

**LAW**  
**ON HIGHER EDUCATION**

**I. BASIC PROVISIONS**

**Subject Matter of the Law**

Article 1

This Law shall govern the higher education system, conditions and manner of carrying out higher education activities, financing and other matters of importance for the performance of these activities.

**Higher education activities**

Article 2

Higher education activities are of special significance for the Republic of Serbia (hereinafter referred to as the Republic) and are part of the international, European in particular, area of education, science and/or art.

**Objectives of higher education**

Article 3

The objectives of higher education shall be:

- 1) to teach scientific, professional and artistic knowledge and skills;
- 2) to develop science and promote artistic creativity;
- 3) to ensure a source of young researchers, professionals and artists;
- 4) to provide equal access to higher education to individuals and opportunities for education and training throughout life;
- 5) substantially increased number of people with higher education.

**Principles of higher education**

Article 4

Activities of higher education shall be based on the following principles:

- 1) academic freedoms;
- 2) autonomy;
- 3) unity of teaching and scientific research and/or artistic work;
- 4) openness to the public at large and to citizens;
- 5) recognition of humanistic and democratic values of European and national traditions;
- 6) respect for human rights and civil liberties, including prohibition of all forms of discrimination;

- 7) harmonization with the European higher education system and promotion of academic mobility of teaching staff and students;
- 8) participation of students in governance and decision-making, in particular in matters relating to teaching quality assurance;
- 9) equality of higher education institutions irrespective of the form of property and/or of who is the founder thereof;
- 10) assertion of competition of educational and research services with a view to upgrading the quality and efficiency of the system of higher education;
- 11) assurance of quality and efficiency of studies.

### **Academic freedoms**

#### Article 5

Academic freedoms shall include:

- 1) freedom of scientific research and artistic creativity, including freedom to publish and present to the public the outcomes of scientific research and artistic achievements;
- 2) freedom to make a choice of the method of interpretation of teaching subjects;
- 3) freedom to choose a programme of study.

### **Autonomy**

#### Article 6

The autonomy of a university and of other higher education institutions shall, in accordance with the present Law, imply:

- 1) the right to decide on study programmes;
- 2) the right to determine the rules of study and admission requirements for students;
- 3) the right to regulate the internal set-up;
- 4) the right to adopt a Statute and elect the administrative body and other bodies in accordance with this Law;
- 5) the right to elect teaching and other staff;
- 6) the right to issue public documents;
- 7) the right to dispose of financial resources in conformity with the law;
- 8) the right to the use of property in conformity with the law; and
- 9) the right to decide on the acceptance of projects and on international cooperation.

### **Academic inviolability**

#### Article 7

The grounds of a higher education institution shall be inviolable and law enforcement officers shall not be permitted to enter without the consent of the

competent official of the institution, except in case of a threat to public safety, life, physical integrity of a person, public health or property.

### **The right to higher education**

#### Article 8

The right to higher education shall have all persons who have completed their secondary education irrespective of the race, colour, gender, sexual orientation, ethnicity, national origin or social background, language, religion, political or any other opinion, birth, existence of a sense or movement handicap or property.

Exceptionally, under the conditions laid down in the Statute of a higher education institution, a person not having a secondary education shall be entitled to higher education if he/she applies for a programme of study in the arts.

The higher education institution shall establish, in accordance with the law, the requirements to be fulfilled in screening and selecting successful applicants (academic achievement in previous education, type of education previously completed, special knowledge, skills or aptitude, etc.).

## **II. QUALITY ASSURANCE IN HIGHER EDUCATION**

### **National Council for Higher Education**

#### Article 9

The National Council for Higher Education (hereinafter referred to as the National Council) shall be established to ensure the development and promotion of the quality of higher education.

### **Membership of the National Council**

#### Article 10

The National Council shall be made up of 16 members, who shall be appointed by the National Assembly of the Republic of Serbia (hereinafter referred to as the National Assembly), namely:

- 1) ten members shall be appointed from among full professors, top scholars and scientists and/or artists with internationally recognized works or who have considerably contributed to national culture, while duly taking into account corresponding representation of individual fields of science and/or arts, at the recommendation of the Conference of Universities;
- 2) two members shall be appointed from among professors from the field of professional career studies, at the recommendation of the Conference of Academies of Professional Career Studies;
- 3) four members shall be appointed from among prominent scientists or scholars, cultural figures, educators, artists or businessmen, three of them at the proposal of the Government of the Republic of Serbia (hereinafter referred to as the Government). One of them shall be the representative of Kosovo and Metohija from the University in Pristina

based in Kosovska Mitrovica, and another shall be appointed at the proposal of the competent body of the Autonomous Province of Vojvodina.

The Conference of Universities and/or the Conference of Academies of Professional Career Studies shall announce a public call to nominate candidates for membership of the National Council.

Nominations shall be submitted within 20 days from the date of the announcement of the public call.

A list of nominated candidates shall be made public within 10 days from the expiry of the deadline for nominations.

Comments and suggestions concerning nominees may be submitted within 30 days following the date on which the list thereof was made available to the public.

The Conference of Universities and/or the Conference of Academies of Professional Career Studies shall submit the final list containing a maximum of 15 or a minimum of three candidates to the National Assembly within 30 days after the expiration of the deadline for the submission of comments and suggestions, taking into account the number of students and the number of university teachers and associates.

The Government shall submit to the National Assembly the proposal referred to in paragraph 1, subparagraph 3) of this Article within 90 days from the date of the announcement of the public calls referred to in paragraph 2 of this Article.

A person elected, designated or appointed to an office in a government body, a body of territorial self-rule or local self-governance, a body of a political party or to the post of the executive officer of a higher education institution may not serve as a member of the National Council.

The term of office of a member of the National Council shall be four years. The same person may serve as a member of the National Council only twice.

The National Assembly shall deselect a member of the National Council before the end of his/her term:

- 1) at his/her own request;
- 2) if he/she fails to perform the duties of a member of the National Council or if his misconduct harms the reputation of the office, at the request of the nominating Conference of Universities or the Conference of Academies of Professional Career Studies, the Government and/or the competent body of the Autonomous Province of Vojvodina – in respect of members nominated by it;
- 3) in the event of a circumstance referred to in paragraph 8 of this Article.

The National Council shall elect its President from among its members.

National Council members shall be entitled to a remuneration, the amount of which shall be determined by the National Assembly, at the proposal of the appropriate committee of the National Assembly.

## **Competencies of the National Council**

### Article 11

The National Council shall:

- 1) oversee the development of higher education and its conformity to European and international standards;

- 2) recommend to the Ministry responsible for higher education affairs (hereinafter referred to as the Ministry) policies concerning higher education;
- 3) provide advice on the policy of admission to higher education institutions;
- 4) offer advice in the process of adoption of the legislation governing matters of relevance to higher education activities;
- 5) make recommendations to the Government regarding general rules and standards for the work of higher education institutions, as well as financial resources for their implementation, upon receiving advice from the Conference of Universities and the Conference of Academies of Professional Career Studies;
- 6) identify scientific, artistic and/or professional fields of activity as stipulated in Article 27 of this Law, at the recommendation of the Conference of Universities and the Conference of Academies of Professional Career Studies;
- 7) set standards for internal assessment and quality evaluation of higher education institutions;
- 8) set standards and the procedure for external appraisal of the quality of higher education institutions;
- 9) establish standards for the issuance of work permit;
- 10) establish standards and the procedure for accreditation of higher education institutions;
- 11) establish standards and the procedure for accreditation of study programmes;
- 12) decide in the second instance on appeals regarding the procedure of accreditation;
- 13) make recommendations on more specific conditions relative to the election to the teaching positions;
- 14) compile a list of professional, academic and scientific qualifications indicating the degree at a given level of study in a given field and abbreviations for these professional, academic and scientific qualifications;
- 15) carry out other tasks in accordance with the law.

Legal acts referred to in subparagraphs 6) to 11) and subparagraph 14) of this Article shall be published in the Official Journal of the Republic of Serbia.

### **Work of the National Council**

#### Article 12

The work of the National Council shall be public.

For the purposes of its work the National Council may set up special working bodies.

Resources for the work of the National Council and its working bodies shall be provided through the budget of the Republic.

Professional, administrative-technical and information services for the National Council and its working bodies shall be provided by the Ministry.

The National Council shall submit to the National Assembly a report on its work at least once a year.

The National Council shall adopt its rules of procedure.

## **Accreditation and Quality Evaluation Commission**

### **Article 13**

For the purpose of carrying out the tasks relating to accreditation, quality evaluation of higher education institutions and units thereof and evaluation of study programmes, the National Council shall establish a separate working body called the Accreditation and Quality Evaluation Commission (hereinafter referred to as the Commission).

The Commission shall consist of 15 members, three members from each particular educational-scientific and/or educational-artistic field from various areas, as provided for in Article 27 of this Law.

Commission members shall be elected by the National Council from among renowned full professors, scientists and scholars, artists and experts, at the recommendation of the Conference of Universities.

In the process of formulating the recommendation as set out in paragraph 3 of this Article, the Conference of Universities shall make a public call for the submission of candidacies for membership of the Commission.

Candidates shall submit their candidatures within 15 days from the date of the announcement of the public call.

A list of nominated candidates shall be made available to the public within a period of eight days from the expiry of the deadline for the submission of candidacies.

Comments and suggestions relating to the candidates proposed may be forwarded within thirty days from the date of making public the list of proposed candidates.

Upon considering the comments and suggestions referred to in paragraph 7 of this Article, the Conference of Universities shall consolidate its proposal containing a maximum of five candidates from each educational-scientific and educational-artistic field from various areas. It shall submit the consolidated proposal to the National Council within 15 days from the date of the expiration of the period referred to in paragraph 7 above, taking into account these comments and suggestions.

The National Council shall elect members of the Commission within thirty days from the date of receipt of the proposal referred to in paragraph 8 of this Article.

A person elected, designated or appointed to an office in a government body, a body of territorial self-rule or local self-governance, a body of a political party or to the post of the executive officer of a higher education institution shall not be eligible as a Commission member.

The term of office of a Commission member shall be four years. The same person may be eligible for reelection only once.

The National Council shall deselect a Commission member before the end of his/her term of office:

- 1) at his/her own request;
- 2) if he/she fails to perform his/her duties in the Commission conscientiously or if his/her misconduct harms the reputation of the duties, provided that the Conference of Universities has so requested and documented;
- 3) in the event of a circumstance referred to in paragraph 10 of this Article.

The Commission shall deliberate and take decisions at its meetings in accordance with the Rules of Procedure adopted by it.

The Commission shall elect its President from among its members.

The Commission shall report to the National Council on its activities at least once a year and the Council shall publicise its findings.

The Commission's work shall be funded from the proceeds of accreditation charges held in a separate bank sub-account set up for these purposes. The National Council shall determine the amount of the accreditation charge with the approval of the Government.

Commission members shall be entitled to a remuneration, the amount of which shall be determined by the National Assembly, at the proposal of the appropriate committee of the National Assembly.

## **Competencies and work of the Commission**

### Article 14

The Commission shall:

- 1) recommend to the National Council standards concerning issuance of work permits;
- 2) recommend to the National Council standards and procedure for accreditation of higher education institutions;
- 3) recommend to the National Council standards and procedure for accreditation of study programmes;
- 4) recommend to the National Council standards concerning internal assessment and quality evaluation of higher education institutions;
- 5) recommend to the National Council standards and procedure for external appraisal of the quality of higher education institutions;
- 6) assist and cooperate with higher education institutions and units thereof in assuring and promoting their quality;
- 7) carry through accreditation procedure for institutions and study programmes in the field of higher education, and decide on the application for accreditation and issue a certificate of accreditation on a form the content of which shall be determined by it;
- 8) see to it that accreditation standards and procedures are conformed to those of the European Higher Education Area;
- 9) give advice on work permit issuance procedure;
- 10) carry out other tasks as set out in the legal act on the setting up of the Commission.

For the purpose of conducting procedures referred to in paragraph 1, subparagraphs 7) and 9) of this Article, the Commission shall establish teams of experts and appoint their members (hereinafter referred to as reviewers). They shall examine individual requests for conducting procedures referred to above. Their work shall be financed in the same way as that of the Commission.

The Commission shall appoint reviewers upon the announcement of a public call and they shall be selected from among internationally recognized national and foreign university professors, scientists and scholars, artists or experts. In the case of a study programme of a specific national character, reviewers shall be appointed from among recognized national university professors, scientists and scholars, artists or experts.

A reviewer shall report back to the Commission within sixty days from the date of receipt of a request from the Commission.

