Annex 4 – ARACIS Internal Quality Assurance

Annex 4.1 – Code of ethics and Rules of conduct.....2

Annex 4.2 – Contract with external evaluators (excerpt) 21

Annex 4.3 - List of ARACIS internal quality assurance procedures.....22

Annex 4.1 – Code of ethics and Rules of conduct

CODE OF ETHICS AND RULES OF CONDUCT

In the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania

Third edition, reviewed and completed

Approved by ARACIS Council on September 28, 2017

ARACIS
2017

CODE OF ETHICS AND RULES OF CONDUCT

TABLE OF CONTENTS:

INTRODUCTION

CHARTER 1. SCOPE AND GENERAL PRINCIPLES 5
CHARTER 2. FUNDAMENTAL ETHICAL PRINCIPLES AND VALUES 6
CHARTER 3. RULES OF CONDUCT 9
CHARTER 4. ETHICS VIOLATION 11
CHARTER 5. ANALYSIS AND DECISION STRUCTURES AND MECHANISMS 12
CHARTER 6. FINAL PROVISIONS 16

ANNEXES

ABBREVIATIONS

ARACIS - Agenţia Română de Asigurare a Calităţii în Învăţământul Superior / The Romanian Agency for Quality Assurance in Higher Education

ENQA - European Association for Quality Assurance in Higher Education

IIS – Instituţii de Învăţământ Superior / Higher Education Institutions

MEN- Ministerul Educaţiei Naţionale / Ministry of National Education

RNE - Registrul Naţional al Evaluatorilor / National Register of Evaluators

SEIS - Spaţiului European al Învăţământului Superior / European Higher Education Area

SNIS- Sistemul Naţional de Învăţământ Superior / National Higher Education System

INTRODUCTION

The code of ethics and rules of conduct *in the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania* set out the rules on ethical and professional conduct and propose the principles which must be observed by all persons involved in the ARACIS activities.

The third edition, reviewed and completed, of this Code has been prepared by ARACIS Council under the coordination of ARACIS Executive Office, considering the organizational and legislative amendments of the National Higher Education System, as well as the national laws in force, regarding the non-discrimination, conflict of interests and incompatibilities.

The Code relies on the principles constituting the reference framework of ARACIS activity:

1. European reference - compliance with the **Standards and guidelines for quality assurance in the European Higher Education Area (ESG)**, *Approved by the Ministerial Conference in Erevan, May 14-15, 2015*;

2. Institutional responsibility for quality assurance and improvement;

3. Cooperation with all components of the educational system;

4. Institutional identity.

This Code aims to align to the principles and provisions of the Code of conduct of the evaluation experts of the European Association for Quality Assurance in Higher Education (ENQA).

This approach to review and amend the *Code of ethics and rules of conduct* focused on the following aspects:

(a) ensuring the credibility and integrity of the ARACIS activities;

(b) enhancing the quality of all ARACIS specific activities;

(c) increasing the trust of institutions assessed by ARACIS;

(d) achieving a high professional level of all experts and staff involved in ARACIS activities.

In order to successfully fulfil the assumed mission and to enjoy credibility and national and international recognition, ARACIS acts to ensure that all activities and documents prepared on its behalf meet the highest quality standards. That is why all the experts involved in the assessment activities, as well as all those involved in carrying out specific activities in order to fulfil the mission undertaken by ARACIS, must prove integrity and follow best practices.

This material complements ARACIS's Internal Regulations.

SCOPE AND GENERAL PRINCIPLES

Art.1. *The Romanian Agency for Quality Assurance in Higher Education (ARACIS or Agency)* is an autonomous public institution of national interest, with legal personality and with own income and expenditure budget. The Agency is not subject to political or any other interference.

Art.2. ***The code of ethics and rules of conduct*** *in the activities carried out by the Romanian Agency for Quality Assurance in Higher Education* (hereinafter referred to as ***the Code***) is the document that includes a set of values, principles and rules of conduct to be taken as a benchmark in the activities of external quality assessment in higher education, as well as in all other internal and external activities, carried out at Agency level.

Art.3. ***The Code's*** development is based on the following legislative provisions:

a) Law no. 53/2003, Labour Code, as subsequently amended and supplemented;

b) Law on National Education no. 1/2011, as subsequently amended and supplemented;

c) Law no. 87/2006 on the approval of the Government Emergency Ordinance no. 75/2005 regarding the quality assurance in education, regulating the operation of ARACIS, as subsequently amended and supplemented;

d) ARACIS Internal Regulation in force;

e) The external assessment methodology, the standards, the benchmarks and the list of performance indicators of the Romanian Agency for Quality Assurance in Higher Education - GD 1418/2006, amended by GD no. 1512/2008 and specific guidelines as well as other internal procedures, rules and resolutions of the Agency;

f) Law no. 161/2003 on certain measures for ensuring transparency in the exercise of public dignity, public service and business environment positions, for preventing and sanctioning corruption, as subsequently amended and supplemented;

g) GD 137/2000 on the prevention and sanctioning of all forms of discrimination, as subsequently amended and supplemented.

