

LAW ON HIGHER EDUCATION
-Consolidated version-

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I BASIC PROVISIONS

Subject of the Law

Article 1.

Law on Higher education determines the goals, principles, organization and funding of the higher education in the Republic of Srpska, conditions and manner of delivery of studies, accountability, right and obligations of the competent bodies in the area, establishes bodies to observe the law and meet international requirements, determines the quality assurance, as well as other subject matters relevant for performing of the activities of higher education in the Republic of Srpska.

Activities of higher education

Article 2.

Higher education is an activity of public interest for the Republic of Srpska (hereinafter: Republic).

Article 3.

For the purposes of the reform and development of the higher education, this Law shall determine principles and standards of the delivery of higher education in the Republic, in accordance with the strategic goals of the European Higher Education Area assigned to it in the Declaration of the European Ministers of Higher Education at Bologna (1999) and other relevant regulations in the Republic of Srpska and Bosnia and Herzegovina, as well as international documents.

Goals of Higher Education

Article 4.

Basic goals of the higher education are as follows:

- a) to establish, develop, protect and transmit knowledge and skills, through learning and scientific-research activities and thus contributing to the development of the abilities of individuals and society as a whole;
- b) to offer equal opportunities to individuals in order to acquire higher education and lifelong learning;
- v) to establish and develop co-operation in the higher education area.

Principles of higher education

Article 5.

Activities of higher education are based on the following principles:

- a) academic freedoms and academic self-governance;
- b) autonomy of the higher education institution;
- v) unity of teaching and scientific-research, i.e. artistic work;
- g) openness to the public and citizens;
- d) upholding the humanistic and democratic values of the European and national tradition;
- dj) bringing in the line with the European system of higher education and promotion of the academic mobility of the teaching staff and students;
- e) recognition of human rights and civic freedoms, including prohibition of any kind of discrimination;
- z) students' participation in administration and decision-making, especially regarding the issues concerning the quality of teaching;
- z) equality of higher education institutions regardless the ownership, i.e. the founder;
- i) ensuring the quality and efficiency of studies;
- j) concept of lifelong learning;
- k) recognition of the competition between the educational and research services in order to increase the quality and efficiency of the higher education system.

Levels of higher education

Article 6.

- 1) For the purposes of this Article, higher education is education acquired after the secondary school, leading to the internationally recognized degree of the higher education.
- 2) Higher education shall be organized in three cycles:
 - a) The first cycle leading to the academic title of the completed undergraduate studies (the degree of Bachelor) or equivalent, obtained after minimum three or maximum four years of studies, after having obtained a certificate on completion of secondary school, which accumulates minimum 180 and maximum 240 credits, European Credit Transfer System (hereinafter: ECTS);
 - b) The second cycle leading to the academic title of a master or equivalent, obtained after completion of undergraduate studies, lasting for one or two years, accumulating 60 i.e. 120 ECTS credits, which are calculated in the manner that together with the first cycle they shall accumulate 300 ECTS credits; and
 - c) The third cycle leading to the academic title of a doctor or equivalent, lasting for three years, accumulating 180 ECTS credits.
 - 3) Provisions of the Paragraph 2 exclude the faculty of medicine in the first cycle, which shall accumulate up to 360 ECTS credits.
 - 4) One semester of the studies shall accumulate 30 ECTS credits in any cycle.

Titles obtained in higher education

Article 7.

- 1) Completion of the first cycle shall give the right for a certain academic title in a certain area.
- 2) Completion of the second cycle shall give the right to obtain the academic title of a master or equivalent.
- 3) Completion of the third cycle shall give the right to obtain the academic title of doctor of philosophy in corresponding area.
- 4) In the international interchange and in a diploma written in English language, a student referred to in Paragraph 1 of this Article is a holder of a diploma of the first university degree (Bachelor); the title obtained by a student referred

- 5) List of titles in corresponding areas and abbreviations of the expert, academic and scientific titles shall be established by the Book of Rules on the use of academic titles, obtaining of scientific and expert titles.
- 6) Book of Rules referred to in Paragraph 5 of this Article shall be enacted by the Government of the Republic of Srpska (hereinafter: Government).
- 7) Except for the titles granted as *honoris causa*, other titles which are not envisaged by this Law as well as by the Book of Rules on the use of academic titles, obtaining of scientific and expert titles, shall not be granted.

Access to higher education

Article 8.

- 1) Higher education is accessible to all persons who have completed a four-year secondary school in the Republic and Bosnia and Herzegovina (hereinafter: BiH), as well as students who have completed secondary school education abroad.
- 2) Students who have completed secondary school education abroad, shall submit the proof on completion of education, a certificate or a diploma to a higher education institution. The certificate or the diploma is subject to prior recognition/equivalence in the Ministry of Education and Culture in the Republic of Srpska (hereinafter: Ministry).
- 3) The Ministry shall acknowledge the certificate or the diploma which shows the level of education, which does not essentially differ from the education in the Republic and BiH, and which gives the right to the holder to apply to the university or to take the entrance exam at the university in a given foreign country.

Article 9.

- 1) A higher education institution shall determine, in accordance with the law, the criteria and manners based on which the classification and selection of candidates for the admission shall be carried out (results of previous education, type of previous education, special knowledge, special skills and abilities, etc).

- 2) To enroll the first cycle studies a candidate shall take the entrance exam, or ability-check exam.
- 3) The list of candidates to enroll the first cycle studies shall be established on the basis of the overall success achieved during the secondary-school education and on the basis of results achieved at the entrance/ ability-check exam, in the manner and procedure established in accordance with the general legal act of the higher education institution and the open competition.
- 4) A candidate shall be enrolled into the second and third cycle under conditions, in the manner and procedure in accordance with the general legal act of the higher education institution and the open competition.

Article 10.

Access to the higher education shall not be limited directly or indirectly, on any ground, such as sex, race, sexual orientation, physical or other impairment, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with any national community, property, birth, age or any other status.

II – HIGHER EDUCATION INSTITUTIONS

Types of higher education institutions

Article 11.

- 1) Higher education institutions are universities and colleges.

The name “university”:

- a) is limited to a higher education institution which performs teaching and research activities, which offers academic degrees of all three cycles, aiming to improve knowledge, teaching and education in the Republic, educational, cultural, social and economic development, to promote democratic society and to achieve the highest standards of learning and research activities, and

- b) refers to a higher education institution which conducts at least five different study courses from at least three scientific areas – natural sciences, technical sciences, biomedicine and healthcare, biotechnical sciences, social sciences and humanities.
 - 2) The name “college”:
 - a) is limited to a higher education institution awarded the accreditation to issue a diploma and a degree of the first cycle, aiming to prepare and train an individual for the expert, economic and cultural development and for the promotion of a democratic society as well as for the achievement of high standards of teaching, and
 - b) refers to a higher education institution which conducts at least one study course from one scientific area and meets other requirements in accordance with the law.
 - 3) Only higher education institutions which have acquired working license and are listed in the court register and in the register of higher education institutions pursuant to this law, may take part in legal interchange and bear the name of higher education institutions and their organizational units.

Scientific institutes and other scientific-research institutions and organizations

Article 12.

- 1) A university may be composed of scientific institutes and other scientific-research institutions and organizations for the purposes of the promotion of the scientific-research work.
- 2) An institute or other scientific-research institution referred to in Paragraph 1 of this Article may deliver a part of accredited study courses of graduate and academic and doctorate studies at the university, in accordance with the statute, i.e. general legal act of the university.

Article 13.

In order to exploit the results of the scientific-research or artistic activities commercially, an higher education institution may found a center for the transfer of technology, an innovation centre, a business-technology park and other organizational units, in accordance with the law.

Founding and closing down of higher education institutions

- 1) A higher education institution may be founded by the republic, local legal or private entity, as well as by a foreign legal or private entity jointly with a local higher education institution, in accordance with this law.
- 2) The name of a higher education institution shall be determined by the founder in accordance with the law.
- 3) A higher education institution may perform activities abroad, with the consent of the founder.

Article 15.

Legal act of founding of a higher education institution whose founder is the Republic, shall be enacted by the National Assembly of the Republic of Srpska (hereinafter: National Assembly), upon the proposal given by the Government of the Republic of Srpska (hereinafter: Government).

Article 16.

A higher education institution may perform its activities after being listed in the Register of the higher education institutions.

Article 17.

- 1) A higher education institution may commence its work and perform activities provided that it meets the necessary organizational, staff, spatial, material-technical requirements, owns a library and IT equipment for the delivery of studies and provided that it meets other necessary requirements.
- 2) A higher education institution meets the staff requirements to commence its work and perform activities provided that it employs at least one half of the full-time teaching staff necessary for the delivery of study at the

- 3) A higher education institution meets spatial requirements necessary to commence its work and activities provided that it owns appropriate premises and in case that the Republic is the founder, the space owned by the institution or the Republic.
- 4) A higher education institution may perform higher education activities in its seat or outside of it, provided that it has obtained a special consent by the Ministry.
- 5) Detailed requirements for the founding and the commencement of the work as well as for the procedure to establish the fulfillment of conditions are prescribed by the Government with a special general legal act.

Article 18.

A higher education institution which was not funded from the Republic budget, shall submit, along with a license application, a bank guarantee for the continuation and the completion of studies, in case of the closing down of the institution, or closing down of a study course, according to the planned number of students.

Article 19.

- 1) Prior to the legal act on the founding of a higher education institution, the founder shall adopt a feasibility study.
- 2) The feasibility study contains the proof of justification of foundation, detailed description, status and structure of the higher education institution, the length of studies, teaching curriculum proposal, titles obtained after completion of the studies, manner of fulfillment of prescribed requirements for the work of the institution, and other significant information relevant to the founding and work of the higher education institution.
- 3) After the adoption of the feasibility study on the founding of the public higher education institution, the Ministry shall appoint a Committee of registrars from the list of the local and international experts, determined by the Council for the development of the higher education and quality assurance (hereinafter: Council). The task of the Committee is to develop the procedures for the commencement of work and to adopt the study courses.

- 4) Founder of a private higher education institution shall submit a feasibility study and a legal act of founding to the Ministry, along with the application for the founding approval.

Article 20.

