



«АККРЕДИТЕУ ЖӘНЕ РЕЙТИНГТИҢ
ТӘУЕЛСІЗ АГЕНТТІГІ» КЕМ

НУ «НЕЗАВИСИМОЕ АГЕНТСТВО
АККРЕДИТАЦИИ И РЕЙТИНГА»

INDEPENDENT AGENCY FOR
ACCREDITATION AND RATING

REGULATIONS

ON THE SUPERVISORY BOARD OF A NON-PROFIT
INSTITUTION "INDEPENDENT AGENCY FOR
ACCREDITATION AND RATING"

Astana 2017

Approved by the decision of the
sole founder
Non-profit Institution
"Independent Agency for
Accreditation and Rating"
as of May 2, 2017 No. 4

Regulations
on the Supervisory Board of a Non-profit Institution
"Independent Agency for Accreditation and Rating"

1. General Provisions

1.1. These Regulations (hereinafter referred to as the Regulations) on the Supervisory Board of the Non-profit Institution "Independent Agency for Accreditation and Rating" (hereinafter referred to as the Agency) were developed in compliance with the Law of the Republic of Kazakhstan "On Non-Commercial Organizations" dated January 16, 2001 No. 142-II, the Law of the Republic of Kazakhstan " On Education" as of July 27, 2007 No. 319-III, the Charter of the Agency, as well as with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), approved by the Ministerial Conference of Higher Education in Yerevan on May 14-15, 2015 (Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), (2015), Brussels, Belgium).

1.2. The Supervisory Board is set up to monitor the activities of the Agency through approaches directed to effectively meet the demands of society, of the state and business to improve the quality of education, meet the requirements of Kazakhstan legislation and international standards in accreditation activities, and make recommendations to the Founder on strategic management of the Agency's development and comprehensive promotion of its activities, performance of public control functions and systemic improvement.

1.3. The Supervisory Board is the collegial control and advisory body of the Agency, which is part of its Quality Management System (internal quality assurance system).

1.4. The Supervisory Board is directly accountable to the Founder of the Agency. In its activities, the Supervisory Board is guided by the legislation of the Republic of Kazakhstan, international requirements for the quality of education and accreditation, the Charter of the Agency, these Regulations and decisions of the Agency's Founder.

1.5. The activities of the Supervisory Board are based on the principle of maximum observance of the Agency's and its Founder interests.

1.6. The Supervisory Board cooperates with the Director of the Agency, the Accreditation Council, the authorized body in the field of education, involved governmental agencies and other organizations.

1.7. Members of the Supervisory Board perform their functions without compensation.

1.8. None (no group of individuals) should influence the decisions of the Supervisory Board.

1.9. In the event of operational necessity, the Agency may pay travel expenses of the Supervisory Board members.

2. The competence of the Supervisory Board

2.1. The competence of the Supervisory Board includes:

- 1) consideration and coordination of the Agency's Strategy (the Strategic Plan);
- 2) development of recommendations and assistance in priority areas of the Agency's activities;
- 3) development of recommendations and coordination of action plans for the implementation of the Agency's Development Strategy;
- 4) consideration of key documents on the Agency activities, submitted to the authorized body and foreign accreditation bodies, development of appropriate recommendations based on such documents;
- 5) review and coordination of annual reports on the Agency activities and plans for the subsequent period;
- 6) consideration and coordination of the Regulations on the Accreditation Council and the Commission for the Review of Appeals and Complaints of the Agency;
- 7) other issues not related to the exclusive competence of the Founder and the Agency's executive body.

2.2. The Supervisory Board is entitled, on behalf of the Founding Member of the Agency, to take any issue for consideration, the decision on which is not within the exclusive competence of the Founder (on such matters, the Supervisory Council may provide only limited to technical (consulting) assistance).

2.3. The Supervisory Board, within its competence, is entitled to hear the Director of the Agency and the Chair of the Accreditation Council.

2.4. In order to perform functions within its competence and decisions to be taken to consider issues, the Supervisory Board has the right to freely study the relevant documentation of the Agency and its structural units. At the request of the Supervisory Board sent through the Director of the Agency, agencies and structural units of the Agency are required to provide information on matters within the competence of the Supervisory Board. Cases of refusal to provide the Supervisory Board with information (copies of documents, materials) and their verification may be submitted for consideration of the Supervisory Board and the Founder of the Agency.