Art.4. ***The Code*** addresses all persons involved in the performance of specific activities for fulfilling the mission undertaken by the Agency (hereinafter referred to as ***ARACIS members***) namely:

a) Members of the ARACIS Council, of the Advisory Board and Ethics Commission;
b) Members of ARACIS permanent expert commissions (specialty);

c) Evaluators in the National Register of Evaluators (university teaching staff, in the country or abroad, students, employers' representatives);
d) External collaborators involved in the activities of ARACIS;
e) Technical and administrative permanent staff of ARACIS.

Art.5. ***The Code*** sets out the rules on ethical and professional conduct and proposes the principles which must be observed by ARACIS members in order to ensure trust, authority and prestige of ARACIS.

Art.6. ARACIS members must know and comply with the fundamental ethical principles and values, which can be found in this Code.

FUNDAMENTAL ETHICAL PRINCIPLES AND VALUES

The activity of ARACIS members must be governed by the following fundamental principles and rules of conduct:

Art.7. ***The rule of law and the general community interest*** above personal interest. In this respect, ARACIS members have the following obligations:

a) to consider the general community interest above the personal interest;

b) to take into account, in the course of their activities, the unconditional observance of laws and other regulations in the field of education.

Art.8. ***Professional competence***, as a principle according to which all activities performed by ARACIS members are treated with responsibility, competence and efficiency, based on acquired knowledge and skills. In this respect, ARACIS members have the following obligations:

a) to know the laws specific to the activity carried out, to constantly and continuously raise the level of training, according to the standards recognized in this area;

b) to permanently develop the professional skills required by the assessment procedures, by participating in training programs, seminars, conferences and other specific activities for professional development;

c) to notify the ARACIS management of any limitations of the instruments used for the external assessment of the education providers and to make suggestions for their improvement, so that the optimal conditions for observing the methodology and the related standards are permanently ensured;

d) to fulfil the obligations stipulated by the Regulation on the organization and functioning of ARACIS, as well as those established by the institutional assessment and quality assurance methodologies.

Art.9. ***Integrity***, as a principle according to which the activity of ARACIS experts is exercised with ***honesty*** and fairness, in full compliance with the other ethical principles assumed when listed in the ARACIS Register of experts in evaluation

and accreditation. In this respect, members must comply with the following rules of conduct:

a) to exercise their duties with honesty, fairness, good faith and responsibility;

b) to comply with the legal regulations in force and to act in accordance with the requirements of the activity, in the interest of the higher education system and the institution they represent;

c) to permanently act in the interest of the beneficiaries of the services provided by the education providers;

d) to conduct in such a way as to build, preserve and enhance public trust in their honesty, fairness and impartiality in the process of external assessment of the education providers; in this respect, they should not accept gifts, services, benefits of a material or personal nature, other undue benefits, as well as other attempts to be influenced by the assessed providers;

e) to avoid any activity that could affect their credibility, objectivity and impartiality;

f) to report to the ARACIS management if there is a conflict of interest or incompatibility between the position of evaluator and other qualities arising from their activity and to request replacement with another evaluator for the evaluation visit of the education provider, in case of incompatibility or conflict of interest;

g) not to use the position as an expert in evaluation and accreditation in other circumstances or situations than those for which they were appointed;

h) not to provide false information or data during and/or after the external assessment visits of the education providers;

Art.10. ***Objectivity***, as a principle according to which the conclusions and opinions expressed by the experts in the activity carried out, must be based exclusively on the documents analysed according to the principles, indicators, standards, assessment methodologies, as well as other legal regulations in the area, as the case may be, without other external influences. Thus, ARACIS experts have the following obligations:

a) to draw up the external assessment reports in an objective manner, in accordance with the standards, indicators and descriptors provided by the law and in the requested form;

b) to make an objective assessment of all relevant aspects of the activity carried out by the education provider subject to the external assessment;

c) not to be influenced by personal interests or interests of third parties in expressing their own opinion;

d) not to deal superficially with the information, data and documents obtained

during the assessment of the education provider;

e) not to knowingly overlook information, data and documents obtained during the assessment of the education provider;

f) to base their conclusions, observations and recordings in the reports drawn up during the assessment solely on the verified documents and on data from safe and unequivocal sources in accordance with the assessment standards;

g) to endeavour to ensure objectivity when statements are made and when expressing opinions on the assessment activity, i.e. to express opinions and to make decisions based on available data and accurate information. Members will make statements only if they have the necessary facts, data and information.

