

Legal Status of Higher Education Institutions

Abstract

The aim of this thesis is to analyse the legal status of various types of Higher education institutions within public law in a historical and contemporary perspective, to deal with their typology theoretically. Moreover, the thesis pays attention to academic self-government and the academic sphere overall and finally, it inquires into the assurance of quality of higher education in the Czech Republic in the form of the institution of accreditation.

The text is divided into eight parts, including the introduction and the conclusion. The introduction analyses status of Higher education institutions in a historical perspective, particularly concerning Charles University in Prague, and through the development in the 20th century, the line of the thesis moves toward the contemporary legislation, included in the Act No. 111/1998 Sb., as amended, and in the related documents of both legal and political nature. Following this part, an analysis of the typology of Higher education Institutions follows, as well as a brief treatise on the academic sphere, including the issues of students and Academic Staff legal relations as members of the academic community. The remainder of the thesis pursues the new regulation concerning accreditation, including the new institutional accreditation. By the end of the work, the author presents several of his own conclusions as recommendations *de lege ferenda*.

The thesis, however, does not pay close attention to the regulation of admission procedure, tuition fees in relation to the studies, or newly enacted possibilities to provide higher education by foreign higher education institutions on the territory of the Czech Republic.

The innovative parts of this thesis are the following: the author's opinion to the controversy about the nature of a higher education institution or a university as a subject of public administration; furthermore, a treatise concerning taking away academic titles, a few paragraphs dealing with internal democracy and the level of representativeness of academic self-government and finally, several notes to the issue of accreditation of a particular degree programme and institutional accreditation.

The thesis is concluded by several recommendations to amend the Act on Higher education institutions, especially of its terminology, including prompts for its more thorough elaboration, observations concerning the academic self-government in action and some thoughts on the importance of Higher education institutions in the Czech society.

Keywords: higher education institutions, academic self-government, accreditation