

Approved by
the Cabinet order No. 55
31 January 2012
Amendments
by the Constitution Assembly
26 May 2022
Minutes No 1, p. 2

University ‘Foundation *Luther Academy*’

Constitution

Chapter I General Provisions

The “Foundation “Luther Academy” (hereinafter “the Academy”) is an educational and research institution founded by the Evangelical Lutheran Church of Latvia (hereinafter “ELCL”), which complies with the Constitution in its activities, the Law of Latvia's Evangelical Lutheran Church, the Constitution of the Evangelical Lutheran Church of Latvia, the Law of Education, the Constitution, the Law on Scientific Activities, other laws and regulations, as well as the Constitution of the Academy.

1. The Founder of the Academy is ELCL, (hereinafter referred to as “the Founder”), No. 90000159994, registered office: Mazā Pils iela 4, Riga, Latvia.

The full name of the Academy shall be:
in Latvian -Nodibinājums "Lutera Akadēmija";
in English, the Foundation “Luther Academy”;
in German Stiftung “Luther Akademie”;
in Russian, Фонд “Академия Лютера”.

An abbreviated name for the Academy is: LA

The legal address of the Academy is: Alksnāja iela 3, Riga LV-1050, Latvia.

2. The Academy shall have the rights of the higher education and research institution, which shall be characterised by academic freedom in accordance with the ELCL teaching and ELCL Constitution. Both students and staff acknowledge the canonical writings of the Old and New Testament as an infallible word of God, accepting it as the basis of life and teaching, and recognise the Ecumenical Creeds and the Book of Concordance as a clear outline of the Scripture teaching.

3. The Academy is a higher education institution of applied sciences, and for the purposes of education and research work, the Academy has the right to set up Chairs, Professor Groups, Faculty (Department), Research and Training Laboratories, Institutes, etc. For the performance of organisational, economic, and service activities, the Academy has the right to establish other departments as well.

4. The Academy shall independently determine the content and form of the studies, the additional rules for the admission of students, the procedures for enrolment, as well as the basic directions of research activity, in advance with the Founder of the Academy.

5. The Academy shall grant academic degrees and professional qualifications, issue State-recognised diplomas, as well as other educational documents in accordance with the procedures specified in laws and regulations.

6. The Academy has the right, in relation to its academic and research activities, to be a member and a partner, to establish associations, organisations and foundations, to organise courses, lectures, seminars, to organise congresses, conferences and to provide other forms of educational services, to operate in international and national funds, to enter into agreements with other teaching and research institutions of the Republic of Latvia and foreign state institutions, as well as other types of activities which do not conflict with laws and regulations. The said associations, organisations and foundations shall be established and operated in accordance with the applicable laws and regulations, the Articles of Association of the Academy and the Constitution.

7. The legal status of the Academy is a Foundation. The Academy has a seal bearing the full name of the Academy. The Academy has the right to the seal with the historical symbolism of the Academy. The Academy may also have its own flag and other insignia.

II. Operational Aims, Objectives and Fundamental Principles

8. Operational aims of the Academy correspond to the strategic specialisation of the Academy which has been defined by the Founder. The main aim of the activities of the Academy is to give students extensive theological academic and professional higher education, to develop theology research in Latvia in order to promote the spiritual recovery of the society and to preserve and create the intellectual potential needed for Latvia, and to promote its development.

9. The aim of the Academy is to educate theologians, church musicians and other specialists for work in the ELCL and other institutions and organisations, in line with the objectives of the ELCL, and to pursue their professional qualifications and further training; to carry out research, to issue textbooks and study resources.

10. In pursuing the goals and objectives of its action, the Academy shall be based on the following principles:

10.1. the freedom of information and study, academic and research freedom, the free choice of study courses and the content and methods of research work, the publication of free research opinion and results (expression), if such

freedom is not in contradiction with the laws of the Republic of Latvia and the Constitution of the ELCL;

10.2. the inseparability of studies and research;

10.3. the studies and research are related to the needs and requirements of society and the Church.