Art.11. ***Confidentiality***, as a principle according to which the members involved in the external assessment activity are forbidden to disclose the data, information and documents made available to them in the exercise of their duties and attributions, to use or to make such information public, without clear and express authorization and only if there is a legal or professional right or obligation to disclose such information. To this end, members have the following obligations:

a) to sign a confidentiality commitment when registering in the ARACIS Register of experts in evaluation and accreditation;

b) not to use for own interest or for the benefit of a third party the information obtained during the external assessment of the education providers;

c) to adequately treat all information and documents obtained in the course of or when exercising their duties and attributions, having regard to their confidentiality;

d) not to use information obtained in the course of their activity for personal or lawful purposes;

e) not to disclose information or documents that could undermine ARACIS's prestige and public image.

Art.12. ***Neutrality,*** as a principle according to which members should refrain from expressing their opinions about the documents analysed during the activity. In this respect, they have the following obligations:

a) to communicate with all persons involved in the external assessment process in a civilized and polite manner;

b) to permanently keep in mind that the observations they make on the documents, equipment, resources, etc. should not be subject to comments, opinions or objections towards the assessed providers, nor to comparisons with other universities;

c) not to make assumptions regarding the chances of authorization/accreditation/maintenance of the authorization/accreditation of

the education provider subject to assessment.

Art.13. ***Independence,*** as a principle according to which ARACIS members must exercise their duty with impartiality, must manifest their independence from any external influences and other interest groups and must not engage in those activities in which they have a direct personal interest. In this respect, they have the following obligations:

a) to have an impartial and independent attitude to any political, economic, religious, ethnic or other interests, in the exercise of their duties and attributions;

b) not to engage in activities or relations that could affect the assessment activity they perform and to immediately notify the ARACIS management of any act or fact that could affect this activity;

c) not to supply the educational provider with services other than those provided for by the law governing their activity.

Art.14. ***Respect -*** manifested by the consideration granted, as an ARACIS member, to persons, colleagues, hierarchical superiors, subordinates, their rights and freedoms, institutions, laws, social values, ethical and deontological rules.

Art.15. ***Loyalty -*** requires each ARACIS member to act in its best interests, to support the objectives, policies and strategies of the Agency. Members need to make their views known within the institutional framework provided by ARACIS before disclosing them outside the institution.

RULES OF CONDUCT

In accordance with these principles and values, the persons covered by this Code take into account, in their activities, the following rules of conduct regarding:

Art.16. (1) **Incompatibility.** The rules of incompatibility regarding the ARACIS members are set out in Law no. 87/2006 on the approval of the Government Emergency Ordinance no. 75/2005 regarding the quality assurance of education, with subsequent amendments, regulating the functioning of the Agency.

(2) The members of the council shall not be persons holding a public dignity position during the exercise of that position. If a member of the ARACIS Council is appointed to a position of public dignity, he/she loses his/her mandate as a member of the ARACIS Council from the date of appointment.

(3) The ARACIS Council cannot include Rectors during the exercise of the respective position. If a member of the ARACIS Council becomes a Rector, he/she loses his/her mandate as a member of the ARACIS Council from the date of confirmation, by order of the minister of education, research, youth and sports, according to the provisions of art. 211 para. (1) of the Law no. 1/2011, as subsequently amended and supplemented.

Art.17. (1) **The conflict of interests** is set out in Law no. 161/2003 on certain measures

for ensuring transparency in the exercise of public dignities, public service and in the business environment, preventing and sanctioning corruption, with subsequent amendments and completions, as well as in Law no. 87/2006 on the approval of the Government Emergency Ordinance no. 75/2005 on the quality assurance of education, with the subsequent amendments, regulating the functioning of the Agency.

(2) If the institution or study program under assessment employed one or more members of the ARACIS Council or spouses, relatives or kin, those members of the ARACIS Council shall not participate in the assessment procedures concerned.

(3) If the institution or study program under assessment employed one or more ARACIS evaluators or spouses, relatives or kin, those ARACIS evaluators shall not participate in the procedures related to the assessment.

(4) If an ARACIS member has been a teacher or associate teacher for the past 3 years, or has expressed his or her written consent or applied for the position of teacher or associate teacher, for the following university year, that ARACIS member shall not participate in the assessment procedures concerned.

(5) The evaluator students shall not participate in the assessment procedures within the higher education institutions where they have studied or where they are currently studying.

(6) The ARACIS members shall notify the Agency management of any situation where there is (or arises from other existing commitments) a conflict of interests.

Art.18. Gains and benefits. ARACIS members shall not use their position within the Agency in order to obtain personal or institutional gains of a financial, material nature or any other benefit, and shall reject any such offer.

