (1) The chairpersons heading each preparatory body must be elected by the HAC Board at the proposal of the President, for a period not past the end of the tenure of the Board that elected the chairperson. The mandate of a chairperson elected during the tenure of the HAC Board expires at the end of that Board's tenure.

(2) Members of preparatory bodies are proposed by the chairperson of the body in question, who shall agree such proposals with the President of the HAC. Members are required to be of relevance to the preparatory body in question in the context of its discipline, branch of science, higher education in general, or professional issues (as a user) that will enable such body to function effectively and at high professional standards.

(3) The mandate of a non-student member of a preparatory body expires at the end of the tenure of the HAC Board that elected such member. The mandate of a non-student member elected during the tenure of the HAC Board also expires at the end of that Board's tenure.

(4) Of the preparatory bodies, the College for University Professor Applications (ETK) shall be composed of the chairpersons of the preparatory bodies for individual disciplines, plus the President of the HAC.

(5) Of the preparatory bodies, the chairperson of the College for Doctoral Accreditation (hereinafter: DOK) must be a member of the HAC Board. The DOK may also have members who are not members of any expert committee. Members of the DOK shall be proposed by the chairperson of the DOK and elected by the HAC Board in accordance with the rules for electing members of expert committees.

(6) The preparatory body of the HAC for internal quality assurance and quality enhancement shall have the HAC Secretariat employee responsible for internal quality assurance as a permanent member.

14. (1) With the exception of the ETK, all preparatory bodies must include a member delegated from the National Union of Students in Hungary and a member delegated by the National Union of Doctoral Students. With respect to the student members, it must be examined whether the preparatory body in question has any member with whom the student has a relationship of dependence, or who is a teacher or supervisor of the student. In the event of any such circumstance, the delegating student organisation must nominate a new member until there is no cause to prevent membership.

(2) The mandate of student members is for three years but may not extend past the expiry of the tenure of the HAC Board that elected the student member in question.

15. (1) The preparatory bodies regularly meet in person; they adopt their rules of procedure at their initial meeting, having regard to the policies of the HAC. The rules governing the operation of site visit teams are specified in the relevant accreditation procedure.

(2) The rules of procedure of preparatory bodies (or changes thereto) shall become effective once they are approved by the HAC Board.

(3) The work of preparatory bodies shall be supported by the officers of the HAC Secretariat, primarily to relay and keep track of the assessment criteria of the HAC, and secondly to provide clerical support.

(4) Site visit teams shall always include one or more programme officers from the Secretariat as members, who are voted by the HAC Board at the same time as the other members.

16(1) External evaluators also participate in preparatory work, working on the basis of a mandate agreement rather than as members. Such evaluators carry out their task in accordance with the set of assessment criteria applicable to the type of the case and provide a written expert opinion in their own name, with the exception of university professor applications, where evaluators remain anonymous to third parties.

(2) Evaluators are selected from the HAC expert database and contracted for a definite period by the competent person specified in the applicable rules of procedure.

(3) Evaluators are paid a fee for their services. No fee shall be paid if the opinion does not meet the assessment criteria or is not provided by the relevant deadline.

I.9 ADVISORY BODIES

17. (1) To provide the HAC with continuous and direct feedback on its operations, the HAC Board may establish advisory bodies, the purpose and mission of which shall be determined by the HAC Board at the time of their establishment.

(2) The work of the advisory bodies is coordinated and their meetings are chaired by the President of the HAC or a member of the HAC Board who is invited to fulfil this task at the time of establishing the relevant body. Advisory bodies shall formulate and adopt their rules of procedure at their initial meeting, in line with this policy.

(3) Advisory bodies meet at least two times a year to evaluate the professional activities of the HAC in line with their mission as specified in Paragraph (1); they formulate proposals and may also be requested by the HAC Board electronically to state their opinion on individual matters.

(4) Members of advisory bodies are proposed by the President of the HAC and are elected by the HAC Board for a period not extending past the end of the year following the expiry of the tenure of the HAC Board electing the member, but for a period of at least three years.

(5) Members of the advisory bodies may include former members of the HAC Board, the Financial Supervisory Board or the Board of Appeals, or any other person who is committed to improving the quality of higher education. Active members of expert committees, of the HAC Board, the Financial Supervisory Board or the Board of Appeals, or employees of the Secretariat may not be members of an advisory body.

