



statutes VII

issued by the Academic Council of

MCI Management Center Innsbruck – Internationale Hochschule GmbH (commercial register no: FN 153700f, Landesgericht Innsbruck)

hereinafter referred to as the “University” and/or the “Provider”

(as amended on 31 August 2022 – hereinafter, the “Statutes”)

1. Academic Council and Head of Academic Council:

1.1. Academic Council:

In accordance with § 10 FHG (Austrian Act on Universities of Applied Sciences), the Academic Council is responsible for:

- 1.1.1. electing the Head and Deputy Head based on a list of three candidates proposed by the Provider. With the consent of the Academic Council the proposal may be reduced to two candidates. In the event the current Head and/or Deputy Head communicate their willingness to remain in office for another term of office, they may be appointed without an election, provided that such appointment is approved by a two-thirds majority of the Academic Council and by the Provider. Repeated reappointments are permitted.

Final decisions on the matter shall be discussed and issued by the Academic Council.

- 1.1.2. applying to the Provider for the removal from office of the Head or Deputy Head, or submitting an opinion on such an intention on the part of the Provider, in case the relevant bodies have grossly infringed or neglected their duties or are no longer able to fulfill their duties.

Final decisions on the matter shall be discussed and issued by the Academic Council.

- 1.1.3. changes relating to accredited degree programs, in consultation with the Provider.

The Accreditation Commission (see 2.2.1.) shall discuss and prepare decisions on the matter; the final decisions shall be issued by the Academic Council.

- 1.1.4. the establishment and termination of degree programs and continuing higher education programs, in consultation with the Provider.

The Accreditation Commission (see 2.2.1.) shall discuss and prepare decisions on the matter; the final decisions shall be issued by the Academic Council.

Degree programs accredited by, and further education programs that have not been prohibited by, and proposals by the Provider for degree programs and further



education programs submitted by, 31 August 2012 (see list of proposals attached as exhibit ./.1.1.4.) are formally recognized as valid components of the University.

- 1.1.5. the submission of budget requests (capital, non-personnel and personnel expenditures) to the Provider.

The Budget Committee (see 2.2.3.) shall discuss and prepare decisions on the matter; the final decisions shall be issued by the Academic Council.

- 1.1.6. the strategic development of teaching, applied research and internationalization with a view to ensuring competence- and future-oriented degree programs at university level, in consultation with the Provider.

For the avoidance of doubt, the teaching and research staff as referred to in the FHG comprises all employees of the University who work as teaching and research staff, irrespective of whether they are employed full-time or part-time, in whichever form of employment. The classification as teaching and research staff in accordance with the present provision depends on the integration in the University's organization, which includes the assignment of an appropriate work area within the premises of the University.

The responsibility for discussing relevant matters and preparing relevant decisions

- 1.1.6.1. in connection with the strategic development of teaching shall lie with the Committee for Teaching (see 2.2.4.); the relevant final decisions shall be issued by the Academic Council;
- 1.1.6.2. in connection with the strategic development of applied research shall lie with the Research Committee (see 2.2.5.); the relevant final decisions shall be issued by the Academic Council; and
- 1.1.6.3. in connection with strategic development related to internationalization shall lie with the Internationalization Committee (see 2.2.6.); the relevant final decisions shall be issued by the Academic Council.
- 1.1.7. coordinating the contents of all teaching operations.



The Committee for Teaching (see 2.2.4.) shall discuss and prepare decisions on the matter; the final decisions shall be issued by the Academic Council.

For organizational and operational purposes, the preparation and implementation of tasks pertaining to this area of responsibility are delegated, until further notice, to the respective Program Directors; the Head of the Academic Council, however, reserves the right to revoke this delegation, either as a whole or relating to individual degree programs, at any time. The Program Directors shall assume their respective responsibilities after consultation with the relevant module or subject area coordinators, where applicable.

The Academic Council may at any time stipulate general guidelines that must be complied with by the Program Directors in the performance of the respective duties delegated to them.