The Commission shall submit to the National Council its final report. The report shall be made available to the public.

The Commission shall make sure that the information as to which reviewer has received the request referred to in paragraph 4 of this Article be protected.

Reviewers shall be remunerated in accordance with the legal act adopted by the National Council.

For the purpose of conducting procedures referred to in paragraph 1, subparagraphs 7) and 9) of this Article, the Commission may use the expertise of international organizations or associations specialized for higher education quality assurance, in accordance with the legal act adopted by the National Council.

## **Quality assurance for higher education institutions**

### Article 15

An independent higher education institution or a higher education unit thereof shall, by its Statute or a general legal act, define bodies and procedures concerning overseeing, assurance, promotion and development of the quality of study programmes, teaching and working conditions.

Review of compliance with the quality assurance obligations by an independent higher education institution or a unit thereof shall be carried out in accordance with the regulations adopted by the Minister responsible for higher education (hereinafter referred to as the Minister) at the proposal of the National Council.

Quality review procedure shall also include the assessment of study programmes made by students.

The Commission shall review compliance with the quality assurance obligations by an independent higher education institution or a unit thereof according to an annual plan of activities, upon a specific order of the National Council, at the request of an independent higher education institution or that of the Minister.

The submitters of the request for review of compliance with the quality assurance obligations by an independent higher education institution or a unit thereof must not repeatedly submit such a request for the same higher education institution or a unit thereof within a period of one year.

The Commission shall report on compliance with the quality assurance obligations by a given independent higher education institution or a unit thereof to the National Council, the Minister and to the independent higher education institution itself.

The independent higher education institution referred to in paragraph 6 of this Article may submit its comments on the quality review report to the National Council within a 15 days from the date of the receipt of the report.

The National Council shall forward the report of the Commission to the Conference of Universities and the Students' Conference of Universities and/or the Conference of Academies of Professional Career Studies and the Students' Conference of Academies of Professional Career Studies.

The National Council shall make its own assessment of whether the independent higher education institution concerned or a unit thereof complies with its quality assurance obligations on the basis of the report of the Commission and shall forward it to the independent higher education institution concerned and to the Minister.

The outcome of the review of compliance with quality assurance obligations by an independent higher education institution shall be publicized, in accordance with the legal act adopted by the National Council.

## **Accreditation**

### Article 16

Accreditation shall establish that a given higher education institution and its study programmes comply with the standards as set out in Article 11, subparagraphs 10) and 11) of this Law and that the higher education institution is entitled to issue public documents in accordance with the present Law.

Accreditation procedure for a higher education institution shall also establish whether the institution concerned also meets appropriate conditions as provided for in Articles 33 to 37 of this Law.

Accreditation procedures for academic degree and/or doctoral degree programmes of study shall also ascertain whether conditions for conducting scientific research and/or artistic work have been fulfilled, as required by the law.

Accreditation procedure shall be carried out at the request of the Ministry, the founder and/or the relevant higher education institution itself.

In an accreditation procedure the Commission shall:

- 1) issue a certificate of accreditation for a given higher education institution or a study programme;
- 2) send to the higher education institution concerned a written warning, pointing to the shortcomings in respect of compliance with the conditions, quality assurance of work or study programme of the higher education institution concerned, giving it a period of time to eliminate these shortcomings, and finally decide the application upon the expiry of this period;
- 3) reject the application for accreditation by a written decision.

In making a decision on accreditation, the Commission shall take into consideration the outcomes of quality evaluation referred to in Article 15 and the outcomes of internal assessment referred to in Article 17 of this Law.

In case the Commission makes a decision to decline the application for accreditation, the founder or the higher education institution concerned may appeal against it to the National Council within 30 days from the date of the receipt of the decision.

A decision of the National Council on appeal referred to in paragraph 7 of this Article may not be subject to an administrative dispute.

The founder or the higher education institution referred to in paragraph 7 of this Article shall have the right to reapply for accreditation after a period of one year from the date of the adoption of the decision denying the application for accreditation.

## **Internal assessment**

### Article 17

A higher education institution shall conduct a procedure for internal assessment and quality evaluation of its study programmes, courses and working conditions.

Internal assessment shall be made in the manner and according to the procedure established by the general act adopted by the higher education institution concerned.

Internal assessment shall be carried out at intervals of three years at the most.

Internal assessment procedure shall also include an assessment by students.

The higher education institution shall, at the request of the Commission, submit information on the procedure and outcomes of internal assessment and other information of relevance for quality evaluation.

## **Conference of Universities**

### **Article 18**

A Conference of Universities shall be established for the purpose of coordination of work, formulation of common policies, realisation of shared interests and carrying out of tasks defined by the law.

All accredited universities shall form the Conference of Universities.

The Statute of the Conference shall regulate organizational arrangements and deliberation of the Conference.

A university shall be represented on the Conference by its rector.

Universities referred to in paragraph 2 of this Article shall have the right to delegate an extra representative each to the Conference of Universities for every 1,000 teachers and associate teachers and to delegate an extra representative each to the Conference of Universities for every 5,000 students.

## **Competencies of the Conference of Universities**

### **Article 19**

The Conference of Universities shall:

- 1) address matters of common interest for the promotion of educational-scientific and/or educational-artistic activities at universities;
- 2) harmonise views and coordinate activities among universities, especially with regard to admission policies;
- 3) offer advice on standards for quality evaluation concerning educational, scientific-research, artistic and professional work;
- 4) recommend a list of professional, academic and scientific titles in appropriate fields and abbreviations for these titles;
- 5) recommend measures designed to improve the financial situation of universities and student living standards;
- 6) address other matters of common interest to universities, in accordance with this Law.

## **Conference of Academies of Professional Career Studies**

### **Article 20**

A Conference of Academies of Professional Career Studies shall be established for the purpose of coordination of work, formulation of common policies, realization of shared interests and carrying out of tasks defined by the law.

Accredited academies of professional career studies and four-year colleges of professional careers shall form the Conference of Academies of Professional Career Studies.

The Statute of the Conference shall regulate its organizational arrangements and work.

The President or the Head of an academy of professional career studies and/or a four-year college of professional careers shall represent them on the Conference.

### **Competencies of the Conference of Academies of Professional Career Studies**

#### Article 21

The Conference of Academies of Professional Career Studies shall:

- 1) address matters of common interest for the promotion of educational-professional and/or educational-artistic activities within the courses of professional career studies;
- 2) harmonize views and coordinate activities among academies of professional career studies and four-year colleges of professional careers, especially with regard to admission policies;
- 3) provide advice on standards concerning quality evaluation of educational, research, artistic and professional work;
- 4) recommend a list of professional titles in appropriate fields and abbreviations for these titles;
- 5) recommend measures designed to improve the financial situation of academies of professional career studies or four-year colleges of professional careers and student living standards;
- 6) address other matters of common interest to academies of professional career studies and four-year colleges of professional careers, as provided for under this Law.

### **Student Conferences**

#### Article 22

A Student Conference of Universities and a Student Conference of Academies of Professional Career Studies shall be established to pursue the common interests of students as partners in the process of higher education.

The Student Conference of Universities shall be comprised of representatives of students' parliaments of universities.

The Student Conference of Academies of Professional Career Studies shall be comprised of representatives of students' parliaments of academies of professional career studies.

The Statute of the relevant Conference shall regulate organizational arrangements and work of the Conferences referred to in paragraph 1 of this Article.

Two representatives designated by the Student Conferences may take part, without the right to vote, in the work of the National Council in respect of matters referred to in Article 11, subparagraphs 7), 8), 10) and 11) of this Law.

Student Conferences shall have the right to express their opinion on matters referred to in Article 11, subparagraph 6) of this Law.

## **The Ministry**

### Article 23

The Ministry shall:

- 1) recommend higher education policies to the Government;
- 2) plan admission policy for students in respect of studies offered by the higher education institutions founded by the Republic, at the recommendation of the National Council;
- 3) oversee the development of higher education;
- 4) issue work permits to higher education institutions;
- 5) determine the content of diplomas and of the Diploma Supplement;
- 6) allocate financial resources provided through the budget of the Republic earmarked for higher education institutions and control their use;
- 7) carry out administrative supervision;
- 8) ensure integration of higher education institutions into the process of recognition of qualifications of higher education in the European region;
- 9) perform other functions, in accordance with the law.

## **III. STUDIES AND STUDY PROGRAMMES**

### **Programme of study**

#### Article 24

A programme of study shall mean a set of compulsory and optional subjects or academic fields, including an outline content thereof. The mastering thereof shall ensure the gaining of necessary knowledge and skills to earn a degree or to be awarded a diploma of an appropriate level and type of study.

### **Types and levels of study**

#### Article 25

Higher education activities shall be carried out through academic and professional career courses based on the approved and/or accredited study programmes for acquiring higher education.

Academic courses shall be shaped according to academic study programmes equipping students to develop and apply scientific, professional and artistic achievements.

Professional career courses shall be streamlined according to professional career study programmes equipping students to apply the knowledge and skills necessary to participate in the work process.

First level studies or courses shall include:

- 1) basic academic courses; and
- 2) basic professional career courses.

Second level studies or courses shall include:

- 1) diploma academic courses for a master's degree;
- 2) specialist professional career courses;
- 3) specialist academic studies.

Third level courses shall include doctoral academic courses.

### **Study programme for acquiring a combined diploma**

#### Article 26

A study programme for acquiring a combined diploma or degree shall mean a study programme organized and implemented by several higher education institutions having a work permit for the relevant study programme.

The study programme referred to in paragraph 1 of this Article may be implemented as and when adopted by the competent bodies of higher education institutions organizing it.

### **Educational-scientific and educational-artistic fields**

#### Article 27

Study programmes shall be carried out in one or more of the following educational-scientific and/or educational-artistic fields:

- 1) natural sciences and mathematics;
- 2) social studies and the humanities;
- 3) medical science;
- 4) engineering and chemical engineering; and
- 5) arts.

Appropriate scientific, artistic and professional fields referred to in paragraph 1 of this Article shall be defined by the National Council upon recommendation from the Conference of Universities and the Conference of Academies of Professional Career Studies.

### **Content of a study programme**

#### Article 28

A study programme shall establish:

- 1) name and objectives of the study programme;
- 2) type of study and outcome of the learning process;
- 3) professional, academic and/or scientific title;
- 4) conditions for admission to the programme;
- 5) a list of compulsory and optional fields of study or subjects, including an outline content;

- 6) the manner of conducting studies and the period of time needed to realize individual forms of studies;
- 7) credits to be earned within each subject expressed according to the European Credit Transfer System (hereinafter referred to as ECTS credits);
- 8) credits awarded for the final paper relating to basic, specialist or diploma academic studies or courses and/or for a doctoral dissertation, expressed as the ECTS credits;
- 9) criteria for admission to study individual subjects or groups of subjects;
- 10) manner of choosing subjects belonging to other study programmes;
- 11) conditions for transfer from other study programmes within the same or related academic fields;
- 12) other matters of relevance for the implementation of the study programme.

### **Scope of studies**

#### Article 29

Each subject within a study programme shall receive a certain number of ECTS credits, whereas the scope of studies as a whole shall be expressed by aggregate ECTS credits.

A total of 60 ECTS credits shall correspond to an average of 40 hours put in per student during the workweek in an academic year.

Overall activities of a student shall include active instruction (lectures, exercises, practicum, seminars, etc.), independent work, preliminary exams (colloquia), exams, writing of final papers, voluntary work in a local community and other forms of involvement.

Voluntary work shall mean work of a student without remuneration, organized by the higher education institution in respect of projects of importance to the local community and evaluated within the system of higher education.

Conditions, manner of organization and evaluation of voluntary work shall be determined by the higher education institution by its general legal act.

The total number of hours of active core courses may not be lower than 600 hours per academic year.

Core academic courses shall be allotted between 180 and 240 ECTS credits.

Core courses of professional careers shall be allotted 180 ECTS credits.

Specialist professional career courses shall be allotted at least 60 ECTS credits.

Specialist academic courses shall be allotted at least 60 ECTS credits if diploma academic courses have previously been completed.

Master's degree courses shall be given:

- 1) 60 ECTS credits at least, if the prior core academic courses earned a total of 240 ECTS credits;
- 2) 120 ECTS credits at least, if the prior core academic courses earned a total of 180 ECTS credits.

Doctoral degree studies shall be given:

- 1) 180 ECTS credits at least, with a compulsory previous total of at least 300 ECTS credits earned through the core academic and master's degree courses.

Some academic study programmes may be integrated in core or master's degree study courses.

