



MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

ORDER

21.12.2023 № 1551

Registered with the of
of Justice
05 February 2024
No. 179/41524

On approval of the Regulations on the Appeals Chamber of the National Agency for Higher Education Quality Assurance

*{As amended by the Orders of the Ministry of Education and Science
No. 766 of 28.05.
No. 225 of 14.02.2025}*

In accordance with [paragraph 21](#) of part one of Article 13 of the Law of Ukraine "On Higher Education", [paragraph 8](#) of the Regulations on the Ministry of Education and Science of Ukraine, approved by Resolution of the Cabinet of Ministers of Ukraine No. 630 of 16 October 2014, **I ORDER**

1. To approve [the Regulations on the Appeals Chamber of the National Agency for Higher Education Quality Assurance](#) , which is attached.
2. The Directorate of Professional Higher Education (O. Sharov) shall ensure submission of this Order for state registration to the Ministry of Justice of Ukraine.
3. Control over the implementation of this Order shall be entrusted to Deputy Minister Vynnytskyi M.
4. This Order shall enter into force on the date of its official publication.

Minister

O. Lisovyi

**By the order of the Ministry of
and Science
21 December 2023 No. 1551**

**Registered with the of
of Justice
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REGULATIONS on the Appeals Chamber of the National Agency for Higher Education Quality Assurance

I. General provisions

1. This Regulation defines the procedure for forming the composition of the Appeals Chamber of the National Agency for Higher Education Quality Assurance (hereinafter the Appeals Chamber), its powers and the procedure for their exercise.

2. The Appeals Chamber is guided in its activities by the Laws of Ukraine "[On Higher Education](#)", "[On Education](#)", the [Regulations on Accreditation of Educational Programmes for Higher Education](#), approved by the Order of the Ministry of Education and Science of Ukraine No. 686 dated 15 May 2024, registered with the Ministry of Justice of Ukraine on 04 July 2024 under No. 1013/42358, the [Charter of the National Agency for Higher Education Quality Assurance](#), approved by the Resolution of the Cabinet of Ministers of Ukraine No. 244 dated 15 April 2015 (as amended by the Resolution of the Cabinet of Ministers of Ukraine

{Paragraph 2 of Section I as amended by Orders of the Ministry of Education and Science [No. 766 of 28.05.2024](#), [No. 225 of 14.02.2025](#)}

II. Requirements for members of the Appeals Chamber

1. The Appeals Chamber shall consist of five members. The members of the Appeals Chamber shall be elected for a term of two years on a competitive basis and shall perform their functions on the basis of civil law contracts concluded with them.

{Paragraph one of clause 1 of Section II as amended by the Order of the Ministry of Education and Science [No. 766 dated 28.05.2024](#)}

The Chairman of the Appeals Chamber shall be elected from among the members of the Appeals Chamber at its first meeting.

2. A member of the Appeals Chamber may be a person who has a higher education, academic degree and/or academic title and at least five years of professional experience in the field of higher education quality assurance.

3. A person who:

1) is a member of the National Agency for Higher Education Quality Assurance (hereinafter NAQA) or its sectoral expert council;

- 2) declared incapacitated or whose legal capacity is limited by a court decision;
- 3) has a criminal conviction for a criminal offence, unless such conviction has been cancelled or removed in accordance with the procedure established by law;
- 4) by a court verdict, deprived of the right to hold a certain position or engage in certain activities;
- 5) found guilty of committing a corruption offence by a court decision - within one year from the date the relevant court decision enters into force;
- 6) has been subjected to an administrative penalty for a corruption-related offence - within one year from the date the relevant court decision enters into force;
- 7) falls within the scope of part [three](#) or [four](#) of Article 1 of the Law of Ukraine "On Purification of Government";
- 8) information about which is included in the Unified State Register of Persons in respect of whom the provisions of the [Law of Ukraine](#) "On Purification of Government" have been applied;
- 9) due to a violation of academic integrity, was deprived of an academic title and/or an academic degree (Doctor of Arts);
- 10) belongs to the categories of persons defined [in clause 1](#) of part one of Article 3 of the Law of Ukraine "On Prevention of Corruption" (except for research and teaching staff, researchers and students of higher military educational institutions (higher education institutions with specific conditions of study), military educational units of higher education institutions);
- 11) is a citizen of the aggressor state and/or an employee of an educational institution, scientific institution of the aggressor state, and/or has carried out or is carrying out scientific (scientific and pedagogical) activities in any institution, institution, organisation that illegally operate or have operated in the temporarily occupied territory of Ukraine;
- 12) to which sanctions have been imposed in accordance with the [Law of Ukraine](#) "On Sanctions".