Extracurricular courses and lectures (such as career seminars hosted by the Career Center, communication trainings hosted by the Language Center, International Relations, or events hosted by the Alumni and Friends Association) are not subject to the above provisions.

- 1.1.8. ensuring quality in teaching and research and the evaluation of all teaching operations, including examination regulations and curricula.

The Committee for Teaching (see 2.2.4.) and the Research Committee (see 2.2.5.) shall discuss and prepare decisions on the matter; the final decisions shall be issued by the Academic Council.

For organizational and operational purposes, the preparation and implementation of tasks pertaining to this area of responsibility are delegated, until further notice, to the respective Program Directors; the Head of the Academic Council, however, reserves the right to revoke this delegation, either as a whole or relating to individual degree programs, at any time. The Program Directors shall assume their respective responsibilities after consultation with the relevant module or subject area coordinators, where applicable.

The Academic Council may at any time stipulate general guidelines that must be complied with by the Program Directors in the performance of the respective duties delegated to them.



- 1.1.9. the awarding of academic honors customary in the university system, in consultation with the Provider.

Final decisions on the matter shall be discussed and issued by the Academic Council.

The respective Program Directors will announce the persons who qualify for academic honors customary in the university system to the Academic Council in due time by providing in writing a list of names and certifying that the persons included in the list meet all requirements for receiving the respective academic honor customary in the university system.

- 1.1.10. issuing rules of procedure and statutes, in consultation with the Provider. The statutes shall, as a minimum, include the study and examination regulations, rules for the election of the Academic Council, the establishment of working groups, where applicable, and their statutes, regulations with regard to Academic Council quorums, an equal opportunities plan, regulations with regard to the establishment and termination of degree programs and continuing higher education programs, and guidelines for the appropriate use of designations customary in the university system and for the awarding of academic honors. The statutes shall be published in suitable form.

The responsibility for discussing matters and preparing decisions in connection with the equal opportunities plan and related issues shall lie with the Gender Equality Committee (see 2.2.7.); the Academic Council shall be responsible for issuing the relevant final decisions as well as for discussing and deciding on all other issues referred to in this section.

- 1.1.11. rulings on complaints lodged against decisions taken by Program Directors.

The Complaints Commission (see 2.2.2.) shall discuss and prepare decisions on the matter; the final decisions shall be issued by the Academic Council.

1.2. **Head of Academic Council:**

The Head of the Academic Council is responsible for:



- 1.2.1. assigning tasks and issuing instructions to members of the teaching and research staff who are employed on a full-time basis in order to ensure regular teaching operations and a quality-driven and practice-oriented education at university level, and, in connection with quality assurance, assigning tasks and issuing technical instructions to Program Directors and the heads of academic organizational units.
- 1.2.2. the assignment of lectureships on the basis of proposals by or in consultation with the Academic Council.

Lectureships may be assigned to any member of the University's teaching and research staff (as defined in 1.1.6.) and, in accordance with the budget available, also to external lecturers (i.e. all lecturers not included in the definition provided in 1.1.6.).

For organizational and operational purposes, the preparation and implementation of tasks pertaining to this area of responsibility are delegated, until further notice, to the respective Program Directors; the Head of the Academic Council, however, reserves the right to revoke this delegation, either as a whole or relating to individual degree programs or specific individual cases, at any time. The Program Directors shall assume their respective responsibilities after consultation with the relevant module or subject area coordinators, where applicable. The delegation only applies to members of the teaching staff who either had a contractual relationship with the University that included a teaching assignment already prior to 01 September 2012 or who were actively teaching after that date during the winter term 2012/2013, provided that throughout the four full semesters directly preceding the assignment of a lectureship none of the courses held by the respective member of the teaching staff was evaluated, as part of reasonably significant performance evaluations, to rank among the lowest-scoring 10 (ten) percent of all courses of the respective degree program and respective semester, whereby only general evaluations of individual lectures and not partial evaluations are to be taken into account. If a lectureship is to be assigned to a member of the teaching staff who held at least one course ranking, in the above sense, among the lowest-scoring 10 (ten) percent of courses, the Program Director applying for the assignment shall provide detailed reasons for his/her approval of the assignment and notify the members of the Academic Council through the Head of the Academic Council accordingly. Even if only one member of the Academic Council requests a detailed discussion of the relevant assignment and of the relevant reasons at the next meeting of the Academic Council, such a discussion shall take place. If none of the members of the Academic Council requests such a discussion, the Head of the Academic Council is entitled to assign, or refuse to assign, the respective