11. The Academy, in accordance with its operational goals and objectives, and the basic principles:

11.1. develops study programmes, plans, course programmes, organises audiences, laboratories, computer classes, libraries, and other structures, as well as performs other activities, so that students are given the opportunity to acquire the necessary knowledge and skills, professional qualifications, as well as organises the implementation of appropriate stages of further education in conformity with the level of research development and the cultural traditions of Latvia;

11.2. ensures such requirements for examinations and tests, and such a procedure so that the granted degrees and titles, diplomas and professional qualifications, as well as documents regarding the acquisition of parts of study programmes conform to the knowledge and skills of students, are recognised in Latvia and abroad;

11.3. elects honorary members and doctors;

11.4. promotes international co-operation of the Academy, programmes for the exchange of students and academic staff in transnational and inter-high schools and international programmes of higher education cooperation in research.

12. The Academy shall independently determine its organisational and management structure, elect personnel, determine the remuneration in accordance with laws and regulations.

III. Administration and Structure of the Academy

13. The decision-making body of the Academy in strategic, financial, and budgetary matters shall be the Founder of the Academy.

14. The Founder of the Academy shall, in accordance with the Constitution of the Academy and other laws and regulations, take a final decision on the following matters:

14.1. approve the candidates for the Rector;

14.2. approve the results of the election of the Rector;

14.3. decide on the repeal of the Rector;

- 14.4. approve the budget of the Academy and the annual report of the Rector;
- 14.5. evaluate the results and effectiveness of the operation of the Academy;
- 14.6. take decisions regarding the establishment, reorganisation and liquidation of units, branches, institutions, commercial companies of the Academy.

15. The academic, research and day-to-day organisational arrangements of the Academy's representative and management body and decision-making body shall be:

- 15.1. The Constitution Assembly;
- 15.2. Senate;
- 15.3. Rector;
- 15.4. The Audit Commission;
- 15.5. Academic Arbitration.

The Constitution Assembly

16. The Constitution Assembly shall be the highest representative, management and decision-making body of the academic and research activities of the Academy. The procedures for the announcement, convening, taking of decisions of the Constitution Assembly shall be determined by the by-law of the Constitution Assembly.

17. The management and administration of the Academy shall be exercised by the Constitution Assembly and the Rector elected and approved by the Founder.

18. The election of representatives of the Constitution Assembly shall be organised by the Founder of the Academy.

19. The Constitution Assembly shall be elected for a period of 3 (three) years by secret ballot, from professors and other academic staff, students and general staff. Its 11 (eleven) membership consists of: 6 (six) representatives from academic staff, 2 (two) from students, 2 (two) representatives of the Founder of the Academy and 1 (one) general staff representative. The Constitution Assembly will have quorum if more than half of each group of representatives participate in it.

20. A representative of the Constitution Assembly shall lose their powers if the contractual or student relationship with the Academy is terminated or they are revoked from the office as the representative of the Constitution Assembly. A student representative may be revoked by the Student Council in accordance with its Regulations.

21. The Constitution Assembly shall be entitled to take decisions if more than half of the representatives participate in such a meeting. Decisions are taken by a simple majority. In the case of the same number of votes, the vote of the Rector is decisive.

22. The Constitution Assembly, observing the following specified in Article 14 of the Constitution of the Academy:

- 22.1. adopts and amends the Constitution of the Academy;
- 22.2. elects and removes the Rector in accordance with the procedures specified in the Constitution;
- 22.3. listens to the Rector's report;
- 22.4. elects and removes Senators;
- 22.5. elects the Audit Commission and the Academic Arbitration Court;
- 22.6. elects the Chairman, Vice-Chairman and Secretary of the Constitution Assembly;
- 22.7. approves and amends the Regulations of the Constitution Assembly, the Senate, the Audit Commission, and the Academic Arbitration;
- 22.8. takes a decision regarding the re-organisation and liquidation of departments, branches, institutions, commercial companies of the Academy, as well as determines the basic rules for the operation thereof;
- 22.9. determines the internal procedures and regulatory documents of the Academy;
- 22.10. decides the matter regarding the change of the name or legal status of the Academy;
- 22.11. The Constitution Assembly may also accept other matters relating to the operation of the Academy.

23. The Founder, Rector and Senate of the Academy shall have the right to propose questions regarding the establishment, re-organisation and liquidation of the structures specified in Article 3 of the Constitution of the Academy and the basic rules for the operation thereof to the Constitution Assembly.