3. The composition of the Supervisory Board

3.1. The Supervisory Board is approved by the Founder of the Agency for a period of 3 (three) years and consists of an odd number of members, at least 5 (five) of them.

3.2. As a member of the Supervisory Board, there can be both a private individual involved in its work personally, and a legal entity participating in its work through its representative. A member of the Supervisory Board cannot simultaneously be a member of the Agency's executive body or its staff member.

3.3. The scientific, pedagogical, public, state figures of the country, representatives of government bodies and non-governmental organizations, representatives of the business community and organizations of various fields of activity, including from foreign countries, may be invited to the Supervisory Board on a voluntary basis.

3.4. At the meetings of the Supervisory Board, the Director of the Agency should be necessarily present and the Founder of the Agency is entitled to attend the meeting.

3.5. The Supervisory Board is headed by the Chair.

3.6. The Chair is elected from among the members of the Supervisory Board by a simple majority of votes with a term of 3 years. A person who performs the functions of the Chair in the absence of him for a valid reason shall be elected by a simple majority of votes from among the elected members of the Supervisory Board.

3.7. A member of the Supervisory Board may at any time refuse to continue to perform his duties on the basis of a written notification to the Supervisory Board. The powers of such a member of the Supervisory Board shall terminate upon receipt of such notification.

3.8. The Founder of the Agency has the right any time to early terminate the powers of all or certain members of the Supervisory Board. The powers of all or certain members of the Supervisory Board shall terminate upon the adoption of the correspondent decision by the Founder.

3.9. If necessary, the Founder of the Agency has the right to conduct additional appointment of individual members to the Supervisory Board.

4. Rights and duties of the Supervisory Board members

4.1. Members of the Supervisory Board have the right:

1) to request convening the Supervisory Board meeting by sending a written notification to the Chair, containing the proposed agenda of the meeting. In the absence of the Supervisory Board Chair for a valid reason or the Chair's refusal to convene a meeting, the initiator has the right to address the issue to the Agency's Founder, who has the right to call a meeting of the Supervisory Board or refuse to do so;

2) to make comments and suggestions on the agenda of the Supervisory Board meeting;

3) to express their opinion on the agenda issues, being under consideration by the Supervisory Board. In the event of disagreement with the draft resolution, a member of the Supervisory Board has the right to state in writing his own point of view (special opinion);

4) to participate in discussions and ask questions from the speakers, attending the Supervisory Board meeting;

5) to submit proposals on any matters related to the Supervisory Board activities and forward them to the Chair and/or the Founder of the Agency.

4.2. Members of the Supervisory Board are obliged:

1) to carry out their activities honestly and responsibly, in the interests of improving the quality of Kazakhstan's education, and also in the interests of the Agency and its Founder, to take the necessary measures to prevent damage to the Agency by initiating a meeting of the Supervisory Board by means of informing the Chair or through otherwise available method;

2) to refrain from actions that will or potentially lead to a conflict of interests between a member, the Agency and its Founder, and in the event that such conflict exists or arises, disclose information about such case to the Supervisory Board;

3) to participate in the meetings of the Supervisory Board. In the event of impossibility to attend the meeting, the Supervisory Board member shall notify the Chair in advance with an explanation of the reason that made impossible his participation;

4) not to disclose or use in the personal interests and interests of third parties confidential information about the Agency in the course of performing Supervisory Board member's duties and for a period of five (5) years after the termination of such duties;

5) not to use or allow to use the assets of the Agency in contradiction with the Charter, Founder decisions and for personal purposes.

4.3. Chair of the Supervisory Board:

1) shall convene meetings of the Supervisory Board, determine the form, date, time and place of the Supervisory Board meeting, its agenda, should also take measures to submit necessary materials on the issues under review, and chair the meetings;

2) shall distribute responsibilities, as well as the scope of powers and responsibilities among the Supervisory Board members;

3) shall ensure the interaction of the Supervisory Board with the Founder, the executive body, departments and other organizations, with the media and press services;

4) shall make decisions on all current issues related to the Supervisory Board activities;

5) shall perform other functions stipulated by the legislation of the Republic of Kazakhstan, the Charter, internal documents of the Agency, these Regulations and decisions of the Agency's Founder.

4.4. In the absence of the Supervisory Board Chair for valid reasons, his functions shall temporarily be performed by the Supervisory Board member elected for the said purpose.