Art.19. Confidentiality of information. In the external assessment process, the disclosure, distribution, communication or publication of information on the outcome of the assessment shall be carried out only after the ARACIS Council has expressed and approved an official position or statement, after a clear definition of the limits of the information of public interest and only by complying with the confidentiality conditions previously established and undertaken together with the acceptance of this Code by entering the *Commitment to adhere to the provisions of the Code of ethics and rules of conduct* (Annex 1).

Art.20. Intellectual freedom. ARACIS members must comply with and encourage freedom of thought and freedom of expression and shall not influence the opinion of other members involved in ARACIS activities except by rational reasoning.

Art.21. Continuous professional development. ARACIS members must constantly improve their competencies in quality assurance and assessment in higher education, must be aware of developments in the area at national and international level, must share their knowledge and experience with other

members and interested colleagues, must advocate for the development a culture of quality and must contribute to raising awareness and acceptance at society level, supporting all actions and events promoting such objectives.

Art.22. **Quality of activity**. ARACIS members shall make every effort to ensure excellency in the activity carried out on behalf of ARACIS, paying particular attention to ensuring: the sound, objective, impartial nature of the assessments; the efficiency of the commissions' activities; preparation of well-grounded assertions and explanations; compliance with the deadlines specified in the regulations and procedures.

Art.23. **Quality of communication**. The ARACIS members shall work together to permanently ensure the correct and effective communication between themselves and with third parties or institutions, according to the Agency's regulations. The success in achieving this goal depends on: the quality of communication, the proper functioning of the communication circuits, the correct, concise, constructive, full use of clear messages, understood and accepted by parties, sent in due time and observed by all participants. The communication aims to overcome subjective barriers and to build trust, to grant credibility and mutual respect.

The conclusions of the assessment reports will be objective and constructive and will suggest directions to follow for future quality improvement programs.

Art.24. **Collaboration**. ARACIS members must respect and consider the opinions of other colleagues and must work together to achieve common goals.

ETHICS VIOLATION

Art.25. (1) Infringement of the rules of conduct set forth in this Code triggers the disciplinary or civil liability of the culpable persons and shall be sanctioned in accordance with the legal provisions in force.

(2) In the event that the acts committed constitute a criminal offence, ARACIS shall notify the competent bodies and institutions, according to the law.

Art.26. The following acts and attitudes are considered to be infringements:

a) failure to comply with the legal regulations applicable to ARACIS activity and this Code;

b) non-compliance/biased interpretation/erroneous application of ARACIS's methodologies, assessment guides, procedures, specific standards and other internal regulations;

c) non-compliance with the legal provisions regarding incompatibilities and conflict of interests, as well as any manner of expressing opinions, involvement or participation in the assessment procedures in the circumstances of a conflict of interests or incompatibility;

d) the use of ARACIS membership, respectively of the position held within the Agency, in order to obtain material, financial or other benefits;

e) disclosure of information to third parties (persons or organizations) on the activity or decisions of the Agency, prior to their publication in their official version, i.e. disclosure, at any time, of a non-public part of a statement/decision of ARACIS;

f) infringement of intellectual property rights related to applications submitted to ARACIS;

g) lack of willingness to collaborate with other members or hindering the collaboration between members;

h) providing competitive activities to the detriment of ARACIS interests;

i) discrimination of any kind, as regulated by the Government Ordinance no. 137/2000, republished in 2014, on the prevention and sanctioning of all forms of discrimination.

ANALYSIS AND DECISION STRUCTURES AND MECHANISMS

Art.27. (1) **Structures**. In order to ensure compliance with the Code, the **Ethics Commission (EC)** is established and operates in the ARACIS Council. It has the following attributions:

a) to monitor the consistent use of the Code's provisions;

b) to receive, investigate and settle cases of infringement of ethics and rules of conduct, as well as cases of incompatibility and conflict of interests;

c) to propose resolutions for settlement of complaints and self-referrals regarding the failure to comply with the Code's provisions;

d) to draw up annual reports on the ethical conduct of ARACIS members.

(2) EC consists of five persons: one President and four members. Records and correspondence is ensured by a secretariat, which also prepares minutes of meetings.

(3) The EC mandate lasts four years.

(4) The ARACIS Council denominates, by open vote among its members, the EC President and one member. The third member of the EC is approved by the ARACIS Council, upon the proposal of the student federations, among the student members of the Council. The fourth member of the EC is the Council's representative of the union with most members within the higher education. The fifth member of the EC will be appointed by the ARACIS Council from the permanent staff of the Agency.

(5) In the EC activities carried out in order to investigate a particular case of ethics infringement, incompatibility or conflict of interests, EC shall be assisted by the ARACIS legal advisor, endorsing such resolutions.