- 1) Upon the founding of a higher education institution, the minister of education and culture (hereinafter: minister) shall form a Licensing Committee with the task to establish the fulfillment of requirements necessary for the commencement of the work of a higher education institution. Members of the Committee shall be appointed from a list of the local and international experts determined by the Council, in the area of expertise for which the institution is to be founded.
- 2) The Committee referred to in Paragraph 1 of this Article shall submit a report to the minister. The minister may ask for the Council's opinion on the report.
- 3) Based on the positive report of the Committee, the minister shall render a legal decision on fulfillment of requirements for the commencement of the work, and shall issue a license for work of the higher education institution.

Article 21.

- 1) Activities of the higher education in the Republic shall be performed only by the institutions which have obtained Ministry's approval.
- 2) Public documents issued by an institution contrary to Paragraph 1 of this Article, which performs higher education activities in the Republic and has not obtained a working license in the territory of the Republic, shall be void.
- 3) Education inspection shall, ex officio, prohibit the work of the institutions which perform their activities contrary to Paragraph 1 of this Article.

Article 22.

- 1) Prior to a legal act on the termination of the higher education institution, the founder shall form an expert committee with the task to develop a feasibility study on the termination of the higher education institution.
- 2) National Assembly shall enact the legal act on the termination of the higher education institution whose founder is the Republic.
- 3) In case of the closing down of a public higher education institution, the founder shall ensure the completion of education for the remaining students.

Status changes

Article 23.

A higher education institution may introduce status changes, with the prior consent of the founder; and in case that the founder is the Republic, with the Ministry's approval.

III- EDUCATION

Organization of studies

Article 24.

- 1) Higher education shall be organized as full-time studies. The manner of the delivery of studies shall be education within the seat, outside the seat with a special approval of the ministry, and distance learning.
- 2) A higher education institution, namely its organizational units, within its activities, may perform a scientific-research, artistic, expert, consultation and publishing activity; as well as other activities in the area of scientific, expert, research and artistic work, under condition that those activities shall not reduce the quality of teaching.
- 3) A higher education institution, within its activities, may deliver lifelong learning program outside the study courses framework for which it has obtained a working permit.
- 4) Conditions, manners and procedure of the delivery of program referred to in Paragraph 3 of this Article shall be determined by the general legal act of the institution.
- 5) A person, who has completed the program referred to in Paragraph 3 of this Article, shall be issued a certificate.
- 6) A person enrolled into the program referred to in Paragraph 3 of this Article shall not have the status of a student, for the purposes of this law.

Article 25.

- 1) A higher education institution shall organize lectures and other forms of teaching for all students, except for the distance learning studies.
- 2) Detailed conditions and manners of the delivery of distance learning studies shall be determined by the by-laws and general legal acts of the higher education institution.
- 3) A higher education institution shall inform the students about the manner, time and place of the study delivery; methods and contents of the studies, as well as contents, methods, criteria and standards of exams, public access to exams, insight into the exam results, as well as other students' issue matters.
- 4) Responsibilities of the higher education institution concerning the manner of organization and the time frame of the study delivery shall be determined by the general legal act of the higher education institution.
- 5) Teachers and associates at the higher education institution may give lectures and other forms of teaching in one of the languages of the constituent peoples, at their own choice.

Article 26.

- 1) In the course of the studies, academic subjects are, as a rule, one semester academic subjects.
- 2) Academic subjects may be compulsory, optional and facultative, their nature being determined by curriculum (study program).
- 3) The Curriculum in the first and second cycle shall establish minimum 20 and at maximum 25 teaching classes per week.

Scope of studies

Article 27.

- 1) Scope of studies shall be expressed with the sum of ECTS credits.
- 2) Every academic subject of the study program shall be expressed with the score of ECTS credits.
- 3) It is allowed to transfer ECTS credits between different study programs. Criteria and conditions of the ECTS credits transfer shall be determined by the statute of the higher education institution, namely by the agreement between the higher education institutions.

Article 28.

- 1) The sum of 60 ECTS credits corresponds to the student's average total engagement within the 40-hour work week in the course of one school year.
- 2) Student's total engagement comprises of teaching (lectures, exercises, practicums, seminars, etc), individual work, colloquiums, exams, final papers, voluntary work in the local community, and other aspects of engagement.

School year

Article 29.

- 1) A higher education institution shall organize and deliver studies during a school year, which, as a rule, starts on 1st of October and lasts for 12 calendar months.
- 2) School year may be divided into:
 - a) two semesters, in which the teaching lasts for 15 weeks;
 - b) three semesters, in which the teaching lasts for 10 weeks;
 - c) blocks, totally lasting for 30 weeks, whose individual time frame shall be determined by the general act of the higher education institution.
- 3) Teaching of individual courses shall be, by the rule, organized and delivered in the course of one semester, one trimester or one block, but no longer than two semesters or three trimesters.

Curriculum

Article 30.

- 1) A Curriculum shall determine: time frame, academic subjects and their timetable for every year and semester, as well as the number of classes for different forms of teaching.
- 2) A Curriculum shall determine the content of the subject, manner of the delivery of studies and taking exams, list of compulsory textbooks, manuals and literature which are used for taking exams.
- 3) The degree of the first cycle and other programs leading to a diploma of a high education are flexible enough to provide the entry and exit in specific phases, granting ECTS credits and/or qualifications, depending on a progress made by a student.
- 4) When setting up the rules, a higher education institution shall ensure that the valid European transfer of credit points be observed.

Study program

Article 31.

Study program is a set of compulsory and optional study areas, namely academic subjects, with the framework content whose adoption provides necessary knowledge and skills for obtaining a diploma of the corresponding level and type of studies.

Article 32.

- 1) A study program shall determine:
 - a) name and goals of the study program,
 - b) type of studies and results of the learning process,
 - v) expert, academic, scientific name,
 - g) conditions for enrollment,
 - d) list of compulsory and optional study areas, i.e. academic subjects, with the framework content,
 - dj) delivery of studies and time necessary for individual forms of studies,
 - e) points for every subject in line with ECTS,
 - z) points for the final paper in line with ECTS,
 - z) preconditions for enrollment into individual subjects and subject groups,
 - i) manner of the selection of subjects from other study programs,
 - j) conditions for transfer from other study programs within the same or related study areas,
 - k) other issues relevant for the delivery of a study program.

- 2) Study program (teaching curriculum) shall be the integral part of the Statute of the higher education institution. Changes of the study program shall be done in a procedure established for its adoption. A licensed institution may make changes of the study program maximum to 20 ECTS credits without previous accreditation.

Study program for obtaining a common diploma

Article 33.

- 1) Study program for obtaining a common diploma is a program which is organized and delivered by two or more higher education institutions which are licensed to perform activities in the appropriate study program.
- 2) Study program referred to in Paragraph 1 of this Article may be delivered after being adopted by the competent bodies of the higher education institutions which are to organize it.

Knowledge evaluation

Article 34.

The students' success in an individual academic subject shall be continuously monitored in the course of the studies, in the manner prescribed by the Curriculum, namely a study program, in accordance with the statute.

Exams

Article 35.

- 1) Students shall take exams in the seat of the higher education institution, i.e. in premises listed in the working licence.
- 2) A higher education institution may, in accordance with the syllabus, i.e. study program and the statute, organize the exams be taken outside the seat, only in the case of an academic subject whose nature requires so.
- 3) Exams passed contrary to paragraph 1 and 2 of this Article shall not be recognized and the education inspection shall annul them *ex officio*.

Article 36.

A physically impaired student shall have the right to take exams in the manner which is adjusted to his/her capabilities, in accordance with the statute of the higher education institution.

Article 37.

- 1) A student shall take the exam at the end of the teaching of the correspondent academic subject, in the manner determined by the curriculum, i.e. study program, in accordance with the statute of the higher education institution.
- 2) Student's success in the exam is expressed in marks starting from five (failed) which shall not be recorded in the student's index, to the mark ten (excellent).
- 3) A higher education institution may, apart from the named one, prescribe another, non-numerical evaluation system.
- 4) Statute of the higher education institution shall determine the manner of taking the exams and evaluations, in accordance with the law and by-laws.

Article 38.

- 1) Examination periods are: January-February, June-July and September.
- 2) Examination period shall contain, as a rule, two examination terms.
- 3) Only in exceptional cases, a student who has not accumulated minimum 60 ECTS credits necessary to enroll the following school year and who has to fulfill obligations in one academic subject of the study program, namely a semester, may fulfill the obligations in the additional examination period in order to accumulate this number of ECTS credits, in accordance with the statute.

Article 39.

After three failures to pass the same exam, a student has the right to take the exam, upon his personal request, before the exam panel.

Student voluntary work

Article 40.

- 1) Voluntary work is a work done by a student without receiving a fee, which is organized by the higher education institution for projects important for the local community and which is evaluated in the system of higher education.
- 2) Conditions, manner of organization and evaluation of the voluntary work shall be determined by a general legal act enacted by the higher education institution.

Final paper and dissertation

Article 41.

- 1) A final paper may be prescribed by a Study program of the undergraduate studies (first cycle).
- 2) Study program of the postgraduate academic studies (second cycle) requires a compulsory final paper.
- 3) Doctorate dissertation is a final part of the study program of the doctorate studies, except for the doctorate of arts which is an artistic project.
- 4) In exceptional cases, a doctor of sciences may be a person who has completed the study of medicine and a specialization and has published articles in the prominent international magazines, along with the doctorate dissertation defense.
- 5) Number of credits given for the final paper, i.e. final part of the study program, makes the total number of credits necessary for the completion of studies.
- 6) Manner and procedure of preparation and defense of the final paper, i.e. dissertation, shall be determined by the general act of the higher education institution.

IV – INSTITUTIONAL AUTONOMY AND LEGAL PERSONALITY

Autonomy

Article 42.

Higher education institutions enjoy freedom of the scientific-research work within their licenses, without interference from the public authorities.

Article 43.

- 1) No one shall deny or restrict freedom of higher education institutions to:
 - a) innovate the delivery of higher education within their licenses,
 - b) offer study programs for obtaining necessary or useful skills in order to accomplish goals of the higher education.
- 2) A scientific-research work shall be stipulated by a special law.

Article 44.

Higher education institutions, in accordance with the provisions of this law, have the right to:

- a) elect their governing and management bodies and authorities and fix their terms of office,
- b) arrange their structures and activities through their own rules in conformity with the present regulation and other applicable laws and their statutes,
- v) choose teaching and other staff,
- g) set conditions for admission of students and methods of teaching and assessment of students;
- d) independently develop and implement curricula and research projects,
- dj) independently promote the teaching and research cooperation and activities with other higher education institutions,
- e) grant titles to professors and other staff in accordance with the powers prescribed by this law.

