

Decision No.: 85/QD-SIU

Ho Chi Minh City, November 28th, 2016

DECISION

On promulgating the Statute on the appointment, re-appointment, resignation and dismissal of management officers of units under the jurisdiction of Saigon International University

THE CHANCELLOR OF THE SAIGON INTERNATIONAL UNIVERSITY

Pursuant to the Education Law dated June 14th, 2005, the Law on amendments to the Education Law dated November 25th, 2009;

Pursuant to the Law on Higher Education dated June 18th, 2012;

Pursuant to Decree No. 75/2006/ND-CP dated August 02nd, 2006 by the Government providing detailed regulations and guiding on the implementation of some articles of the Education Law;

Pursuant to Decision No. 1273/QD-TTg dated September 24th, 2007 by the Prime Minister on the establishment of The Saigon International University;

Pursuant to the Statute on the organization and operation of The Saigon International University;
According to the proposal of the Chancellor,

DECIDES:

Article 1. To issue with this Decision the Statute on the appointment, re-appointment, resignation and dismissal of managers of units under the jurisdiction of Saigon International University.

Article 2: This Decision takes effect after its signing. The School Board and Heads of the school units are responsible for the implementation of this decision./.

Recipients:

- As Article 2;
- Archive: Clerical Office.

CHANCELLOR

STATUTE

On appointment, re-appointment, resignation and dismissal of management officers of units within the competence of Saigon International University

(Issue with Decision No.85/QD-SIU dated November 28th, 2016 by the Chancellor of The Saigon International University)

Chapter I

GENERAL PROVISION

Article 1. Scope of regulation and subjects of application

This Statute stipulates the appointment, re-appointment, resignation and dismissal of management officers of units within the competence of The Saigon International University, including Heads and Deputy Heads of Faculties, Divisions, Departments, etc. affiliated with The Saigon International University (collectively referred to as units of the School).

Article 2. Principles of appointment and re-appointment of management officers

1. The Chancellor, in collaboration with the Members of the Board of Directors in charge of Operation and Development, nominates Heads and Deputy Heads of Departments, Faculties and Subjects for the Chairman of the Board to consider for appointment and submit to the General Meeting of Shareholders for recognition;
2. Performing the principle of democratic centralism and promoting the responsibilities of the heads of agencies and units;

Article 3. Age for appointment

1. The age for appointment as a management officer for the first time shall not be over 55 years for men and 50 years for women, up to the month of the appointment process;
2. An officer who has resigned from his or her former management position, after a period of work, if considered for appointment, his or her age condition must be enough for at least one term;
3. If an incumbent management officer is re-appointed to the same position or another equivalent one, his or her age for appointment shall not be considered as the first time as prescribed in Clause 1 of this Article.

Article 4. Term of office

1. The term of office of an officer appointed or re-appointed to the management positions as prescribed in Article 1 of this Statute is 5 years. If the term expires without any decision on dismissal or resignation, such an officer shall be automatically re-appointed;
2. The time in which a management officer is assigned to be the head or in charge of a unit is not included in the appointment term. The time in which an officer is assigned to be the head of a unit continuing the term of the predecessor (retired or transferred) is not included in the appointment term;

3. For a management officer transferred or appointed to a new position or a new equivalent unit, his or her term of office is counted from the date of appointment to the new position. In case the management position is changed due to the change of the organization's name, the term of office is counted from the date of appointment to the old position, unless otherwise specified by law;
4. For a management officer who has between 02 and under 05 years of working before reaching retirement age (or age limit for management positions), if re-appointed, his or her term of office is counted to his or her full retirement age (or age limit for management positions) as prescribed by law;
5. For a management officer who has under 02 years of working before reaching retirement age (or age limit for management positions), the school leaders (the competent authorities) may consider prolonging his or her term of office to his or her full retirement age (or age limit for management positions) as prescribed by law;

Article 5. The competence in appointment, re-appointment, resignation and dismissal

The decisions on the appointment, re-appointment, resignation and dismissal of management titles shall be made by the Chairman of the Board of Directors, based on the Chancellor's proposals and the Members of the Board of Directors in charge of Operation and Development, with the approval of more than 50% of the total members of the Board of Directors and the General Meeting of Shareholders.

Article 6. Assessment of officers

1. The assessment of officers shall be carried out during the consideration for the appointment and re-appointment;
2. The assessment of officers shall be carried out as prescribed by this Statute and the current related regulations of The Saigon International University;
3. In case of necessity, the Chancellor and the Members of the Board of Directors in charge of Operation and Development shall decide to hold a mid-term or unscheduled vote of confidence for management officers.

Chapter II

APPOINTMENT

Section 1

CONDITIONS AND STANDARDS FOR APPOINTMENT OR RE-APPOINTMENT OF A MANAGEMENT OFFICER

Article 7. Qualifications and standards of officers offered management positions

An officer who is appointed to any management position as prescribed in Article 1 of this Statute shall comply with the qualifications and standards of the position according to professional standards as prescribed by the law on education, the university's charter and the regulations of The Saigon International University.

Article 8. Qualifications for re-appointment

1. Accomplishing all tasks during the term of office;
2. Meeting the prescribed standards of a management position at the time of consideration and re-appointment, meeting the work requirements during the follow-up period;
3. Is demanded by agencies and units;
4. Being healthy enough to complete assigned tasks and responsibilities.

