

Charter

§ 1 Name, legal form and registered office

The Foundation bears the name "Central Evaluation and Accreditation Agency Hannover, ZEVA".

It is a foundation under civil law and is based in the Hannover region.

§ 2 Purpose of the Foundation

The purpose of the Foundation is to carry out tasks of quality assurance and thus to promote science and research. This is done through participation in accreditation and re-accreditation and thus contributes to the scientific development of the European higher education area, taking into account national aspects.

In addition, the Foundation pursues the following purposes:

- a) Advising on issues of quality assurance and development, including the evaluation of teaching and study at universities.
- b) Planning and execution of evaluation procedures pursuant to section 5 (1) sentence 4 NHG.
- c) Planning and execution of procedures for the accreditation of study programmes at universities and the system accreditation of universities for submission to the Accreditation Council.
- d) Methodological and content-related further development of quality assurance procedures.
- e) Establishment and maintenance of national and international cooperation, especially within the framework of the creation of a single European Higher Education Area.
- f) Assuming special tasks in quality assurance and quality development at higher education institutions on the basis of contractual arrangements.
- g) Planning and implementation of external quality assurance procedures at national and international level in addition to accreditation according to letter c).

§ 3 Non-profit status

The foundation pursues exclusively and directly not-for-profit purposes in the sense of the section "Tax-privileged purposes" of the tax code. It is selflessly active and does not predominantly pursue self-serving economic purposes.

The Foundation's funds may only be used for the purposes laid down in the statutes. The foundation may favour no person through expenditure that is alien to the purpose of the foundation or through disproportionately high remuneration.

§ 4 Foundation assets

- (1) At the time of establishment, the assets of the foundation consist of a claim against the state of Lower Saxony to a one-off amount of 25,000 euros.
- (2) The Foundation shall as a basic principle perform its duties under section 2 on behalf of the universities and at their costs.
- (3) For the fulfilment of its duties under section 2 a), b), d) and e) for universities in Lower Saxony, the Foundation receives an annual grant from the Land in accordance with the Budget Act.
- (4) The assets of the Foundation may be increased by endowments from third parties, insofar as these are intended for that purpose.
- (5) Free reserves may be formed within the framework of the tax regulations. The reserves included in the free reserve are part of the foundation's assets within the meaning of § 6 of the Lower Saxony Tax Code.

§ 5 Use of funds

- (1) The Foundation shall be entitled to charge cost-covering fees for its activities in order to fulfil its tasks.
- (2) In addition, the Foundation shall use the annual grants of the State of Lower Saxony (§ 4 (3)) and third party grants intended to fulfil the purpose of the Foundation (donations) for the fulfilment of the purpose of the Foundation.
- (3) The funds of the Foundation may only be used for statutory purposes and to cover administrative costs.

§ 6 Foundation bodies

- (1) The organs of the Foundation are the Foundation Board of Trustees, the Executive Board, the Standing Evaluation Commission and the ZEvA Commission.
- (2) The organs of the Foundation shall cooperate in the realization of the purpose of the Foundation.
- (3) The members of the Board of Trustees, the Permanent Evaluation Commission and the ZEvA Commission are volunteers. They are entitled to reimbursement of reasonable expenses.

§ 7 Board of Trustees

- (1) The Board of Trustees consists of seven members experienced in the field of quality assurance at universities. The members are appointed by the Lower Saxony Conference of Universities (LHK) in agreement with the Ministry for Science and Culture of Lower Saxony (MWK) based on a proposal by a selection committee; one member is appointed by the Ministry responsible for higher education. The selection committee includes a representative of the LHK, a representative of the MWK and a member elected from the ZEvA Commission. The proposal of the selection committee should include at least three persons each from higher education institutions or scientific institutions from Lower Saxony and from without Lower Saxony. The Board of Trustees elects its chairperson and deputy chairperson from among its elected members.
- (2) The term of office of the members of the Board of Foundation shall be five years. Re-election is permissible. Members who resign before the end of their term of office must be replaced without delay from the respective area by by-election.
- (3) The Executive Board shall participate in the meetings of the Board of Foundation in an advisory capacity.

§ 8 Tasks of the Board of Trustees

(1) The Board of Trustees is responsible for all matters of the Foundation of fundamental importance for both evaluation and accreditation, unless these statutes provide otherwise. In particular, it has the following tasks:

- a) Appointment and dismissal of the members of the Executive Board,
- b) Acceptance of the statement of accounts of the Foundation's Executive Board, resolution of the business plan and granting discharge to the Executive Board,
- c) Appointment of the members of the Standing Evaluation Commission on the basis of the proposals made pursuant to § 11 and their dismissal,
- d) Appointment of the members of the ZEvA-Commission on the basis of the proposals according to § 12 and their dismissal,
- e) Decisions on amendments to the statutes,
- f) Decisions to abolish the Foundation,
- g) Approval of the rules of procedure of the Board, the Standing Evaluation Commission and the ZEvA Commission.

(2) Decisions on the dismissal of members of the Foundation's Executive Board require the consent of five members of the Foundation Board.

(3) The Board of foundation shall formulate its own rules of procedure.

§ 9 Executive Board

The foundation's executive board consists of the Managing Director and the Scientific Director. The members of the Executive Board are appointed by the Board of Trustees for a period of 5 years. Reappointment is permitted. A dismissal is possible at any time.