(6) The HAC Board may decide to terminate membership in an advisory body upon the proposal of the President of the HAC of a member who failed to attend any of the meetings in the subject year. Membership may also be terminated through the written resignation of the member.

II TASKS AND GENERAL PROCESSES

18. (1) The key task of the HAC is to carry out evaluation and accreditation of the higher education institutions, study programmes and doctoral schools in Hungary as specified herein and in its rules of procedure. These processes are initiated with the HAC directly by the higher education institutions concerned.

(2) The HAC also issues expert opinions as an expert assigned or invited by the Educational Authority to contribute to procedures specified by law, and issues expert opinions directly to higher education institutions in procedures specified by law.

(3) In addition to its functions specified in Paragraphs (1) and (2), the HAC prepares analyses and evaluations on quality improvement matters and cooperates with domestic and international higher education organisations and accreditation agencies.

(4) The operations of the HAC are governed by the provisions of the HE Act and the Quality Decree, with which the procedures and criteria of the HAC may not be in conflict.

19. (1) In performing its tasks, the HAC formulates its assessment criteria and develops its evaluation system in line with the current standards of the European Higher Education Area (*Standards and Guidelines for Quality Assurance in the European Higher Education Area - ESG*) and the guidelines stated in the publications and statements of the relevant minister.

(2) The assessment documents of the HAC (assessment criteria, guides) are adopted by the HAC Board and are published on its website and in the official journal of the ministry headed by the relevant minister, as specified in the Quality Decree (publication).

(3) The HAC reviews its documents whenever a change is made to the relevant legislation, but in any case every two years, and publishes any changes made.

(4) New or amended assessment documents are applicable to cases launched three months after such document's publication in the official journal. If an amendment is made

due to a change in legislation, the modified criteria are applicable to cases launched after publication, after the change in legislation has become effective.

(5) The HAC provided opportunities for consultation prior to the launch of any procedure. Consultation must be aimed at clarifying the relevant procedural rules, assessment documents and questions that facilitate the interpretation of assessment criteria. Consultation must be requested in writing, and the request must include a brief description of the case and the questions intended to facilitate interpretation.

(6) No consultation may be initiated with regard to ongoing procedures, and no information may be provided on the progress of the case until the HAC Board has made its decision.

(7) If a violation of law is detected while carrying out its tasks, the HAC must notify the relevant statutory supervisory body.

II.1 ACCREDITATION BY THE HAC

20. (1) At the request of a higher education institution (including higher education institutions abroad), the HAC conducts an accreditation procedure and prepares a report attesting to the quality of the quality assurance system of the higher education institution or doctoral school.

(2) The accreditation procedure conducted by the HAC relies on a self-evaluation report based on a published accreditation document, and a site visit to evaluate and propose improvements to the quality assurance system and functionality of the institution or doctoral school.

(3) Detailed rules for accreditation procedures are specified in separate documents.

(4) In any accreditation procedure, the final decision is made by the HAC Board based on the report of the site visit team. No legal remedy may be sought against decisions of the HAC Board; the institution may submit a complaint against the procedure. If, based on the Complaints Policy, it is established that there was a procedural error that had substantially influenced the accreditation decision adopted by the HAC Board, the decision is annulled and a new accreditation decision is adopted by the HAC Board based on the information obtained through the complaints process and the report.

(5) Once the HAC Board has adopted its decision concluding the accreditation process, such decision as well as the report of the site visit team become public.

II.2 EXPERT ACTIVITIES OF THE HAC

21. (1) At the request of the Educational Authority, the HAC prepares expert opinions in the following procedures:

- a) Registration of bachelor and master programmes as well as tertiary vocational programmes (new programme education and learning outcome framework requirements);
- b) Establishment of new doctoral schools and registration of new disciplines or branches of science for doctoral schools that are already registered;
- c) Licensing of higher education institutions (establishing new institutions);
- d) Review of the operating authorisation of higher education institutions at five-year intervals (review of operating authorisation).

