

## Statutes

### Accreditation Agency Curacao (AAC)

#### Introduction

One of the most important mechanisms within the framework of the reform of the Bologna process and the US Guidelines for HE is the development and application of qualification structures for all areas of higher education and, in particular, in the quality assurance of higher education programmes. The organization of a primary *qualification framework* and the national qualification requirements related to it thus promote and stimulate:

- International transparency, by describing the degree programs by means of corresponding concepts and thus making the degrees easier to understand.
- International recognition of degrees: The understanding of degrees and of common concepts in the description of capabilities and know-how form the basis for universities and institutions of higher education for mutual recognition of their respective study programs. Transparency and recognition.
- The international mobility of students

In order to take into account the changing requirements for universities and provide reliable guidance to students, employers, as well as universities, quality assurance and accreditation procedures were introduced worldwide. The accreditation of a course of studies involves the guarantee of technical quality standards and the verification of its professional relevance. Accreditation can be awarded as a system accreditation or as a program accreditation.

The "Accreditation Agency Curacao" is an institution registered in Curacao and supported by institutions of higher education and scientific associations, and is solely dedicated to the quality assurance and the progress of study programs and teaching skills at universities and other institutions of higher education.

The accreditation procedures contribute to national and international comparability and recognition processes and ensure a reliable orientation for accreditation applicants.

The AAC contributes to the development of reliable and comparable quality assurance systems in the national and international context and is based both on American quality assurance systems and on European standards such as the "European Standards and Guidelines".

Throughout program accreditation procedures, professional quality standards as well as the employment orientation of degree programs in all categories of higher education are examined. This promotes the further development of study programs from universities and/or institutions of higher learning and contributes to quality improvement.

Within the scope of system accreditation procedures a thorough examination is always performed into whether the quality assurance system of the university in question abides by the formal requirements

for bachelor, master, and doctoral studies. A positive system accreditation confirms that the applicant university's quality assurance system in a particular field of study and the corresponding teaching methods are suitable to ensure the accomplishment of these same quality standards.

### **§ 1 Name, Registration, Fiscal Year**

- (1) The Accreditation Agency shall be the Accreditation Agency Curacao B.V. (AAC B.V.). The AAC B.V. will take the name "Accreditation Agency Curacao". The AAC is registered by the State of Curacao and is registered in the Register of the Chamber of Commerce of Curacao and is entitled "B.V.".
- (2) The AAC B.V. is based in Curacao.
- (3) The financial year of AAC B.V. is the calendar year.

### **§ 2 Purpose of the AAC B.V.**

- (1) The purpose of AAC B.V. is the promotion of education and professional training. The AAC B.V. will be established to accredit degree programs at universities and universities of applied sciences (bachelor, master, and doctoral study programs accreditation) and to accredit Quality Assurance Systems (QAS) of higher education institutions (HEI) in Curacao as well as worldwide.
- (2) The activities of the AAC B.V. aim to ensure a high quality of education in the field of higher education. To this end, the AAC carries out procedures at national and international level. The selection of a suitable university and of a course of studies is made by the students, in particular through the publication accredited courses, their outline, the duration of the accreditation, as well as, if necessary, the conditions that are imposed in connection with accreditation. Therefore, the accreditation process requires a high degree of transparency, in relation to the learning objectives, the requirements for the students, the quality of the curriculum as well as student ability.
- (3) The AAC B.V. ensure that the principles of accreditation are consistent with relevant laws and regulations, as well as the European and American directives.
- (4) The AAC B.V. cooperates with universities and other institutions at home and abroad who aspire to pursue the same purpose as the AAC. The AAC B.V. can establish societies and participate in them.
- (5) Members of the AAC B.V. will not receive any contributions, gifts, or donations from the AAC B.V. A member cannot present any financial claims against the AAC B.V.
- (6) AAC is specialist in accreditation of Distance Learning Programmes.

### **§ 3 Membership**

- (1) Members of the AAC B.V.: as a rule, individuals from state and/or private universities, scientific societies and other similar associations from Curacao and abroad with special proximity to the AAC can apply for membership.
- (2) The Academic Board (AB) decides on membership. There is no legal claim for admission. Request for admission as a member must be made in writing. The decision of the board shall be communicated to the applicant in writing.
- (3) Membership ends:
  - a) by declaration of termination, which may take place at any time and is to be explained in writing to

- the board,
- b) by the dissolution of AAC B.V.,
  - c) by exclusion. Exclusion is decided upon by a resolution of the board if there is a significant reason.