lectureship without further consultation with the Academic Council. If, in the aforementioned case, a member of the Academic Council requests a plenary discussion of the matter, the Head of the Academic Council shall be informed in due time and shall ensure, if possible, that the respective Program Director is available for a hearing before the Academic Council.

In particular, the delegation of the responsibility to assign lectureships shall therefore be excluded in the following cases:

- the assignment of lectureships to teaching staff who have held at least one course during the preceding consecutive four full semesters that was evaluated to rank among the 10 (ten) percent of all courses of the respective degree program and respective semester that achieved the lowest evaluation scores;
- the assignment of lectureships to staff members who have never before accepted and exercised a teaching assignment at the University;
- the assignment of lectureships to staff members who are close relatives, as defined in § 28 item 3 IO (Austrian Insolvency Act), of the Program Directors;
- the assignment of lectureships to persons who are close relatives, as defined in § 28 item 3 IO, of persons integrated in the organization of the Provider and who have been assigned a respective work area by the Provider, independent of their weekly working hours; the Program Directors are obliged to ask persons to whom a lectureship is to be assigned about their status as close relatives within the meaning of § 28 item 3 IO; the Program Directors shall not be required to undertake any further investigation;
- the assignment of lectureships to persons who in a given semester are assigned lectureships exceeding a total of 6 (six) weekly semester hours; the respective Program Directors shall in advance obtain information about the current number of assignments per semester in order to avoid that the aforementioned weekly semester hour limit is exceeded as a result of the simultaneous exercise of delegation responsibilities without previously consulting with the Head of the Academic Council.



In each case where a delegation is not permissible or is revoked, the Committee for Teaching (see 2.2.4.) shall discuss and prepare the respective decision; the final decision (in terms of a proposal or statement within the framework of a hearing) shall be issued by the Academic Council.

In case the assignment of a lectureship is necessary to maintain regular teaching operations, but time limits prevent due consultation with the Academic Council as a body, the Head of the Academic Council shall have the right to assign the lectureship proposed by the respective Program Director after consultation with the Committee for Teaching (2.2.4.).

In each case of permissible delegation the Program Directors are required, without delay following the assignment of lectureships, to submit a list of all lectureships assigned within the scope of their delegation rights for the respective semester to the Academic Council, through the Head of the Academic Council, and, given that the conclusion of a teaching agreement between the Provider and the lecturer may be required, to the Provider. The Academic Council and/or the Head of the Academic Council, in consultation with the Committee for Teaching, may at any time stipulate general guidelines, in particular for purposes of quality assurance, that must be complied with by the Program Directors in the performance of the respective duties delegated to them. These guidelines shall be assessed at the end of each academic year and, if necessary, shall be adapted as appropriate by the Academic Council and/or the Head of the Academic Council.

The assignment of lectureships shall be subject to the respective curricula, relevant accreditation rules, applicable internal standards of quality of the University, as well as regulations relating to the budget and, where applicable, regulations relating to employment contracts.

- 1.2.3. external representation of the Academic Council and the implementation of decisions taken by the Academic Council.

The Academic Council shall be represented by the Head of the Academic Council; should the Head of the Academic Council be prevented for any reason, the Academic Council shall be represented by the Deputy Head.

- 1.2.4. awarding and revoking academic degrees and deciding on the nostrification of foreign degrees.



The respective Program Directors will announce the persons to be awarded academic degrees to the Head of the Academic Council in due time by providing in writing a list of names and certifying that the persons included in the list meet all requirements for being awarded the respective academic degree.