- (2) At the request of the Minister or a higher education institution, the HAC draws up expert opinions on study programmes to be established, based on the relevant legislation.
- (3) At the request of the rector of a higher education institution, the Hungarian Academy of Sciences, the Hungarian Academy of Arts, the Hungarian Olympic Committee or the Minister, the HAC draws up expert opinions for the purpose of proposals for granting the professional title of university professor.
- (4) All expert opinions issued by the HAC as an expert are composed of the decision of the HAC Board and the attached reasoning. Decisions adopted by the HAC Board in the procedures listed in Paragraphs (1) and (2) become public once the relevant periods for legal remedy and complaints have elapsed and the entity initiating the procedure neither sought legal remedy nor submitted a complaint. In the event of a process for legal remedy or complaint, the reasoning adopted by the HAC Board also becomes public once such process is concluded.
- (5) Expert opinions drawn up by the HAC with respect to the granting of the professional title of university professor may only be issued to the entity that requested such evaluation. Publication of the decision adopted by the HAC Board in this procedure must be limited to the unique HAC case ID and the fact that the proposal was supported/notsupported.

II.3 MISCELLANEOUS TASKS

22. (1) The HAC monitors the harmonisation of efforts to improve the quality of higher education and the harmonisation of the guidelines for improvement of the European Higher Education Area, and actively participates in the work of international organisations for quality in higher education.
- (2) The HAC prepares thematic analyses on quality assurance in higher education, which are published regularly on its website.
- (3) Upon request the HAC may issue statements confirming the procedures it had conducted, and the outcome.

III RULES OF PROCEDURE

III.1 GENERAL RULES OF OPERATION

23. (1) The HAC Board and the preparatory bodies regularly meet in person.
- (2) Meetings are convened by the chairperson of the body in question, or by the deputy chair if the chairperson is incapacitated. A letter of invitation, which must include the intended agenda of the meeting and must specify the person presenting each case, must be sent out electronically between 5 to 8 days prior to the meeting.
- (3) Any member of the body as well as the Secretariat may propose to put on the agenda items relevant to the function of the body. The proposed agenda must be sent to the chairperson of the body in writing between 8 to 10 days prior to the meeting. If necessary, any member may propose to include a new item in the agenda at the meeting of the body, before the agenda is accepted. The new item is included in the agenda if supported by all members of the body present.
- (4) Meetings are chaired by the chairperson/head of the body in question or by their deputy if the chair/head is incapacitated; should the deputy be incapacitated, the meeting is chaired by the person invited by the chair/head. If the President of the HAC is incapacitated, meetings of the HAC Board may only be chaired by a Vice President.

(5) Meetings of the HAC Board may only be held if over half of the members are present. Any preparatory body has quorum only if at least half of the members are present.

(6) Meetings of preparatory bodies are not public. Meetings of the HAC Board are public but two thirds of the members present may decide to discuss certain items on the agenda privately, as long as some part of the meeting is public.

(7) In addition to the persons with the right to participate in the deliberations at meetings of a preparatory body, non-members (guests) may also be invited if justified by the agenda of the meeting. A letter of invitation must be sent to guests in the same manner as to members. The guests invited to the public part of the meetings of the HAC Board are selected by the President of the HAC.

24. (1) Minutes are drawn up of each meeting. The minutes must include a list of the attendees, the agenda, the decisions adopted (including the ratio of votes), the relevant reasoning, and a brief summary of the comments and notes of members, and of the tasks stemming from the decision.

(2) To facilitate the preparation of the minutes, a voice recording of the meeting may be taken, with the person chairing the meeting informing the members of the fact during the meeting concerned. Once the minutes based on the voice recording are accepted, the voice recording is deleted.

(3) With the exception of minutes of meetings of the HAC Board, minutes of meetings of preparatory bodies are approved within 10 days of the meeting. Minutes of meetings of the HAC Board are approved by the HAC Board at its next scheduled meeting. The minutes shall be sent to the members 8 days before the meeting of the HAC Board where it should be approved. The members may comment on the minutes until two days prior to the meeting. The HAC Board adopts its decision on the approval of the minutes corrected on the basis of the comments.

25. (1) Decision-making supporting bodies specify in their rules of procedure which cases covered by their activities require a simple or qualified majority of votes.