Academic study programmes in the field of medicine may be integrated into core or master's degree courses with an overall range of no more than 360 ECTS credits.

### **Final paper and dissertation**

#### Article 30

The study programme of core and specialist courses may provide for writing of a final paper.

The study programme of a master's degree course shall contain the obligation of writing a final paper.

A doctoral dissertation shall be the concluding part of the study programme of a doctoral degree course, except for a doctorate in the arts that shall be an artistic project.

Exceptionally, a graduate of medicine who has completed an internship may acquire a doctorate in medical science if his/her dissertation has been defended on the basis of papers published in top international journals.

The number of credits given for the final paper or final part of the study programme shall be included in the total number of credits necessary for completion of studies.

The general act of a higher education institution shall define the manner and procedure for the preparation and defense of the final paper or dissertation.

### **Transfer of ECTS credits**

#### Article 31

ECTS credits may be transferred between various study programmes.

Criteria and conditions for the transfer of ECTS credits shall be laid down in the general act of an independent higher education institution or in an agreement reached between higher education institutions.

## **IV. INSTITUTIONS CARRYING OUT HIGHER EDUCATION ACTIVITIES**

### **Higher education institutions**

#### Article 32

Higher education activities shall be carried out by the following higher education institutions:

- 1) universities;
- 2) faculties or academies of arts within universities;
- 3) academies of professional career studies;
- 4) four-year colleges;
- 5) four-year colleges of professional career studies.

Universities, academies of professional career studies, four-year colleges and four-year colleges of professional career studies shall be independent higher education institutions.

Only a higher education institution duly furnished with a work permit shall be allowed to act in the legal capacity of an institution referred to in paragraph 1 above, in accordance with this Law.

A higher education institution shall carry out its higher education activities where its seat is located.

A higher education institution may hold distance learning courses, in accordance with its work permit.

Within the framework of higher education activities, a higher education institution shall pursue scientific-research, creative-artistic, expert and consulting and publishing activities, and may engage in other activities commercializing the outcomes of scientific, research and artistic work, provided that these activities do not adversely affect the quality of courses.

An independent higher education institution may provide dormitories and meals for students in accordance with the law regulating student collective accommodations and canteens.

Public services regulations shall be applicable to the establishment and operation of higher education institutions unless otherwise provided for by this Law.

No political parties or religious organizations and their activities shall be allowed in a higher education institution.

## **University**

### Article 33

A university shall mean an independent higher education institution that in carrying out its activities combines educational and scientific-research, professional and/or artistic work constituting the components of a single higher education process.

A university may have all types and levels of study courses.

An institution of higher education shall have the status of a university if its academic study programmes imply all levels of study courses at least in three areas or fields enumerated in Article 27 of this Law.

Exceptionally, a university may be established in the field of the arts if it has all the three levels of study courses in at least three areas of art.

## **Faculty and Academy of Arts**

### Article 34

A faculty or an academy of arts shall mean a higher education institution or a higher education unit thereof within a university carrying out academic study programmes and developing scientific-research, professional and/or artistic work in one or more areas.

A faculty or an academy of arts may also carry out professional career study programmes.

In legal matters, a faculty and/or an academy of arts shall act under the name of the university whose part it is or under its own name, as stipulated in the Statute of the university.

## **Academy of professional career studies**

### *Article 35*

An academy of professional career studies shall mean an independent higher education institution that in carrying out its activities combines educational, research, professional and artistic work as components of a single higher education process.

An academy of professional career studies may run basic professional career courses and specialist professional career courses.

A higher education institution shall have the status of an academy of professional career studies if it has at least five accredited study programmes for professional career studies in at least three fields referred to in Article 27 above.

## **Four-year college**

### *Article 36*

A four-year college shall mean an independent higher education institution that has basic academic, specialist and master's degree courses in one or more areas referred to in Article 27 above.

## **Four-year college of professional careers**

### *Article 37*

A four-year college of professional careers shall mean an independent higher education institution that has basic professional career and specialist professional career courses in one or more areas referred in Article 27 of the present Law.

## **Research institutes and other scientific research institutions**

### *Article 38*

For the purpose of promoting scientific research, a university may have research institutes and other scientific research institutions attached to it.

An institute or other scientific research institution referred to in paragraph 1 of this Article may host part of the accredited study programmes for a master's degree and/or doctorate courses at the university.

## **Property**

### *Article 39*

Immovable property and other resources provided by the Republic for the purpose of the establishment and work of a higher education institution shall be owned by the State.

The immovable property referred to in paragraph 1 of this Article may not be disposed of without the consent of the founder.

The immovable property and other resources referred to in paragraph 1 above may be used only for the purpose of performing the activities as set out in this Law.

The immovable and other property acquired through bequest or donation shall be owned by the acquiring institution of higher education.

A higher education institution shall be independent in running the endowments, foundations or trust funds entrusted to it, in accordance with the law.

## **Founding**

### Article 40

An independent higher education institution may be founded by the Republic or by a legal entity or a natural person, in accordance with the law.

Where the Republic is the founder of a higher education institution, the Government shall take the decision on the foundation.

Higher education institutions for the carrying out of study programmes for the purposes of police education shall be founded by the Government, in accordance with the conditions provided for by this Law.

Higher education institutions referred to in paragraph 3 of this Article may operate within a university, in accordance with a special agreement between the university and the Government.

On the basis of the agreement between the university and/or an academy of professional career studies, on the one hand, and the Government on the other, at the proposal of the Ministry of Internal Affairs, a special study programme may be designed for the purposes of police education within a university or an academy of professional career studies.

On the basis of the agreement between the university and/or an academy of professional career studies and a higher education institution referred to in paragraph 3 of this Article, a study programme may be set up, with the approval of the Government, for acquiring a combined diploma.

At the proposal of the Ministry of Internal Affairs, the Government shall determine in more detail the conditions and manner of implementation of study programmes referred to in paragraphs 5 and 6 of this Article. It shall also regulate the position of teachers and students with regard to the specific features related to the objectives and nature of police education.

The Ministry of Internal Affairs shall perform the administrative supervision of the work of higher education institutions referred to in paragraph 3 of this Article and of the implementation of study programmes referred to in paragraphs 5 and 6 of this Article.

## **Work permit**

### Article 41

A higher education institution may begin its activities upon the issuance of the work permit.

The Ministry shall issue the work permit at the request of a higher education institution.

A higher education institution shall enclose to the request referred to in paragraph 2 of this Article also the founding act and proof that conditions for the

issuance of the work permit and for the accreditation of study programmes have been met.

The Ministry shall refer the request and the accompanying documents to the Commission for advice within thirty days from the date of the receipt thereof.

The Commission shall give advice on the request within three months from the date of its receipt.

The Ministry shall decide on the request within thirty days from the date of the expiration of the period referred to in paragraph 5 of this Article.

The Ministry shall issue a work permit to the requesting higher education institution if the Commission has given positive advice on:

- 1) the content, quality and scope of study programmes taught at academic and/or professional career courses;
- 2) the required number of teaching and other staff with appropriate scientific and professional qualifications;
- 3) availability of appropriate facilities and equipment corresponding to the number of students to be admitted by the higher education institution and the required quality of studies.

The required number of teaching staff referred to in paragraph 7, subparagraph 2) of this Article shall be at least 70 per cent of the teaching staff contracted full-time in respect of all the subjects taught within the framework of the study programme for which the work permit is sought.

An exception shall be study programmes in the field of arts where this number may not be below 50 per cent.

The Academies of professional career studies and four-year colleges of professional careers, except those in the field of arts, shall make sure that at least 50 per cent of the total number of the teaching staff for all years of study within the study programme for which the work permit is sought, shall have a doctorate.

External review of higher education activities of a higher education institution shall be undertaken in each academic year during which the study programme is implemented for the first time.

The work permit shall specify the approved study programmes, the number of students to attend the programme, the number of full-time teaching staff and the facilities where the activities are to take place.

The work permit shall also specify whether the approved programme of study shall include distance learning study courses as well as the maximum number of students to follow such courses.

The work permit shall indicate whether the higher education institution concerned has been allowed to operate outside its seat.

A decision to refuse the request for the issuance of a work permit shall be final in the administrative procedure.

The Minister shall prescribe the contents of the work permit.

A higher education institution for the founding of which resources are not provided from the budget of the Republic shall support the request referred to in paragraph 2 of this Article with a bank guarantee. The bank guarantee shall guarantee continuation and completion of studies in case the institution concerned ceases its activities or a given study programme is terminated and shall be commensurate with the planned number of students.

## **Amendments to and revocation of the work permit**

### Article 42

The higher education institution having a work permit shall apply for its amendment in order to include a new study programme.

Amendments to the already approved and/or accredited study programme, made by the higher education institution to adapt it to the organization of work and to the achievements in science and arts shall not be considered a new study programme.

The work permit of a higher education institution that has been denied accreditation shall be valid for another period of one year, but it shall not be allowed to admit students.

The work permit of the higher education institution referred to in paragraph 3 of this Article shall be revoked after a period of one year.

The higher education institution shall also have its work permit revoked in case it is banned from offering courses, in accordance with the law.

The work permit of a higher education institution that has been refused accreditation for a particular study programme shall be valid for one more year for that study programme but it shall not be allowed to admit new students to that study programme.

The work permit of a higher education institution referred to in paragraph 6 of this Article that has not received accreditation for the requested study programme within the specified period of time shall be altered.

The decision to deny a request for amending the work permit or the decision on amending or revoking it shall be final in the administrative procedure.

In case a higher education institution is closed down due to revocation of the work permit or for any other reason the Minister shall, at the recommendation of the National Council, adopt an act ensuring completion of studies for the students of the higher education institution concerned.

## **Change of name, seat and status**

### Article 43

An independent higher education institution may change its name, seat or status, in accordance with the law.

For independent higher education institutions established by the Republic, the Government shall decide on changes referred to in paragraph 1 of this Article.

In the process of adopting decision referred to in paragraph 2 of this Article, the opinion shall be obtained from the administrative bodies of all the higher education institutions affected by the change as well as the consent of the National Council.

In the case of changes referred to in paragraph 1 of this Article, a procedure shall be initiated for the issuance of a new work permit.

## **Register**

### Article 44

The Ministry shall keep records (hereinafter referred to as the register) of:

- 1) higher education institutions;
- 2) study programmes; and
- 3) teachers, associates and other employees.

The register shall also contain other information relevant to the development of the higher education system and its integration in the European area of higher education.

The Minister shall determine the contents and the manner of keeping the register.

## **Closure**

### Article 45

An institution shall be closed down under the conditions and according to the procedure laid down by the law.

The Government shall decide on the closure of a higher education institution established by the Republic.

The decision referred to in paragraph 2 of this Article shall be made upon receiving advice from the administrative body of the higher education institution and the approval of the National Council.

The decision referred to in paragraph 2 of this Article shall determine the higher education institutions in which students shall be allowed to continue the studies they have started.

## **The Statute**

### Article 46

The Statute shall be the basic general act of a higher education institution relating to the organization of the institution, manner of work, administration and management as well as other matters of relevance for carrying out the activities and work of the higher education institution, in accordance with the law.

## **Organization of a higher education institution**

### Article 47

The Statute shall regulate the organization of a higher education institution in accordance with its Founding Act and this Law.

An independent higher education institution shall establish higher education units as forms of its internal organization, in accordance with the Statute.

The Founding Act of a higher education unit shall determine its status in respect of the right to act in legal transactions and operations, disposal of material resources, administration and decision-making, and shall regulate other matters of importance for the work of the higher education unit.

An academy of professional career studies shall comprise departments and sections set up to implement study programmes in kindred disciplines, engage in research and artistic work, as well as in order to use resources more effectively.

A university shall comprise faculties, academies of arts and other higher education units set up to carry out study programmes in kindred disciplines, scientific research and artistic work, as well as in order to use resources more effectively.

A university may include faculties, academies of arts and other higher education units with the capacity of a legal entity.

A faculty and/or an academy of arts shall have the capacity of a legal entity if it implements at least three approved and/or accredited study programmes.

The decision on the status change, the change of the name and seat of a higher education unit within a university having the capacity of a legal entity shall be brought by the university administrative body by a two-third majority.

A higher education institution may establish a higher education unit without the capacity of a legal entity, outside its seat, in a procedure referred to in Article 16 of the present Law.

A faculty and/or an academy of arts as well as other higher education units having the capacity of a legal entity shall regulate their internal organization and governance by their Statute, in accordance with the Statute of the university.

The university shall grant approval for the Statute of an appertaining higher education unit.