The same person may not serve as a member of the Appeals Chamber for more than two terms.

III. Composition and Procedure for Formation of the Competition Commission for Selection of Members of the Appeals Chamber

1. The competitive selection of the members of the Appeals Chamber shall be organised and conducted by the Competition Commission for the Selection of Members of the Appeals Chamber (hereinafter referred to as the Competition Commission), whose members shall be approved by the NAQA.
2. The Competition Commission shall consist of five persons, two of whom shall be appointed by NAQA (from among the members of the NAQA), one person shall be appointed by the Ministry of Education and Science of Ukraine, one person shall be delegated from the Joint Representative Body of All-Ukrainian Associations of Employers' Organisations, one person shall be delegated from the National Association of Students of Ukraine, which is a member of the European Students' Union.
3. The term of office of the members of the Competition Commission shall be three years without the right to be reappointed for a second term. Members of the Competition Commission may not be persons subject to the restrictions specified in [subparagraphs 2-12](#) of paragraph 3 of Section II of this Regulation. Members of the Competition Commission shall perform their functions on a voluntary basis.
4. The organisational form of the Competition Commission's work shall be meetings, in which its members may participate, including by using technical means in the video conference mode. Meetings of the Competition Commission shall be held in public.

5. The Chairperson of the Competition Commission shall be elected at the first meeting by open voting by a majority of its members.

6. A meeting of the Competition Commission shall be deemed competent if at least three of its members participate in it.

7. Meetings of the Competition Commission shall be chaired by its chairperson, and in his/her absence, by the chairperson of the meeting, who shall be elected by a majority of those present.

8. Information about the Competition Commission meetings shall be published on the official website of NAQA.

IV. Stages of the competition to the Appeals Chamber

1. NAQA shall decide to hold a competition to the Appeals Chamber and approve the competition announcement, which shall contain information on

place, start date, deadline and time for submitting documents for participation in the tender (the deadline for submitting documents is not less than 30 calendar days from the date of the announcement);

a list of documents to be submitted to participate in the competition;

qualification requirements for candidates in accordance with this Regulation;

name and surname, e-mail address of the person authorised to provide information about the tender and accept documents required for participation in the tender.

The decision of NAQA to hold the competition and the announcement shall be published on the official website of NAQA no later than ten calendar days before the start of the documents submission.

2. The decision to hold a tender shall be made in the case of:

1) the need to form the composition of the Appeals Chamber - not earlier than the day of entry into force of the Order of the Ministry of Education and Science of Ukraine dated 21 December 2023 No. 1551 "On Approval of the Regulations on the Appeals Chamber of the National Agency for Higher Education Quality Assurance", registered with the Ministry of Justice of Ukraine on 05 February 2024 under No. 179/41524;

{Sub-clause 1 of clause 2 of Section IV as amended by the Order of the Ministry of Education and Science No. 766 dated 28.05.2024, as amended by the Order of the Ministry of Education and Science No. 879 dated 18.06.2024}

2) expiration of the term of office of the member(s) of the Appeals Chamber - not later than three months before the expiration of his/her term of office;

3) termination of powers of a member (members) of the Appeals Chamber due to the grounds provided for in [subparagraphs 2-12](#) of paragraph 3 of Section II of this Regulation, failure to perform duties within 2 months without valid reasons, or at his/her own request (based on the application), in case of death of a member of the Appeals Chamber - within 30 calendar days from the date of occurrence of such grounds;

4) if, based on the results of the competition, the Competition Commission did not select candidates for all vacant positions or the candidate (candidates) selected by it refused to be appointed as a member (members) of the Appeals Chamber or NAQA did not approve the candidate (candidates) for the position of a member of the Appeals Chamber,- within 30 calendar days from the date of occurrence of one of the following events: publication of the competition results, submission of a written refusal of the selected candidate(s), non-approval of the candidate(s) for the position(s) of the Appeals Chamber member by NAQA.

3. Qualification requirements for candidates to the Appeals Chamber of NAQA for admission to the competition are as follows:

knowledge of the state language;

higher education;

academic degree and/or academic title;

at least five years of professional experience in the field of higher education quality assurance.