§ 10 Tasks of the Executive Board

(1) The Managing Director is the superior of the staff of ZEvA and is responsible for the management of the current business of the Foundation. In particular, he or she is responsible for the:

- a) judicial and extrajudicial representation of the Foundation,
- b) preparation of the draft business plan,
- c) Preparation and implementation of the decisions of the Board of Trustees.

(2) The Scientific Director is the Chairperson of the Commissions, insofar as they are organs of the Foundation. She or he is acting in an extraofficial or avocational capacity.

(3) The Executive Board shall formulate its own rules of procedure, which shall require the approval of the Board of Trustees.

§ 11 Standing Evaluation Commission

(1) The Standing Evaluation Commission consists of 10 persons:

- a) the Scientific Director as Chairperson
- b) the chairperson or a deputy chairperson of the LHK,
- c) two current or former members each of the managing board of a university or equivalent higher education institution and of a university of applied sciences,
- d) a person with experience in evaluation in the national or international field,
- e) one student representative each of a university or equivalent higher education institution and a university of applied sciences and
- f) a representative of the ministry responsible for higher education institutions in the State of Lower Saxony.

(2) The members pursuant to section 1 letter c) shall be proposed equally by the LHK and the Scientific Director, the members listed in letters d) and e) shall be proposed by the Scientific Director. The member under letter f) shall be appointed by the ministry responsible for higher education institutions in the State of Lower Saxony.

(3) The members pursuant to section 1 letters c) and d) shall be appointed for a term of office of three years. A renewed appointment is possible. The term of office of the members referred to in section 1 letter e) is two years.

(4) The Commission should include at least three women with voting rights.

(5) The Managing Director shall attend the meetings in an advisory capacity.

6. The Commission shall constitute a quorum when half of its members are present. The Scientific Director acts as Chair without voting rights. The Commission takes its decisions by a majority of the votes cast. The Standing Evaluation Commission's Rules of Procedure provide further details.

(7) The Commission shall steer the evaluation process as a whole. For this purpose, it shall formulate a two-year work plan. It receives the reports on ongoing evaluation procedures and adopts the evaluation reports with the quality assurance recommendations contained therein.

It decides on the procedural principles and monitors compliance with them.

§ 12 ZEvA Commission

(1) The ZEvA Commission consists of 20 persons:

- a) the Scientific Director as Chairperson
- b) seven representatives from the fields of study of universities or equivalent institutions (humanities and cultural sciences; mathematics and natural sciences; engineering sciences; law, economics and social sciences; health sciences; medicine and psychology)
- c) four representatives from the study areas of the universities of applied sciences (economics and law, health sciences and social services; engineering and architecture; natural and life sciences)
- d) two representatives of the artistic study areas,
- e) two representatives of professional practice,
- f) two persons with expertise in higher education quality management,
- g) two student representatives of a university or equivalent institution of higher education and a university of applied sciences.

(2) The commission should comprise at least eight women entitled to vote and two members of foreign universities.

(3) The members under section 1 letters (b) to (f) shall be appointed for a term of office of three years, the members referred to undersection 1 letter (g) for a term of two years. A renewed appointment is possible.

(4) The managing director shall attend the meetings in an advisory capacity. The Commission may invite other persons as non-voting experts to its sessions.

(5) The Commission shall constitute a quorum if half of the representatives from the study areas is present. The Scientific Director acts as Chair without voting rights. The Commission takes its decisions by a majority of the votes cast. The ZEvA Commission's rules of procedure provide further details.

(6) The Commission decides on the matters incumbent upon it under these statutes and adopts the ZEvA guidelines for the implementation of external quality assurance. The details are regulated by rules of procedure.

§ 13 Supervision of the Foundation

The foundation is under state supervision according to the Lower Saxony Foundation Act.

§ 14 Budgetary and Economic Management, Audit

(1) The financial year of the Foundation is the calendar year.

(2) Within the first six months of each year, the Executive Board shall submit to the Board of Trustees an audited financial statement including balance sheet for the previous financial year and a report on the fulfilment of the foundation's purpose.

(3) The budgetary and economic management of the Foundation is subject to audit by the Lower Saxony State Court of Audit.

§ 15 Amendments to the Statutes, Mergers and Dissolution of the Foundation

Amendments to the statutes require the approval of five members of the Board of Trustees. They require the consent of the member from the ministry responsible for higher education institutions in the State of Lower Saxony named in section 7(1). The first and second sentences shall apply to a decision on the revocation or merging of the foundation accordingly.

§ 16 Accumulation of assets

If the foundation is dissolved or if tax-privileged purposes cease to exist, the assets of the foundation fall to the state of Lower Saxony, which will use it directly and exclusively for charitable purposes (science and research).

§ 17 Transitional provisions

(1) The staff of ZEvA employed by the State of Lower Saxony at the time the Foundation was established will continue to be employed in the national service and will be assigned to the foundation against reimbursement of costs. Details will be set out in a separate contract between the state of Lower Saxony and the Foundation.

(2) Provided that the ZEvA will continue to take decisions on programme and and system accreditation funding decisions after 1 January 2018 on a transitional basis, this task falls to the ZEvA Commission.

For the correctness:

signed. Henning Schäfer, Managing Director

Hanover, 10 December 2020