(6) In cases of incompatibility, conflict of interests, rejection of an EC member, the President of the EC shall propose to the Executive Board of the ARACIS Council the temporary replacement of that member.

(7) If, in a particular case, the EC President is in a situation of incompatibility or conflict of interests, the ARACIS Council decides to nominate another President only for that case.

(8) The EC Secretariat has a four-year mandate and consists of two members. They are appointed by the ARACIS President from the permanent staff of the Agency.

Art.28. The following cannot or can no longer be part of the EC and EC Secretariat:

a) persons directly involved in a case of ethics infringement and/or against whom a case of incompatibility or conflict of interest has been opened for the case in question;

b) persons in situations of conflict of interests in that case.

Art.29. (1) The **analysis and decision mechanisms** shall be initiated and applied for the following situations:

a) referrals regarding the infringement of the Code's provisions;

b) self-referrals;

c) complaints.

(2) EC analysis and decision mechanisms shall be initiated as a result of the abovementioned situations, coming from parties directly involved in an assessment process or from third parties not involved in the assessment process but holding information, under the conditions of assuming such. ARACIS reserves the right to disregard anonymous referrals.

(3) Any referral regarding the deviation from the principles of this Code shall be confidential until the ARACIS Council decision is adopted.

Art.30. The analysis and decision mechanisms involve the following steps:

a) referral receipt and registration;

b) notification of the party;

c) the case analysis, taking into account the opinion of the parties involved, which may be submitted in writing or may be presented to the commission;

d) adopting the resolution;

e) proposing and applying sanctions, where appropriate.

Art.31. (1) **Referral receipt and registration**. A referral may be initiated by any ARACIS member or by a representative of a higher education institution in the event of a suspected infringement of ethics. The referral shall be addressed in writing to the President of ARACIS, who, in turn submits it to the EC for

settlement.

(2) The EC shall submit the resolution to the Executive Board of the ARACIS Council in order to settle the case within a timeframe not exceeding 30 working days after the completion of the EC membership.

(3) Referrals on ethics infringements of ARACIS members, coming from a third party other than those listed above (e.g. from the press, persons unrelated to the agency, etc.) and which are not related only to the assessment process, will be analysed in the first instance by the Executive Board of ARACIS Council and if this referral is deemed to have grounds, the ARACIS President asks the EC to initiate the investigation procedures.

Art.32. (1) **Notification of the party**. The EC shall notify in writing the party whom the referral was addressed to, within 5 working days of its receipt from the Executive Board of the ARACIS Council. The notification includes the content of the referral, the supporting documents, the members of the EC, as well as the date, place and time of the hearing in order for the party to present its own point of view. The person concerned has the right to request a single time, in writing, within 5 working days of the receipt of the notification, with duly substantiated arguments, the revocation of a maximum of two members of the commission. If this is approved by the Executive Board of the ARACIS Council, within 5 working days, other members are appointed in the EC to analyse the case, and the party addressing the referral shall be notified in writing about this. If the person concerned requests the hearing to be postponed 3 working days before the initial date, a new date shall be fixed but no later than 7 working days.

(2) Postponement of the hearing may be requested one time only and the person concerned shall be notified in writing of the new date as well as of the consequences of failing to attend the scheduled hearings.

(3) If the party subject to the referral does not attend the hearings scheduled and notified by the EC and does not submit a written point of view, it will, following the analysis, propose to the Executive Board of ARACIS Council the resolution adopted without hearing the party.

Art.33. (1) **Case analysis**. The case analysis procedure is chaired by the EC President. The EC meets at least once or whenever necessary at the ARACIS headquarters to analyse the case. The meetings are initiated by the EC President, the presence of all EC members being mandatory. Upon requesting and receiving the approval of the ARACIS Council, the EC may, on a case-by-case basis during the analysis, suspend the activity of the persons involved in the case under analysis.

(2) The EC may hear any person holding information necessary to clarify the case and may request further information. Discussions during the hearings are collegial and confidential. Discussions are recorded in writing, the minutes of the hearings being signed by both the EC members and the persons subject to the

referral, and then countersigned by the EC President.
(3) The EC proposal is based on available documents and hearings. The decision-making process takes into account the views of all members of the commission. The member (or the president) who disagrees with the majority may add his/her opinion in the wording of the proposal. The argued proposal must have the vote of the EC majority and will be endorsed by the ARACIS legal advisor on issues related to compliance with the applicable laws.
(4) The draft resolution shall be sent in writing to the person suspected of infringing the ethics. If he/she does not agree, he/she may submit his/her point of view in writing to the EC within five working days of the receipt of the draft resolution.