Inviolability of premises

Article 45.

- 1) Premises of the licensed higher education institutions shall be inviolable.
- 2) The premises of the university or higher education institution shall be inviolable from entry by the police or other law enforcement agencies without the permission given by the rector of the university or a high school principal or an authorized person.

- 3) In exceptional cases, necessary measures may be taken in order to prevent an impending crime or a crime already taking place. University or high school administration shall be immediately informed about actions taken.

Authorities of the higher education institution

Article 46.

- 1) Funding of higher education institutions shall be stipulated by a special law.
- 2) Except as otherwise provided in this Law, each licensed public higher education institution shall have full legal personality in relation to the matters dealt with in this Law including powers to:
 - (a) Own and manage land and buildings in its ownership, in accordance with the law and institution's statute;
 - (b) Receive and manage funds from any legal source;
 - (v) Set and receive tuition and other fees in accordance with the law;
 - (g) Employ staff;
 - (d) Enter into contracts for goods and services;
 - (dj) Form legal relationships with students;
 - (e) Found commercial enterprises for educational and research purposes;
 - (ž) Enter into agreements with other providers in BiH and with institutions internationally;
 - (z) and shall have such other powers necessary for the discharge of their functions.
- 3) A higher education institution shall manage its powers referred to in Paragraph 2 of this Article in accordance with the statute and general legal acts.

Funding

Article 47.

- 1) Funds received from the budget, own income, paid tuition fees and funds from other sources shall belong to the higher education institution and organisational unit which has realised them, and shall be spent in accordance with the law, the statute and the adopted financial plan.
- 2) Statute of a higher education institution shall define manner and proportion of academic and financial powers of an organisational unit which shall resume responsibility within the institution so as to manage and set income and expenditure of all organisational units in a precise manner.

Tuition fees

Article 48.

- 1) University, i.e. faculty and college shall receive funding from tuition (tuition fees).
- 2) Decision on level of tuition levied on students in public higher education institutions shall be prescribed by the Ministry upon the proposal of the higher education institution.
- 3) A private higher education institution shall prescribe the level of a tuition fee.
- 4) Prior to an open competition for the enrollment of new students, a higher education institution shall disclose the level of tuition fees for the following school year, for all study programs.
- 5) Tuition fees provide for the costs of the studies for one school year, i.e. to accumulate 60 ECTS credits.
- 6) Tuition fees include fee for services provided by the higher education institution to a student in the course of studies and within a study program.

Student accommodation

Article 49.

A higher education institution may organise accommodation and food for the students in accordance with the law which determines the collective accommodation and food for the students.

Statute

Article 50.

- 1) The Statute is a basic legal act of a higher education institution, which shall set out issues relevant to the performing activities of the institution.
- 2) Statute shall ensure the following:
 - a) basic organisation, bodies and manners of work, governance and management of the higher education institution,
 - b) research, scientific, expert or artistic work,
 - v) election of academic titles,
 - g) rights and obligations of students,
 - d) organizing of staff and students,
 - dj) keeping records,
 - d) other issues relevant to the work of the institution.

Article 51.

- 1) The Statute of a higher education institution shall be passed by the governing board upon the proposal of the Senate, with the prior consent of the Ministry.
- 2) Statute modifications shall be passed in the prescribed manner and procedure.

V - ORGANISATION OF HIGH EDUCATION INSTITUTIONS

Organisational units

Article 52.

- 1) University shall have organizational units such as faculties, academies, or scientific institutes, as well as other organizational units which perform teaching, scientific-research and artistic work in one or more educational and scientific areas.
- 2) Organisation and competencies of the organizational units shall be closely determined by the university statute.
- 3) University shall have the status of a legal entity. Organisational units referred to in Paragraph 1 of this Article shall not have the status of a legal entity.

- 4) Faculty, academy, institute and other organizational unit of the higher education institution, as prescribed by the management body of the university, shall use the stamp and the seal of the university complemented by its name.

Article 53.

A faculty is a scientific-teaching unit of the university which develops a scientific-research work as a basis of its teaching activities.

Article 54.

Artistic academy is a teaching-artistic unit of the university, which develops artistic creativity in the area of arts.

Bodies of high education institutions

Article 55.

- 1) Bodies of a university are:
 - a) Senate,
 - b) Governing Board,
 - v) Rector.
- 2) Bodies of a college are:
 - a) Governing Board,
 - b) Senate,
 - v) Director
- 3) A higher education institution may have other expert bodies, namely bodies for performing its activities, whose founding, composition and competencies shall be determined by the Statute or other general legal act.

Article 56.

Competencies, number, composition, tenure of office, election and dismissal, manner of work and decision-making of the bodies of a private higher education institution shall be determined by the Statute, provided that the participation of academic staff and students in process of making relevant decisions be ensured.

Governing board

Article 57.

- 1) Governing board shall be a governing body of a higher education institution.
- 2) Governing board comprises of 7-11 members and includes members of: academic staff, non-academic staff, students and a founder.
- 3) Representatives of the founder appointed by the Government shall be members of all constituent peoples and one representative of ethnic minorities, namely persons having appropriate professional or practical knowledge who make maximum 1/3 of the total number of the Governing board members.
- 4) Representatives of the academic and non-academic staff shall be elected and appointed by the Senate, in the procedure determined by a special act which shall be enacted by the Senate.
- 5) At least one member of the Governing board referred to in Paragraph 1 of this Article shall be elected from the students, and shall be elected by the student representative body in the procedure established by a special legal act.
- 6) Members of the Governing board, except representatives of students, shall be appointed for the 5-year period. Mandate of a student representative lasts for one year.
- 7) President of the Governing board shall be elected from the academic staff.
- 8) Competencies of the Governing board are:
 - a) sets scientific-research, educational, artistic and development-investment policy of the higher education institution, upon the proposal given by the Senate and the rector, i.e. director,
 - b) passes the Statute with the prior approval of the Ministry,
 - v) establishes annual work plan of the institution, upon the proposal given by the Senate,
 - g) makes financial plan of the higher education institution upon the proposal of the rector, i.e. director, and monitors its realization,
 - d) adopts annual financial rector's report on financial activities,
 - dj) directs, controls and evaluates the rector's or director's work regarding the business operations,
 - e) renders decisions on founding other legal entities for educational and research purposes,
 - ž) enacts general act on internal organization and systematization of positions and other general acts in accordance with the law and the statute,
 - z) renders second-degree decisions on employee's complaints against the decisions passed by the higher education institution on rights, obligations and responsibilities of the employees,

- i) at least once a year submits a report on business operations to the founder,
 - j) performs other activities in accordance with the law, the founding act and the statute of the higher education institution,
- 9) Governing board shall render decisions with the majority of votes of the total number of members. Secretary of the institution is the secretary of the Governing board.
- 10) Members of the governing board have the right to receive reimbursement for their work.

Article 58.

Responsibility for the business operations of the licensed private higher education institution shall be borne on the founder, namely the assembly of founders – which shall be formed in cases when the higher education institution has two or more founders and a governing board.

Senate

Article 59.

- 1) Responsibility for the academic issues in the higher education institution shall be borne by the Senate being the highest academic body comprised of representatives of the academic staff and students.
- 2) Senate of the higher education institution shall decide on the all academic issues, particularly:
 - a) decides on matters regarding the teaching, scientific, artistic and expert activity of the higher education institution,
 - b) makes draft statute of the institution,
 - v) passes general acts in accordance with the law and statute of the institution,
 - g) adopts curricula and curricula of undergraduate, graduate and doctorate studies,
 - d) selects the rector and vice-rector of the university, i.e. director of the high school,
 - dj) selects academic staff upon the proposal given by the scientific-teaching council, i.e. scientific-research council of the organizational unit,
 - e) appoints a committee in the procedure of obtaining a master and doctorate degree,
 - z) gives the governing board the initiative to organize and close down a faculty and other organizational units in the university,

- z) awards title “professor emeritus” and “emeritus doctor of sciences”,
- i) appoints a committee in the procedure of making a master thesis and doctorate dissertation,
- j) performs other activities in accordance with the law and the statute of the higher education institution.

Article 60.

- 1) The Senate of a higher education institution shall decide on the academic matters upon the proposal given by the expert bodies of the faculty, i.e. other organizational units, as well as other bodies of the higher education institution.
- 2) The Senate of a higher education institution shall comprise of at least one member from the full-time academic staff of each organizational unit who has been proposed by the scientific-teaching council of the organization unit, as well as representatives of students from each study cycle, whose number shall not be less than 15% of the total number of the Senate members, which shall be elected by the student representative body of the higher education institution:
 - a) at least one half of the total number of the Senate members are full professors,
 - b) the dean may be a member of the Senate of the higher education institution,
 - v) the work of the Senate shall be determined by the statute of the higher education institution.

University rector and college director

Article 61.

- 1) A university shall be managed by the rector, in accordance with the law and the statute of the higher education institution.
- 2) High school shall be managed by the director, in accordance with the law and the statute of the higher education institution.

Article 62.

The Rector of a university, i.e. director of a college shall perform activities determined by the law and statute of the higher education institution, namely:

- a) represents the higher education institution,
- b) organizes and manages the work of the university, i.e. college and is responsible for the legality of work,
- v) passes individual legal acts in accordance with the law and statute of the higher education institution,

- g) proposes general acts in accordance with the law and statute of the higher education institution,
- d) proposes measures for improvement of the work to the bodies of the higher education institution,
- dj) proposes measures for efficient and legal performing of the activities to the governing board,
- e)proposes basic work and development plan of the institution,
- ž) proposes internal organization and systematization to the governing board,
- z) carries out decisions of the governing board and other bodies of the higher education institutions
- i) decides on use of funds to the amount set by the statute of the higher education institution,
- j) decides on rights, obligations and responsibilities of the employees regarding the labour matters,
- k) submits report on financial operating of the institution to the governing board,
- l) gives orders for the execution of the financial plan,
- lj) rector of the university takes part in the work of the rector conference,
- l) performs other activities in accordance with the law and statute of the higher education institution.

Article 63.

- 1) Rector of the university, i.e. director of the college is accountable to the Senate regarding the academic matters.
- 2) Rector of the university, i.e. director of the college is accountable to the governing board for his work in the domain of business operations, accordance with the provisions of this Law pertaining the accountability for the business operations of the higher education institution.

