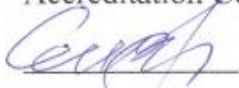


APPROVED:

At the meeting


Accreditation Council IARC

 S.T. Sarbanov

Protocol No. 9 dated 07/04/2024

CONFIRM

Director of IARC

 B.B. Koshoeva

Order No. 2/008 dated 07/04/2024



The procedure for the formation and activities of the appeals commission for the consideration of appeals and complaints.

I. APPLICATION SCOPE

1. This Procedure has been developed in accordance with the Law "On Education", the Resolution of the Cabinet of Ministers of the Kyrgyz Republic "On approval of regulatory legal acts on accreditation in the field of education" dated May 15, 2024 No. 246.

2. The Procedure establishes the procedure for considering appeals, complaints and organizing the work of the Appeals and Complaints Commission (hereinafter referred to as the Commission), its composition, functions, responsibilities.

II. TERMS AND DEFINITIONS

An appeal is a reasoned written statement by a legal entity on disagreement with the results of the recommendations of the external expert commission (hereinafter referred to as the EEC) or with the decision of the accreditation council (hereinafter referred to as the AC) of IARC.

A complaint is an expressed dissatisfaction, a demand by an individual or a legal entity for the restoration and protection of violated rights or legitimate interests related to the quality of services provided by an educational institution that has successfully passed accreditation in IARC before the expiration of the accreditation

certificate, as well as related to the actions of IARC employees or EEC members during accreditation.

An individual is any interested party, including students, their parents, employers, etc., who are directly or indirectly related to the accreditation of an educational institution conducted by IARC or an accredited educational institution with a valid accreditation period that has successfully passed accreditation in IARC.

Legal entity - any interested party, regardless of the form of ownership, including higher, secondary, primary vocational and general education institutions and others directly or indirectly related to the accreditation of an educational institution conducted by IARC or an accredited educational institution with a valid accreditation period that has successfully passed accreditation in IARC.

Applicant - an individual or educational institution that has filed an appeal or complaint.

III. GENERAL PROVISIONS

3. IARC must take preventive measures to resolve contentious issues and prevent the emergence of appeals and complaints.

4. Appeals and Complaints from individuals/legal entities and from candidates for accreditation/accredited educational organizations (hereinafter referred to as EO) are submitted to IARC. For their consideration, upon the recommendation of the director of IARC, the Accreditation Council (hereinafter referred to as AC) approves the Appeals and Complaints Commission and is formalized by an order of IARC.

5. The Commission considers the applicant's appeal received in writing on official letterhead signed by the head of the EO; the complaint is formalized in writing in any form signed by an individual or a legal entity addressed to the director of IARC.

6. When considering and preparing information based on the results of consideration of an appeal/complaint, the confidentiality obtained during the work of the Commission must be maintained, and disclosure of information contained in the appeal/complaint is not permitted without the consent of the person submitting it.

IV. ORGANIZATION OF THE WORK OF THE COMMISSION

7. In its work, the Commission is guided by the legislation of the Kyrgyz Republic, regulatory legal acts in the field of education, international standards in the field of accreditation adopted in the territory of the Kyrgyz Republic in the established manner and this Procedure.

8. The organizational work of the Commission is ensured by the secretary, who is an employee of IARC who does not participate in the procedures for assessing the educational program or educational organization.

9. The Secretary of the Commission is responsible for maintaining records on the submitted appeal/complaint and drawing up the minutes of the decisions taken.

10. The personal and quantitative composition of the Commission for a specific appeal/complaint is formed based on the issue on which it is submitted and approved by the order of IARC.

11. A complaint about the work of IARC specialists and accredited educational institutions may be considered by the Commission consisting of IARC specialists (without involving third-party specialists).

12. The Appeal Review Commission shall include independent experts. A member of the commission may not simultaneously be a member of the AC.

13. Before being included in the Commission, the applicant shall inform the Director of IARC of the existence of circumstances that prevent his/her participation in the work of the commission.

14. The members of the Commission shall comply with ethical standards in the process of reviewing the appeal/complaint and taking appropriate actions.

15. The Commission shall:

- not allow discrimination in conducting the analysis and making a decision in relation to one of the disputing parties;
- ensure the confidentiality of information received in the process of reviewing the appeal/complaint;
- ensure the timely registration of the results of the work and communication of the actions taken to the person who filed the complaint and to the EO on the filed appeal.