24. Regular and extraordinary Constitution Assembly meetings shall be convened not less than twice in the academic year. Once in the academic year, the Rector convenes another Constitution Assembly meeting, in which the Rector's report is heard. The Rector, the Senate and the Founder of the Academy have the right to call an extraordinary Constitution Assembly meeting. The convener of the extraordinary Constitution Assembly meeting shall submit to the Chairman of the Constitution ASsembly the agenda items and draft decisions.

25. If the Academy Council Convention or the Council of Higher Education proposes to examine a matter at the meeting of the Constitution Assembly, the meeting of the Constitution Assembly shall be convened by the Rector or Senate not later than two months from the initiation of the matter.

26. The meeting of the Constitution Assembly shall be chaired by the Chairman of the Constitution Assembly, but during their absence - the Vice-President.

Senate

27. The Senate is a collegial governing body and decision-making body of the staff of the Academy, which approves documents governing the academic and research spheres of activity of the Academy. The operation and competence of the Senate shall be governed by a by-law approved by the Constitution Assembly.

28. The Senate shall be elected by the Constitution Assembly for a period of 3 (three) years, by secret ballot. The Senate consists of 9 (nine) senators, of whom 6 (six) are academics, 2 (two) students and 1 (one) representative of the Academy Founder. More than half of the members of the Constitution Assembly must participate in the Senate elections. Those candidates who have received a majority of the votes present shall be elected. Rector and 1 (one) representative of general staff participate in Senate meetings with voting rights.

29. The Senate shall elect, by secret ballot, the Chairperson, the Deputy Chairperson and the Secretary. More than half of the elected senators must participate in the elections for the Senate Chairperson, Deputy Chairperson and Secretary. The senator loses his or her mandate if they interrupt his contract or student relationship with the Academy. A student representative may be revoked by the Student Council in accordance with its Regulations. The general staff representative shall be elected and revoked by the administrative staff management body.

30. The Senate may be convened by the Senate Chairperson, or by at least one-third of senators. Senate meetings shall take place at least three times a semester and shall not be longer than two months apart. The Senate is entitled to make decisions if at least two-thirds of senators take part in the Senate meeting. The Senate decision is taken openly or by secret ballot with a simple majority of the senators present. In the case of the same number of votes, the vote of the Rector is decisive.

31. Senate:

- 31.1. decides on matters of academic and research activity of the Academy and departments and approves the procedures and regulations governing the academic spheres of activity of the Academy;
- 31.2. approves the documents regulating the study process, including the approval of study plans, programmes and calendar schedules and the procedures for the development and approval thereof; determines the amount of study fees;
- 31.3. approves the regulations regarding academic positions and the procedures for the election thereof;
- 31.4. approves the regulations of the Academy's departments, branches, institutions, commercial companies;
- 31.5. in co-ordination with the Rector, decides on the acceptance of visiting Professors, or visiting Lecturers without announcing a competition for a term of up to two years;
- 31.6. examines the annual report of the Rector regarding the implementation of the budget and a written report prepared by the Academy Audit Commission regarding the results of the examination;
- 31.7. determines the procedures by which violations shall be qualified and penalties shall be imposed for the non-fulfilment of the duties of the staff of the Academy, on the basis of the existent legislation;
- 31.8. shall also decide other matters which, in accordance with this Constitution and the regulations approved by the Constitution Assembly, fall within the competence of the Senate.

32. The Senate, when making its decisions, follows the Academy budget approved by the Founder.

Rector

33. The Rector shall exercise the general management of the Academy's administrative, academic and research activities and shall represent the Academy in all cases of academic and research activity within the limits of their competence. The Rector shall submit an annual report on the work of the Academy to the Founder of the Academy.

34. The Rector, in agreement with the Founder of the Academy, shall be elected by secret ballot by the Constitution Assembly for a period of 5 (five) years not more than twice in succession. If the Archbishop of the ELCL is elected the Rector, he shall not be subject to the time limit laid down in this Article.

35. The election of the Rector shall be governed by the regulations. A Professor or a person holding a doctorate or the Archbishop of the ELCL may be elected as the Rector. The Rector shall be elected if more than half of the members of the Constitution Assembly have voted in favour of him.