(2) The bodies make their decisions by secret or open ballot. Secret ballot is required for all personal matters and for all procedures where secret ballot is required by the rules of procedure. Any other matter may be decided by secret ballot instead of open ballot or by open ballot instead of secret ballot if more than half of the members are in favour of the change.

(3) Decisions of the decision-making and preparatory bodies of the HAC are recorded in the Information System of the HAC Secretariat. Of the decisions documented in the information system, hard copy excerpts may be produced, to be signed by the President of the HAC, any Vice President, or the Director.

(4) If a decision of the HAC Board concerns any set of criteria of the HAC, the Secretariat ensures publication within 15 days of the decision in line with the Quality Decree.

III.2 GENERAL RULES OF PROCEDURE

26. (1) For all procedures initiated with the HAC, the relevant request must be submitted both electronically and in hard copy. Hard copies must be printed on both sides, include page numbering, be bound, include original signatures, and be accompanied by original attachments, if any. Electronic documents may be submitted via the Information System of the HAC Secretariat.

(2) If a procedure concerns the evaluation or issue of an opinion on teaching in a foreign

language, in addition to documents in Hungarian, documents must also be submitted in a foreign language as specified by the relevant guide.

27. (1) Documents received by the HAC Secretariat are checked with respect to compliance with presentation requirements within 10 business days from being filed. If the document received does not meet the presentation requirements specified in the relevant HAC assessment document, the Secretariat directly or indirectly requests that the institution correct the deficiencies by a specific deadline. If no correction is provided by that deadline, the HAC will proceed on the basis of the information made available to it up to that point.

(2) In programme launch procedures (with the exception of education and learning outcome framework requirements for joint programmes and applications for new joint programmes), if the study programme to be launched does not yet have a set of education and learning outcome framework requirements promulgated by law or published at least on the website of the ministry headed by the minister responsible for higher education, no expert opinion may be issued due to the lack of relevant education and learning outcome framework requirements on which the opinion should be based. The HAC notifies the Educational Authority of this fact.

28. (1) Applications and their attachments are referred to the competent preparatory body. If made necessary by the content of the application, a single application may be discussed by multiple preparatory bodies. In such situations the decision adopted is accompanied by reasoning that aggregates the opinions of all preparatory bodies.

(2) For accreditation procedures, the preparatory body (site visit team) is established through a vote of the HAC Board in accordance with the relevant rules of procedure. The chairperson of the site visit team is always proposed by the President of the HAC.

29. (1) Evaluators are contracted as specified in the rules of procedure applicable to the application; a maximum of two evaluators are contracted for one application. If multiple preparatory bodies are competent with respect to an application, at least one evaluator needs to be contracted for each branch of science. Evaluators formulate their opinion on the basis of the HAC assessment criteria applicable to the procedure concerned. Opinions formulated for the purpose of appeal cases are an exception to this rule as evaluators respond to the various arguments in the request for appeal.

(2) Evaluators have at most 20 business days from being contracted to prepare their evaluation. The evaluations submitted are checked by the HAC Secretariat. If an evaluation is incomplete or lacks professional findings on the substance of the case, a new evaluator may be contracted. If an evaluation is unfounded, incorrect or contains inadequate information, the HAC does not pay the evaluator's fee and the evaluator must be deleted from the list of eligible experts.

(3) Evaluations are not public; the identity of the evaluators becomes public after the HAC Board has adopted its decision. With the exception of opinions on university professor applications, evaluations may be disclosed in accordance with the relevant rules of procedure at the separate written request of the entity initiating the procedure.

(4) If one evaluation is positive and the other is negative, a third evaluator must be contracted. The third evaluator may not be the same person as the person presenting the case to the relevant preparatory body.

(5) In its opinion the preparatory body must give its reasons if its opinion differs from the evaluations, especially if it differs from two evaluations that are both negative or both positive.

30. (1) The preparatory bodies adopt their opinion by voting and submit the opinion supported by a simple majority of votes to the next level of decision-making support, or to the HAC Board. If voting produces result in a tie, no new voting is held. In this case the fact that the vote was tied must be included in the presentation of the case.

(2) In processes involving more than two levels of decision-making support, if the second preparatory body finds that the opinion of the preparatory body which forms the basis of its own opinion in a case is not well-founded or that the written opinion does not meet the assessment criteria, it may refer the case back to the previous body.