16. No person (group of persons) shall influence the decision-making of the commission.

17. The Commission shall perform the following functions:

- reviewing the appeal/complaint and preparing conclusions on it;
- keeping records of the appeal/complaint and the actions taken.

18. The members of the Commission perform their functions free of charge.

19. In case of operational necessity, IARC may pay for the travel expenses of the members of the Commission.

V. REQUIREMENTS FOR FILING AN APPEAL/COMPLAINT

20. Consideration of the Applicant's Appeal/Complaint does not constitute a repeated accreditation procedure for the EO.

21. The object of the Appeal/Complaint may be any decisions, actions and inactions of employees and external experts of IARC, if such decisions and actions violated the rights and obligations of the applicant.

22. The appeal is submitted in writing on the official letterhead of the EO, indicating the name of the organization, the email address to which the response

should be sent, and the essence of the complaint/appeal. They must be registered in the manner prescribed by law in the sending organization and signed by the head.

23. A complaint is submitted in any form, if it is an individual, then with the indication of the full name, contact information, the essence of the appeal for which educational organization and (or) programs, clearly formulated requirements on the subject of the dispute, signature if it is a legal entity, then with the indication of the name of the organization, its location, outgoing number and date, the essence of the appeal, clearly formulated requirements on the subject of the dispute, signed by the head of the organization.

24. A complaint can be submitted to the official email address of IARC, indicated on the official website of IARC.

25. A complaint or appeal must be substantiated. If necessary, documents confirming the arguments of the appellant / complaint are attached to them.

VI. DOCUMENTS, PROCEDURE FOR CONSIDERATION AND DECISION

26. The received Appeal/Complaint is subject to mandatory registration within one day from the moment of its receipt.

27. The appeal is filed within the next 7 working days from the moment of receipt of the written notification of the educational institution about the decision made at the AC.

28. The complaint can be submitted at any time, but before the expiration of the accreditation certificate issued by IARC.

29. If the educational institution is not satisfied with the services provided by IARC during the accreditation procedure, it must inform the NIARS representative or the chairman of the EEC, who are visiting the educational institution. If the educational institution failed to resolve the problem on the spot, it has the right to write a complaint to IARC.

30. The Commission requests copies of all documents that were used during the accreditation procedure, including materials prepared by IARC, the educational institution itself and the external expert commission, as well as documents that are necessary to resolve the essence of the issue specified in the appeal/complaint, including from the educational institution.

31. In case of incorrect information, the Appeal/Complaint will not be accepted.

32. Appeals/Complaints submitted anonymously, in which the full name is not indicated, there is no signature, the essence of the issue or the conditions that served as the basis for the Appeal/Complaint are not subject to consideration.

33. The Commission makes a decision within 30 calendar days after receiving the appeal. The Commission's decision is final, is drawn up in writing and reflected in

the minutes. A repeated appeal is not carried out; claims based on the results of the appeal are not considered.

34. The Commission meeting is closed and can be held using interactive means of communication.

35. The commission meeting shall be competent if at least half of the commission members participate in it.

36. The decision on the Appeal/Complaint shall be made based on the majority of votes of the commission members and shall be formalized in a protocol, which shall be signed by the chairman of the commission and its members. In case of a tie, the vote of the chairman of the commission shall be decisive.

37. In case of a delay in the consideration of the Appeal/Complaint, IARC shall send a letter to the person who filed the complaint or appeal with a justification of the reasons for the delay.

38. Based on the results of the consideration of the appeal, the commission shall make one of the following decisions:

- issue a new decision;
- refuse to satisfy.

39. The decision made by the Commission shall be transferred to the Accreditation Council before the start of the AC meeting, where the issue on the Appeal/Complaint will be considered.

40. The decision of the Commission shall be substantiated and contain specific facts refuting or confirming the arguments of the applicant with an explanation of their right to appeal the decision taken. The decision of the Accreditation Council is the final decision.

41. In case of a change in the decision, IARC carries out the necessary procedures until its implementation.

42. After the decision of the AC is made, IARC within 5 calendar days informs the applicant in writing.

43. The decision made by the commission can be appealed by the applicant in court in accordance with the current legislation of the Kyrgyz Republic.