5. Rules and procedures of the Supervisory Board

5.1. The Supervisory Board is authorized to take decisions, provided that at least half of its members are present at the Supervisory Board meeting. In the event of absence of individual members for valid reasons, by the decision of the Supervisory Board Chair or the Agency's Founder, participation through interactive means of communication (videoconference, video call, Skype, etc.) is possible.

5.2. The meeting of the Supervisory Board may be convened upon the initiative of its Chair or by decision of the Agency's Founder, but shall be convoked at least once a year.

5.3. The procedure for notifying about the Supervisory Board meeting shall be agreed at the first meeting of the newly approved Supervisory Board.

5.4. A member of the Supervisory Board is obliged to notify in advance the Chair of the Agency's Supervisory Board on the impossibility of his participation in the Supervisory Board meeting.

5.5. At the initiative of the Founder, the Director of the Agency or at the request of the Supervisory Board members, the Chair may additionally consider issues that are not included in the agenda, subject to the consent of all the members of the Supervisory Board present.

5.6. Required materials on the issues submitted to the Supervisory Board are provided by the Agency's executive body and are prepared by the person responsible for the matter. The materials for the Supervisory Board meeting should include all the information required for the decision-making by the Supervisory Board.

5.7. Each member of the Supervisory Board has one vote. Decisions on matters reviewed by the Supervisory Board are taken by a simple majority of votes from those present and voting at the Supervisory Board meeting. In the event of tie, the Chair of the Supervisory Board or the person performing the functions of the Chair in case of his absence for valid reasons will have a casting vote.

5.8. The resolutions of the Supervisory Board adopted at its in-person meeting, shall be documented in a protocol to be recorded and signed by the Chair or the chairperson of the meeting and its secretary.

5.9. At the discretion of the Chair, the Supervisory Board takes decisions on matters submitted for review by means of an absentee voting. The decisions of the absentee meeting of the Supervisory Board shall be recorded in the protocol, based on the bulletins signed by the members of the Supervisory Council and attached to the minutes. The minutes are signed by the Chair of the Supervisory Board and its Secretary.

5.10. The minutes (resolutions) of the Supervisory Board meetings shall be kept in the Agency's archives.

5.11. The Secretary of the Supervisory Board is elected by the members of the Supervisory Board from among the Agency's employees at the suggestion of the Agency's Founder. The Secretary of the Supervisory Board does not have the authority of a member of the Supervisory Board and does not have the voting right.

For each meeting of the Supervisory Board, the Secretary shall draw up an agenda with the attachment of materials on the agenda issues. At the meeting of the Supervisory Board, the secretary is responsible for keeping the record. The minutes shall be made no later than five days after its conduct and signed by the Chair and the Secretary of the Supervisory Board.

The Secretary of the Supervisory Board is responsible for the completeness and reliability of the information recorded in the minutes of the meeting of the Agency's Supervisory Board.

5.12. The Secretary of the Supervisory Board shall, at the request of the Agency Founding Member and/or the member of the Supervisory Board, provide him with a minutes (decisions) of the Supervisory Board meeting, adopted by absentee voting, for study and (or) give him an extract from the protocol (decision) certified by his signature and stamped by the Agency seal.

6. Control over the implementation of the Supervisory Board's decisions

6.1. The implementation of the Supervisory Board decisions is controlled by reports from the responsible staff, appointed by the relevant decisions of the Supervisory Board, and submitted for review to the Supervisory Board.

6.2. The Supervisory Board's decisions are implemented by the Agency's executive body.

6.3. Within a timeframe set by the Supervisory Board, the Agency's executive body shall submit progress reports on the implementation of the Supervisory Board decisions.

6.4. Based on the review results of the reports, submitted by the Agency's executive body, the Supervisory Board shall provide the necessary information to the Agency's Founder. The Supervisory Board shall also have the right, within its authority, to give the executive body the necessary instructions.

6.5. The Secretary of the Supervisory Board shall bring the adopted decisions and corresponding instructions to the attention of the Agency's bodies and inform the Supervisory Board on the deadlines for the implementation of the Supervisory Board decisions.

7. Suspension of the Supervisory Board's work

7.1. Suspension of the work of the Supervisory Board's regular members takes place from the moment of termination of its powers by order of the Agency's Founder. The new composition of the Supervisory Board begins its work from the moment of its approval by the Agency's Founder.

7.2. The Supervisory Board activities shall terminate:

- 1) by the decision of the Agency's Founder;
- 2) in the event of the liquidation or reorganization of the Agency.