31. (1) The HAC Board may adopt a decision on the basis of the opinions of the a preparatory bodies that either agrees with or differs from those opinions, as the HAC Board is not bound by the preparatory opinions.

(2) Taking into account the deadline applicable to the application at hand, the HAC Board may refer a case back to the preparatory body once if the opinion formulated in the preparatory process is unfit as a basis for a decision, if the written opinion does not meet the assessment criteria, or if an error of procedure occurred during the preparatory phase.

(3) If voting by the HAC Board is a tie, the voting must be repeated. If the repeated voting is again a tie, the outcome is decided by the vote cast by the President of the HAC, or, if the President is absent, by the vote cast by the Vice President chairing the meeting.

(4) The reasoning supplied by the HAC Board must present in detail the facts on which the decision is based, and the evaluation thereof.

(5) The President of the HAC notifies applicants of the decision adopted by the HAC Board via the Secretariat within 10 business days from the meeting of the HAC Board.

32. (1) In accordance with Section 19(1) of the Quality Decree, the HAC shall create conditions conducive to formulating an unbiased professional opinion based on objective criteria in its decision-making and preparatory processes. To this end, persons with a conflict of interest may not participate in decision-making or in decision-making support.

(2) A person is considered to have a conflict of interest if he/she is at the time of the decision-making or has been within the preceding two years an employee (or a public employee) of or in any other legal relationship for work with the higher education institution that initiated the case (applicant), or if he/she cannot be expected to judge the case objectively for any other reason.

(3) Persons with a conflict of interest:

- a) May not select evaluators.
- b) May not be an evaluator, the person presenting the case, or a site visit team member.
- c) May not access the evaluation or receive information about its content.
- d) May not be present when the case is discussed.
- e) May not be asked any questions by members of the committee about the case.
- f) May not be present at the voting.

(4) A person with a conflict of interest must indicate this fact immediately to the chairperson of the decision-making or preparatory body both orally and in writing.

(5) The rules of procedure applicable to individual procedures may specify additional conflict of interest rules.

(6) Any person who has no specific conflict of interest as specified in Paragraph (2) but

who is affected by a circumstance that prevents or restricts objective judgment shall indicate his/her conflict of interest immediately in accordance with Paragraph (4). In this case the circumstance giving rise to such conflict of interest need not be disclosed.

IV GENERAL ORDER OF THE FINANCIAL MANAGEMENT OF THE HAC

33. (1) The financial management of the HAC is regulated by Act C of 2000 on accounting, Act CLXXV of 2011 on the operation and support of non-governmental organisations, as well as the Labour Code, taking into consideration the Deed of Foundation of the HAC.

(2) Pursuant to the HE Act and the Quality Decree, the Hungarian Accreditation Committee is classified with respect to its legal status as a public benefit body without the need to be registered as a public benefit body by the court. Its operations are therefore governed by Act CLXXV of 2011 on the right of association, on public benefit status and on the operation and support of non-governmental organisations, within the framework provided by the HE Act.

(3) The HAC has the right to independently manage the funds provided to it and its own revenue. The finances of the HAC are planned, overseen and monitored by the President of the HAC on the basis of an annual financial management plan and report approved by the HAC Board.

(4) Detailed rules for the financial management of the HAC are specified in the HAC Financial Policy.

V DATA PROCESSING

34(1) In the course of its operation the HAC puts great emphasis on upholding the rights to the protection of personal data, the publicity of information of public interest that are processed by the HAC, and on preventing the unauthorised use of personal data processed by the HAC.

(2) Detailed rules of data processing are specified in the HAC Data Protection Policy and Data Protection Information, developed in accordance with Act CXII of 2011 on the right to informational self-determination and with Regulation 2016/679 (EU) of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

VI CLOSING AND TEMPORARY PROVISIONS

35(1) This policy becomes effective upon being adopted by the HAC Board and approved by the Minister.

(2) Until the rules of procedure mentioned herein are adopted, the Rules of Operation and Organisation adopted through Decision 2015/1/III of the HAC and approved by the Minister on 15 April 2015 remain in effect.

Approved by the minister responsible for higher education on 4 December 2019.

VII

ANNEXES