Art.34. (1) **Adopting the resolution**. The draft resolution prepared by the EC (together with the point of view of the person suspected of ethics infringement - if applicable) is submitted to the Executive Board which in turn submits it to the ARACIS Council for approval. The Council shall discuss the draft resolution and decide on it by secret ballot. If those involved in the case are members of the ARACIS Council, they will not be present and will not vote.

(2) Upon the EC proposal, ARACIS Council may decide:
a) to establish a sanction related to ethics infringement;
b) that there was no infringement of the principles and provisions of the Code.

Art.35. (1) **Proposing and applying sanctions**. The sanctions that can be applied by ARACIS Council as a result of infringements of the provisions of the Code, depending on the gravity of the acts committed, are the following:

a) for the members of the ARACIS Council, the members of the permanent expert Commissions (specialty), the evaluators of the National Register of Evaluators (teaching staff, students, employers' representatives), as well as all external collaborators involved in ARACIS activities:
i. written warning;
ii. suspension of the evaluator activity for a period of 6 months to 1 year;
iii. exclusion from the National Register of Evaluators;
iv. revocation of the specialty Commission/ARACIS Council membership (as the case may be);

a) for the ARACIS permanent technical and administrative staff:

i. written warning;

ii. suspension of the specific support activity, regarding the assessment activities for a period of 6 months to 1 year;

iii. downgrading, with the salary corresponding to the downgrading position, for a period not exceeding 60 days;

iv. reducing the basic salary for 1-3 months by 5-10%;

v. reducing the basic salary and/or, where applicable, of the management allowance for a period of 1-3 months by 5-10%;

vi. disciplinary termination of employment contract.

(2) The ARACIS Council shall always state the reasons for its resolution. The final resolution of the Council shall be communicated in writing to the party concerned by the President of ARACIS within 3 working days subsequent to the approval. All resolutions, together with the EC members for each case, shall be published on the ARACIS web site within 3 days after adopting the final decision.

FINAL PROVISIONS

Art.36. In order to avoid any infringement of the provisions of this Code, the persons to whom this document is addressed will fill in and sign:

a) **Commitment** to adhere to the principles and rules of ethics and confidentiality (*Annex 1*);

b) **Statement** of impartiality, confidentiality and competence (*Annex 2*);

c) **Statement** on avoiding conflicts of interests and incompatibilities (*Annexes 3 and 4*).

Art.37. The review and completion of the ***Code of ethics and rules of conduct*** *in the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania* was approved by ARACIS Council on September 28, 2017 and entered into force on the day of its publication on the ARACIS website.

Ph. D. Prof. Eng. Iordan PETRESCU

President of ARACIS,

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Annex 1

COMMITMENT

Regarding the adherence to the provisions of the *Code of ethics and rules of conduct in the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania*

I, the undersigned:	.....
Institution[1]:	.....
Teacher certification / Year and study cycle:	.....
Scientific field:	.....
Specialty commission:	.....
Address:	.....
Telephone number:	.....
W-mail address:	.....
As: *(state the relation with ARACIS)*	

I hereby declare that during all the activities carried out for and on behalf of ARACIS, in which I am directly or indirectly involved, I shall fully comply with the provisions set out in the *Code of ethics and rules of conduct in the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania*. I agree, in case I breach the provisions of the Code, to be subjected to procedures specific to the type of offense and to be applied with the prescribed sanctions, as appropriate, including the loss of the position I hold in ARACIS.

Name and First name:	Signature,

Date: ……

[1] State the institution where he/she is a tenure teacher or where he/she studies.

Annex 2

STATEMENT

Of impartiality, confidentiality and competence

I, the undersigned: .....

Institution[2]: .....

Teacher certification / Year and study cycle: .....

Scientific field: .....

Specialty commission: .....

Address: .....

Telephone number: .....

E-mail address: .....

As: *(state the relation with ARACIS)*

Hereby declare that, in the activities I perform as an evaluator, I shall prove **impartiality**, **confidentiality** and a **high level of competence** in the assessment of quality assurance:

a) institutional, (Higher Education Institution/Education provider): _____

b) Bachelor's study program/ Master/PhD study programs: _____

c) Of the Higher Education Institution/ Education provider: .....

Name and First name:	Signature,

Date: ……

[2] State the institution where he/she is a tenure teacher or where he/she studies.

Annex 3

STATEMENT

On avoiding conflicts of interests and incompatibility

I, the undersigned PhD. Prof. / Associate PhD Prof. .....

as a tenure teacher (*accredited higher education institution*)

.....

hereby **declar**e:

a) During the last 3 (three) academic years (including the current academic year) I held the position of associate teacher in the following higher education institutions:

.....

.....

b) for the following academic year I have expressed my written consent/ I have applied for the position of teacher (*tenure or associate*) in the following higher education institutions:

.....