Article 64.

- 1) Rector of the university, i.e. director of the college shall be elected for the period of four years and may be re-elected.
- 2) Rector of the university shall be elected by the Senate in the open competition procedure.
- 3) Procedure of appointment and dismissal, as well as grounds for the dismissal from the position of the rector of the university, i.e. director of a college before the end of the tenure, shall be determined by the statute of the higher education institution.

Article 65.

- 1) A teacher holding the title of a full professor who has met all conditions in the university for which he applies and who is a full time university employee, may be elected rector.
- 2) Director of a public college shall be elected by the Senate in an open competition procedure.
- 3) A person who has met conditions to be appointed teacher in the higher school, may be elected director.
- 4) Rector of the university, i.e. dean of the faculty or a director of a college, a manager director of the higher education institution or its organizational unit and a member of the founders assembly in a private higher education institution shall not be a person who has been convicted in a court procedure for having committed a crime against official duty, or crime against safety of public traffic. The education inspection shall ex officio prohibit such person from the performing the above mentioned duties.

Bodies in the organizational unit

Article 66.

- 1) Expert body of the faculty, i.e. art academy shall be scientific-teaching, i.e. artistic-teaching Council (hereinafter: Council).
 - a) Council shall comprise of: full time teachers and associates of the higher education institution in accordance with the university statute, and of student representatives in number which may not be less than 15% of the total number of the Council members.
 - c) Council shall:
 - 1) give opinions and proposals to the dean on academic, scientific, artistic and expert matters in accordance with the university statute,
 - 2) give proposals to the Senate regarding the changes in structure and content of the study programs and teaching methods,
 - 3) elect representatives into the university Senate,
 - 4) propose development program of the organizational unit,
 - 5) perform other activities in accordance with the university statute and general legal act of the organizational unit.
- 2) The management body of the organizational unit shall be a dean or a director:

- a) Dean shall be appointed by the rector upon the proposal given by the council of the organizational unit, and the selection of the director of the organizational unit shall be determined by the statute of the higher education institution.
- b) Dean shall represent the organizational unit and shall have the same rights and obligations in accordance with the university statute.
- v) Dean shall enact the individual acts in accordance with the law and university statute.
- g) For his work, the dean is accountable to the rector of the university.

Director manager

Article 67.

- 1) A higher education institution, namely its organizational unit may introduce in its Statute the function of a director manager. The Statute may determine the scope of work of a director manager, which:
 - a) represents the higher education institution within the assigned activities,
 - b) passes certain individual acts in accordance with the law, statute and general acts of the higher education institutions,
 - v) proposes general acts,
 - g) proposes funding and development plans according to which he proposes the annual work plan,
 - d) executes the financial plan, directs and controls the work in the area of the financial operating and is responsible for the legality of the operations,
 - dj) decides on the use of funds up to the amount determined by the general act,
 - e) submits the annual report and other reports on financial operating,
 - ž) executes decisions of the body in accordance with the law and the statute,
 - z) performs other activities in accordance with the law, statute and general acts.
- 2) Procedure and conditions of election, operating, responsibility and other issues related to the function of a director manager shall be set by the statute.

VI – ACADEMIC STAFF

Rights and obligations of the academic staff

Article 68.

- 1) A higher education institution, with its statute or other general act, shall prescribe that the academic staff enjoy freedom, within the law, to test and assess the received knowledge and to offer new ideas and controversial or unpopular thoughts, without being exposed to the danger of losing the job or any other privilege which they might enjoy in the higher education institution.
- 2) The right of the academic staff in a higher education institution to the freedom of speech may be limited only by the law.

Article 69.

The Statute of the higher education institution shall, as the condition for accreditation, contain the following provisions which :

- a) secure for staff freedom organization and assembly in accordance with the law,
- b) protect the staff from discrimination on any ground, such as sex, race, sexual orientation, marital status, colour of skin, language, religion, political or other thinking, national, ethnical or social background, association with a national community, property, birth or any other status.

Article 70.

Academic staff of a higher education institution has the right to disclose the results of their research work, in accordance with the rules prescribed by the higher education institution regarding the use of right for intellectual property, having respect to the rights of the authors, higher education institution and third parties.

Academic titles in the higher education institutions

Article 71.

- 1) Higher education institutions shall award the academic titles which may be: scientific-teaching, teaching or artistic.
- 2) University shall award the following scientific-teaching and artistic titles:
 - a) full professor,
 - b) associate professor,
 - v) assistant professor,
 - g) lector,
 - d) senior assistant,
 - dj) assistant.
- 3) Teaching titles are: full professor, associate professor and assistant professor.
- 4) Associate titles are: lector, senior assistant and assistant.
- 5) College shall award the following teaching and artistic titles:
 - a) college professor,
 - b) college lecturer,
 - v) assistant.
- 6) Teaching titles in colleges are: college professor and college lecturer.

Conditions and appointment of the academic staff

Article 72.

Minimum conditions for the appointment of the academic staff in the scientific-teaching titles in the higher education institutions are:

- a) assistant – eligible university degree with at least 240 ECTS credits and the lowest average mark eight (8),
- b) senior assistant – second cycle degree (master), i.e. master of sciences,
- v) lector – second cycle degree (master), i.e. master of sciences,
- g) assistant professor – scientific degree of a doctor in the corresponding area; at least three (3) scientific papers published in prominent publications; approved teaching abilities;
- d) associate professor – having at least one election period as the assistant professor, and at least five (5) scientific papers published in prominent publications, a published book and original expert success, such as the project, patent or original method, all of them after being appointed the title of the assistant professor, as well as the member of the master or doctorate board, or mentorship of the candidate for the second cycle degree,
- dj) full professor – spend at least one election period as the associate professor, at least two (2) published books, at least eight (8) scientific works published in

prominent publications, all of them after being appointed associate professor, and successful mentorship for the second or third cycle degree.

Article 73.

Minimum conditions for the appointment at the university, in case that the artistic criteria are significantly relevant for the academic subject:

- a) assistant – completed first cycle degree, with at least 240 ECTS credits and average mark 8 (eight),
- b) senior assistant – completed second cycle degree, namely first cycle degree and publicly displayed artistic works,
- v) assistant professor – completed at least first cycle, significant number of publicly displayed artistic works and approved teaching results,
- g) associate professor – completed at least first cycle degree, significant number of publicly displayed artistic works, recognition of the successful work in the corresponding area and approved teaching results,
- d) full professor – completed at least first cycle degree, significant number of publicly displayed artistic works which have considerably contributed to the development of the culture and art, and contributed to the improvement of the teaching and artistic staff.

Article 74.

- 1) Minimum conditions for the appointment in a college:

- a) assistant - completed first cycle degree, with average mark at least 8 (eight),
- b) college lecturer – completed second cycle degree, approved teaching skills and published at least two (2) scientific works,
- v) college professor – doctor of sciences in the corresponding area, i.e. completed third cycle degree, approved teaching skills and published at least three (3) scientific works.

- 2) Persons granted the title full professor, associate professor and assistant professor, who are appointed by the university, may teach in a college.

Article 75.

- 1) Minimum conditions for the appointment of artistic titles to a college:

- a) assistant – completed first cycle degree, average mark at least 8 (eight),

- b) college lecturer – completed at least first cycle degree, publicly displayed artistic works, approved teaching skills,
- v) college professor – completed first cycle degree, publicly displayed prominent artistic works and approved artistic skills.

- 2) Persons appointed by the university to artistic-teaching courses may teach in colleges.

Tenure of the academic staff

Article 76.

- 1) During the selection procedure, only published works, books and research results, projects, mentorship, i.e. publicly displayed artistic works from the last appointment shall be taken into consideration.
- 2) The tenure at the university:
 - a) assistant – 4 year period without possibility of re-appointment,
 - b) senior assistant – 5 year period with the possibility of one reappointment,
 - v) lector – 5 year period with the possibility of one reappointment,
 - g) assistant professor – 5 year period with the possibility of reappointment,
 - d) associate professor – 6 year period with the possibility of reappointment,
 - dj) full professor – permanent.

Article 77.

The tenure in college:

- a) assistant – 4 year period without the possibility of reappointment,
- b) college lecturer – 5 year period with the possibility of reappointment,
- v) college professor – indefinite time.

Accountable teachers and associates

Article 78.

- 1) Prior to the commencement of every semester/trimester, the higher education institution shall determine the accountable teachers and associates for the corresponding semester/trimester.
- 2) Accountable teachers and associates shall be teachers and associates in a higher education institution who meet all lawfully prescribed conditions and who have been appointed within a lawfully prescribed procedure pursuant to the law applicable at the time they were appointed.
- 3) University may, without the open competition, engage teachers from another university, i.e. faculty or art academy, in accordance with the employment regulations.
- 4) A college may, without the open competition, engage teachers from another higher education institution, in accordance with the employment regulations.
- 5) Education inspection shall prohibit the work of teachers who have not been appointed accountable teachers and shall prohibit the work of the higher education institution in the study year for which the higher education institution does not appoint accountable teachers in the additional term determined by this body.
- 6) Educational work and examinations conducted by the teachers which have not been appointed pursuant to Paragraph 2 of this Article, shall not be approved, therefore the education inspection shall annul them *ex officio*.

Professor emeritus

Article 79.

- 1) The university may, in accordance with the need for the staff of the higher education institution, upon the proposal given by the faculty or other organizational unit of the higher education, award the professor emeritus title to the retired full professor who held this title for at least 5 years, and who has made outstanding achievements in his scientific, i.e. artistic work in the area he has been appointed to.
- 2) Professor emeritus may teach in the second and third cycle of studies and may take part in the development of the research projects, but shall not be appointed accountable teacher pursuant to Article 78, Paragraph 1 of the applicable law.
- 3) Procedure and conditions of the title and rights award, pursuant to Paragraph 1 of this Article shall be closely determined by the general act of the university.

- 4) Rights and obligations of the person appointed the title pursuant to Paragraph 1 of this Article shall be stipulated by the contract on engagement outside the employment.

Teachers of foreign languages and skills

Article 80.

- 1) Teaching of foreign languages, i.e. skills, may be delivered by a teacher of a foreign language, namely skills, who has completed basic studies or second cycle with the average mark at least eight (8), and has published expert works in the corresponding area, and who has skills for the teaching process.
- 2) General act of the higher education institution shall closely determine the manner of election and tenure of the teacher of the foreign language, namely skills.

