



## **Statute of the Board of Trustees of Pavol Jozef Šafárik University in Košice**

### **Art. I Recitals**

1. Under Section 7(3) of Act no. 131/2002 on Higher Education and on Amendments to Certain Acts, as amended (the "Higher Education Act"), the Board of Trustees of Pavol Jozef Šafárik University in Košice (the "Higher Education Act") is a body of Pavol Jozef Šafárik University in Košice (the "University").
2. Under Section 40(12) of the Higher Education Act, the Board of Trustees of the University has adopted this Statute of the University Board of Trustees.

### **Art. II Mission and competence of the Board of Trustees of the University**

1. The Board of Trustees of the University is a body that, within its competence, supports the strengthening of the link between the University and society in fulfilling the mission of the University regarding higher education, science and technology transfer in accordance with the University's long-term aims.
2. The Board of Trustees of the University applies and promotes the public interest in the activities of the University.
3. The competence of the Board of Trustees of the University is determined by the Act on Higher Education Institutions. The details may be regulated by the Statute of Pavol Jozef Šafárik University in Košice (the "Statute").
4. The Board of Trustees of the University performs the role of a collective body in the disposal of the University's property under a special law.<sup>1</sup>

### **Art. III Composition and term of office of the Board of Trustees of the University**

1. The Board of Trustees of the University consists of nine (9) members:
  - a. four (4) members of the Board of Trustees of the University are elected and recalled by the Academic Senate of the University, out of which one member of the Board of Trustees of the University is elected and recalled only by the student section;

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<sup>1</sup> Act no. 176/2004 on the Disposal of the Property of Public Institutions and on the amendment of Act no. 259/1993 on the Slovak Chamber of Forestry as amended by Act no. 464/2002 as amended by Act no. 581/2004

- b. four (4) members of the Board of Trustees of the University are appointed and recalled by the Minister of Education, Science, Research and Sport of the Slovak Republic (the "Minister of Education");
    - c. one (1) member of the Board of Trustees of the University shall be elected and removed by secret ballot by the other members of the Board of Trustees of the University;
  2. The election of members of the Board of Trustees under paragraph 1(a) and (b) of this Article shall be carried out in accordance with the Higher Education Act. The details shall be laid down in the Statute.
  3. For the election of a member of the Board of Trustees of the University under paragraph 1(c) of this Article of the Statute of the Board of Trustees of the University ("Member elected by the Board of Trustees"), the following rules apply:
    - a. in the event that the seat of a Member elected by the Board of Trustees is vacant and the other seats for members of the Board of Trustees of the University are all filled, the Board of Trustees of the University shall announce the election of a Member elected by the Board of Trustees, which shall take place at the next meeting of the Board of Trustees of the University (the "Meeting" or "Meeting of the University Board of Trustees"), invite nominations for candidates for the Member elected by the Board of Trustees and set a deadline for submission of nominations;
    - b. the candidate for the Member elected by the Board of Trustees must have at least a first-level university degree, have at least four years of management experience in a legal entity and have competence in handling the property and funds of a legal entity;
    - c. a candidate for the Member elected by the Board of Trustees may also be nominated by any of the members of the Board of Trustees of the University. When nominating the Member elected by the Board of Trustees, members of the Board of Trustees of the University may take into account previous nominations received by the Academic Senate of the University or the Minister of Education. In order to identify a suitable pool of candidates, the Chair of the Board of Trustees of the University (the "Chair") may request the cooperation of the Chair of the Academic Senate of the University.
    - d. before the election takes place, the candidate for the Member elected by the Board of Trustees shall attend the Meeting of the Board of Trustees of the University and answer questions from members of the Board of Trustees of the University and persons who are present at the meeting of the Board of Trustees of the University under Article V(16) of the Statute of the Board of Trustees of the University,
    - e. a candidate for the Member elected by the Board of Trustees is elected if more than one-half of all members of the Board of Trustees of the University vote for his/her election,
    - f. if the members of the Board of Trustees of the University do not elect the Member to be elected by the Board of Trustees within six months of the vacancy of the position of the member concerned, one shall be appointed and recalled by the Minister of Education on the proposal of the Slovak Academy of Sciences.
  4. The term of office of members of the Board of Trustees of the University is five years, except when the term of office of members of the Board of Trustees of the University is two years under Section 113am(11)(last sentence) of the Higher Education Act.
  5. Membership of the Board of Trustees of the University ceases for reasons under Section 40(8) of the Higher Education Act.