36. The Rector elected by the Academy shall be approved by the Cabinet on a proposal from the Founder. The Rector, in co-ordination with the Founder, shall be removed from office by the Cabinet, on a proposal from the Founder, Senate or Ministry of Education and Science, if violations of the Law, ELCL Constitution or other laws and regulations have been discovered in the operation of the Rector.

37. The Rector shall ensure and be responsible for the conformity of the educational documents issued by the Academy with the quality of education and the conformity of the academic and research activities of the Academy with its Constitution, as well as the laws and regulations in force. The rights and duties of the Rector shall be determined by the contract of employment, by the Constitution of the Academy and by other laws and regulations.

38. The Rector:

38.1. approves the regulations and procedures regarding matters of administrative action of the Academy; shall be responsible for the implementation of the Academy's strategy;

38.2. decides on the establishment of internal departments of the Academy;

38.3. ensures lawful, economic and targeted utilisation of the funds and property of the Academy, shall be personally responsible for the financial activities of the Academy; prepares the budget of the Academy;

38.4. determines and co-ordinates with the Senate the number of Professors, Assistant Professors, Lecturers and other academic staff, enters into agreements with representatives of academic staff;

38.5. promotes the development of staff of the Academy and ensures the academic freedom of academic staff and students;

38.6. takes the decisions regarding the replacement of academic staff during temporary absences, if it does not exceed two years;

38.7. performs the exclusion of a person from the list of students;

38.8. submits an annual report regarding the implementation of the budget to the Academy and State institutions specified in laws and regulations;

38.9. performs other duties of the Rector specified in the Law and other regulatory enactments regulating the activities of the Academy, as well as in the Constitution of the Academy.

39. The Rector has a suspending veto over Senate decisions. If the Rector does not agree with the decision, the matter shall be re-examined at the Senate meeting.

40. When taking decisions, issuing orders, entering into contracts, and carrying out any other activity on behalf of the Academy, the Rector shall respect the Academy budget approved by the Founder of the Academy.

41. The Constitution Assembly has the right, but at the request of the Founder of the Academy—the obligation to terminate the contract of employment with the Rector in the cases specified in laws and regulations. In this case, the Founder of the Academy shall convene a meeting of the Constitution Assembly, which shall decide on the election of a new Rector. Until the approval of the newly elected Rector, the Academy's Founder appoints a Senate nominated Rector. The repeal of the Rector may be proposed by the Founder of the Academy, the Senate or the Ministry of Education and Science. The repeal of the Rector requires the consent of more than $2/3$ votes from the number of representatives of the Constitution Assembly and of the Founder of the Academy. The Rector shall be removed from office by the Cabinet.

Audit Commission

42. The Audit Commission shall be the authority for the control of the financial activities of the Academy. The Audit Commission shall be elected by the Constitution Assembly for a period of 3 (three) years.

43. The Audit Commission shall check the compliance of all areas of the financial and economic activities of the Academy with the applicable laws and regulations, the Constitution of the Academy, and the decisions of the Founder of the Academy. The results shall be reported by the Audit Commission to the Senate at least once a year.

Academic Arbitration Court

44. The Academic Arbitration Court shall be elected by the Constitution Assembly for 5 (five) years and shall consist of 5 (five) people. The composition of the Arbitration Court shall be composed of 4 (four) academic staff and 1 (one) student representative.

45. The Academic Arbitration Court shall consider:

- 45.1. the submissions of students and academic staff regarding the restrictions and violations of academic freedoms and rights specified in the Constitution of the Academy;
 - 45.2. disputes between officials of the Academy and administrative bodies of departments, which are in the relationship of subordination;
 - 45.3. applications regarding the contesting of an administrative act or actual action and shall take the relevant decisions regarding such, as well as perform other tasks provided for in the Constitution of the Academy.
46. Members of the Academic Arbitration Court shall be accountable for their activities to the Constitution Meeting.
47. The decisions of the Academic Arbitration Court shall be enforced by the administration.
48. The Academic Arbitration Court shall act on the basis of Regulations approved by the Constitution Assembly.
49. The Senate excludes a person from the members of Academic Arbitration Court if a person terminates a contractual relationship with the Academy and no longer represents the Academy's academic staff. In such a case, the Constitution Assembly shall elect the Academic Arbitration Court anew in accordance with this Constitution. The Student Council may at any time withdraw its representative from the Academic Arbitration Court by electing another student representative. An arbitrator of the Academic Arbitration Court may resign freely at any time by notifying the Senate or the Student Council accordingly if a representative of the students resigns. In such a case, the Academic Arbitration Court shall be elected anew.