Scientific and expert associates

Article 81.

- 1) A prominent scientist, expert or artist may be asked to take part in the delivery of part of teaching in a higher education institution, in accordance with the statute.
- 2) At the academy, the associates may, in cooperation with the teacher, deliver the teaching of a part of a program or individual forms of expert or artistic work, as well as the training of the expert knowledge and skills, practices and other work determined by the statute.

Procedure for the appointment of the teacher and associate

Article 82.

- 1) Appointment of the academic staff shall be done through an open competition procedure pursuant to conditions and criteria stipulated by the applicable law, statute of the higher education institution and the commonly accepted standards in the given area.

- 2) Open competition for the appointment of the teacher and associate into higher titles, or reappointment, shall be published not later than 6 months before the expiration of the tenure for which the teacher, or associate was appointed.
- 3) A higher education institution shall make the appointment of a teacher, i.e. associate, not later than six months from the date the open competition was published.

Article 83.

- 1) The senate of a higher education institution shall make a committee for making a report upon the proposal of the Council of the organizational unit.
- 2) Committee shall comprise of at least three teachers from the scientific area, or art for which the teacher or associate is to be appointed, out of whom at least one shall not be employed in the higher education institution.
- 3) Members of the committee are of the same or higher title that the title into which the candidate is to be appointed.

Article 84.

The committee's report shall contain the following: biographical data, review and opinion on the previous scientific, expert, artistic work of the candidates, information on published works, opinion on fulfillment of other conditions determined by this law, and a proposal for the election of a candidate to a teacher, i.e. associate, as well as other elements which are prescribed by the by-laws and the statute of the higher education institution.

Article 85.

- 1) A candidate, who has not taught in any higher education institution, shall give a lecture before the committee of a subject from the area to which he has applied.
- 2) A higher education institution shall make a public note of the time of the lecture referred to in the previous Paragraph.

Article 86.

- 1) Appointment of a candidate into a teacher shall be done by the Senate.

- 2) Decision on the appointment shall be made by the majority of votes of the total number of the Senate members, based on the proposal of the committee which has made the report on the appointment.

Article 87.

A candidate may submit a complaint regarding the selection within 15 days from the day he was informed about the decision, to the body determined by the statute of the higher education institution.

Labour matters of the academic staff

Article 88.

- 1) In terms of the rights, obligations and responsibilities of the academic staff and other persons employed in the higher education institution, general provisions which determine labour matters shall be applied, unless stipulated otherwise.
- 2) In a higher education institution, in the employment procedure, it shall be taken into account the equal representation of the members of the constituent peoples and ethnic minorities (others).

Article 89.

- 1) Academic staff shall enter into the employment agreement with the higher education institution for the indefinite or definite period of time, pursuant to higher education institution statute.
- 2) A full professor shall enter into the employment agreement for the indefinite period of time.
- 3) A teacher and an associate may enter into the employment agreement with the higher education institution for the full-time or part-time work.
- 4) Teachers and associates, as a rule, shall be employed for the full-time work, pursuant to the general act.
- 5) A teacher, within a 40-hour work week shall assume the obligation of the teaching, scientific and expert work, established by the curriculum.
- 6) An associate, within a 40-hour work week, shall perform exercises, colloquiums and other forms of teaching, in addition to lectures and exams.

- 7) Teaching referred to in the Paragraph 6 of this Article may be carried out by the students attending second and third cycle, pursuant to general acts of the higher education institution.

Article 90.

- 1) Teachers and associates have the right for the adjournment of deadlines for the appointment of the titles and in positions (adjournment of rights and obligations of the employment) during the tenure of the rector, vice-rector at the higher education institution, in accordance with the statute or while performing other duties.
- 2) A teacher or an associate taking maternity or sick leave for more than a year shall be granted the appointment period extended for the corresponding period of time.
- 3) After five years of working in a higher education institution, a teacher may be granted a paid absence of leave lasting for one school year, in order to take part in advanced training in accordance with the statute.

Article 91.

- 1) Teachers and associates shall be responsible for the breach of their labour and other obligations, as well as for the damaging of the reputation of the higher education institution, in accordance with the statute.
- 2) Teachers and associates shall be responsible only for actions which are, in accordance with the general act of the higher education institution, considered breach of labour obligations at the time those actions were taken, for which sanctions are prescribed.

Article 92.

- 1) A rector in a public higher education institution, i.e. a director of a public college shall render decisions on matters relevant to the teachers' and associates' employment, professional engagement, violation of the labour obligations, termination of employment, as well as other matters stipulated by the statute of the higher education institution, on the basis of the proposal of the teaching-scientific council of the faculty or artistic-teaching council of the art academy, i.e. senate of the higher school.
- 2) It is allowed to complain to the Governing board of the higher education institution against the decision of the rector or the director of the college

referred to in Paragraph 1 of this Article. It is allowed to start court proceedings before the competent court, against the final decision.

- 3) Protection of the rights of the academic and other staff of the higher education institutions shall be exercised in accordance with the law, the statute and other acts of the higher education institution.

Article 93.

- 1) The employment of a teacher in a higher education institution shall be terminated at the end of a school year in which he/she has turned 68 years of age.
- 2) A teacher in a higher education institution may request his employment be terminated before he/she turns 68 years of age, in accordance with the provisions of the pension-invalid insurance.

VII – STUDENTS

Contracts between students and higher education institution

Article 94.

- 1) Students which are enrolled and admitted to the higher education institution shall enter into contractual relationship with the named institution, i.e. faculty or art academy which is the organizational unit of the university, in accordance with the law, by-laws and the statute.
- 2) A student enrolled shall be issued a student's book (index).
- 3) Single format of the student's book (index) shall be prescribed by the Minister.

Student rights and obligations

Article 95.

Students shall have the following rights closely determined by the Statute:

- a) to attend lectures, seminars and other forms of teaching in accordance with their position, and, depending on possibilities, to attend other forms of organized teaching,
- b) to use the library and other student services,
- v) to take part in elections for student positions in student representative bodies and other bodies established in accordance with the statute of the institutions, as well as to protect the autonomy and dignity of the higher education institution,
- g) to exercise the rights for the recognition and transfer of credits-points between the accredited higher education institutions in the Republic and Bosnia and Herzegovina.

Article 96.

Students enrolled at the university or a college shall have the following obligations:

- a) to observe the rules established by the higher education institution,
- b) to show due respect to the rights of the staff and other students,
- v) to show due respect to their studies and to take part in the academic activities.

Article 97.

Statute of a higher education institution shall contain provisions which:

- a) ensure the freedom of students to, pursuant to the law, question and test the adopted knowledge and to offer new ideas and controversial and unpopular thoughts, without being put at risk of losing their status or any other privilege which they potentially enjoy,
- b) ensure, pursuant to the law, freedom of speech, organization and assemble of students,
- v) protect students from discrimination on any ground such as sex, race, sexual orientation, marital status, colour, religion, language, political or other opinion, national, ethnic or social origin, attachment to a national community, property, birth or any other status,
- g) provide just and unbiased mechanisms of settlement of the disciplinary issues relevant to the students.

Article 98.

- 1) Students have the right to submit their request regarding the quality of teaching, exams or other services of the institution, and the Statute shall determine the fair respond to the complaint within 30 days.
- 2) A student shall be granted, upon his/her request, adjournment of the rights and obligations in following cases: serious illness, attending a specialized training for at least six (6) months, looking after a child up to one year of age, pregnancy protection, as well as in other cases prescribed by a general act.
- 3) Circumstances and conditions, under which the students may be removed from the registration due to academic and disciplinary reasons, as well as the appealing procedure, shall be prescribed by the statute of the higher education institution.
- 4) Students shall have the right to challenge any final decision of a higher education institution referred to in the Paragraph 3 of this Article in relation to them before the court of competent jurisdiction.

Disciplinary accountability of students

Article 99.

- 1) A student shall be held accountable for the breach of the obligation which was, at the time it was committed, determined by the general act of the higher education institution.
- 2) Due to a severe violation of the obligation, a student may be expelled from the studies in the higher education institution.
- 3) Disciplinary proceedings may not start after the expiration of 6 months from the day of being informed about the violation of the obligation happened and the identity of the offender, not later than 12 months from the day the violation was committed.
- 4) A general act shall determine minor and major violations of the student obligations, as well as disciplinary bodies and disciplinary proceedings for the establishing of the student's accountability.

End of student status

Article 100.

- 1) Student status shall end:
 - a) with the end of the study program and the award of a degree for which the student has been educated,

- b) with the removal from the higher education institution's register before the completion of studies,
 - v) when a student does not enroll at the study year and his/her rights and obligations do not adjourn,
-
- 2) Student status may end in case when a higher education institution orders a disciplinary measure to be taken against the student.
 - 3) Status of a full time student shall end in cases when the full time student has repeated the same study year twice and does not meet requirements to enroll in the next year of studies.

Student representative body

Article 101.

- 1) A Statute or other basic document of the higher education institution may determine the establishment of a student representative body, which represents student interests and contributes to the social, cultural, academic or physical-recreational needs of the students, based on the democratic principles and in accordance with the law.
- 2) Manner of appointment and number of the members of the student representative body shall be stipulated by the general act of the higher education institution.
- 3) Right to elect and to be elected member of the student representative body shall be granted to all students of the higher education institution, i.e. college, who are enrolled into studies in a school year for which a student representative body is formed.
- 4) Mandate of the members of the student representative body shall last for one year.
- 5) Election of the members of the student representative body shall be held every year through secret and direct voting.
- 6) Pursuant to this law and the statute of the higher education institution, student representative bodies shall adopt a legal act which closely determines the manner of work and the name of the student representative body.
- 7) Higher education institutions shall provide premises and other conditions for the work of the student representative body, pursuant to the statute of the higher education institution.

- 8) Student representative bodies may establish an association of the student representative bodies in the Republic, and may collectively join the student association in Bosnia and Herzegovina, as well as join the international organizations and student associations.

Article 102.

In order to exercise rights and protect student interests, the student representative body shall appoint and dismiss student representatives in bodies of the higher education institution, i.e. higher education unit, as well as in the bodies of other institutions having student representatives, in accordance with the statute of the higher education institution, namely its organizational unit.