4. List of documents to be submitted for participation in the competition to the Appeals Chamber:

1) a written application for participation in the competition;

{Subclause 1 of clause 4 of Section IV as amended by Order of the Ministry of Education and Science No. 766 of 28.05.2024}

2) a professional CV in the EUROPASS CV form;

3) a motivation letter of the candidate for the Appeals Chamber, drawn up in any form, not exceeding 5 thousand characters;

4) a document certifying the level of proficiency in the state language (the level of proficiency in the state language shall be confirmed by documents in accordance with [part three](#) of Article 10 of the Law of Ukraine "On Ensuring the Functioning of Ukrainian as the State Language");

{Subclause 4 of clause 4 of Section IV as amended by Order of the Ministry of Education and Science No. 766 of 28.05.2024}

5) documents confirming the level of higher education, academic degree and/or academic title, and at least 5 years of professional experience in the field of quality assurance in higher education;

{Subclause 5 of clause 4 of Section IV as amended by Order of the Ministry of Education and Science No. 766 dated 28.05.2024, as amended by Order of the Ministry of Education and Science No. 879 dated 18.06.2024}

6) additional documents that the candidate considers necessary to submit for evaluation in accordance with the criteria set out in [clause 6](#) of this section.

{Clause 4 of Section IV is supplemented with a new subclause according to the Order of the Ministry of Education and Science No. 766 of 28.05.2024}

All documents are submitted in the state language. The candidate is responsible for the correctness and accuracy of the information provided.

In case of discrepancies in the submitted documents that affect the determination of compliance with the qualification requirements or the result of the evaluation in accordance with the criteria specified in [clause 6](#) of this section, or if the candidate fails to meet the qualification requirements at any stage of the competition, or fails to comply with the requirements of this Regulation, the candidate shall be excluded from the competition by the decision of the Competition Commission, and shall be notified in writing within 10 working days from the date of such decision.

5. The competitive selection of candidates shall be carried out according to the following procedure:

1) admission of candidates who meet the qualification requirements to participate in the competition on the basis of the submitted documents;

2) evaluation of the bidders in accordance with the documents submitted by them according to the criteria specified in [clause 6](#) of this section;

3) forming a ranking list of selected participants of the competition for members of the Appeals Chamber for an interview.

6. The participants of the competition are evaluated according to the following criteria:

{Paragraph one of clause 6 of Section IV as amended by the Order of the Ministry of Education and Science No. 766 dated 28.05.2024}

Achievements in academic and/or professional fields;

experience in developing and/or implementing quality assurance processes in higher education in accordance with the standards and recommendations for quality assurance in the European Higher Education Area (ESG 2015), policies in the field of higher education (in particular, work as a member of expert groups, sectoral expert councils of NAQA, units for internal quality assurance of higher education in higher education institutions, scientific and methodological commissions (subcommittees) of the Ministry of Education and Science, working groups on the development of regulations, methodological materials on the quality of higher education, etc;)

experience of working with international and domestic organisations working in the field of higher education or in the field of quality assurance of higher education;

work experience in a foreign higher education institution and/or research institution;

observance of academic integrity in research and teaching activities;

English language proficiency (assessed on the basis of supporting documents; in the absence of supporting documents, a minimum score of one point is assigned);

the content of the motivation letter.

7. A member of the Competition Commission shall evaluate the participants of the competition for each of the evaluation criteria specified in **clause 6** of this section on a scale from one to five points and, based on the sum of the scores, shall assign a final score to each participant of the competition.

In case a member of the Competition Commission has a real or potential conflict of interest in relation to a tenderer, such person shall notify the Competition Commission thereof and abstain from consideration (discussion), evaluation and voting on the issue of electing the tenderer to the Appeals Chamber.

{Paragraph two of clause 7 of Section IV as amended by Orders of the Ministry of Education and Science No. 766 of 28.05.2024, No. 225 of 14.02.2025}

8. The score of a member of the Competition Commission shall be the sum of his/her scores for all criteria. The rating score of a tenderer is the arithmetic mean of the scores of all members of the Competition Commission who took part in the voting. The ranking list of the participants of the competition is formed in the sequence from the maximum rating score to the minimum.

Only the contestants who have taken the first five positions in the overall ranking are allowed to participate in the interview.