6. The removal of a member of the Board of Trustees of the University is possible only under the procedure and for the reasons given in Section 40(9) of the Higher Education Act.
7. If, as a result of a change in the number of members of the Academic Senate of the University, there is to be a reduction in the number of members of the University's Board of Trustees, at its first meeting lots are drawn to determine which members to remove, their membership ceases on the following day. Lots are drawn to choose the same number of Members of the Board of Trustees of the University elected by the Academic Senate and appointed by the Minister of Education. At this meeting of the Board of Trustees of the University, the determination of members of the Board of Trustees of the University whose membership is to cease under this paragraph shall be the sole item on the agenda of the Meeting of the Board of Trustees of the University.
8. If the membership of a member of the Board of Trustees of the University ceases at the end of their term of office, the Chair shall draw the attention of the entity that appointed or elected the member of the Board of Trustees of the University at least two months before the termination of membership, in other cases of termination of membership it shall do so without undue delay.

#### **Art. IV**

#### **Chair, Vice-Chair of the Board of Trustees of the University and Secretary of the Board of Trustees of the University**

1. Meetings of the Board of Trustees of the University shall be convened and chaired by the Chair, unless otherwise provided by the Higher Education Act or this Statute of the Board of Trustees of the University.
2. A candidate for Chair may be proposed by any member of the Board of Trustees of the University or by the Rector.
3. The Chair is elected by secret ballot of the members of the Board of Trustees of the University from the members of the Board of Trustees of the University.
4. In order to be elected Chair, it is required that more than one-half of all members of the University Board of Trustees be present at the meeting of the University Board of Trustees at which the election is held. The new Chair of the Board of Trustees of the University is the candidate who has obtained:
  - a. the highest number of votes cast among all candidates;
  - b. In the event of a tie, the election shall be repeated in respect of the two candidates who jointly obtained the highest number of votes. In the event that none of these candidates obtains a majority in the second round, the candidate chosen by lot from among these candidates shall become the Chair.
5. The office of the Chair shall cease upon:
  - a. termination of membership of the Board of Trustees of the University,
  - b. resignation,
  - c. dismissal by the Board of Trustees of the University from the position of Chair of the Board of Trustees of the University.
6. The removal of the Chair requires the consent of more than one-half of all members of the University Board of Trustees. The Chair may be dismissed:
  - a. if he/she seriously harms the interests of the University,
  - b. if he/she has not attended three consecutive Meetings of the University Board of Trustees without due excuse,
  - c. if he/she has not fulfilled the obligation to convene a meeting of the Board of Trustees of the University under Section 40(13) of the Higher Education Act.

7. The election of the Vice-Chair of the Board of Trustees of the University (the "Vice-Chair") and his/her removal takes place appropriately under the rules for the election and recall of the Chair.
8. If the Board of Trustees of the University does not have a Chair, the function shall be performed by the Vice-Chair until a new Chair is elected; if the Board of Trustees of the University does not have a Vice-Chair either, the function until a new Chair is elected shall be performed by the oldest member of the Board of Trustees of the University.
9. The Secretary of the University Board of Trustees performs administrative and technical acts related to the activities of the University Board of Trustees as determined by the Chair within the scope of this Statute of the University Board of Trustees. The person holding the position of Secretary does not have to be a member of the Board of Trustees of the University.
10. The Rector, in agreement with the Chair, may designate an employee of the University as a candidate for the position of Secretary and shall notify the Chair thereof. At the next Meeting, the Chair shall present the candidate for the position of Secretary to the members of the Board of Trustees of the University. In the event that the Board of Trustees of the University confirms the candidate by more than one-half of its members present at the Meeting or does not vote on it, the candidate for Secretary is deemed to be confirmed by the Board of Trustees of the University. The candidate becomes Secretary upon his/her confirmation by the Board of Trustees of the University.