.....

I undertake to comply with and to apply the provisions of the *Methodology for the external assessment, standards, benchmarks and list of performance indicators of ARACIS*, as well as of all other documents (guides, procedures, etc.) used in the assessment and quality assurance process in higher education.

I undertake to comply with and to apply the provisions of the *Code of ethics and rules of conduct in the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania* in all activities I shall carry out as an evaluation expert within the external evaluation team in which I have been appointed.

By signing this statement, **I undertake** not to participate in the assessments carried out in the higher education institutions where I have carried out teaching activities in the last 3 (three) academic years, or where I have undertaken to pursue such activities in the following academic year, nor in the adoption of the decisions of the specialty commissions or the ARACIS Council relating thereto.

Name and First name:	Signature,

Date: .....

Annex 4

STATEMENT

On avoiding conflicts of interests and incompatibility for students members of ARACIS

I, the undersigned .....

student of (*higher education institution*)

.....

declare that I have been a student in the following higher education institutions:

.....

.....

.....

I undertake to comply with and to apply the provisions of the *Methodology for the external assessment, standards, benchmarks and list of performance indicators of ARACIS*, as well as of all other documents (guides, procedures, etc.) used in the assessment and quality assurance process in higher education.

I undertake to comply with and to apply the provisions of the *Code of ethics and rules of conduct in the activities carried out by ARACIS regarding the quality assurance and assessment in higher education in Romania* in all activities I shall carry out as an evaluation expert within the external evaluation team in which I have been appointed.

By signing this statement, **I undertake** not to participate in the assessments carried out in the higher education institutions where I have studied, nor in the adoption of the decisions of the specialty commissions or the ARACIS Council relating thereto.

Name and First name:	Signature,

Date: .....

Annex 4.2 – Contract with external evaluators (excerpt)

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Art. 2. Object of the Agreement

a. Studying the Self-evaluation Report of the university under assessment.

b. Travelling to the higher education institution where he/she shall participate in the institutional evaluation visit.

c. Drawing up his/her own institutional evaluation Report and submitting it to ARACIS

Requirements concerning the Report:

- In preparing the Report, the Foreign Evaluating Expert shall use his/her own knowledge, skills and experience;
- The Report shall meet the terms of reference and methodology of ARACIS.

Art. 3. Obligations of the Provider – Foreign Evaluating Expert

a. Drawing up the Report, subject to the provisions set forth by this Agreement and by the law in force;

b. Carrying out a comprehensive external evaluation of the higher education institution: .....

.....;

c. Carrying out the evaluation and submitting the Report to ARACIS, in two counterparts (in print, signed by the Foreign Evaluating Expert and in electronic format);

d. Drawing up an evaluation Report submitted to ARACIS no more than one week after completion of the evaluation visit, in two counterparts signed in original, but also in electronic format;

e. Compliance and enforcement of the legislation on assessment of quality assurance, and the Code of ethics and rules of conduct of ARACIS;

f. Keeping the confidentiality of data and information documents, and reports evaluation after the contract termination.

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Annex 4.3 - List of ARACIS internal quality assurance procedures

Procedure title	Description
Experts and Specialty Inspectors Accreditation and Quality Assurance Office	
Monitoring the activity of Permanent Specialty Commissions of experts regarding the carrying out and completion of external evaluations of higher education study programs	The procedure defines the elements that are taken into consideration for the monitoring of one or several Permanent specialty commissions and also the role of the person responsible for the respective commission.
Organization, drafting and traceability of documents regarding the activity of the Institutional Evaluation Commission	The procedure regulates the activities of the Experts and Specialty Inspectors Accreditation and Quality Assurance Office regarding their involvement in the institutional evaluation process.
Settlement of appeals submitted by higher education institutions	The procedure focuses on specific elements and rules on solving the appeals submitted to ARACIS by higher education institutions and the involvement of the Experts and Specialty Inspectors Accreditation and Quality Assurance Office in this process.
Participation of student evaluators in evaluation panels	The procedure describes the necessary steps for the participation of students in evaluation panels.
Participation of foreign expert evaluators in the institutional evaluation panel	The procedure describes the necessary steps for the participation of foreign expert evaluators in the institutional evaluation panel.
Public Relations, Registry, Archive and Secretariat Office	
Traceability of documents regarding the initiation of the procedures for the external evaluation of study programs and for institutional evaluation	The procedure was drafted in order to keep records of the documents submitted with the Self-Assessment Reports (request to initiate the evaluation procedure, contract, invoice, proof of payment, receipt note), for the initiation of the processes of external evaluations.
Aspects of economic documents related to external evaluation procedures of study programs and to institutional evaluations	The procedure regulates aspects related to the monthly reporting of receipts to the Accounting Service, how to refund amounts wrongly paid by universities and aspects related to the records in the monthly invoice register.
Receiving, registering and distribution of documents within ARACIS	The procedure sets a unitary framework for the receipt, registering and distribution of received documents as well as of the documents sent by ARACIS.
Archiving of documents	The procedure describes a set of rules on how to archive documents.