In case of successful completion of the interview, the contestant shall be recommended for election to the Appellate Chamber. In case of unsuccessful completion of the interview and inability to form the full composition of the Appellate Chamber, the participants of the competition who are ranked below the fifth position in the overall ranking in the order of priority shall be admitted to the interview.

9. Meetings of the Competition Commission shall be held in public.

10. The decision of the Competition Commission on the selection of the members of the Appeals Chamber shall be deemed adopted if a majority of its members voted for it.

11. The decision of the Competition Commission shall be drawn up in the minutes of the meeting, which shall be signed by the Chairman of the Competition Commission (in his absence, by the chairman of the meeting) and published on the official website of NAQA.

The minutes of the meeting of the Competition Commission shall contain:

the date and place of the meeting;

the agenda of the meeting;

decisions taken by the Tender Committee based on the results of voting separately on each item on the agenda;

Surnames and full names of all members of the Competition Commission who participated in its meeting.

The Competition Commission is obliged to submit to NAQA a certified copy of the minutes and copies of the documents of the persons selected by it to be members of the Appeals Chamber within 7 working days from the date of the meeting to be appointed by NAQA.

12. Information on persons elected to the Appeals Chamber shall be published on the official website of NAQA.

V. Procedure for consideration of an appeal by the Appeals Chamber

1. The Appeals Chamber considers appeals (hereinafter referred to as the "appeal") against NAQA's decisions in accordance with the procedure established by this Regulation.

2. The decision of NAQA may be appealed in accordance with this Regulation by filing an appeal to the Appeals Chamber.

3. The grounds for appealing the decision of NAQA may be:

violation of the procedure for consideration and decision-making by NAQA;

NAQA making a decision on the basis of documents containing false information, which was not known at the time of making such a decision;

decision-making by NAQA on accreditation of an educational programme, conditional (deferred) accreditation, re-accreditation examination or refusal to accredit the relevant educational programme, as well as decisions based on the results of post-accreditation monitoring or institutional accreditation in violation of the requirements and criteria set out in the [Law of Ukraine "On Higher Education"](#), the [Regulations on Accreditation of Educational Programmes for the Training of Higher Education Applicants](#), approved by the order of the Ministry of Education and Science of Ukraine

4. An appeal against the decision of NAQA may be filed within 15 calendar days from the date of publication of the relevant decision on its official website or posting in the information system of NAQA.

5. The Appeals Chamber shall consider an appeal against the decision of NAQA no later than 30 calendar days from the date of its receipt.

6. An appeal against the decision of NAQA may be filed with the Appeals Chamber by any person whose rights and interests are affected by the decision under appeal.

An appeal against the decision of NAQA shall be filed in writing or in electronic form with the obligatory use of a qualified electronic signature.

The complaint is registered by NAQA's secretariat and forwarded to the Appeals Chamber within 3 working days.

7. The appeal shall be addressed to the President of the Appeals Chamber and shall contain:

information about the person who filed the complaint;

details of the decision against which the complaint is filed;

justification of the grounds for appealing the decision specified in [clause 3](#) of this section and references to the evidence supporting them;

{Paragraph four of clause 7 of Section V as amended by Order of the Ministry of Education and Science No. 766 dated 28.05.2024}

the requirements of the person filing the complaint.

The complaint shall be signed by the person who filed it, indicating the date of signing. If the complaint is filed by a representative authorised to sign it, the original or a duly certified copy of the document certifying the authority of such representative shall be attached thereto.

8. The preliminary review of the appeal and preparation of the draft decision of the Appeals Chamber shall be carried out by the rapporteur appointed by the Chairperson of the Appeals Chamber within 10 calendar days from the date of receipt of the appeal by the Appeals Chamber, but no later than 5 calendar days before the date of the meeting of the Appeals Chamber.

9. The grounds for leaving the complaint without consideration are:

submitting it outside the period specified in [clause 4](#) of this section;

{Paragraph two of clause 9 of Section V as amended by Order of the Ministry of Education and Science No. 766 dated 28.05.2024}

the complaint does not meet the requirements set out in [clause 7](#) of this section;

{Paragraph three of clause 9 of Section V as amended by Order of the Ministry of Education and Science No. 766 dated 28.05.2024}

there is a court decision that has entered into force in the case of the complainant's claim to cancel (invalidate) the decision of NAQA, the complaint against which was filed with the Appeals Chamber;

the complaint contains obscene language or statements that degrade the honour and dignity of any person.