Article 9. Method of collecting opinions on recommendation/credence

1. The collection of opinions on recommendation/credence is conducted by ballot vote;
2. A meeting to collect opinions on recommendation/credence is conducted when at least 2/3 of the total number of officers convened to attend the meeting are present; For the cases in which a participant convened for the meeting is a Head of a unit, if he or she is absent, 01 deputy may be authorized to attend on his or her behalf;
3. The contents and results of the meeting shall be recorded in minutes.
4. When conducting the opinion collection on recommendation/credence, the chairperson records the results and approves the meeting.
5. The percentage of opinions is calculated on the total number of officers attending the meeting.

Section 2

PARTICIPANTS IN CONFERENCES

Article 10. Participants in meetings

Meeting participants: all School officers who have worked at the School for at least 01 year.

Article 11. Members of the Steering Committee assisting the Chief Executive Officer

Members of the Steering Committee assisting the Chief Executive Officer in the organization of collecting opinions on recommendation/credence in key staff conferences:

- Chancellor – the Chair;
- Standing Vice Chancellor – the Vice Chair;
- School Union’s Chairman (or Vice Chairman) – Commissioner;
- Board Secretary – Commissioner and secretary;
- Some other officers as commissioners (if needed).

Section 3

**ORDER AND PROCEDURES FOR THE APPOINTMENT
AND RE-APPOINTMENT OF MANAGEMENT
OFFICERS OF THE THE UNIVERSITY’S UNITS**

Article 12. Heads of direct training units and Heads of indirect training units (Unit Heads)

- Heads of direct training units include Deans of Faculties, Directors of Institutes, Directors of training centers and Deans of Departments affiliated to the University (hereinafter collectively referred to as the Deans); and Vice Deans;
 - Heads of indirect training units include Heads of departments/divisions, Directors of the centers affiliated to the University, Directors of Institutes (hereinafter collectively referred to as the Department Heads); and Deputy Department Heads.
1. Identify needs, policies and introduce appointed personnel (step 1)
 - a) Based on the actual situation, the staff resources in the planning of the University, the Chancellor and the Members of the Board of Directors in charge of Operation and Development agree on the staff planning.
 - b) The Chancellor establishes a Steering Committee for assistance in the organization and implementation of the appointment of unit heads.
 2. Organize opinion collection on recommendation/credence (step 2)
 - a) The Steering Committee implements the following tasks during the meeting:
 - Announce the policies, requirements, standards, and procedures for appointment and re-appointment;
 - Announce the planning list, list of qualified officers for the title of Head of the unit as prescribed;
 - Give instructions on opinion contribution on recommendation/credence, explain and answer questions (if any);
 - Organize the implementation of the opinion collection on recommendation/credence.
 - b) The Chancellor and the Members of the Board of Directors in charge of Operation and Development agree on the planning of the Heads of units for submission to the Board of Directors;
 3. The Board of Directors (step 3):
 - The Steering Committee announces the result of the opinion collection on recommendation/credence (in step 2);
 - The Board of Directors considers the emerging issues (if any), and considers recommended personnel;
 - The Board of Directors approves the recommendation of the Heads of units.

Section 4

THE MOBILIZATION AND APPOINTMENT PROCESS OF PERSONNEL FROM OTHER UNITS OF THE UNIVERSITY (FOR FACULTIES, DEPARTMENTS, DIVISIONS AND EQUIVALENT UNITS)

Article 13. Personnel mobilization and Heads of units of the University

Based on the actual situation, the staff resources in the planning of the University, the Chancellor and the Members of the Board of Directors in charge of Operation and

Development agree on the staff planning. The Chancellor shall perform the following tasks:

1. Meet with personnel to discuss work requirements;
2. Discuss the personnel expected to be mobilized and appointed with the Head of the unit where the officer is working;
3. The Board of Directors:
 - a) The Chancellor reports the opinions of the Chancellor, the Members of the Board of Directors in charge of Operation and Development and related individuals and units regarding the mobilized and appointed personnel to the School's Unit Head positions; after analyzing and discussing, the Board of Directors vote for each of the personnel and approves the voting results.
 - b) Based on the Board's decision, the Board's Chairman shall make the final decision on the mobilization and appointment of the personnel to the School's Unit Head positions. If there is any disagreement between the Chancellor and the Board about a certain person, further discussions to reach an agreement are required.

Chapter III

RESIGNATION AND DISMISSAL

Article 14. Resignation

1. During the term of office, if a management officer perceives that he or she is not qualified to complete his or her job, or has a wish to resign for any other reason, he or she shall send a resignation letter to the Chancellor. The Chancellor the Members of the Board of Directors in charge of Operation and Development shall consider and submit to the Board for approval.
2. Within one month from the receipt of the resignation letter, The Chancellor and the Members of the Board of Directors in charge of Operation and Development shall approve.
3. When the resignation has not been approved by the competent authority, the management officer shall continue his or her assigned tasks and responsibilities.
4. A management officer after resigning shall be assigned another job by the management unit.

Article 15. Dismissal

The competent authority may consider dismissing or assigning other jobs without waiting for the expiration of the appointment period to an incumbent management officer wishing for resignation or violating the regulations of The Saigon International University, Educational sectors and the legislation therefore not qualified enough for the position, despite not having reached the extent of being enforced by law; or wishing for resignation due to health and capacity reasons, etc.

Article 16. Dossier for requesting the resignation and dismissal

1. The proposal of the Unit Head; resignation letter (cases of resignation); officer's health-related records; records identifying the failure in the chief officer's task completion or disciplinary records of the management officer.
2. The Administrative Office shall summarize all the documents above and report to the Chancellor for consideration and approval of the management officers' resignation and dismissal as prescribed in this Statute./.

CHANCELLOR

Dr. Tran Xuan Dinh