#### § 4 Resources

- (1) The resources of AAC B.V. for the fulfillment and completion of its duties are provided by means of voluntary contributions, income from the results of the work of the accreditation agency, and/or other contributions.
- (2) The AAC B.V. collects an annual membership fee, which is payable at the beginning of the year. The amount of the contribution is determined by the AAC B.V.

#### § 5 Structure of the AAC

##### (1) Bodies of the AAC

- \* AAC B.V. (Shareholders and General Management)
- \* The Academic Board (AB)
- \* The Accreditation Commission (AC)

(2) The members of the separate bodies shall be liable only in the case of gross negligence and intent, in accordance with legal requirements.

(3) **The AAC B.V.** has the following tasks:

- a) Economic and financial management of the AAC B.V.
- b) Appointment of the Academic Board (AB), the Accreditation Commission (AC) and the Administration Office (AO) - Proposals of the individual committees can be taken into account (see organizational chart).
- (c) Definition of membership fees.
- (d) The conclusion of agreements on cooperation with other accreditation bodies.
- e) The AAC B.V. has the final decision on amendments to the Articles of Incorporation
- f) All other tasks for which no other jurisdiction has been established by these statutes.

(4) **The Academic Board (AB)** consists of seven persons and meets at least twice a year. Three people can be put forward by the Government Curacao, one notary and three individuals are put forward by the AAC B.V. itself. The AB supervises academic agendas. The members of the AB are always nominated for three years by the AAC B.V. The members of the AB elect representatives from among their members for president and a vice-president.

The AB has the following tasks:

- a) Resolution on the nomination of members in the Accreditation Commission (AC).
- (b) Advice on limiting or extending cooperation with other accreditation agencies.
- (c) Decisions on objections of any kind.
- (d) The AC may submit proposals for accreditation criteria and procedural principles. The criteria and

procedural principles adopted by the AB shall be submitted to the AAC B.V. and approved by the AAC B.V.

e) The AB takes its decisions by a simple majority of the valid votes cast. Abstentions from voting will not be counted.

f) The members of the AB shall work voluntarily but shall receive a fee for attendance from the AAC B.V.

(g) Issuing the quality seal on the AC proposal.

(h) The AB has the task of assessing complaints submitted by universities, which relate to a decision of the AC in an accreditation procedure and which cannot be solved by reconsideration in the AC, as well as to make a final decision.

(i) Resolutions of AB shall be recorded.

**(5) The Accreditation Commission (AC)** consists of seven members (see chart) and meets at least twice a year or as required. The members are appointed by the AAC B.V. and nominated by the AB and are always selected for three years. The members of the AC elect representatives from their midst for president as well as a vice president. The elections are decided by a simple majority.

AC has the following tasks:

a) Resolution on the nomination of the members of the Panel of Experts (PoE).

(b) Advice on objections of any kind.

(c) AC may submit proposals for accreditation criteria and procedural principles.

d) AC takes its decisions by a simple majority of the valid votes cast. No stimuli are counted.

e) The Accreditation Commission decides on program or system accreditations on the recommendation of the relevant PoE.

f) The members of the AC work voluntarily but receive a meeting fee determined by the AAC B.V.

(g) The quality seal to AB.

h) Resolutions of AC shall be recorded.

i) In the accreditation commission, temporary foreign experts and additional members may be admitted temporarily.

(j) The AC shall ensure that the principles of accreditation are consistent with international laws and regulations.

#### **(6) Panel of Experts (PoE)**

a) For expert assessment of a program accreditation or a system accreditation, a group of experts will be appointed who, after examining the written documentation of the course of study in question, and after a discussion of the documents with the applicants and after a thorough inspection, will give the following advice:

*\* Accredited without conditions - passed without conditions*

*\* Accredited with conditions - passed with conditions*

*\* No Accreditation - failed*

- b) As members of the PoE, only experts with the competence for the technical or scientific assessment of study programs may be appointed. A member of the panel of experts must represent the standpoint of the field of study that is being examined. The group of appraisers should also seek advice from a student member who has a degree of experience in the selected field of study.
- c) The members of the PoE shall be entitled to receive attendance fees or a compensation for their work. This decision lies within the AAC B.V.

#### **(7) Administration Office (AO)**

- a) The General Management is appointed and managed by the AAC B.V.
- b) The AO is responsible for the execution of the entire work of the Accreditation Agency according to these statutes.
- c) The AO is assigned to the AAC B.V. and is responsible for the transferred administrative management of assets and accounting.
- (d) The AO shall, in particular, have the task to advise the applicants and to accompany the accreditation procedures administratively.
- e) The AO is obliged to publish the accreditation certificates in an appropriate form within the framework of transparency.

#### **§ 6 Entry into Force**

The above Statutes were established on April 24, 2017.