### **Integrative function of the university and other independent higher education institutions**

#### Article 48

The Statute of a higher education institution, the Founding Act of a higher education unit and general acts of a higher education unit shall determine the powers and the manner of governance that shall assure unified and coordinated activities of the higher education institution.

The university shall integrate the functions of all the institutions and units that it comprises, particularly the faculties, by conducting unified policies aimed at continual promotion of the quality of courses and improvement of scientific research and artistic creativity.

To achieve the objectives referred to in paragraph 2 of this Article, a university and/or an academy of professional career studies shall have specific competencies in the following fields:

- 1) establishment of unified standards of work of departments and services and unified standards for creating data bases of all units;
- 2) strategic planning;
- 3) adoption of study programmes;
- 4) quality assurance and control;
- 5) enrolment policy;
- 6) election of teachers;
- 7) issuance of diplomas and supplement diplomas;
- 8) international cooperation;
- 9) investment planning;
- 10) employment policy planning and the hiring of teachers and associates;
- 11) establishment and development of a unified information system;
- 12) lifelong learning.

A higher education unit shall have the right to make proposals relating to matters referred to in paragraph 3 of this Article in the manner regulated by the Statute of the university.

## **V. SCIENTIFIC RESEARCH AND ARTISTIC WORK**

### **Article 49**

A university shall engage in scientific research and artistic work with a view to the development of science and creativity; promotion of higher education activities and/or quality of teaching; training junior researchers and artists; initiation of students into scientific research and/or artistic work, and the creation of material conditions for its work and development.

Scientific work at the university shall be carried out through basic, applied and development research, whereas artistic work shall be carried out through artistic projects.

Scientific research and/or artistic work shall be carried out and organized in accordance with the law and the general act of the institution concerned.

In order to market the outcomes of scientific research or artistic work, the university and/or any other higher education institution may found a technology transfer center, an innovation center, a business-technological park and other organizational units, in accordance with the law.

## **VI. BODIES OF A HIGHER EDUCATION INSTITUTION**

### **Bodies of a higher education institution**

#### **Article 50**

The Statute of the higher education institution shall determine its bodies, in accordance with the law and the Founding Act.

A higher education institution shall have an administrative body, an executive officer, professional bodies and Students' Parliament.

#### **Administrative body**

#### **Article 51**

The Council shall be the administrative body of a higher education institution.

The number of Council members shall be odd.

The Statute of the higher education institution shall determine the number and the procedure of the selection and de-selection of Council members, the manner of work and decision-making.

The term of office of the Council members shall be three years.

A Council member may be a member of the administrative body of only one higher education institution.

#### **Composition of the Council of a higher education institution**

## Article 52

The number of Council members of a higher education institution shall be at least 17, in accordance with the Statute of the higher education institution concerned.

The Council of the higher education institution referred to in paragraph 1 of this Article shall comprise representatives of the institution, students and the founder.

The representatives of the higher education institution shall make up two thirds of the total number of Council members referred to in paragraph 1 of this Article, rounded off to the closest odd number. The representatives of students and the representatives of the founder shall be represented with an equal number of members up to the full assembly.

When the Republic is the founder, the representatives of the founder shall be nominated by the Government from among the prominent personalities in the fields of science, culture, education, arts and from business circles.

The President of the Council shall be elected from among the representatives of the higher education institution.

A person employed in that higher education institution or in a government agency responsible for education and/or science may not serve as a Council member referred to in paragraph 4 of this Article. The same is applicable to a person elected, designated or appointed to a post in a government body, a body of territorial self-rule or local self-governance; or a person elected to a body of a political party.

## Competencies of the Council

### Article 53

The Council shall:

- 1) adopt the Statute at the proposal of the professional body;
- 2) select and de-select the executive officer;
- 3) adopt a financial plan at the proposal of the professional body;
- 4) adopt the report on the activities and the annual balance sheet, at the proposal of the professional body;
- 5) adopt the investment plan at the proposal of the professional body;
- 6) grant approval for decisions in respect of the management of the property of the higher education institution;
- 7) grant approval for the distribution of financial resources;
- 8) decide on the amount of the tuition fees at the proposal of the professional body;
- 9) submit, at least once a year, a report on the activities to the founder;
- 10) adopt a general legal act on disciplinary responsibility of students;
- 11) select an external auditor of the financial operation of the higher education institution;
- 12) perform other duties in accordance with the law and the Statute.

The issues referred to in paragraph 1 of this Article shall be decided by a majority of votes of the total number of Council members.

The Statute of a higher education institution shall establish the professional body that shall determine the proposals referred to in paragraph 1 of this Article.

For a university, the proposals referred to in paragraph 1 of this Article shall be determined by the Senate, and for a faculty and/or an academy of arts, by the Teaching Staff Council and/or the Arts Academy Teaching Staff Council.

### **Executive officers**

#### Article 54

The executive officer of the university shall be the Rector; of a faculty, the Dean; of an academy of professional career studies, the President; of a four-year college or a four-year college of professional career studies, the Head. The executive officer shall be elected from among the teachers of a higher education institution who are employed full time and who have been elected for an indefinite period of time. The executive officer shall be elected for a period of three years with a possibility of being re-elected for another period of three years.

The precise conditions, as well as the manner and procedure of selection and de-selection, competencies and responsibility of the officers referred to in paragraph 1 of this Article, shall be regulated by the Statute of a higher education institution.

A person sentenced by a legally valid judgment for the criminal offence of sexual abuse, forgery of a public document issued by a higher education institution or for accepting a bribe while performing a function in a higher education institution may not serve as an executive officer. The same is applicable to a person sentenced by a legally valid judgment to a prison term for some other criminal offence, or a person who has violated the code of professional ethics.

### **Professional bodies**

#### Article 55

The professional body of a higher education institution shall decide the issues of interest for the realization of courses of study, scientific, research and artistic work.

In discussing and/or deciding the issues related to courses quality assurance, reform of study programmes, analysis of study effectiveness and the determination of the number of ECTS credits, representatives of students shall take part in professional bodies and their organs.

Students shall account for up to 20 per cent of the members of the professional bodies referred to in paragraph 2 of this Article and for 20 per cent of the members of their organs.

The Senate shall be the professional body of the university, and the professional body of a faculty and/or an academy of arts, the Teaching Staff Council and/or the Academy of Arts Teaching Staff Council.

The Statute of a university, a faculty and/or an academy of arts may provide for other professional bodies.

The Statute of the higher education institution shall regulate the composition, scope, the number of members, manner of election and the term of office, as well as the manner of decision-making of professional bodies of a higher education institution.

The professional body of an independent higher education institution shall adopt a Code of Professional Ethics. It shall establish the ethical principles governing higher education; publication of scientific results; attitude towards intellectual

property; relations between teachers and associates, other employees and students; acts of a higher education institution and teachers, associates and students in legal transactions, and in the attitude towards the public and the media.

## **Students' Parliament**

### Article 56

Students' Parliament shall be the body of a higher education institution and a higher education unit that has an administrative body and enrolled students.

The manner of election and the number of members of Students' Parliament shall be established by the general act of a higher education institution.

The right to elect and be elected members of Students' Parliament shall have all students of a higher education institution and/or a higher education unit, enrolled in the academic year in which Students' Parliament is elected.

Members of Students' Parliament shall be elected for a period of one year.

Members of Students' Parliament shall be elected by secret and direct ballot in April every year.

With a view to exercising the rights and protecting the interests of students, Students' Parliament shall select and de-select students' representatives in the bodies of a higher education institution and/or a higher education unit. It shall also select and de-select students' representatives in the bodies of other institutions in which students are represented, in accordance with the Statute of the institution.

## **VII. FINANCING OF HIGHER EDUCATION INSTITUTIONS FOUNDED BY THE REPUBLIC**

### **Sources of finance**

#### Article 57

A higher education institution shall acquire funds for carrying out its activities in accordance with the law and the Statute, from the following sources:

- 1) funds provided by the founder;
- 2) tuition fees;
- 3) donations, gifts and endowments;
- 4) funds for financing scientific research, artistic and professional work;
- 5) projects and contracts related to the carrying out of courses of study, research and consulting services;
- 6) remuneration for commercial and other services;
- 7) rights of the founder and contracts with third persons;
- 8) other sources in accordance with the law.

A higher education institution shall independently manage the funds referred to in paragraph 1 of this Article.

A higher education unit may acquire the funds referred to in paragraph 1 of this Article in accordance with its Founding Act and the general act of the independent higher education institution.

The funds referred to in paragraph 1 of this Article shall be presented and recorded in accordance with a unified budget classification.

## **Funds provided by the founder**

### Article 58

A higher education institution founded by the Republic shall acquire funds for the implementation of approved and/or accredited study programmes within the framework of its activities on the basis of a contract concluded between the independent higher education institution and the Government upon obtaining prior advice from the Ministry.

The funds for carrying out activities during an academic year shall be acquired in accordance with the programme of work of a higher education institution.

In carrying out its activities using the funds provided by the founder, a higher education institution within a university shall act in legal transactions in accordance with the powers provided for by the Statute, in its own name and on behalf of the university.

The administrative body of a higher education institution referred to in paragraph 1 of this Article shall be responsible to the competent Ministry for a restricted and economical use of funds allocated from the budget

The Government shall establish the norms and standards of work of higher education institutions referred to in paragraph 1 of this Article, at the recommendation of the National Council and upon receiving advice from the Conference of Universities and the Conference of Professional Career Studies. It shall also provide material resources for their implementation, including the funds for the performance of the functions of the university within the framework of the study programmes carried out in higher education institutions and units.

## **Acquisition of funds from the founder**

### Article 59

The founder shall provide funds to a higher education institution for:

- 1) material expenditure, maintenance and investment;
- 2) employees' wages and salaries, in accordance with the law and the collective agreement;
- 3) equipment;
- 4) library book stocks;
- 5) carrying out scientific research and/or artistic work, as a function of teaching quality improvement;
- 6) employees' advanced scientific and professional training;
- 7) training of junior teaching staff of sciences and art;
- 8) work with talented students;
- 9) international cooperation;
- 10) sources of information and information systems;
- 11) publishing activity;
- 12) work of Students' Parliament and extracurricular activities of students;
- 13) funding of the equipment and conditions for studies of students with disability;
- 14) other purposes, in accordance with the law.

## **Own income**

### Article 60

The funds that a higher education institution and/or a higher education unit acquires, except the funds provided by the Republic, shall make up the own income of that higher education institution and/or unit. These funds shall include tuition fees, provision of services to third persons, gifts, donations, sponsorships and other sources of fund acquisition.

The funds referred to in paragraph 1 of this Article shall be disposed of by a higher education institution and/or higher education unit with the capacity of a legal entity in accordance with the law and the general act of that higher education institution and/or higher education unit.

The funds referred to in paragraph 1 of this Article that a higher education unit without the capacity of legal entity acquires through its activities shall be disposed of by that unit in accordance with the law and the general act of the higher education institution to which it belongs.

Higher education units within a university, when disposing of the funds referred to in paragraph 1 of this Article, shall act in legal transactions in their own name and on their own behalf, in accordance with the law, the Statute of the University and their own Statute.

Higher education units within a university shall allocate part of the funds referred to in paragraph 1 of this Article to financing joint functions at the level of the university.

The allocation of funds referred to in paragraph 5 of this Article shall be made on the basis of the planned activities and costs thereof to be established by the decision of the Council of the university for the ongoing academic year.

## **Tuition fees**

### Article 61

A higher education institution shall acquire funds from tuition fees on the basis of the decision on the amount of fees for fee-paying students.

The criteria for determining the level of the fees shall be established by the general act of a higher education institution.

Prior to announcing a competition for admission of new students, a higher education institution shall establish the amounts of tuition fees for all study programmes in the following academic year.

The tuition fee shall determine the costs of studies for one academic year, i.e. for acquiring 60 ECTS credits.

The tuition fee shall include compensations for regular services that a higher education institution provides to a student within the framework of the relevant study programme.

The regular services referred to in paragraph 5 of this Article shall be established by the decision of the university and/or another independent higher education institution.

## **VIII. STAFF OF A HIGHER EDUCATION INSTITUTION**

### **Teaching and non-teaching staff**

#### Article 62

The teaching staff of a higher education institution shall comprise the persons that perform teaching, scientific, research and artistic work.

The teaching staff in the sense of this Law shall consist of teachers, researchers and associates.

The non-teaching staff of a higher education institution shall comprise the persons that perform professional, administrative and technical work.

A person sentenced by a legally valid judgment for a criminal offence of sexual abuse, forgery of a public document issued by a higher education institution or for accepting a bribe while performing a function in a higher education institution may not serve as a teacher and/or associate.