- 1.2.5. submitting proposals to the Provider for the appointment of the heads of academic organizational units and of teaching and research staff.
- 1.2.6. the commissioning of and participation in external quality assurance procedures, in consultation with the Provider.

2. Working Groups:

2.1. The working groups are solely responsible for the preparation of respective decisions of the Academic Council by way of analyzing in detail the factual and legal circumstances and submitting a well-founded written proposal on the implementation of the decision within the period of time set by the Academic Council or the Head of the Academic Council. The individual working groups are also entitled to base their proposals or recommendations to the Academic Council on independently initiated analyses, deliberations and/or investigations on the respective matter. However, the working groups do not hold the authority to take final decisions or issue directions. If the Academic Council, after due consideration of the relevant proposal, so desires, the respective working groups shall carry out further investigations or perform relevant tasks. The Academic Council as a whole and/or the Head of the Academic Council are entitled at any time to revoke the delegation of tasks to respective working groups and assume responsibility for such tasks themselves.

2.2. The following working groups are established as **permanent working groups**:

2.2.1. Working group for accreditation processes (Accreditation Commission):

The Accreditation Commission is responsible for the preparation of decisions by the Academic Council relating to the establishment and termination of degree programs and continuing higher education programs as well as to changes of accredited programs.



2.2.2. Working group for complaints (Complaints Commission):

The Complaints Commission is responsible for the preparation of decisions by the Academic Council relating to complaints against decisions taken by Program Directors.

2.2.3. Working group for budget requests (Budget Committee):

The Budget Committee is responsible for the preparation of decisions by the Academic Council relating to budget requests (capital, non-personnel and personnel expenditures).

2.2.4. Working group for teaching operations (Committee for Teaching):

The Committee for Teaching is responsible for the preparation of decisions by the Academic Council relating to academic issues of teaching and the strategic and qualitative advancement of teaching, which includes all issues in connection with the development and regular revision of academic standards in consultation with the Provider. The tasks of the Committee for Teaching, subject to delegation to the Program Directors, include in particular:

- the coordination of the contents of all teaching operations;
- the submission of proposals for the appointment and removal from office of teaching staff;
- the evaluation of all teaching operations, including examination regulations and curricula; and
- the establishment of a generally applicable procedure for the assignment of lectureships (see 1.2.2.) and the presentation of suggested changes to such procedure, in each case in the form of a proposal to be submitted to the Academic Council for approval.

2.2.5. Working group for research (Research Committee):

The Research Committee is responsible for the preparation of decisions by the Academic Council relating to academic issues of research and the strategic and



qualitative advancement of research, which includes all issues in connection with the development and regular revision of academic standards in consultation with the Provider.

2.2.6. Working group for internationalization (Internationalization Committee):

The Internationalization Committee is responsible for the preparation of decisions by the Academic Council relating to the strategic and qualitative advancement of the University's internationalization, in consultation with the Provider.

2.2.7. Working group for gender equality (Gender Equality Committee):

The Gender Equality Committee is responsible for the preparation of decisions by the Academic Council relating to the preparation of the equal opportunities plan and all other issues in connection with gender equality.

2.3. The Academic Council is entitled to establish, in accordance with legal regulations, **further project-based working groups** to assist in its duties. These working groups shall be referred to as "project teams" without any additional designations. The establishment of such working groups requires a written application by one of the members of the Academic Council, addressed to the Head of the Academic Council, and approval by at least two thirds of the valid votes cast within the Academic Council or by order of the Head of the Academic Council.