International Relations, Projects and Cooperation Division	
Coordination of activities for the biannual publishing of the journal "Quality Assurance Review for Higher Education (QAR)"	The procedure describes general rules regarding the biannual publishing of the journal "Quality Assurance Review for Higher Education (QAR)".
Organizing and conducting training sessions for ARACIS academic and student evaluators	The procedure establishes how are organized and conducted the training sessions for expert evaluators, both academic and students, that are listed in the ARACIS National Register of Evaluators.
Coordination of the editing and publishing of the ARACIS Annual Activity Report	The procedure regulates how ARACIS Annual Activity Report is edited and published.
Cooperation with international organizations	The procedure describes how the agency conducts international cooperation activities with international organizations in the field of higher education institutions.
Human Resources Department	
Organization of recruitment, employment and promotion of ARACIS technical staff	The procedure sets the steps to be taken, as well as the responsibilities of the persons involved in recruitment, employment and promotion processes
Drafting and updating of job descriptions	The procedure describes the steps that must be taken for the drafting, updating, approval and keeping records of job descriptions of ARACIS technical staff
The periodic evaluation of professional performance of ARACIS staff	The procedure ensures the compliance between the job requirements and the qualities of the employees (professional, skills and attitude) by evaluating the employees in relation to the requirements of the occupied position, within a certain period of time, by legally regulated evaluation methods.
Procedure regarding the attendance register, timesheets, rest leave	The procedure sets the steps that must be followed in keeping records of employee attendance and rest leave.
Professional training	The procedure describes how to organize and conduct the continuous professional training process of ARACIS staff.
Legal Department	
Award of legality notice on contracts and decisions	The procedure sets out the steps, organizational structures involved and the responsibilities for carrying out the award of the legality notice by the Agency's legal adviser regarding various documents issued by ARACIS management.
Representation in court	The procedure describes the way, the steps, the organizational structures involved and the responsibilities for conducting the management of litigation and, if necessary,

	the representation of the Agency in court.
IT Department	
Administration and maintenance of ARACIS website	The procedure sets the general framework for the administration, update and maintenance of ARACIS website.
Administration and maintenance of ARACIS platforms	The procedure describes how is ensured the administration and maintenance of the platforms pfe.aracis.ro și db.aracis.ro.
Economic Division	
Elaboration of revenue and expenditure budget	The procedure describes how is established the volume of revenues and their structure, the expenses per destination, as well as the deadlines, competencies and responsibilities in the process of budgeting.
The commitment, clearance, authorization and payment of expenditure	The procedure establishes the general framework for the administration, commitment and use of public funds as well as the agency's responsibility in the budgetary process.
Organization and exercise of the Internal Financial Preventive Control	The procedure sets the organization and exercise of the Internal Financial Preventive Control which must ensure the limitation of risks so that operations having an effect on the funds and/or on the assets of the Agency may be decided upon by the ARACIS President under the conditions of legality and regularity.
Preparation and completion of accounting registers	The procedure describes the system of registers that are used at the chronological and systematic registration in the accounting of the economic and financial operations.
Granting of advances and settlement of money rights during the delegation	The procedure sets the drafting, checking and endorsement of the documents regarding the granting of the travel rights for the expert evaluators and the employees of the technical staff of ARACIS
Inventory of the patrimony	The procedure establishes a set of operations regarding the inventory of material goods, claims, debts and other property values in administration, in order to determine the actual situation of the Agency's patrimony.
Organization and management of accounting	The procedure describes how to organize and manage accounting activities in order to ensure timely and systematic registration, processing, transmission, and keeping information regarding financial position, financial performance and treasury flows.

Training of staff regarding in the field of health and safety at work	The procedure describes the steps that must be taken in order to train ARACIS staff in the field of health and safety at work.
Public Acquisitions Department	
Carrying out public acquisitions by direct purchase	The procedure establishes a unitary set of rules for the regulation of the direct purchase of products, services and works.
ARACIS – System procedures	
Solving petitions	The procedure sets out rules regarding petitions: receipt, recording, solving and communication of solutions, the persons involved and their responsibilities.
Activity of the Monitoring Commission	The procedure describes a unitary framework for the coordination, development and monitoring of the implementation process of the Internal/Managerial Control System within ARACIS.
Drafting the Risk Register	The procedure establishes a set of rules for drafting and updating the Risk Register and includes the responsibilities for this activity.