IV. Staff of the Academy

50. The staff of the Academy shall consist of:
- 50.1. academic staff;
 - 50.2. general staff;
 - 50.3. the students.
51. The staff of the Academy shall have the right to participate in the management of the Academy in accordance with the procedures specified in this Constitution, to be elected in the administrative bodies of the Academy, as well as have other rights specified in laws and regulations and employment contracts. Where a person elected to a representative, management or decision-making body of the Academy

ceases to have a contractual relationship with the Academy or is excluded, his or her term of office shall be terminated in the institution concerned.

52. The general staff of the Academy shall be administrative staff, auxiliary training staff, technical, and other staff, with the exception of academic staff. The administrative staff of the Academy shall be the Rector, Vice-Rector, Director (Executive Director), Dean and other officials, the basic functions of which are administrative work.

53. The procedures for recruitment and dismissal of general staff, as well as the general staff remuneration rules, shall be determined by the Senate, in accordance with the procedures specified in the laws and regulations.

54. The working relationship with general staff shall be determined by the laws and other regulatory enactments governing the legal relationship of work, the rules on the agenda of the Academy and the employment contracts entered into. Employment contracts with general staff shall be concluded by the administrative staff management body.

55. The academic staff shall be elected by the Senate, in accordance with its approved regulations on academic positions. Professors and Associate Professors of the Academy shall be elected by the Council of Sectors of the Academy, which shall be established in accordance with the procedures specified in laws and regulations. The composition of the field's Board of Professors is approved by the Academy Senate on a proposal from its chairman.

56. The regulations regarding academic positions shall determine the tasks, rights and duties of Assistant Professors, Lecturers, Assistants, Leading Researchers, Researchers, visiting Lecturers, the terms of election and withdrawal and the procedures for replacement.

57. The staff must carry out their duties in such a way that the Academy is able to carry out its tasks in order not to violate the rights of any other person and to prevent the performance of his or her duties.

58. It is the responsibility of the Academy's management to take care of the working conditions of staff, to ensure the possibility of raising qualifications and re-education.

59. Academic staff shall carry out research and participate in the education of students. The extent of tasks in research work and education of students (teaching,

methodological work, other forms of work) shall be determined by the Senate separately for each department.

60. The principles of remuneration for academic staff shall be determined by the Senate, but the rates of such remuneration shall not be less than the rates specified by the Cabinet.

61. The staff shall be responsible for carrying out their duties. The procedures for classifying infringements and imposing penalties for failure to fulfil their duties shall be determined by the Senate.

V. Studies at the Academy

62. Studies at the Academy shall take place in accordance with study programmes, developed, approved and licensed in accordance with the procedures specified in laws and regulations. Study programmes are implemented in full-time and part-time studies.

63. At least secondary education and the minister's recommendation are needed to study at the Academy. Foreigners may study at the Academy, observing the requirements specified in laws and regulations.

64. A person has the right to study at an Academy if he or she has obtained:

- 64.1. secondary education in order to qualify for higher vocational or academic education and a Bachelor's degree;
- 64.2. a Bachelor's degree in order to apply for a Master's degree;
- 64.3. a Master's degree to apply for a Doctorate.

65. Additional rules for student admissions are approved by the Senate of the Academy. The number of students at the Academy is determined by the Founder.

66. Students of the Academy shall have the right:

- 66.1. to use, in accordance with the procedures specified, the premises, facilities, libraries, hardware and other property of the Academy for studies and research;
- 66.2. to suspend and resume training and studies in accordance with the procedures specified;
- 66.3. to vote and be elected to the Student Council;
- 66.4. to participate in the administrative and management bodies of the Academy at all levels, which decide on matters of academic and research activity;

66.5. to exercise other rights specified in the Constitution and laws and regulations.