If the person referred to in paragraph 4 of this Article has obtained a position, the higher education institution concerned shall decide to ban him/her from carrying out the profession of teacher and/or associate.

The person referred to in paragraph 5 of this Article shall have his/her employment terminated in accordance with the law.

### **Ranks of teachers**

#### Article 63

The ranks of teachers in a higher education institution shall be: lecturer, professor of professional career studies, docent, associate professor and full professor.

The teachers that have the rank of lecturer or professor of professional career studies may teach only professional career courses.

The teachers that have the rank of docent, associate professor and full professor may teach all types of studies.

The general act of an independent higher education institution may provide for also other ranks of teachers (teacher of a foreign language, skills, etc.) in accordance with the type of studies that the institution is accredited for.

### **Conditions for election to the position of teacher**

#### Article 64

A person that has an appropriate professional, academic and/or scientific title and teaching capacity may be elected to the position of teacher.

A person that has an academic title of a master or a professional title of specialist may be elected to the position of lecturer.

A person that has the academic title of doctor (Ph.D. in Science or Arts) may be elected to the position of professor of professional career studies.

A person that has higher education of the first level and recognized works of art may also be elected to the position of lecturer or professor of professional career studies.

A person that, in addition to the conditions referred to in paragraph 3 of this Article, has also had scientific and/or professional papers published and reviewed in scientific journals or collections may be elected to the position of docent.

A person that has higher education of the first level and recognized works of art may be elected to the position of docent in the field of arts.

A person that has higher education of the first level and recognized works of art may also be elected to the position of docent in the field of arts.

A person that, in addition to the conditions referred to in paragraph 5 of this Article, has had a number of scientific works of importance for the development of science and/or arts in a specific scientific and/or artistic field published and reviewed in international or leading domestic journals, may be elected to the position of associate professor. Also, a person that has an original professional accomplishment (a project, study paper, patent, an original method, a new animal breed/plant variety et al.), or that has directed or participated in scientific projects; published a textbook, monograph, practicum or a collection of problems with solutions in a specific scientific and/or artistic field to which he/she is being elected and has had a number of papers presented at international or domestic scientific conferences, may be elected to the position of associate professor.

A person that has higher education of the first level and works of art that render an independent artistic contribution may be elected to the position of associate professor in the field of arts.

A person that, in addition to the conditions referred to in paragraph 7 of this Article, has had a large number of scientific works influencing the development of the scientific thought in a specific field published and reviewed in international or leading domestic journals; a large number of scientific works and statements presented at international or domestic scientific conferences; that has published a textbook, monograph or an original professional accomplishment; that has achieved results in the development of junior researchers at a faculty or participated in the final works at the specialist and diploma academic studies, may be elected to the position of full professor.

A person that has higher education of the first level and exceptional works of art that have significantly influenced the development of culture and arts may be elected to the position of full professor in the field of arts.

The precise conditions for election to the position of teacher shall be established by the general act of a higher education institution, in accordance with the recommendations of the National Council referred to in Article 11, paragraph 1, subparagraph 13) of this Law.

## **Employment contract and the acquisition of the rank of teacher**

### Article 65

A higher education institution shall announce a competition for employment and the acquisition of the position of teacher in a specific field established by the general act of the higher education institution.

The university shall carry out election to all teaching positions at the proposal of a faculty and/or other higher education unit. The Academy of Professional Career Studies shall carry out election of teachers to the position of lecturer or professor of professional career studies, at the proposal of the appropriate higher education unit of the Academy of Professional Career Studies.

A four-year college shall carry out election to all teaching positions, while a four-year college of professional career studies shall carry out election to the position of lecturer or professor of professional career studies.

A person elected to the position of lecturer, docent or associate professor shall acquire the position and conclude an employment contract for a period of five years.

A person elected to the position of professor of professional career studies or full professor shall acquire the position and conclude an employment contract for an indefinite period of time.

An employment contract with a person elected to the position of teacher shall be concluded by the executive officer of the higher education institution referred to in paragraph 1 of this Article.

The manner and procedure of the conclusion of employment contract and of the acquisition of the position of teacher shall be regulated by the general act of an independent higher education institution.

In the election to the positions of teacher, a higher education institution shall take into consideration the following elements: assessment of the results of scientific, research and/or artistic work; assessment of the involvement in the development of teaching methods and the development of other activities of a higher education institution; assessment of the results of pedagogical work, as well as the assessment of the results achieved in coaching junior teachers of sciences and/or arts.

The assessment of the results of scientific-research work shall be made on the basis of the conditions referred to in Article 64, paragraph 11 of this Law.

The assessment of the results of the involvement in the development of teaching methods and other activities and the assessment of the results achieved in coaching junior teachers of sciences and/or arts shall be made by the higher education unit in which the teacher pursues teaching activity.

In assessing the results of the pedagogical work, account shall be taken of the opinion of students, in accordance with the general act of the relevant independent higher education institution.

### **Visiting professor**

#### Article 66

A higher education institution may hire a teacher from some other independent higher education institution, located outside the territory of the Republic, as a visiting professor without a public announcement of the vacancy.

Exceptionally, in case there is a need to teach subjects in the field of arts, a prominent artist may also be hired as a visiting professor.

The rights and obligations of the person elected to the position referred to in paragraph 1 of this Article shall be regulated by a contract for retaining services of that person, under the conditions and in the manner provided for by the general act of the higher education institution concerned.

### **Professor emeritus**

#### Article 67

At the proposal of a faculty or other higher education institution, a university may award the position of professor emeritus to a full professor retired after the entry

into force of this Law. A full professor may become professor emeritus if he/she excelled in his/her scientific and/or artistic work, earned international reputation and achieved results in coaching junior teachers of sciences and/or arts in the field for which he/she has been elected.

A professor emeritus may participate in carrying out all forms of teaching at academic studies of the second and third levels in the specific field for which he/she has been elected.

The procedure and conditions of the award of the position and the rights of the person referred to in paragraph 1 of this Article shall be regulated more precisely by the general act of the university.

The rights and obligations of the person elected to the position referred to in paragraph 1 of this Article shall be regulated by a contract for the retaining of teaching services. The total number of persons holding the title of professor emeritus may not exceed 3 per cent of the total number of university teachers.

### **Teachers of foreign languages and skills**

#### **Article 68**

In addition to a person having the position referred to in Article 63, paragraph 1 of this Law, a foreign language teacher or a teacher of a skill, who has acquired higher education of the first level may also teach a foreign language or a skill. He/she must also have professional papers in the appropriate field published and must have a talent for teaching.

The general act of a higher education institution shall regulate more precisely the manner of election and the period for which a teacher of a foreign language or of a skill is elected.

### **Researcher**

#### **Article 69**

A person elected to a scientific position in the manner and under the procedure provided for by the law regulating scientific research activities may hold courses at doctoral studies, in accordance with the law and the general act of an independent higher education institution.

If the person referred to in paragraph 1 of this Article has no employment contract with a higher education institution in which a study programme is carried out, the institution shall conclude with him/her a contract for retaining his/her teaching services.

### **Ranks of associates**

#### **Article 70**

The positions of associates shall be associate teacher and assistant professor.

The positions of associates for teaching within the study programmes of foreign languages shall be instructor and senior instructor.

The general act of a higher education institution shall prescribe conditions for the election to the position of associates referred to in paragraph 2 of this Article.

The general act of a higher education institution may establish other positions of associates as well.

### **Associate teacher**

#### Article 71

A higher education institution shall elect to the position of associate teacher at the studies of the first level a student of master's degree or specialist studies, who has completed his/her studies of the first level with an overall average mark of at least eight (8).

A person that has higher education of the first level, an overall average grade of at least eight (8), and of at least nine (9) in the group of subjects for which he/she is to be elected, may be elected associate teacher in a specific field of arts, in accordance with the general act of a higher education institution, if no diploma academic studies are provided for in that particular field.

Special conditions for election to the position of associate teacher shall be established by the general act of a higher education institution.

An employment contract shall be concluded with the person referred to in paragraph 1 of this Article for a period of one year. There shall be a possibility of extending the contract for another year for the duration of the studies, but not longer than the end of the academic year in which the studies terminate.

An employment contract shall be concluded with the person referred to in paragraph 2 of this Article for a period of one year with the possibility of extending the contract for another year.

The contract referred to in paragraphs 4 and 5 of this Article shall be concluded by the executive officer of the higher education institution concerned.

### **Assistant professor**

#### Article 72

A higher education institution shall elect to the position of assistant professor a student of doctoral studies that has completed the preceding study levels with an overall average mark of at least eight (8) and has talent for teaching.

Specific conditions for election to the position of assistant professor shall be established by the general act of a higher education institution.

Exceptionally, for the purpose of teaching clinical subjects, a higher education institution shall elect to the position of assistant professor a person that has completed appropriate medical specialization.

A person that has the academic title of master of arts and has created works of art that display a sense of independent artistic creation may be elected assistant professor in a specific field of arts if no doctoral studies are required in that particular field.

A person that has completed academic studies of the first level and has works of art that display a sense of independent artistic creation may be elected assistant professor in a specific field of arts if no master's degree and/or doctoral studies are required in that particular field.

An employment contract for a period of three years, with a possibility of extending it for another three years, shall be concluded with the person elected to the position of assistant professor.

The contract referred to in paragraph 6 of this Article shall be concluded by the executive officer of the higher education institution concerned.

### **Employment policy of a higher education institution**

#### Article 73

A higher education institution shall formulate its employment policy, proceeding from the need to organize the teaching process in a qualitative, rational and efficient manner.

Teachers and associates shall, as a rule, conclude full-time employment contracts in accordance with the general act of the higher education institution.

Teachers and associates teaching clinical subjects shall have full-time employment by dividing work hours between the higher education institution and the appropriate health facility.

Teachers and associates referred to in paragraph 3 of this Article shall have the status of full-time teacher or full-time associate teacher of a higher education institution.

## **IX. RIGHTS AND OBLIGATIONS OF EMPLOYEES OF A HIGHER EDUCATION INSTITUTION**

### **Rights and obligations of employees**

#### Article 74

If not provided for otherwise by this Law, the Law regulating labor relations shall be applicable in respect of the rights, obligations and responsibilities of employees of a higher education institution.

The executive officer of the higher education institution shall determine the individual rights, obligations and responsibilities of employees of the higher education institution.

The administrative body of the higher education institution shall determine the rights, obligations and responsibilities of the executive officer of that institution.

### **Work in other independent higher education institutions**

#### Article 75

A teacher and/or an associate teacher of a higher education institution may conclude a contract taking up employment at another higher education institution only with prior approval of the professional body of the higher education institution in which he/she is employed.

The general act of an independent higher education institution shall regulate the conditions and procedure of granting approval for the enlistment of a teacher at another higher education institution.

## **Sabbatical**

### **Article 76**

After five years spent teaching at a higher education institution, a teacher may be granted a sabbatical leave of absence lasting up to one academic year for the purpose of professional, scientific and/or artistic advanced training, in accordance with the Statute of the higher education institution.

## **Abeyance of employment and of the election period**

### **Article 77**

A teacher or an associate completing military service, on maternity leave, on leave to care for a child or for a child with special needs or for other person, or on sick leave longer than six months, shall have the period for which he/she has been elected or his/her employment contract extended for the period of absence.

## **Termination of employment of a teacher**

### **Article 78**

A teacher shall have his/her employment terminated at the end of the academic year in which he/she has reached the age of 65 and has at least 15 years of service.

The teacher referred to in paragraph 1 of this Article may have his/her employment contract extended up to two academic years under the conditions and in the manner provided for by the Statute of the university and/or other independent higher education institution.

A teacher who has had his/her employment contract terminated because of retirement shall retain the position that he/she had at the moment of retirement.

The teacher referred to in paragraph 3 of this Article may retain the assumed obligations at master's degree and doctoral studies. He may be a mentor or serve as a committee member during the preparation and defense of the final papers and/or dissertations at these studies but not longer than another two academic years.

On the basis of the decision of the appropriate professional body, the teacher referred to in paragraph 3 of this Article may be engaged in all forms of teaching at master's degree and doctoral studies. He may also serve as a committee member during the preparation and defense of the final papers and/or dissertations during these studies but not longer than another two academic years.

## **X. REGIME OF STUDIES**

### **Academic year**

#### **Article 79**

A higher education institution shall organize and implement studies within an academic year commencing, as a rule, on 1 October and lasting 12 calendar months.

An academic year may be divided into:

- 1) two semesters, each lasting 15 weeks;
- 2) three trimesters, each lasting 10 weeks;
- 3) blocks of an aggregate duration of 30 weeks, the individual duration of which shall be established by the general act of the higher education institution.