VIII – RESPONSIBILITIES, RIGHTS AND OBLIGATIONS OF THE COMPETENT BODIES

Government of the Republic of Srpska

Article 103.

Government of the Republic of Srpska shall be responsible to:

- a) carry out the development strategy of the higher education in the Republic,
- b) provide funds to the higher education institutions for funding of the teaching process, research and artistic work, salaries of the employees, material expenses pursuant to the law,
- v) provide special funds to the institutions in order to maintain equal conditions for exercising the right for higher education for the physically impaired persons – students,
- g) carries out other activities in accordance with the law.

Ministry of education and culture of the Republic of Srpska

Article 104.

Ministry shall be held responsible for the implementation of the law in the following domains:

- a) funding, coordination and development of the higher education in the Republic,
- b) proposing of higher education politics to the Government,
- v) promotion of the integration of the teaching and research work as well as stimulation of the research programs at universities and higher schools,
- g) promotion and ensuring of the mobility of the students and teaching staff within the Republic, Bosnia and Herzegovina, in the area of the higher education in Europe and worldwide,
- d) promotion and ensuring of the ties between the higher education institutions in the Republic, BiH and the higher education institutions in the region and worldwide,
- dj) promotion and legal conditions for the equal access to the higher education, personal expert training, lifelong learning and all other aspects of the higher education in the Republic,
- e) support and encouragement to strengthen the ties between the higher education sector and industry, economy and society,
- z) monitoring the procedure of accreditation, licensing and quality assessment of the higher education institutions in the Republic of Srpska,
- zj) issuance of the work permit to the higher education institutions,
- i)) keeping records of the higher education institutions and study programs and other data relevant for the development of the higher education system,
- j) establishing of the form and content of the public documents,
- k) keeping registers of teachers and associates,
- l) keeping registers of recognition of the foreign diplomas,
- lj) adoption of the acts for the implementation of this law,
 - m) carrying out other activities pursuant to the law.

Article 105.

- 1) Ministry shall supervise the work of the higher education institutions.
- 2) Supervision shall be conducted in the manner which does not violate the autonomy nor disturb the work of the higher education institutions.

Article 106.

- 1) Inspection supervision of the implementation of this law shall be done by the education inspection.
- 2) Education inspector shall have the authority and obligation to:
 - a) prohibit the work of the higher education institution which performs activities without Ministry's approval,

- b) prohibit the work of the higher education institution which performs activities but does not meet requirements for the delivery of the higher education, and shall submit request to be removed from the registry,
- v) order appropriate measures to be taken in order to eliminate the found irregularities or defects, within the prescribed time limit,
- g) submit offence charge,
- d) submit request for the offence proceedings,
- dj) submit the report on the committed criminal act to the competent body,
- c) take other measures and actions for which it is authorized by the law and other regulations.

Article 107.

- 1) Education inspector shall be held accountable in the following cases:
 - a) in exercising supervision, if he/she does not take, propose or set a measure for which he/she is authorized,
 - b) he/she does not propose or initiate a proceeding before the competent body due to the determined irregularity, i.e. illegality,
 - v) he/she exceeds the legal authority,
 - g) in other cases regulated by the law and other provisions.

- 2) In cases referred to in Paragraph 1 herein, the education inspector commits severe violation of the labour requirements.

IX – HIGHER EDUCATION BODIES

Rector conference

Article 108.

- 1) The Rector conference of the Republic of Srpska (hereinafter: Rector conference) shall be established.
- 2) Members of the rector conference shall be rectors of all licensed and accredited universities in the Republic.
- 3) Work and functioning of the Rector conference shall be stipulated by the statute.
- 4) The Statute of the Rector conference shall be adopted with the majority of votes of the Rector conference.

Article 109.

- 1) The Rector conference shall determine and represent the mutual interests of the universities in the Republic and shall cooperate with the institutions in the education area in the Republic, BiH, Europe and worldwide.

Information and recognition committee

Article 110.

- 1) A committee for information and recognition of the documents in the higher education area (hereinafter: Committee) shall be established.
- 2) The Committee shall not be a professional body and shall work within the Ministry.
- 3) Expert work for the Committee shall be done by the Committee secretary, who is a Ministry's employee.

Article 111.

Committee's competencies are:

- a) informing and recognition in the area of the higher education,
- b) coordination of the inter-entity and international exchange of the academic staff, students and programs in the area of the higher education,
- v) representation of the Republic in the projects in Bosnia and Herzegovina and international projects in the area of the higher education, within their competency,
- g) through the information network in Bosnia and Herzegovina and international networks of the information centres, to provide information to the higher education institutions in the Republic about the foreign higher education institutions and programs which is the basis for the recognition of the degrees and diplomas for the further education at the higher education institutions in the Republic, Bosnia and Herzegovina, as well as to represent the Republic in those networks (ENIC/NARIC networks),
- d) provide information and opinion on the degrees and diplomas on the foreign degrees and diplomas in the Republic and Bosnia and Herzegovina for the purposes of the continuation of the education at the higher education institutions in the Republic and Bosnia and Herzegovina,
- dj) provide advice and information on issues within its mandate, to the parties who have the legitimate interest,
- e) rendering decisions pursuant to regulations on the recognition of the diplomas acquired outside the Republic and in Bosnia and Herzegovina, for the employment,

z) decides on the format and the shape of the diploma supplement.

Article 112.

- 1) Composition, work and functioning of the Committee shall be determined by the Book of Rules which is enacted by the Minister with the Government's consent.
- 2) The Committee shall be governed by the president appointed by the Government.
- 3) Work of the Committee shall be funded from the Ministry's budget.

Council for the development of the higher education and quality assurance

Article 113.

- 1) Council for the development of the higher education and quality assurance (hereinafter: Council) shall be established pursuant to this law.
- 2) Council shall operate as an independent advisory body. Expert and administrative-technical activities for the Council shall be performed by the Ministry.
- 3) Work and functioning of the Council shall be determined by the Book of Rules, pursuant to the provisions of the applicable law.
- 4) Book of Rules shall be enacted by the Council with the two/third majority of votes of its members.
- 5) Council shall work as an independent institution and shall be responsible for the assessment of the quality and accreditation of the higher education institutions in accordance with the standards and criteria established by the appropriate local and international institutions in the area of the higher education.

Article 114.

- 1) Council shall compose of eleven (11) members from the line of the university professors, first-class experts and artists, so that all higher education institutions from different educational-scientific, i.e. artistic areas shall be represented. Members shall be appointed by the Government.
- 2) Number of the Council members shall, as a rule, reflect the national composition of the constituent peoples and ethnic minorities (others).
- 3) Deadline for the application of the eligible candidates for the Council members shall be 20 days from the date of the open competition.
- 4) List of the applied candidates shall be made public within 10 days from the expiration of a deadline for the application of the candidates.
- 5) Complaints and proposals regarding the applied candidates may be submitted within 30 days from the date of the public disclosure of the candidates' list.
- 6) Ministry shall deliver to the Government the proposal of the candidates within 90 days from the date of the publishing of the open competition.
- 7) Mandate of the Council member shall last for four years. The same person may be elected Council member twice at the most.
- 8) Council shall appoint president from the line of its members.
- 9) Council members shall have the right to collect the fee for their work.
- 10) Council's work shall be funded from the Ministry's budget.

Article 115.

- 1) Work of the Council shall be public.
- 2) Representatives of the higher education institutions and student representatives may participate in the Council's work without the right for rendering decisions, pursuant to the general acts of the Council.
- 3) Council may, for its own purposes, establish special working bodies.
- 4) Council shall submit to the Government a report on its work at least twice a year.

Article 116.

Competencies of the Council shall be as follows:

- a) establishing of criteria for founding, merger and closing down of higher education institutions,
- b) giving recommendations about the lowest tuition fees for all students at the higher education institutions, so to harmonise the lowest tuition fees in the Republic,
- v) giving recommendations to the Ministry in the Republic related to the financial support of the students, including defining the elements of the student standard,

- g) offering advice to the Government and the Ministry of education and culture of the Republic on the policy of the work and development of the higher education in the Republic,
- d) defining of the proposals of the general conditions and criteria, based on which the funds shall be allocated to the higher education institutions, whose founder is the Republic.

Article 117.

In the licensing and accreditation area, the Council shall be competent as follows:

- a) to enact rules, criteria and recommendations for licensing, accreditation and quality assurance,
- b) to establish norms regarding the licensing of the higher education institutions,
- v) to establish clear and accessible criteria for the accreditation, quality revision and quality assessment in the higher education institutions in the Republic,
- g) to establish procedures of the independent revision of the student enrollment at the higher education institutions in the Republic,
- d) to establish the criteria for the work of the expert committee which renders decisions in relation to the technical issues resulting from the accreditation, quality revision or quality assessment.

Article 118.

1) According to its competencies, the Council shall be responsible to:

- a) establish and publish the norms regulating the minimum standards in the higher education area,
- b) determine recommendations on the application of ECTS,
- v) give advice and information on the issues within its mandate to the parties having legitimate interest,
- g) enact regulations regarding the work of the expert committees for accreditation, quality revision and quality assessment of the higher education institutions in the Republic,
- d) carry out accreditation, licensing and quality assessment of the higher education institutions in the Republic,
- dj) establish the system and quality standard, quality analysis, give recommendations for the elimination of the quality defects of the studies and higher education institutions,

e) set up criteria in a transparent procedure, for the appointment and to make a list of local and international experts to be appointed for the licensing committee, accreditation and quality assurance,

z) represent the Republic in Bosnia and Herzegovina, international organizations for the higher education quality.

2) Committee referred to in Paragraph 1 e) herein shall be comprised of three experts in the area for which the accreditation, licensing and quality assurance is to be issued. The Committee shall render decisions with the majority of votes.

X- ACCREDITATION AND LICENSING

Accreditation and licensing procedure

Article 119.

- 1) The procedure of licensing of the higher education institution (award of a permit for the provision of services in higher education pursuant to the provisions herein) shall determine whether the institution meets conditions for operating prescribed by this law.
- 2) The procedure of accreditation of the higher education institution (formal decision based on the defined criteria that a higher education institution meets quality standards and that the qualification awarded to the holder offers certain rights, i.e. approach to the next education phase, profession, usage of knowledge) shall determine whether the institution meets quality standards prescribed by this law.
- 3) The procedure of accreditation of the doctorate study program shall establish whether the conditions for the scientific-research, artistic work, have been met.