67. The rules of admission in the Academy study programmes shall be approved by the Constitution Assembly, observing the provisions of laws and regulations regarding requirements, criteria and procedures for admission to study programmes. A student with the Academy shall enter into a study contract. The regulations to be included in the study contract shall be determined in accordance with the procedures specified in laws and regulations.

68. Fees may be charged for studies at the Academy. The fees and payment arrangements for each study year shall be determined by the Academy Senate.

69. The fees of studies shall be borne by students, legal or natural persons at the Academy by entering into an appropriate agreement with the Academy. Financial resources from study fees shall be transferred to the special budget account of the Academy and shall be used only for:

- 1) the development of the Academy;
- 2) the purchase of educational resources and research hardware;
- 3) the purchase of equipment;
- 4) material incentives of academic and general staff of the Academy and students.

70. The Academy may award grants to students and form a study fee fund in accordance with the procedures specified in laws and regulations.

71. Academic programmes shall be completed with final examinations, part of which shall be the development and defence of a Bachelor's or Master's thesis.

72. Higher vocational education study programmes shall be completed with national examinations, which may include the development and defence of a diploma paper or diploma project.

73. Final examinations and national examinations may be both oral and written, the procedures of which shall be determined by the rules approved by the Academy Senate on national tests and final tests.

74. A person may be excluded from the list of students if:

- 1) they wish so;
- 2) they have not passed the necessary examinations within the time periods specified by the Academy or have not performed other study tasks;
- 3) they have violated the rules of internal procedures of the Academy;

4) in cases specified in other laws and regulations.

75. The exclusion of a person from the list of students shall be carried out by the Rector or Dean of the Academy. The appeals are examined by the Senate.

76. Students of the Academy shall have the right to their self-government. The Academy Student Council shall act in accordance with the regulations drawn up by students and approved by the Academy Senate.

77. Student Council:

77.1. defends and represents the interests of students in the Academy and other public and private institutions and organisations;

77.2. determines the procedures for the election of students to the Senate;

77.3. exercises the right of veto in the Academy Senate, the Faculty Council and the Constitution Assembly in matters affecting the interests of students.

78. The decisions of the Student Council after their approval in the Senate of the Academy are mandatory for all students.

79. In the event of closure of the study programme, the Academy shall financially provide students with the possibility to continue acquiring education in another relevant study programme of the Academy or another higher education establishment.

80. Study programmes shall be implemented at the Academy in the official language, in accordance with the procedures specified in laws and regulations also in the languages of the European Union and in other foreign languages.

VI. Property and Operational Funding of the Academy

81. Property of the Academy may be movable, immovable and intellectual property, as well as funds in Latvian and foreign banks in accordance with laws and regulations. The Academy shall use its property for the achievement of the objectives specified in the Constitution.

82. The financial resources of the Academy shall consist of:

82.1. The property invested by the Founder of the Academy - funds, as well as movable, immovable and intellectual property owned by the Founder of the Academy, which has been transferred to the Academy for use;

82.2. income from study fees;

82.3. income from economic activity;

- 82.4. donations and gifts of legal persons and natural persons;
- 82.5. revenue from the utilisation of the property of the Academy;
- 82.6. the State financing received in accordance with the procedures specified in laws and regulations;
- 82.7. other sources of revenue not prohibited by laws and regulations.

83. The Academy shall have the right to carry out economic activity corresponding to the profile of the Academy, the income of which shall be included in the Academy's budget for its development, as well as to invest the funds acquired in other undertakings in accordance with the purpose of the Academy.

84. The budget of the academic and research activities of the Academy and the utilisation thereof shall be approved by the Constitution Assembly and submitted for approval to the Founder of the Academy.

85. The Academy, with all its property, guarantees that, in the event of the liquidation of a specific study programme, students of the relevant study programme will be given the opportunity to continue their education in another study programme or at another Academy.

VII. Final Provisions

86. The decision on the termination or reorganisation of the Academy shall be taken by the Founder of the Academy.

87. The Constitution of the Academy and its amendments shall be adopted by the Constitution Assembly, the Constitution shall be approved by the Cabinet in accordance with the procedures specified in the laws and regulations governing the field of education.