The teaching of individual subjects shall, as a rule, be organized and carried out during one semester, one trimester or one instruction block, but not longer than two semesters or three trimesters.

## **Language of studies**

### Article 80

A higher education institution shall organize and implement studies in the Serbian language.

A higher education institution may organize and implement studies and/or certain parts of studies, and organize the preparation and defense of a doctoral dissertation in the language of a national minority or in a foreign language, in accordance with the Statute.

A higher education institution may carry out a study programme in the language of a national minority or in a foreign language if such a programme has been approved and/or accredited.

For students with disabilities, a higher education institution may organize and implement studies and/or certain parts of studies, in a sign language.

## **Organization of studies**

### Article 81

The obligations of a higher education institution with respect to the manner of organization and the schedule of various forms of studies shall be regulated by the general act of the higher education institution.

A higher education institution shall be obliged to organize lectures and other forms of instruction for all students, except for distance learning study programmes.

The precise conditions and manner of the realization of a distance learning study programme shall be regulated by the general act of the higher education institution.

A higher education institution shall inform students in an appropriate way of the manner, time and place of the instruction, objectives, methods and contents of the instruction. It shall also be bound to inform students of the contents, methods, criteria and the standards of examination, the manner of ensuring exam transparency and the manner of having insight into the results, as well as of other matters of students' interest.

## **XI. STUDENTS**

### **Enrolment**

#### Article 82

The applicants may be enrolled in the approved and/or accredited study programmes organized by a higher education institution under the conditions and in the manner regulated by this Law and the general act of an independent higher education institution.

A foreign national may enroll in study programmes referred to in paragraph 1 of this Article under the same conditions as a national of Serbia.

A person may enroll in study programmes referred to in paragraph 1 of this Article if he/she knows the language of instruction.

The conditions, manner and the procedure of testing the knowledge of the language referred to in paragraph 3 of this Article shall be regulated by the general act of a higher education institution.

A person that has enrolled in the study programmes referred to in paragraph 1 of this Article shall acquire the status of student.

A student shall enroll in the status of the student financed from the budget or that of the self-financing student.

## **Competition**

### Article 83

An independent higher education institution shall announce an admission competition (hereinafter referred to as competition).

A competition shall contain the number of students to be admitted to individual study programmes, admission conditions, criteria for candidates' rating lists, the procedure for carrying out the competition. It shall also contain the manner and the deadline for rating list order appeals, as well as the amount of the tuition fees paid by students not financed from the budget.

A competition shall be announced not later than five months prior to the beginning of the academic year.

## **Number of students**

### Article 84

An independent higher education institution shall determine the number of students to be enrolled in the study programmes organized by it. The number of students shall not exceed the number set in the work permit.

The number of students referred to in paragraph 1 of this Article shall be determined at the recommendation of higher education units within an independent higher education institution, in accordance with the Statute of that institution.

For a higher education institution whose founder is the Republic, the Government shall take the decision on the number of students to be enrolled in the freshman year of a study programme financed from the budget. The decision shall be taken upon receiving advice from higher education institutions and the National Council not later than two months prior to the announcement of a competition.

A higher education institution may increase the number of students referred to in paragraph 3 of this Article in the coming years by not more than 20 per cent in relation to the preceding year, in accordance with the decision of the competent body of the higher education institution.

## **Rating and admission of applicants**

### Article 85

An applicant for admission to the studies of the first level shall sit for an entrance examination or a scholastic aptitude test, in accordance with the general act of an independent higher education institution.

The order of applicants' admission to the studies of the first level shall be established on the basis of the overall scores achieved in the secondary education and the results scored at the entrance examination and/or at the scholastic aptitude test.

An applicant having a general certificate of secondary education shall not sit for an entrance examination. Instead of an entrance examination, the applicant shall have the scores achieved at the school leaving examination evaluated in accordance with the general act of an independent higher education institution.

Instead of an entrance examination, a higher education institution may direct an applicant in possession of a vocational and/or arts secondary school leaving certificate to take the tests in subjects required for the award of a general certificate of secondary education.

An independent higher education institution shall draw up a rating list of applicants on the basis of the competition admission criteria.

The right to enroll in the studies of the first level shall be acquired by the applicant rated within the number of students referred to in Article 84 of this Law on the rating list referred to in paragraph 5 of this Article.

A student of the first level studies enrolled in other independent higher education institution; a person that has acquired higher education at the studies of the first level, and a person whose student status has ceased in accordance with this Law, may enroll in the studies of the first level under the conditions and in the manner provided for by the general act of the independent higher education institution concerned.

The right referred to in paragraph 7 of this Article shall be exercised at personal request.

An applicant shall enroll in the studies of the second and the third levels under the conditions, in the manner and under the procedure established by the general act of, and in the competition announced by, an independent higher education institution.

## **Rights and obligations of students**

### Article 86

A student of a higher education institution shall have the rights and obligations established by this Law and the general act of the higher education institution.

A student shall have the right to:

- 1) enrolment, quality education and objective grading;
- 2) timely and accurate information about all issues related to studies;
- 3) active participation in decision-making, in accordance with the law;
- 4) self-organization and expression of his/her opinion;
- 5) privileges deriving from the status of student;
- 6) study conditions of equal quality for all students;
- 7) education in the language of a national minority, in accordance with the law;

- 8) difference and protection against discrimination;
- 9) elect and be elected to Students' Parliament and other bodies of a higher education institution;

A student shall be obliged to:

- 1) comply with instruction and pre-examination obligations;
- 2) comply with general legal acts of the institution;
- 3) respect the rights of employees and other students in a higher education institution;
- 4) participate in decision-making, in accordance with the law.

A student shall have the right of appeal in accordance with the Statute of the higher education institution if the higher education institution has violated some of the obligations listed in paragraph 2, subparagraphs 1-3 of this Article.

### **Rules of studies**

#### *Article 87*

A student shall opt for study programme subjects on enrolling in each academic year.

A study programme shall prescribe which subjects are compulsory for the relevant year of study.

A student financed from the budget shall opt for as many subjects as are necessary to acquire at least 60 ECTS credits.

A self-financing student shall opt, in accordance with the study programme, for as many subjects as are needed to obtain at least 37 ECTS credits.

A self-financing student shall pay part of the tuition fees calculated against the subjects he/she has opted for.

By passing an examination a student shall obtain a certain number of ECTS credits in accordance with the study programme.

A student who fails the examination in a compulsory subject prior to the beginning of the coming academic year shall take the same subject again.

A student who fails the examination in an optional subject may take the same subject again or opt for another optional subject.

The study programme may make a student's subject option contingent upon having him/her previously pass examinations in one or more subjects provided for by the study programme.

The precise rules of studies shall be regulated by the general act of a higher education institution.

### **Status of the student**

#### *Article 88*

A student financed from the budget and who has gained, within the framework of a study programme that he/she has been admitted to, 60 ECTS credits by passing examinations during an academic year shall have the right to be financed from the budget also in the next academic year.

A student financed from the budget and who has gained less than 60 ECTS credits during an academic year may continue his/her studies in the status of self-financing student.

A self-financing student who has gained during an academic year 60 ECTS credits from the ongoing year of the study programme may be financed from the budget in the next academic year.

A student may exercise the right referred to in paragraph 3 of this Article if he/she is rated within the total number of students whose studies are financed from the budget, in the manner and under the procedure established by the general act of a higher education institution.

A student financed from the budget may, in that status, enroll in only one approved and/or accredited study programme at the same level of studies.

## **Grading**

### Article 89

The success of a student in mastering a subject shall be continually under scrutiny and shall be expressed in points.

By complying with the pre-examination obligations and by passing exams a student may earn 100 points maximum.

A study programme shall establish the ratio of points earned through pre-examination obligations and those earned at the exam. The pre-examination obligations shall account for 30 points minimum and 70 points maximum.

The success of a student at the exam shall be expressed from grade 5 (failed) up to grade 10 (excellent).

A higher education institution may also provide for other, non-numerical manner of grading by establishing a ratio of those marks with the marks referred to in paragraph 4 of this Article.

The general act of a higher education institution shall regulate the precise manner of taking and grading an exam.

## **Exams**

### Article 90

An exam shall be consolidated and taken orally, in writing and/or in a practical manner.

An exam shall be taken at the seat of a higher education institution and/or on the premises specified in the work permit.

The provision of paragraph 2 of this Article shall be applicable also to a distance learning study programme.

A higher education institution may make arrangements for taking exams outside its seat if so required by the nature of the subject involved.

A student shall take an exam immediately upon completion of the course in that subject.

The examination periods shall be in January, April, June and September.

Exceptionally, one examination period may be determined for subjects in the field of arts, in accordance with the general act of a higher education institution.

If a student referred to in paragraph 5 of this Article fails an exam, he/she shall have the right to take the exam two more times during the same academic year.

Exceptionally, a student who has one exam remaining from the study programme of the year he/she has enrolled in shall have the right to take that exam in the subsequent examination period prior to the beginning of the following academic year.

A student with disability shall have the right to take an exam in the manner adapted to his/her abilities, in accordance with the general act of a higher education institution.

## **Complaint**

### Article 91

A student shall have the right to file a complaint to the competent body of a higher education institution regarding a grade within 36 hours if he/she considers that the exam has not taken place in accordance with the law and the general act of the institution.

The competent body of the institution shall consider and decide the complaint within 24 hours from the receipt thereof, in accordance with the provisions of the general act of the independent higher education institution concerned.

If the complaint of a student is granted, the student may take the exam again within three days from the date of receipt of the decision referred to in paragraph 2 of this Article.

## **Abeyance of rights and obligations of students**

### Article 92

At the request of a student, his/her rights and obligations shall be left in abeyance. The request shall be granted for reasons of serious illness, absence due to professional training lasting at least six months, doing or completing national service, caring for a child below the age of one year, maintenance of pregnancy. The request shall be granted also in other cases provided for by the general act of the relevant higher education institution.

A student who was prevented from taking an exam due to illness or absence due to professional training lasting at least three months may be allowed to sit for the exam during the next examination period, in accordance with the general act of the relevant higher education institution.

## **Disciplinary responsibility**

### Article 93

A student shall be responsible for violating an obligation provided for by the general act of an independent higher education institution at the time of violation.

A student may be pronounced the measure of exclusion from a higher education institution for a serious violation of an obligation.

Disciplinary proceedings may not be instituted upon the expiration of a period of three months from learning of violation of an obligation and from identification of

the offender, and upon the expiration of a period of six months from the date of violation of the obligation at the latest.

The general act of an independent higher education institution shall provide definitions of minor and serious violations of the obligations of a student as well as the disciplinary bodies and disciplinary proceedings for establishing a student's responsibility.

### **Termination of the status of student**

#### Article 94

The status of student shall cease in the following cases:

- 1) withdrawal from studies;
- 2) completion of studies;
- 3) failure to register for an academic year;
- 4) if a student fails to finish his studies before the expiration of the deadline defined as the double number of academic years needed for the completion of a study programme;
- 5) if the disciplinary measure of exclusion from studies at a higher education institution has been pronounced.

The deadline for the completion of studies may be extended at a student's request, in accordance with the general act of the relevant higher education institution.

### **Professional, academic and scientific titles**

#### Article 95

A person that has completed basic academic studies shall acquire a professional title with a designation of the rank of the first level of academic studies in the relevant field.

A person that has completed basic professional career studies shall acquire a professional title with a designation of the rank of the first level of professional career studies in the relevant field.

A person that has completed specialist academic studies shall acquire a professional title of specialist with a designation of the rank of the second level of academic studies in the relevant field.

A person that has completed specialist professional career studies shall acquire a professional title of specialist with a designation of the rank of the second level of professional career studies in the relevant field.

A person that has completed diploma academic studies shall acquire the academic title of a graduate with a designation of the rank of the second level of the diploma academic studies in the relevant field.

A person that has completed doctoral studies and/or academic studies of the third level shall acquire a doctorate and/or the title of a Ph.D. (Sciences or Arts) with a designation of the relevant field.

The list containing the designations of ranks in the relevant fields and the abbreviations relating to professional, academic and scientific titles shall be established by the National Council, at the recommendation of the Conference of Universities and/or the Conference of Academies of Professional Career Studies.

The abbreviation of a professional title shall be placed after the name and surname, and the abbreviation of the academic title shall precede the name and surname.