Article 120.

- 1) Accreditation procedure shall be carried out pursuant to the request submitted by the Ministry, a founder, or a higher education institution.

- 2) Accreditation procedure shall be carried out by the Accreditation committee, whose members shall be appointed by the minister from a list of local and international experts, adopted by the Council.
- 3) Accreditation committee shall make its assessment based on the self-evaluation of the higher education institution, opinion of the expert associations and prominent international experts.
- 4) In the course of every accreditation, a deadline for the following procedure shall be determined.
- 5) Report and evaluation of the Accreditation committee shall be submitted by the Ministry to the Council, for the recommendation.
- 6) Based on the Accreditation committee report, the Council shall issue a recommendation to the Ministry to award an accreditation, send an expectation letter or render a decision to dismiss the accreditation:
 - a) Accreditation certificate is a document which confirms the quality of work of the higher education institution, i.e. confirms that all study programs or part of study programs meet the requested quality standard,
 - b) Expectation letter is a document which shows the flaws in terms of fulfillment of the quality standards, and gives a deadline to eliminate the named flaws, and after the expiration of the deadline decides upon the accreditation request,
 - v) Decision by which the accreditation request is dismissed, is a final administrative act against which it is allowed to start the administrative proceedings.
- 7) Higher education institution which was denied the accreditation certificate for all or specific study programs, may continue with their delivery only in order to finish the studies for the students who were enrolled into them before.
- 8) In case that the higher education institution was denied accreditation for all study programs, the Ministry shall start proceedings to revoke working license.
- 9) Ministry and a higher education institution shall inform the public about the results of the accreditation.

Article 121.

Founder, namely the higher education institution referred to in the previous Paragraph, shall have the right to re-apply for the accreditation after the expiration of one year from the date of rendering a decision to reject the accreditation application.

Initial accreditation

Article 122.

- 1) The initial accreditation shall be awarded after the quality assessment of the study programs and their harmonization with the professional needs and adopted standards.
- 2) A higher education institution shall apply for the accreditation award to the Ministry, within a year from the date of the commencement of its work.
- 3) Initial accreditation shall be issued for the period of maximum 4 years.
- 4) Application for the accreditation of the study program shall be submitted within a year from the date of the commencement of the teaching of the correspondent program.

Re-accreditation

Article 123.

The institution shall repeat the accreditation procedure of not more than four years.

Article 124.

The accredited higher education institution has the authority to award academic degrees and diplomas referred to in the Accreditation certificate.

Article 125.

Competent bodies in the Republic, other bodies and organizations, for the purposes of the employment or exercising a public function, may recognise only academic degrees and diplomas issued by the accredited higher education institutions.

Licensing

Article 126.

- 1) License shall be issued by the Ministry.
- 2) License shall determine a type of the institution, accredited study program and degrees and diplomas which may be awarded.

Self-evaluation and quality assurance

Article 127.

- 1) A higher education institution shall continuously carry out, as a rule at the end of a school year, at the most in intervals of three school years, the procedure of the self-evaluation and the quality assessment of its study programs, teaching and working conditions.
- 2) A higher education institution, namely the organizational unit of the institution shall carry out the procedure referred to in the Paragraph 1 herein pursuant to the statute, namely the general legal act of the institution, namely the organizational unit and self-evaluation methods set up by the Senate.
- 3) A report on the self-evaluation and the quality assessment shall be disclosed so that it shall be available to the academic staff and students in that institution.
- 4) Upon the Ministry's or the Committee's request, a higher education institution, faculty or its other unit shall deliver the information on the procedure and results, as well as the other information relevant to the quality assessment.
- 5) Self-evaluation methods shall be established depending on the study plans, teaching equipment, qualification of the teaching staff, manner of the teaching, and percentage of the passing grades in the exams and other necessary indicators of the successful work of the higher education institution, namely the organizational unit.

XI- RECOGNITION OF THE FOREIGN HIGHER EDUCATION DOCUMENTS AND EVALUATION OF THE FOREIGN STUDY PROGRAMS

Recognition of the foreign higher education documents

Article 128.

- 1) Recognition of a foreign higher education document is a procedure which acknowledges the right to the holder in respect of the continuation of the education and the employment.
- 2) Recognition procedure shall be carried out pursuant to the regulations herein. Ministry shall keep the record on the recognition of the foreign diplomas.

Article 129.

- 1) In the recognition procedure, in order to continue the education in the higher education system, the holder of a foreign higher education document shall have the right to continue with the already started education, i.e. the right to join the level of the higher education.
- 2) In the recognition procedure, the type and level of the studies, as well as the expert, academic and scientific title shall be determined to the holder of a foreign higher education document, for the employment purposes .

Article 130.

- 1) Recognition of the foreign higher education document for the purpose of the continuation of the education in the higher education system, shall be conducted by a higher education institution, in the way and procedure prescribed by the law, by-laws and the general legal act of the institution.
- 2) In the procedure of the recognition of a foreign higher education document, it shall be taken into consideration the education system in the country where the foreign higher education document was issued, as well as the study program, enrollment conditions, rights granted by the higher education document in the country it was issued, as well as other facts relevant to the recognition of the foreign higher education document.
- 3) A competent body of the higher education institution, i.e. organizational unit of the higher education institution shall render a decision on the recognition application. It is allowed to lodge a complaint against this decision to the Senate of the higher education institution within 15 days.
- 4) Decision referred to in Paragraph 3 hereto shall be final in the administrative procedure.

Article 131.

- 1) Recognition procedure shall not be conducted in case that the public document was issued in the territory of the Socialist Federative Republic of Yugoslavia until 27 of April 1992.
- 2) Public document referred to in Paragraph 1 hereto shall have the same legal effect like a public document issued in the territory of the Republic.

Validation of the foreign study programs

Article 132.

- 1) In the procedure of the validation of a foreign higher education document, a foreign study program shall be validated, based on the type and level of the achieved knowledge and skills.
- 2) Once executed a positive validation of the specific foreign study program shall apply to all further cases which refer to the same study program.
- 3) Validation shall be carried out based on the data on the higher education institution in which the study program is delivered, as well as the education system in which the foreign diploma was issued, rights which this diploma grants in the country it was issued and other circumstances relevant to the recognition, and which shall be obtained by the Ministry.
- 4) In the validation procedure, for the purpose of the recognition of the local higher education document abroad, the Ministry shall provide the data on the independent higher education institution and the education system.

XII – RECORDS AND PUBLIC DOCUMENTS

Article 133.

- 1) Higher education institution, i.e. the organizational unit of the institution shall keep: student register book, register on issued public documents, register on exams, as well as other registers prescribed by the Ministry.
- 2) Data registered in the register books shall be collected, processed, kept and used for the operating of the higher education institution, i.e. its organizational unit as well as for the Ministry to perform actions prescribed by the law.
- 3) Data from the register books shall be used in the way that they protect the students' identity, pursuant to the law.

Article 134.

- 1) Based on the record data, the higher education institution and the faculty, i.e. the art academy as its organizational unit, shall issue public documents, pursuant to the law, by-laws and the statute.
- 2) Public documents for the purpose of this law are: student's book (index), higher education diploma and diploma supplement, certificate on passed exams and certificate on academic title, i.e. profession in the specific area.

- 3) Higher education institution shall issue public documents in the mother language – in Cyrillic or Latin alphabet, upon the client’s request.
- 4) In cases when the teaching is conducted in the language of the ethnic minority, i.e. in one of the foreign languages, the public documents shall be issued on the form printed in two languages, one being the language of the constituent peoples, in Cyrillic or Latin alphabet in accordance with the client’s request as well as in the language and alphabet in which the teaching is conducted.
- 5) Upon the student’s request, the higher education institution shall issue a public document on the completed part of the study program, including the data on the level, nature and the content of the studies, as well as accomplished results.
- 6) Based on the register data, the higher education institution and the faculty, i.e. art academy as its organizational unit, shall issue a new public document, after having the original annulled in the “Official Gazette of the Republic of Srpska”.
- 7) Public document referred to in Paragraph herein shall have the value of the original public document.
- 8) The new public document shall have the note that it is a new public document issued after the original public document has been proclaimed void.

Article 135.

- 1) A diploma shall be certified with the seal of the higher education institution.
- 2) Diploma supplement shall be issued with the diploma and shall contain the skills, competencies and knowledge of the diploma holder, as well as other information pursuant to the law, by-laws and the Statute.
- 3) Diploma supplement shall be issued upon the diploma holder’s request, in the English language.
- 4) Closer regulations on keeping the register book, files and content of the public documents shall be stipulated by the Ministry.

Article 136.

- 1) A diploma and diploma supplement shall be signed by the rector, and the dean of the faculty, i.e. art academy within the university.
- 2) A diploma and diploma supplement of the higher school shall be signed by the director.
- 3) Diploma supplement shall be certified by the stamp of the higher education institution and faculty, i.e. art academy.

- 4) A common diploma and diploma supplement shall be signed by the authorized persons of the higher education institution who deliver the study program for the acquisition of the common diploma.

Article 137.

- 1) A diploma, i.e. diploma supplement shall be void:
 - a) if issued by an unauthorized organization,
 - b) if signed by an unauthorized person,
 - v) if a diploma holder has not fulfilled all required examination obligations in the manner and in the procedure determined by the law, by-laws and study program of the higher education institution.
- 2) A diploma, i.e. diploma supplement shall be proclaimed void by the higher education institution.
- 3) Education inspection shall, *ex officio*, proclaim a diploma, i.e. diploma supplement void on the grounds referred to in Paragraph 1 herein, in case that the higher education institution has not done so.

Article 138.

- 1) A higher education institution shall proclaim a master diploma void in case it has been established that the final paper was not the result of the individual work of the candidate.
- 2) Higher education institution shall proclaim a doctor of science diploma void, in case that it has been established that the doctorate dissertation was not an original scientific, i.e. artistic result of the candidate's work.