2.4. For each working group, the body of members to the Academic Council who were elected by the Program Directors, the body of members elected by the teaching and research staff, as well as the body of members elected by the students each shall appoint two of their members as members of the respective working group. All other members of the Academic Council are entitled, but not obliged, to participate in any of the meetings held by the working groups. If a member of the Academic Council intends to participate in a meeting of a working group of which he/she is not a member, the chairperson of the respective working group shall be informed in appropriate form at least 3 (three) days prior to the meeting. The members of a working group who represent a specific body of the Academic Council are elected by the Academic Council members of the respective body by simple majority. In case the number of Academic Council members running for election is not sufficient, the members to be appointed to a working group shall be determined by drawing lots, whereby it shall be ensured, as



far as this is possible, that the members of the Academic Council who represent a specific body are appointed to working groups in a balanced manner. Members to the individual working groups are elected or appointed for the term of office of the Academic Council; reappointments are admissible. If members of the Academic Council who are at the same time members of a working group decide to resign from the Academic Council, they are also required to resign from any position they held in the respective working group. Successor members to resigned members do not automatically assume the positions held by the resigned members; the position in the working group that became vacant through the resignation shall be filled by a new election.

2.5. Like the Academic Council, each working group is entitled to consult suitable informants and collect information in accordance with the Academic Council's rules of procedure. External experts, however, may only be invited after due consideration of financial resources and with the prior approval by the Head of the Academic Council.

2.6. **Working groups** must adhere to the following **rules of procedure** :

2.6.1. Each working group shall arrange for a secret ballot to elect from amongst its members a chairperson and a deputy chairperson by simple majority of the valid votes cast; the elected persons hold their respective office until they are removed, again by simple majority, or until another chairperson is elected.

The chairperson of the respective working group shall invite the members of the working group in due time; furthermore, concurrently with the members of the working group all other members of the Academic Council shall also be invited to participate .

2.6.2. Any proposals and recommendations require a prior resolution by the respective working group. A working group constitutes a quorum if more than half of its members are present; should a working group fail to constitute a quorum, another meeting must be convened to resolve on the same agenda within a period of 14 (fourteen) days, which shall constitute a quorum irrespective of the number of working group members in attendance. Working group resolutions are passed by simple majority of the valid votes cast. Meetings shall be chaired by the chairperson of the respective working group; if the chairperson is unable to attend, the deputy chairperson shall chair the meeting. In the case of a tie, the chairperson elected according to the procedure



described in 2.6.1. – but not any other person chairing the meeting – has the casting vote. Members of a working group may appoint other members of the same working group to vote on their behalf; the appointment of a proxy must be in writing and refer specifically to the subject matter of the respective vote. A member of a working group is not allowed to act as proxy for more than one other member of the same working group.

2.6.3. In addition, the rules of procedure of the Academic Council shall apply to working groups *mutatis mutandis*.

2.6.4. The chairperson of a working group shall ensure that the results of each meeting are recorded in writing. Both the chairperson of the respective working group and the Head of the Academic Council shall collect the records in chronological order. The members of the Academic Council shall be granted access to these records.

3. Rules for the election of members to the Academic Council of the University:

3.1. Within 14 (fourteen) days from the **announcement of an election**, the Head of the Academic Council shall compile a register of members of the individual bodies represented in the Academic Council who are entitled to vote as per the reference date; an election must be completed not later than 3 (three) months prior to the end of the term of office of the Academic Council.

The **electoral registers** shall be on display at the University for a period of 14 (fourteen) days; the place within the University premises where the register is to be displayed must be communicated through a public announcement (e.g. on the homepage). During the display period, objections against the register may be raised in writing, addressed to the Head of the Academic Council. The Head of the Academic Council shall decide on any objections within 3 (three) working days after the end of the display period. Appeals against this decision are not admissible.

The term of office of the Academic Council shall be 3 (three) calendar years.

3.2. **Rules for the election of representatives of the Program Directors:**

The rules for the election of representatives of the Program Directors in accordance with attachment./3.2. (current as of 05 May 2015) were validated by resolution of the Academic Council dated 05 May 2015 in consultation with the Provider.



3.3. Rules for the election of representatives of the teaching and research staff:

The rules for the election of representatives of the teaching and research staff in accordance with attachment./3.3. (current as of 05 May 2015) were validated by resolution of the Academic Council dated 05 May 2015 in consultation with the Provider.