In international communication and in the diploma issued in the English language, the title acquired by the person referred to in paragraph 1 of this Article shall be *Bachelor*; the title acquired by the person referred to in paragraph 2 of this Article shall be *Bachelor (appl.)*; the title acquired by the person referred to in paragraph 5 of this Article shall be *Master*, and the title acquired by the person referred to in paragraph 6 of this Article shall be Ph.D., and/or the corresponding title in the language into which the diploma is to be translated.

## **XII. LIFELONG LEARNING**

### **Article 96**

A higher education institution may, within the scope of its activities, implement programmes of lifelong learning outside the framework of study programmes for which it has obtained a work permit.

The conditions, manner and procedure for the carrying out of programmes referred to in paragraph 1 of this Article shall be regulated by the general act of the institution.

A person that has mastered a programme referred to in paragraph 1 of this Article shall be issued a certificate.

A person admitted to a programme referred to in paragraph 1 of this Article shall not have the status of student in the sense of this Law.

## **XIII. RECORDS AND PUBLIC DOCUMENTS**

### **Records**

#### **Article 97**

A higher education institution shall keep a register of students, files on issued diplomas and Diploma Supplements and a record of the taken examinations.

The records referred to in paragraph 1 of this Article shall be kept in the Serbian language, in Cyrillic script. In the territory of a municipality in which Latin script is also officially used, records shall be kept using that script as well. The text in Latin script shall be written below the text in Cyrillic script.

When instruction is given in the language of a national minority, the records referred to in paragraph 1 of this Article shall be kept in the Serbian language, in Cyrillic script and in the language and script of the national minority.

The register of students shall be kept on a permanent basis and preserved.

The Minister shall prescribe the contents and the manner of keeping records.

### **Protection of the data contained in the records**

#### **Article 98**

The data entered into the records referred to in Article 97 of this Law shall be gathered, processed, preserved and used for the needs of carrying out activities of a higher education institution or those of the Ministry in the performance of its functions provided for by the law.

The data contained in the records shall be used in such a manner as to ensure the protection of the identity of students, in accordance with the law.

## **Public documents**

### *Article 99*

A higher education institution shall issue public documents on the basis of the data contained in the records.

For the purposes of this Law, public documents shall be a matriculation book, a diploma confirming the acquired higher education and the Supplement Diploma.

A higher education institution shall issue public documents in the Serbian language, in Cyrillic script. In the territory of a municipality in which Latin script is also officially used, a higher education institution shall issue public documents using that script as well. The text in Latin script shall be written below the text in Cyrillic script.

When instruction is given in the language of a national minority or in one of the world languages, public documents shall be issued using the form printed in two languages, in the Serbian language in Cyrillic script and in the language and script in which instruction is given.

At the request of a student, an independent higher education institution shall issue a public document confirming the mastered part of a study programme. The public document shall contain the details on the level, nature and content of studies as well as the achieved results.

The Minister shall prescribe the content of the public document referred to in paragraph 2 of this Article.

The diploma and the Supplement Diploma shall also be issued in the English language.

The diploma shall be authenticated by the independent higher education institution's embossed stamp affixed to it.

The Supplement Diploma shall obligatorily be issued along with the diploma.

The Supplement Diploma shall be supported by a description of the higher education system in the Republic in force at the time of the acquired education specified in the diploma.

## **Diploma and the Supplement Diploma**

### *Article 100*

The diploma and the Supplement Diploma shall be signed by:

- 1) at a university – the Rector and the Dean of the relevant faculty and/or academy of arts within the university;
- 2) at an academy of professional career studies – the President;
- 3) at a four-year college or a four-year college of professional career studies – the Head.

The authorized persons of higher education institutions carrying out the study programme for the acquisition of a joint diploma shall sign the joint diploma and the Supplement Diploma.

### **Declaring diplomas and Supplement Diplomas null and void**

#### Article 101

A diploma and/or the Supplement Diploma shall be declared null and void:

- 1) if issued by an unauthorized organization;
- 2) if signed by an unauthorized person;
- 3) if the holder of the diploma failed to meet his/her examination obligations in the manner and according to the procedure provided for by the law and by the study programme of a higher education institution.

A higher education institution shall make a diploma and/or the Supplement Diploma null and void for reasons listed in paragraph 1, subparagraphs 2) and 3) of this Article.

A higher education institution shall make null and void a diploma confirming the acquired academic title of master if it has found out that the final written paper is not the result of the candidate's independent work.

A higher education institution shall declare null and void a diploma confirming the acquired doctorate if it has found out that the doctoral dissertation is not an original scientific and/or artistic result of the candidate's work.

The Minister shall ex officio declare null and void a diploma and/or the Supplement Diploma for reasons enumerated in paragraph 1, subparagraph 1 of this Article.

### **Issuance of a new public document**

#### Article 102

A higher education institution shall issue a new public document after declaring the original public document null and void in the Official Journal of the Republic of Serbia, on the basis of the data contained in the records kept by the institution.

A public document referred to in paragraph 1 of this Article shall be considered an original public document.

A public document referred to in paragraph 1 of this Article shall contain an indication that a new public document is in question, issued after declaring the original public document null and void.

### **Replacement of a public document**

#### Article 103

In the event of destruction or disappearance of the records referred to in Article 97 of this Law or of the archives, a person that does not possess a public document issued by a higher education institution may apply to the municipal court

under whose jurisdiction is or was the seat of the higher education institution involved to establish his/her acquired education.

The request shall include evidence on the basis of which it is possible to ascertain that the person involved has acquired corresponding education as well as an acknowledgment that the archives have been destroyed or have disappeared.

The acknowledgement that the archives have been destroyed or have disappeared shall be issued by the higher education institution in which the person has acquired education or by some other institution that has taken over the records and/or the archives. In the absence of such institution, the Ministry shall issue the acknowledgement.

The municipal court shall bring the decision on the establishment of the acquired education in extra-judicial proceedings.

The decision referred to in paragraph 4 of this Article shall replace the public document issued by a higher education institution.

#### **XIV. RECOGNITION OF FOREIGN HIGHER EDUCATION DOCUMENTS AND EVALUATION OF FOREIGN STUDY PROGRAMMES**

##### **Recognition of foreign higher education documents**

###### **Article 104**

Recognition of a foreign document of higher education shall mean a procedure on the basis of which the right of the holder of that document shall be established to continue education and/or to seek employment.

The procedure for recognition shall be conducted in accordance with the provisions of this Law unless otherwise provided for by an international treaty.

The procedure for recognition for the purpose of continuing education within the higher education system shall establish the right of the holder of a foreign document of higher education to continue commenced higher education and/or the right to be admitted to the levels of higher education.

The procedure for recognition for the purpose of employment shall establish the type and level of studies of the holder of a foreign document of higher education as well as his/her professional, academic and/or scientific title.

Recognition referred to in paragraphs 3 and 4 of this Article shall be carried out by an independent higher education institution in the manner and according to the procedure prescribed by the general act of the institution.

The procedure for recognition shall not be conducted if a public document was acquired in the territory of the Socialist Federal Republic of Yugoslavia before 27 April 1992.

A public document referred to in paragraph 6 of this Article shall produce the same legal effect as a public document issued in the territory of the Republic.

The procedure for recognition of a foreign document of higher education referred to in paragraphs 3 and 4 of this Article shall take into consideration the system of education of the country in which the foreign document of higher education has been acquired. It shall also take into consideration the study programme, conditions for admission to the study programme, the rights conferred by that document of higher education in the country in which it has been acquired and other facts of relevance for the recognition of a foreign document of higher education.

The competent body of an independent higher education institution shall bring the decision on the request for recognition referred to in paragraphs 3 and 4 of this Article.

The decision referred to in paragraph 9 of this Article shall be final in the administrative procedure.

### **Evaluation of foreign study programmes**

#### Article 105

Evaluation of a foreign study programme shall be carried out in the procedure for recognition referred to in Article 104 of this Law, on the basis of the type and level of acquired knowledge and skills.

Once established positive evaluation of a specific foreign study programme shall be valid in all future cases involving the same study programme.

Evaluation referred to in paragraph 1 of this Article shall be carried out by the professional body of an independent higher education institution taking into consideration the data on the foreign higher education institution where the relevant study programme is carried out. The Ministry shall ensure the furnishing of the data.

The Ministry shall furnish the data on the independent higher education institution and the system of education in the procedure of evaluation for the purpose of recognition of a domestic higher education document abroad.

### **XV. ADMINISTRATIVE SUPERVISION**

#### Article 106

The Ministry shall perform the administrative supervision of the work of higher education institutions.

Inspectors and/or other authorized persons (hereinafter referred to as inspectors) shall carry out inspection.

The duties of an inspector may be performed by a law school graduate who has passed the professional examination required for the work in government bodies and who has at least three years of work experience.

In performing the inspection duties the inspector shall be authorized to:

- 1) nullify the enrolment of students in the first academic year over and above the number of students determined in accordance with Article 84 of this Law;
- 2) nullify the enrolment of students carried out contrary to the provisions of this Law;
- 3) temporarily prohibit the pursuance of higher education activities to a legal entity carrying out these activities in contravention of the provisions of this Law;
- 4) take other measures for which he/she has been authorized by the law or other regulation.

### **XVI. PENAL PROVISIONS**

#### Article 107

A higher education institution shall be fined 30,000 to 500,000 dinars for:

- 1) carrying out its activities outside its seat and outside the facilities in which its activities are carried out (Article 32, paragraph 4 and Article 41, paragraphs 11 and 13);
- 2) carrying out a study programme not listed in its work permit (Article 41, paragraphs 11 and 12);
- 3) changing its name, seat and status in contravention of the provisions of this Law (Article 43, paragraph 1);
- 4) charging a tuition fee higher than that determined in accordance with this Law (Article 61);
- 5) separately charging students a fee for services included in the tuition fee (Article 61, paragraph 5);
- 6) employing a teacher who does not fulfil the conditions provided for by this Law or employing him/her without a competition (Articles 63 – 66);
- 7) failing to make arrangements for lectures and other forms of teaching (Article 81, paragraph 2);
- 8) admitting to a study programme an applicant who has not participated in the competition, or in contravention of the competition (Article 83);
- 9) admitting students over and above the number determined in accordance with this Law (Article 84);
- 10) failing to keep records in the manner provided for or for keeping them irregularly and issuing public documents that by their contents do not correspond to the contents determined by the Minister (Article 97, paragraph 5 and Article 99, paragraph 6).

The responsible person of a higher education institution shall be fined 10,000 to 30,000 dinars for violation referred to in paragraph 1 of this Article.

## **XVII. THE FUNCTIONS ENTRUSTED TO THE AUTONOMOUS PROVINCE OF VOJVODINA**

### Article 108

In the territory of the Autonomous Province of Vojvodina, the Autonomous Province of Vojvodina shall perform, through its bodies, the functions referred to in Article 23, paragraph 1, subparagraphs 4 and 7; Article 40, paragraph 1; Article 41, paragraph 2; Article 42, paragraph 9; Article 43, paragraph 2; Article 45, paragraph 2; Article 52, paragraph 4; Article 84, paragraph 3; Article 101, paragraph 5; Article 103, paragraph 3; Article 105, paragraphs 3 and 4 and Article 106 of this Law.

The functions referred to in paragraph 1 of this Article shall be performed as entrusted functions.

The competent bodies of the AP of Vojvodina shall cooperate with the Ministry in the performance of the functions referred to in paragraph 1 of this Article.

With respect to the entrusted functions of government administration referred to in paragraph 1 of this Article, the Ministry shall have, in relation to the competent bodies of the AP of Vojvodina, the rights and duties provided for by the law regulating government administration.

## **XVIII. HIGHER EDUCATION INSTITUTIONS IN THE TERRITORY OF THE AUTONOMOUS PROVINCE OF KOSOVO AND METOHİJA WHOSE FOUNDER IS THE REPUBLIC**

### **Article 109**

The Government shall have all the rights and obligations of the founder in relation to the higher education institutions in the territory of the Autonomous Province of Kosovo and Metohija, the founder of which is the Republic, in accordance with this Law. It shall exercise these rights and obligations pending the cessation of the functioning of the provisional legal system established pursuant to the United Nations Security Council Resolution 1244.

## **XIX. TRANSITIONAL AND FINAL PROVISIONS**

### **The National Council**

#### **Article 110**

The National Assembly shall elect members of the National Council within six months from the date of the entry into force of this Law.

Pending the election of members of the National Council, the Republic Council for University Education Development, set up in accordance with the Law on University (Official Journal of the Republic of Serbia, No. 21/02), shall perform its tasks.

Pending the setting up of the Conference of Academies of Professional Career Studies, candidates for members of the National Council referred to in Article 10, paragraph 1, subparagraph 2 of this Law shall be proposed by the body referred to in Article 112 of this Law.