XIII – PENALTIES FOR OFFENSES

Pecuniary penalty to the amount of 3,000 – 15,000 KM shall be imposed on an institution if:

- 1) it pursues discrimination referred to in Articles 10 and 25 herein,
- 2) commences the work and begins operation before the registration in the register of the higher education institutions (Article 16),

- 3) it performs activities of the higher education without the Ministry's approval (Article 21),
 - 4) it makes a status change without the founder's agreement (Article 23),
 - 5) it does not adopt the curriculum or if it does not apply it (Article 30),
 - 6) it organizes exams contrary to provisions of the Articles 35-39,
 - 7) it determines the tuition fee or charges tuition fee contrary to Article 48,
 - 8) it appoints Governing board of the higher education institution contrary to provisions of Articles 57 and 66,
 - 9) if the employment of the administrative staff of the public higher education institution has been carried out contrary to Article 88, Paragraph 2,
 - 10) if it appoints academic staff contrary to provisions of Articles 72 – 77,
 - 11) it does not determine the competent teachers and associates for the school year (Art 78),
 - 12) it does not enter into contracts with the students enrolled (Article 94),
 - 13) the student status ends contrary to provisions of the Article 100,
 - 14) it does not undertake licensing and accreditation (Articles 119 – 126),
 - 15) it does not keep the files in the prescribed manner (Article 133),
 - 16) it issues a diploma contrary to Articles 135 and 136)
 - 17) it does not harmonise its statute and other general acts with this law (Article 151).
- 2) Pecuniary penalty to the amount of 500 – 3,000 KM shall be imposed on the authorized person in the higher education institution for the offence referred to in Paragraph 1 herein.
 - 3) Pecuniary penalty to the amount of 1,000 – 1,500 KM shall be imposed on a private entity for the offence referred to in Paragraph 1 point 3 herein.
 - 4) Application of provisions referred to in paragraphs 1, 2 and 3 herein shall not exclude the obligation to carry out other administrative measures and actions prescribed by this law and other provisions.

XIV – TRANSITIONAL AND FINAL PROVISIONS

Recognition of the acquired title

Article 140.

- 1) Persons who have acquired certain scientific and expert titles shall keep the right to exercise them in accordance with the provisions they were acquired.
- 2) Persons referred to in Paragraph 1 herein may require from the higher education institution in which they obtained those titles, to be issued a

document (certificate or diploma) on the equivalence of the previously obtained academic title with the new academic titles, in the procedure and under conditions prescribed by this law and the Statute of the higher education institution, i.e. its organizational unit.

- 3) In case that the institution (university, faculty, art academy, college, higher school) in which the scientific and expert title was obtained has ended performing its activities, the Ministry shall determine higher education institution which shall act pursuant to Paragraph 2 herein.
- 4) Persons referred to in Paragraph 1 herein, shall have the right to be issued the diploma supplement.

Article 141.

Doctorate of sciences obtained according to provisions in force prior the coming into force of this Law, shall be identical with the doctorate of sciences obtained pursuant to this Law, therefore the persons who have acquired them shall have the same rights as persons who have acquired the title of a doctor of sciences pursuant to this law.

Status of teachers and associates

Article 142.

- 1) Persons appointed academic titles (teachers and associates) who held those titles on the date of coming into effect of this law, shall keep those titles.
- 2) In case that this law or regulations were applicable before its coming into effect, for the titles or position which require reappointment or appointment to the higher title; the reappointment or appointment in the same title shall be carried out within the deadline prescribed by the provision according to which the appointment was carried out with keeping of the title until the time they were appointed. In case that the regulation does not prescribe the deadline, the appointment or reappointment shall be carried out in the timeframe prescribed herein, which shall be taken into consideration from the date of its coming into force. In any case, the reappointment or appointment shall be applicable pursuant to provision herein.
- 3) Appointment to the academic titles shall commence pursuant to the provisions of the regulations which were applicable before coming into effect of this law, shall end pursuant to these regulations not later than one year from the date of the coming into effect of this law.

- 4) Education inspection shall supervise the legality of the appointment of the teachers and associates in all higher education institutions within a year from a date of coming into effect of this law.
- 5) The employment of a teacher and associate, whose appointment or reappointment was not conducted in accordance with the law, shall be terminated.

Student status

Article 143.

- 1) Students enrolled in the undergraduate and postgraduate studies at the date of the coming into effect of this law, shall have the right to complete the studies according to the curriculum and conditions which were effective during the enrollment into the first year of studies and shall have the right to acquire the appropriate expert, i.e. scientific title according to the regulations which were effective before coming into effect of this law.
- 2) Higher education institutions may limit the timeframe for the completion of studies referred to in Paragraph 1 herein to a specific number of years, but not less than the number of years remained for the completion of studies according to a program according to which he/she commenced the studies, increased by two years.
- 3) After the commencement of the studies pursuant to this law, the students referred to in paragraph 1 herein who do not complete the studies according to the old curriculum, may continue the studies pursuant to this law and curriculum based on this law, in accordance with the statute of the higher education institution.
- 4) Students referred to in paragraph 1 herein, may join the study programs which are organized pursuant to this law, in the manner and under conditions determined by the statute of the higher education institution.

Article 144.

- 1) Students, whose theme of the doctorate dissertation was approved without doctorate studies pursuant to previous regulations, shall have the right to defend their doctorate dissertation and acquire the title of a doctor of sciences pursuant to regulations which were applicable until this law came into effect, within five years.

- 2) Organization of the master studies and proposal of the doctorate dissertation as well as the procedure of approval of the theme pursuant to previous regulations shall be allowed from the beginning of the academic 2009/2010 year in higher education institutions which met the conditions for the award of this title pursuant to regulations which were effective prior to the enactment of this law.

Status of the higher education institutions

Article 145.

- 1) With the coming into effect of this law, the University in Banja Luka and University in East Sarajevo shall continue their work as public higher education institutions owned by the Republic of Srpska.
- 2) With the coming into effect of this law, faculties, art academies members of the university shall lose the status of a legal entity and shall continue their work as organizational units:

a) University in Banja Luka:

1. Faculty of Economics, Banja Luka
2. Faculty of Electrical Engineering, Banja Luka,
3. Faculty of Mechanical Engineering, Banja Luka,
4. Faculty of Medicine, Banja Luka
5. Faculty of Law, Banja Luka
6. Faculty of Agriculture, Banja Luka
7. Faculty of Technology, Banja Luka
8. Faculty of Philosophy, Banja Luka
9. Faculty of Forestry, Banja Luka
10. Faculty of Architecture and Civil Engineering, Banja Luka
11. Faculty of Science and Mathematics, Banja Luka
12. Academy of Arts, Banja Luka
13. Faculty for Physical Education and Sports, Banja Luka.

b) University in East Sarajevo:

1. Faculty of Pedagogy, Bijeljina,
2. Faculty of technology, Zvornik,

3. Faculty of Economics, Pale,
4. Faculty of Law, Pale,
5. Faculty of Physical Culture, Pale
6. Faculty of Philosophy, Pale,
7. Faculty of Medicine, Foca,
8. Faculty of Dentistry, Foča,
9. Faculty of Electrical Engineering, East Sarajevo,
10. Faculty of Mechanical Engineering, East Sarajevo,
11. Music Academy, East Sarajevo,
12. Faculty of Agriculture, East Sarajevo,
13. Academy of Fine Arts, Trebinje,
14. Faculty for Production and Management, Trebinje,
15. Faculty of Traffic, Doboj,
16. Faculty of Foreign Trade, Bijeljina,
17. Faculty of Economics, Brčko.

- 3) With the coming into effect of this law, all rights and obligations of the faculties and art academies referred to in Paragraph 2 herein shall be transferred to the university they belong to.
- 4) All higher education institutions shall apply for the registration in the Register of the higher education institutions within 3 months from the day of coming into effect of this law.

Article 146.

The teaching-scientific council of the university shall continue its work as the Senate of the university, and the University council as the Governing board which shall enact the statute of the university, after which the new bodies shall be elected, pursuant to this law.

Status of departments outside their seat

Article 147.

- 1) All departments outside the seat of the higher education institutions (universities, faculties) shall end their work within 3 months from the date of the publishing of this law in the "Official Gazette of the Republic of Srpska", in case they are not issued a special approval of the Ministry to work outside their seat.

- 2) Education inspection shall *ex officio* prohibit the work of the higher education institution (university, faculty) which performs its activities contrary to paragraph 1 herein.
- 3) A higher education institution whose work has been prohibited pursuant to Paragraph 2 herein, shall lose the license and accreditation determined in the Article 145 Paragraph 1 herein.

Status of higher schools

Article 148.

- 1) Higher schools which were rendered a decision on fulfillment of conditions for the beginning of work and performance of activities until this law comes into effect, shall continue its work, but without the possibility to enroll new students after the school year 2006/2007.
- 2) A higher school shall apply for the change of its status not later than one year.
- 3) A higher school which is issued the approval of the competent ministry shall continue its work as a higher education institution, pursuant to the working license.

Article 149.

- 1) Students who are enrolled in higher schools and study courses lasting for two years, before this law came into force, shall have the right to complete the commenced studies according to the curriculum which was effective at the time of their enrollment, in the timeframe determined by the statute of those institutions.
- 2) The named institutions may limit the length of the right for the completion of studies pursuant to Paragraph 1 herein to the specific number of years, but not less than the number of the remaining years during which the student must complete the studies according to the curriculum based on which he/she started the studies, increased by two years.

Provisions related to the funding

Article 150.

In the transitional period, from the coming into effect of this law to 30 September 2007, faculties who already have the status of a legal entity pursuant to current regulations, may keep that status independent of the higher education institution, and public faculties shall not incur financial obligations outside the specific transitional period.

Time frame for enactment of by-laws

Article 151.

Competent bodies shall enact regulations for the execution of this law within 3 months from its coming into effect.

Article 152.

This law shall not apply to faculties of theology, theology colleges and theology academies and College for internal affairs. These institutions and College for internal affairs may compose a part of a university, which shall be prescribed by a special agreement.

Article 153.

Integration of the higher education institutions and organizations of studies shall come to an end, pursuant to this law, not later than 1 October 2007.

Application of special provisions

Article 155.

Pursuant to this law, higher education institutions shall, by 1 October 2007, undertake the following:

- a) harmonise its organization,
- b) enact new curricula, i.e. study programs,
- v) introduce ECTS system and apply provisions which refer to the higher education cycles.

Cessation of validity
Article 156.

When this law comes into effect, the following laws shall cease to be valid: the Law on University (“Official gazette of RS” No 12/93, 14/94, 99/04 and 92/05), as well as the Law on Higher Schools (“Official Gazette of RS”, No 13/94).

Entering into force of the Law

Article 157.

This law entered into force on 8 September 2006 and on 28 April 2007, respectively.