#### **Art. V.**

#### **Meeting of the Board of Trustees of the University**

1. The Board of Trustees of the University takes decisions and acts as a collective body at the Meetings of Members of the University Board of Trustees.
2. The members of the Board of Trustees of the University may not be represented by proxies at the Meetings.
3. Meetings of the Board of Trustees of the University are convened by its Chair at least twice a year.
4. At the request of the Rector or of at least one-third of all members of the Board of Trustees of the University, the Chair is obliged to convene a meeting of the Board of Trustees of the University within 30 days at the latest. In the event of failure on the part of the Chair to fulfil this duty, the Vice-Chair shall convene the Meeting not later than 30 days after the last day on which the Meeting was to be convened by the Chair under this paragraph.
5. Information about the Meeting is also published on the University's website.
6. Members of the Board of Trustees of the University are invited to the Meeting by an invitation to be sent to them at least 14 days before the day of the Meeting (the "Invitation"). The invitation includes:
  - a. the date, place and time of the meeting,
  - b. agenda of the Meeting broken down by item,
  - c. attached to the Invitation are documents for the Meeting ("Papers").
7. The agenda of the Meeting always contains, as compulsory items on the agenda: approval of the agenda and verification of minutes of the previous Meeting,
8. Documents may also be made available to members of the University Board of Trustees using an internet repository, to which they must have secure access.
9. Members of the Board of Trustees of the University may, upon prior request, also participate in the Meeting using means enabling remote transmission of video and sound ("remote transmission"). The request for participation in the Board of

- Trustees of the University remotely must be delivered by a member of the Board of Trustees of the University to the Chair at least 7 days before the meeting.
10. The invitation may also be delivered to a member of the Board of Trustees of the University by e-mail, if the member of the Board of Trustees of the University has given his/her written consent specifying the email address to be used for the delivery of the Invitation. In such a case, the Invitation is not delivered by post and is deemed delivered on the day the Invitation is sent to the email address of the member of the Board of Trustees of the University specified in the consent.
  11. The Chair shall chair the meeting. In the event that the Chair of the Meeting does not attend, the Meeting shall be chaired by the Vice-Chair. If neither the Chair nor the Vice-Chair attends the Meeting, the Meeting shall be chaired by the oldest member of the Board of Trustees of the University present at the Meeting.
  12. Before the opening of the Meeting, the person who chairs the Meeting of the Board of Trustees of the University:
    - a. ascertains the number of members of the University Board of Trustees present under the signed list of members of the University Board of Trustees present,
    - b. announce the names of the members of the Board of Trustees of the University who are excused from the Meeting;
  13. After the opening of the Meeting, the Board of Trustees of the University shall approve the agenda of the Meeting. Any member of the Board of Trustees of the University present and persons entitled to attend the Meeting under paragraph 16 of this Article of the Statute of the Board of Trustees of the University may submit a proposal to supplement the agenda of the Meeting.
  14. The meeting shall be conducted in accordance with the approved agenda.
  15. Meetings of the Board of Trustees of the University are public.
  16. The Rector or, on his behalf, the Vice-Rector or the Quaestor, the Chair of the Academic Senate of the University and a representative of the student section of the University's academic community have the right to speak at the Meeting if they so request.
  17. Minutes of the Meeting shall be drawn up within 15 days of the Meeting (the "Minutes"). The minutes are drawn up by the Secretary, otherwise by a person authorized by the Board of Trustees of the University. The minutes shall be sent by the Chair or, under his authority, by the Secretary, to all members of the Board of Trustees of the University and to such other persons as the Chair may deem necessary in view of the content of the Meeting as recorded in the minutes.

#### **Art. VI.**

#### **Decision-making and voting of the Board of Trustees of the University**

1. The Board of Trustees of the University adopts conclusions in the form of a resolution (the "Resolution").
2. The Board of Trustees of the University shall be quorate:
  - a. if more than one-half of all members of the Board of Trustees of the University are present at the Meeting at the time of voting on the relevant proposal, in cases where the Act on Higher Education Institutions or this Statute of the Board of Trustees of the University requires approval by more than one-half of all members of the Board of Trustees of the University,
  - b. in other cases, if more than one-half of the appointed members of the Board of Trustees of the University ("Appointed Members") are present at the Meeting at the time of voting on the relevant proposal. Appointed members are members of the Board of Trustees of the University in the