The promoters of candidates for members of the National Council referred to in Article 10 of this Law shall submit the lists of candidates within 120 days from the date of the coming into force of this Law.

If the promoters fail to submit the lists referred to in paragraph 4 of this Article, the National Assembly shall appoint the members of the National Council from the ranks of the prescribed structure, at the proposal of the competent committee of the National Assembly.

The National Council shall set the standards referred to in Article 11 of this Law within one year from the date of the coming into force of the present Law.

### **Accreditation Commission**

#### **Article 111**

The tasks of the Accreditation Commission relating to the procedure for the issuance of work permits shall be performed, pending the setting up of the Commission referred to in Article 13 of the present Law but not later than the expiry of nine months from the date of the entry into force of this Law, shall be performed by the Commission for Accreditation of Higher Education set up by the decision of the Republic Council referred to in Article 110, paragraph 2 of this Law.

## **Conference of Academies of Professional Career Studies**

### Article 112

Pending the establishment of the Conference of Academies of Professional Career Studies, a body comprised of the heads of two-year colleges that have obtained the written decision on fulfillment of the conditions for commencing work and carrying out their activities shall perform the tasks within the competence of the Conference until the entry into force of the present Law.

## **Fields of Science**

### Article 113

Within nine months from the entry into force of the present Law the National Council shall compile a list of educational-scientific and educational-artistic and professional career areas, within the field referred to in Article 27 of this Law.

Pending the compiling of the list referred to in paragraph 1 of this Article, the areas listed in the Statutes of higher education institutions for which diplomas are issued shall be considered appropriate areas, in accordance with the Law on University (Official Journal of the Republic of Serbia, No. 21/02).

## **Other regulations**

### Article 114

Within a period of six months from the entry into force of this Law, the Minister shall adopt other regulations, in accordance with this Law.

## **List of ranks**

### Article 115

A list of ranks referred to in Article 95, paragraph 7 of this Law shall be compiled within a period of one year from the coming into force of this Law at the latest.

## **Accreditation and work permit**

### Article 116

The procedure for accreditation and issuance of work permits to universities, faculties and/or academies of arts that have obtained the decision on compliance with the conditions for commencing work and carrying out their activities pending the entry into force of this Law, shall be completed within three years from the date of the setting up of the Accreditation Commission at the latest.

Universities and faculties and/or academies of arts within universities that have obtained the decision on compliance with the conditions for commencing work and carrying out their activities pending the entry into force of this Law, shall be

considered having the work permit until the completion of the procedure referred to in paragraph 1 of this Article.

Faculties and/or academies of arts outside universities that have obtained the decision on compliance with the conditions for commencing work and carrying out their activities pending the entry into force of this Law, shall be considered having the work permit to function as four-year colleges until the completion of the procedure referred to in paragraph 1 of this Article.

The syllabuses and curricula carried out by higher education institutions referred to in this Article shall be considered approved and/or accredited study programmes pending the completion of the procedure referred to in paragraph 1 of this Article.

### **Universities and faculties within universities**

#### Article 117

Universities and faculties and/or academies of arts shall bring their internal set-up and general acts in conformity with this Law within a period of two years from the date of the coming into force of the present Law.

#### Article 118

Faculties founded by the Republic and established before the entry into force of the present Law shall retain the capacity of a legal entity except if that capacity has been transferred to the university by the decision of the competent body thereof, within 90 days from the date of the entry into force of this Law.

Proceeding from the decisions referred to in paragraph 1 of this Article, a university shall adopt an act relating to its reorganization in order to bring its internal set-up in conformity with this Law; to establish the status of institutions within it as institutions with the capacity of a legal entity referred to in Article 34, with reference to Article 47, paragraph 7 of this Law, and/or to set up higher education units within it without the capacity of a legal entity, within one year from the date of the entry into force of this Law.

The act relating to reorganization referred to in paragraph 2 of this Article shall be adopted by the University Council, at the recommendation of the teaching staff council of faculties and/or that of academies of arts.

Institutions and units within a university that fail to fulfill the conditions referred to in Article 47, paragraph 7 of the present Law shall cease to have the status of legal entities on the date specified in the act relating to reorganization, or within two years from the date of the entry into force of this Law at the latest.

The university referred to in paragraph 2 of this Article, faculties and/or other higher education units established by the university shall assume the rights and obligations of institutions and organizations referred to in paragraph 4 of this Article, in accordance with the act relating to reorganization.

### **Two-year colleges**

#### Article 119

Two-year colleges that have obtained the decision on compliance with the conditions for commencing work and carrying out their activities pending the coming into force of this Law, shall continue to operate, but without the possibility of enrolment of new students after the academic year 2006/2007.

Two-year colleges referred to in paragraph 1 of this Article shall be bound to submit, within one year from the date of the entry into force of this Law, a request for the issuance of a work permit.

A two-year college that has obtained a work permit shall continue to function as a higher education institution, in accordance with the work permit.

A two-year college that fails to obtain the work permit shall cease to carry out its activities within two years from the adoption of the decision declining its request for the issuance of the work permit.

A higher education institution referred to in paragraph 3 of this Article shall constitute its administrative and professional bodies and Students' Parliament, and shall elect an executive officer in accordance with this Law within three months from the date of receiving the work permit.

Pending the constitution of the bodies referred to in paragraph 5 of this Article, regulations that were in force before the coming into effect of the present Law shall be applied.

### **Bodies of higher education institutions**

#### Article 120

The constitution of the administrative body, the professional body and Students' Parliament and the election of the executive officer of a university and/or a faculty referred to in Article 118 of this Law shall be completed within three months from the date of the adoption of the act relating to the reorganization of the university, in accordance with this Law.

The term of office of members of the administrative and professional bodies, as well as that of the executive officer, constituted in accordance with regulations that were in force before the coming into effect of this Law, shall terminate upon the constitution of the administrative and professional bodies and of Students' Parliament, and upon the election of the executive officer referred to in paragraph 1 of this Article.

The executive officer of a higher education institution shall appoint members of a commission for the organization of elections for Students' Parliament. The commission shall determine the procedure of election within two months from the date of the adoption of the act relating to reorganization of the university, and shall carry out the elections.

### **Election to positions**

#### Article 121

The election to the position of teacher or associate teacher initiated pursuant to the regulations applicable before the entry into force of this Law shall be completed in accordance with those regulations, within six months from the coming into force of this Law.

## **Status of teachers and associates of two-year colleges**

### **Article 122**

Teachers at two-year colleges, with the exception of professors, and associates elected under the regulations applicable before the present Law became effective shall carry on as teachers and/or associates until the expiry of the term for which they were elected.

A professor of a two-year college, who has fulfilled the conditions for election to the position of professor of professional career studies in accordance with this Law, shall be considered having the position of professor of professional career studies.

A professor of a two-year college, who has not fulfilled the conditions for election to the position of professor of professional career studies in accordance with the provisions of this Law shall be considered having the position of professor of professional career studies if he/she has at least 15 years of service in the teaching capacity on the date of the entry into force of this Law.

A professor of a two-year college, who has not fulfilled the conditions for election to the position of professor of professional career studies in accordance with the provisions of the present Law and does not have at least 15 years of service in the teaching capacity on the date of the coming into force of this Law, shall be regarded as having the position of lecturer.

Persons elected to the position of trainee assistant professor and/or assistant professor pursuant to the regulations in force before the present Law became effective, shall have the right to be re-elected to the same position for a period of three years.

## **Students**

### **Article 123**

Students admitted to basic studies or to studies at two-year colleges before the coming into force of this Law may complete their studies according to the previous syllabus and curriculum, conditions and rules of studies, within two years after the expiration of the period of regular studies at the latest.

Students admitted to two-year colleges before the coming into force of this Law that have failed to obtain the work permit, may complete their studies according to the previous syllabus and curriculum, conditions and rules of studies within two years from the date of the adoption of the decision declining the request for the issuance of the work permit.

Students admitted to master's degree studies before the entry into force of the present Law may complete their studies according to the previous syllabus and curriculum, conditions and rules of studies within a period of five years from the coming into force of the present Law at the latest.

Students admitted to doctoral studies and/or candidates for a doctorate who submitted their doctoral dissertation before the entry into force of this Law may complete their studies according to the previous syllabus and curriculum, conditions and rules of studies and/or acquire a doctorate within five years from the entry into force of this Law at the latest.

Students referred to in paragraph 1 of this Article may continue their commenced studies according to the study programme adopted in accordance with the provisions of this Law, in the manner and in compliance with the procedure provided for by the general act of the relevant higher education institution.

### **Rules of finance of studies**

#### Article 124

Students admitted to a higher education institution after the coming into force of this Law and students referred to in Article 123, paragraph 5 of this Law shall have the right, in respect of the status of student with regard to financing, to pursue their studies in accordance with the conditions and rules of studies that were in force before the coming into effect of this Law, until the expiry of a period of two academic years from the date of the entry into force of this Law.

### **Introduction of ECTS credits**

#### Article 125

In the procedure for introduction and application of the ECTS credits, a higher education institution shall monitor the results achieved at examinations as well as other relevant indicators of students' workload and obtain the opinion of students regarding the effective strain in mastering the contents of study programmes.

On the basis of the indicators referred to in paragraph 1 of this Article, a higher education institution shall adapt the value of the ECTS credits awarded to individual subjects.

### **Public documents**

#### Article 126

A higher education institution shall issue a public document to a person that has acquired or acquires the right to be issued a public document pursuant to the regulations in force before the date of the entry into force of this Law. The public document shall be issued using the form that was in use before the entry into force of this Law

Provisions of Articles 101-103 of this Law shall be applicable to public documents referred to in paragraph 1 of this Article.

### **Harmonization of acquired academic, professional and/or scientific titles**

#### Article 127

A person that has acquired or acquires the appropriate academic, professional or scientific title (hereinafter referred to as the title) in accordance with regulations applicable before the coming into force of the present Law, shall retain the right to use the title consistent with the regulations according to which it has been acquired.

A person referred to in paragraph 1 of this Article may request a higher education institution in which that person has acquired a title to confirm that the

previously acquired title corresponds to one of the titles referred to in Article 95 of this Law. Such a title shall be confirmed in a procedure and in accordance with the conditions prescribed by the general act of the relevant higher education institution and with the criteria for harmonization of the acquired titles established by the Conference of Universities and/or the Conference of Academies of Professional Career Studies.

When a higher education institution, in the procedure referred to in paragraph 2 of this Article, has confirmed the corresponding title, it shall issue a new diploma in accordance with the present Law.

The diploma referred to in paragraph 3 of this Article may be issued only if the previously issued diploma has been declared null and void.

If a higher education institution in which the person referred to in paragraph 2 of this Article has acquired the title ceased to exist, and has no legal successor, the Ministry shall designate a higher education institution to decide the request.

### **Taking a doctor's degree**

#### Article 128

Persons that have acquired the academic title of master (sciences) according to the regulations applicable before the entry into force of this Law may acquire a doctorate on the basis of the successfully defended doctoral dissertation according to the regulations applicable before the present Law took effect. The defense of the doctoral thesis shall take place within seven years from the date of the coming into force of this Law at the latest.

### **Initiated procedures**

#### Article 129

Procedures for foreign degree validation and/or equivalence initiated in accordance with the regulations applicable before the entry into force of the present Law shall be completed consistent with those regulations within six months from the date of the entry into force of this Law.

Procedures for the founding and/or for obtaining the decision on compliance with the conditions for work, initiated in accordance with the regulations applicable before the coming into force of the present Law, shall be completed consistent with those regulations within six months from the date of the entry into force of this Law.

### **Cessation of validity of the regulations in force**

#### Article 130

The Law on Two-Year Colleges (Official Journal of the Republic of Serbia, Nos. 50/92, 39/93, 53/93, 67/93, 48/94 and 24/96) and the Law on University (Official Journal of the Republic of Serbia, No. 21/02) shall cease to be effective on the date of the entry into force of this Law. The Law on Professional Titles (Official Journal of the Socialist Republic of Serbia", Nos. 31/77 and 17/85) shall cease to be effective upon the expiry of the period referred to in Article 115 of this Law.

Regulations adopted on the basis of the laws referred to in paragraph 1 of this Article shall be applicable also after the cessation of validity of the said laws, pending the adoption of corresponding regulations pursuant to the present Law, except if those regulations are contrary to the provisions of the present Law.

### **Entry into force of this Law**

#### Article 131

The present Law shall come into force on the eighth day from the date of its publication in the Official Journal of the Republic of Serbia.