4. Rules for the election of the Head and the Deputy Head of the Academic Council:

The Academic Council, in consultation with the Provider, will pass an amendment to the present Statutes to determine the rules for the election of the Head of the Academic Council and the Deputy Head of the Academic Council; until the relevant amendment has been issued there is no valid election procedure for the Head and the Deputy Head of the Academic Council.

5. Constitution of the Academic Council:

A separate constitution for the newly elected Academic Council is not required. At the latest 4 (four) weeks prior to the end of the term of office of the previous Academic Council the newly elected Head of the Academic Council shall convene a meeting of the newly elected members of the Academic Council to be held immediately after the end of the term of office of the previous Academic Council. If the newly elected Head of the Academic Council fails to convene the inaugural meeting in due time, any newly elected member of the Academic Council may convene the inaugural meeting.

6. Equal opportunities:

The document "Diversity – Equal Treatment and Advancement of Women at MCI", issued on 15 June 2016, in accordance with attachment./6. (current as of 15 June 2016), was approved by resolution of the Academic Council dated 15 June 2016 and shall become effective on 01 August 2016.

7. Rules for the awarding of Bachelor and Master degrees:



The current practice of awarding academic degrees is approved of by the Academic Council and is to be continued pending further notice. Changes to the current practice of awarding academic degrees shall be subject to the Academic Council's approval.

8. Guidelines for professorship at MCI:

The document "Guidelines for professorship at MCI" in accordance with attachment./8. (current as of 12 January 2021) was approved on 12 January 2021 and shall become effective as per the academic year 2020/21.

9. Academic honors at MCI:

The academic honors regulations in accordance with attachment./9. (current as of 30 March 2017) were approved by resolution of the Academic Council dated 20 March 2017, in consultation with the Provider, and shall herewith become effective for an indefinite period. The academic honors regulations may be changed, amended or revoked at any time by the aforementioned bodies.

10. Examination regulations:

The examination regulations in accordance with attachment./10. (current as of 31 August 2022) were validated with effect from the winter term 2022/23 by resolution of the Academic Council dated 31 August 2022, in consultation with the Provider.

11. Study regulations for university of applied sciences degree programs offered by the University:

11.1. General

The Bachelor degree programs offered by the University are complete academic education programs based on the Austrian Act on Universities of Applied Sciences (FHG, as amended), which combine, in an integrative way, scientific standards, practical orientation and internationality. Upon completion of the six-semester degree program students are awarded an undergraduate degree with a professional qualification.



The Master degree programs offered by the University are complete academic education programs based on the Austrian Act on Universities of Applied Sciences (FHG, as amended), which combine, in an integrative way, scientific standards, practical orientation and internationality. Upon completion of the four-semester degree program students are awarded a Master of Arts or Master of Science degree.

The individual study regulations issued prior to 31 August 2012 form an integral part of these Statutes. They are identified and published, as amended from time to time, on the homepage of the University.

The Academic Council holds that the existing study regulations require partial revision; the Academic Council expressly reserves the right to change the existing study regulations as a result of the envisaged revision.

12. Term of Validity:

The present Statutes become effective after approval by the Academic Council with a majority of two thirds of the total number of votes and in consultation with the Provider and following their publication on the homepage of the University; they shall remain in force until they are annulled or amended.

The Academic Council, in consultation with the Provider, has the right at any time to amend or annul the Statutes with a majority of two thirds of the valid votes cast and at least half of the total number of votes.

The Statutes may be terminated both by the Academic Council, based on a simple majority, or by the Provider by giving 3 (three) months' prior notice as per the end of each calendar month (to be posted by registered mail; compliance with the deadline depends on the date of posting).

The annulment or amendment of the present Statutes must be announced in proper form on the homepage of the University.

In case of imminent danger, the instructions of the Provider must be complied with.

Attachments:

./3.2 Rules for the Election of Representatives of the Program Directors



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./3.3 Rules for the Election of Representatives of the Teaching and Research Staff

./6 Diversity – Equal Treatment and Advancement of Women at MCI

./8 Guidelines for professorship at MCI

./9 Academic honors at MCI

./10 Examination Regulations

Innsbruck, 31 August 2022