- number of members of the Board of Trustees of the University who continue to be a member of the Board of Trustees of the University on the date of the Meeting.
3. The resolution is adopted on the basis of a proposal (the "Proposal"). In order to adopt a Resolution, there is required:
    - a. the consent of more than one-half of all members of the Board of Trustees of the University in those cases expressly provided for by the Act on Higher Education Institutions or this Statute of the Board of Trustees of the University.
    - b. in other cases, the consent of more than one-half of the appointed members of the Board of Trustees of the University is required for the adoption of the Resolution.
  4. The proposal of the Board of Trustees of the University is submitted or forwarded by:
    - a. the Chair, in the case of a proposal under Section 40(12) of the Higher Education Act,
    - b. the Rector in the case of proposals:
      - i. under Section 41(1) of the Higher Education Act after approval by the Academic Senate of the University,
      - ii. under Section 41(2) of the Higher Education Act after the opinion of the Academic Senate of the University
      - iii. under Section 41(3) of the Higher Education Act,
      - iv. under Section 41(4) of the Higher Education Act after prior approval by the Academic Senate of the University,
    - c. the Chair of the Academic Senate of the University under Section 41(5) of the Higher Education Act,
    - d. any member of the Board of Trustees of the University, in cases other than subparagraphs (a) and (c),
    - e. another person, if expressly permitted by the Higher Education Act.
  5. Proposals under Section 41(4) of the Higher Education Act must be decided by the Board of Trustees of the University within 45 days from the date when the proposal approved by the Academic Senate of the University is submitted to the Board of Trustees of the University. If the Board of Trustees of the University does not take a decision within this period, it shall be deemed to have approved the Proposal.
  6. The voting of the Board of Trustees of the University is public, unless the Act on Higher Education Institutions expressly stipulates that a secret ballot is required for a certain decision of the Board of Trustees of the University.
  7. In the event of public vote of the Board of Trustees of the University:
    - a. members of the Board of Trustees of the University vote under the procedure instructed by the person who chairs the Meeting,
    - b. the results of the public vote shall be announced by the person chairing the meeting immediately after the act of voting has taken place;
    - c. the results of the public vote shall be recorded in the Minutes.
  8. In the event of a secret ballot, the Board of Trustees of the University shall:
    - a. entrust the preparation of the voting to two members of the Board of Trustees of the University such that one of the entrusted members is a member of the Board of Trustees under Article III(1)(a) and one of the entrusted members is a member of the Board of Trustees under Article III(1)(b) of this Statute of the University Board of Trustees. In the event that the Board of Trustees of the University does not entrust members of the Board of Trustees of the University under the previous sentence, they shall be appointed by lot from among the members of the Board of Trustees

- of the University,
- b. the authorized members shall ensure that the ballot papers are drawn up, for which they may avail themselves of the assistance of the Secretary, and shall ensure that the act of voting is carried out in such a manner that the vote is conducted by secret ballot;
  - c. immediately after all voting members of the University Board of Trustees have voted, the authorized members of the Board of Trustees of the University verify the number of ballots cast and count the votes cast;
  - d. The verification of the number of ballots cast and the counting of votes shall be carried out in the presence of and under the supervision of all members of the Board of Trustees of the University participating in the Meeting at which the secret ballot is conducted.
  - e. the results of the secret ballot shall be recorded in the Minutes.
9. The Board of Trustees of the University discusses complaints submitted by the Academic Senate of the University, the Academic Senate of the Faculty or the Dean of the Faculty.
  10. The Board of Trustees of the University determines the salary of the Rector under Section 41 (8) of the Higher Education Act in accordance with a specific regulation.<sup>2</sup>
  11. The Board of Trustees of the University expresses its opinion on matters submitted to it for discussion by the Rector or Chair of the Academic Senate of the University.
  12. At least once a year, the Board of Trustees of the University prepares and publishes a report on its activities on the University's website. The report on the activities of the Board of Trustees of the University is discussed by the Academic Senate of the University before its publication. The report on the activities of the University Board of Trustees contains, in particular, information about its Meetings, the participation of individual members in the Meetings, the recommendations of the University Board of Trustees on the activities of the University and a list of adopted Resolutions.
  13. A member of the University Board of Trustees who participates in the Meeting of the University Board of Trustees remotely is entitled to vote at the Meeting using electronic means enabling the transmission of information about how he or she has conducted his vote. In the event of a secret ballot, provision must be made for all members of the Board of Trustees of the University voting on the relevant agenda item to enable voting to be carried out and the results of voting to be captured while maintaining the anonymity of all voters, including the member of the University Board of Trustees who is present at the Meeting remotely. The rules set out in (8) of this article of the Statute of the Board of Trustees of the University shall apply analogously to such voting.
  14. The Chair may also put the Resolution to a vote outside the Meeting ("per rollam voting"). For per rollam voting, in the case of secret ballots, provision must be made for voting to be carried out and the results of the vote to be captured while maintaining the anonymity of all voters. The results of the per rollam vote shall be communicated by the Chair at the beginning of the next Meeting following the relevant per rollam vote. The rules set out in (8) of this article of the Statute of the Board of Trustees of the University shall apply analogously to such voting.