10. If a court opens proceedings on a claim to appeal a decision of NAQA that is simultaneously appealed to the Appeals Chamber, the latter shall suspend consideration of the appeal.

11. If a member of the Appeals Chamber has a real or potential conflict of interest, he/she shall not be entitled to participate in decision-making by the Appeals Chamber.

A member of the Appeals Chamber shall declare a conflict of interest orally or in writing before consideration of the issue or inform the chairperson in advance of the meeting and shall not participate in decision-making of the Appeals Chamber.

A conflict of interest of a member of the Appeals Chamber may be declared by any other member of the Appeals Chamber or a participant of the meeting who is directly affected by the issue under consideration.

In the case provided for in the third paragraph of this clause, the decision to disqualify a member of the Appeals Chamber shall be taken by a majority of votes of the members present at the meeting of the Appeals Chamber.

{Clause 11 of Section V as amended by Order of the Ministry of Education and Science No. 225 of 14.02.2025}

12. The organisational form of work of the Appeals Chamber shall be a meeting. Meetings of the Appeals Chamber may be held by means of videoconference.

A meeting of the Appeals Chamber shall be deemed to be quorate if at least three of its members are present.

The Appeals Chamber shall be chaired by its President, or in his/her absence, by a presiding officer elected by a majority of those present.

13. Based on the results of consideration of the appeal against the decision of NAQA, the Appeals Chamber shall issue a reasoned decision on:

1) termination of NAQA's decision;

{Subclause 1 of clause 13 of Section V as amended by Order of the Ministry of Education and Science No. 225 of 14.02.2025}

2) dismissal of an appeal against a decision of NAQA.

14. Decisions of the Appeals Chamber shall be made by a majority of its members.

15. The decision of the Appeals Chamber shall be signed by the President, or in his/her absence, by the presiding officer.

16. The decision of the Appeals Chamber is posted on the official website of NAQA.

VI. Procedure for consideration of decisions of the Appeals Chamber by NAQA

1. In case the Appeals Chamber terminates the decision of NAQA, the relevant issue shall be reconsidered at its next meeting.

{Paragraph 1 of Section VI as amended by Order of the Ministry of Education and Science No. 225 dated 14.02.2025}

2. The date, time and place of the meeting of NAQA, which will consider the issue on which the decision was suspended by the Appeals Chamber, shall be informed 5 working days before the date of the meeting: the person who filed the complaint and the Appeals Chamber. Participation of the person who filed the complaint in the meeting of NAQA is not mandatory.

{Paragraph 2 of Section VI as amended by Order of the Ministry of Education and Science No. 225 dated 14.02.2025}

3. At the meeting of NAQA, the invited persons may provide explanations in the order of priority determined by the chairman or presiding officer of the meeting.

4. If a member of NAQA has a real or potential conflict of interest, he/she shall not be entitled to participate in the decision-making of NAQA.

The issue of resolving conflicts of interest among NAQA's members is regulated by the Law of Ukraine "On Prevention of Corruption" and NAQA's internal anti-corruption policies.

{Paragraph 4 of Section VI as amended by Order of the Ministry of Education and Science No. 225 dated 14.02.2025, as amended by Order of the Ministry of Education and Science No. 428 dated 07.03.2025}

5. NAQA shall, upon consideration of the issue on which the decision was suspended by the Appeals Chamber, make one of the following decisions:

{Paragraph one of clause 5 of Section VI as amended by Order of the Ministry of Education and Science No. 225 dated 14.02.2025}

1) confirmation of the previous decision of NAQA, which was terminated by the Appeals Chamber;

{Sub-clause 1 of clause 5 of Section VI as amended by the Order of the Ministry of Education and Science No. 225 dated 14.02.2025}

2) to make a new decision based on the findings of the Appeals Chamber.

NAQA shall confirm its preliminary decision by two-thirds of its members. Such decision shall take effect from the date of its adoption and shall not be appealed to the Appeals Chamber.

6. NAQA shall publish the decision on its official website within 5 working days from the date of its adoption.

7. The decision of NAQA may be appealed in court in accordance with the procedure established by law.

**General the
Directorate of
of higher education**

O. Sharov



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the National Agency for Higher Education Quality

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