## **Art. VII**

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<sup>2</sup> Act no. 553/2003 on the Remuneration of Certain Employees during the Performance of work in the Public Interest and on the amendment of certain acts as amended.

## **Costs of activities of the Board of Trustees of the University**

1. Tasks related to organizational, personnel, administrative and technical support of the activities of the Board of Trustees of the University are performed by the University. The Chair may request the University, through the Rector, to provide assistance in relation to arranging the activities of the Board of Trustees of the University.
2. Members of the Board of Trustees of the University are entitled to remuneration for the time of the performance of their duties at the Meeting of the Board of Trustees of the University and reimbursement of expenses related to the performance of this function under a specific regulation.<sup>3</sup> The rules for granting and determining the amount of remuneration and reimbursement of expenses shall be determined by the Academic Senate of the University on the proposal of the Rector.
3. The participation of members of the University Board of Trustees in the meeting of the Board of Trustees of the University is classed as an act in the general interest.<sup>4</sup>

### **Art. VIII Transitional provisions**

1. After the first appointment or election of more than one-half of all members of the Board of Trustees of the University under the regulations effective from 25 April 2022, its first Meeting shall be convened without undue delay by the member of the University Board of Trustees who is the oldest member of these members of the University Board of Trustees.
2. The first establishment of the Board of Trustees of the University means the first meeting of the new Board of Trustees after the appointment or election of members of the Board of Trustees of the University within the meaning of paragraph (1) of this Article of the Statute of the Board of Trustees of the University, at which the Board of Trustees of the University is quorate under Article VI(2) of the Statute of the Board of Trustees of the University from a majority calculated based on the number of members who have been appointed or elected under the regulations effective from 25 April 2022 (the "First Establishment of the Board of Trustees of the University").
3. At the First Establishment of the Board of Trustees of the University, its members:
  - a. by lot designate the members of the Board of Trustees of the University (the "Lot") in a number corresponding to half of all members of the Board of Trustees of the University, rounded up, whose term of office is five years ("Members with a five-year term of office"); the term of office of the remaining members of the Board of Trustees of the University is two years,
  - b. elect a Chair and a Deputy Chair.
4. In the event that the First Establishment of the Board of Trustees of the University does not draw lots for all Members with a five-year term of office, the members of the Board of Trustees of the University who did not draw Lots at that Meeting shall draw their Lots at the next Meeting at which they will be present until all members of the Board of Trustees of the University with a five-year term of office have been drawn.
5. Membership of the Board of Trustees of the Public University established before 24 April 2022, expires on the date of the First Establishment of the University Board of Trustees, no later than 30 November 2022.

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<sup>3</sup> Act no. 283/2002 on Travel Allowances as amended.

<sup>4</sup> Section 136(1) of the Labour Code



**Art. IX**  
**Repeal provisions**

1. As of the date of entry into force of this Statute of the Board of Trustees of the University, the Statute of the Board of Trustees of the UPJŠ in Košice No. 1571/09 dated 13.05.2009 is repealed.

**Art. X**  
**Final provisions**

1. This Statute of the Board of Trustees of the University was approved by Resolution of the Board of Trustees of the University No. 9 / 04.11.2022 dated November 4, 2022.
2. The Statute of the Board of Trustees of the University becomes valid on the date of registration of and enters into force from the date of validity of the decision of the Ministry of Education, Science, Research and Sport of the Slovak Republic on its registration.

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JUDr. Vladislav Vašiv  
Chair of the Board of Trustees  
Pavol Jozef Šafárik University  
in Košice

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Prof. RNDr. Pavol Sovák, CSc.  
Rector  
Pavol Jozef Šafárik University  
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