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THE LAW ON HIGHER EDUCATION

PRELIMINARY DRAFT

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I. Principal Provisions

Subject of the Law

Art. 1

This Law regulates the system of Higher Education, conditions and method of performing Higher Education activities, funding, and other issues relevant to the performing of these activities.

The Higher Education Activity

Art. 2

The Higher Education activity is of a special interest to the Republic of Serbia (hereinafter: the Republic) and it represents an integral part of the international, particularly European, educational, scientific, and art space.

Objectives of Higher Education

Art. 3

Objectives of Higher Education are:

- 1) transfer of scientific, artistic, and professional knowledge and skills in order to meet needs of the society;
- 2) development of science and improvement of artistic creativity;
- 3) development of scientific, professional, and artistic young generations; and
- 4) facilitating individuals to acquire, under equal conditions, Higher Education and other forms of capacity building that represent a part of the life long learning process .

Principles of Higher Education

Art. 4

Higher Education activity is based on the following principles:

- 1) academic freedom;
- 2) autonomy;
- 3) Higher Education as public goods;
- 4) openness towards general public, citizens, and society;
- 5) respecting humanistic and democratic values of European and national tradition;
- 6) observing human rights and individual freedoms;
- 7) providing conditions for individuals with special needs;
- 8) equal social opportunities;
- 9) linking teaching (instruction), scientific-research work, and artistic activities;
- 10) harmonization with the European Higher Education system and improvement of academic mobility of teachers and students; and
- 11) students' participation in governance, especially in the issues concerning quality of the instruction.

Academic Freedoms

Art. 5

Academic freedoms encompass:

- 1) freedom of scientific work and artistic creativity, including freedom of publishing and public presentation of scientific results and artistic achievements;

- 2) freedom of teaching; and
- 3) freedom of studying.

The Autonomy

Art. 6

Autonomy in performing Higher Education activities means:

- 1) territorial integrity (inviolability) of academic space;
- 2) the right to develop curriculum;
- 3) the right to establish rules for studying and enrollment conditions;
- 4) the right to develop the Statute, to elect management/administration bodies, and to arrange internal organization;
- 5) the right to elect teachers and associates;
- 6) the right to issue public documents;
- 7) the right to financial independence;
- 8) the right to manage the property; and
- 9) the right to decide on acceptance of projects and on the international cooperation.

The Territorial Integrity of Academic Space

Art. 7

The space used for carrying out Higher Education activities shall be inviolable and the law enforcement authorities cannot enter it without approval of the competent authority of such institution, except in the case of endangering general safety, life, body integrity, health, or property.

The Right to Higher Education

Art. 8

The right to Higher Education shall belong to all individuals who have previously completed secondary education, disregarding their race, color, gender, sexual orientation, marital status, ethnic, national or social background, language, religion, political or other opinion, status acquired by birth, or income.

Exceptionally, pursuant to the conditions established by the Higher Education institution Statute, the right to Higher Education shall belong to an individual without completed secondary education that has applied for admission to a curriculum in the particular field of art.

II. Institutions in the Higher Education System

The National Council for Higher Education

Art. 9

The National Council for Higher Education (hereinafter: the National Council) is an expert and advisory body, which shall address the development and quality of the Higher Education system.

The Parliament of the Republic of Serbia (hereinafter: the Parliament) shall appoint members of the National Council.

Composition of the National Council

Art. 10

The National Council shall have 15 members.

The Parliament shall appoint members of the National Council as follows:

- 1) upon proposal of the University Conference - 10 members among professors, top scientific workers having internationally recognized works or proved contribution to the national culture;
- 2) upon proposal of the Conference of academies for applied studies – 3 members among professors of academies for applied studies;
- 3) upon proposal of the Government – 2 members among prominent persons from the areas of science, culture, education, art, or economy.

The University Conference, or the Conference of academies for applied studies, shall announce a public invitation for the members referred to in Par. 2. Item 1 and 2 of this article.

The list of candidates who have applied shall be published. Higher Education institutions shall be entitled to submit their remarks and suggestions in relation to the applied candidates.

When making proposal for the National Council's members, the University Conference or the Conference of academies for applied studies shall take into consideration remarks and suggestions referred to in Par. 4 of this article. It shall pay attention to equal representation of various fields of science, as well as to the number of students and teachers in specific Higher Education institutions.

The National Council's member cannot be a person elected or appointed to a position within the state authority, territorial autonomy authority, or the administration or management body of Higher Education institution.

The National Council members' term in the office shall be five years.

The Parliament may release of duties a member of the National Council even before his/her term in the office is up, in the following cases:

- 1) upon personal request of the member;
- 2) if he/she does not carry out his/her duties as a member of the National Council or if he/she damages reputation of the duty he/she performs – upon an explained proposal of proponents referred to in Par. 2 of this article; and
- 3) if he/she takes up the position referred to in Par. 6 of this article, which is incompatible with membership in the National Council.

The National Council shall elect the President among its members.

The National Council's Competencies

Art. 11

The National Council shall:

- 1) monitor the development of Higher Education in the Republic and in other countries, in accordance with European and international standards;
- 2) propose Higher Education policy;
- 3) offer its opinion on the policy of enrollment in Higher Education institutions;
- 4) offer its opinion on regulations and regulation proposals in the area of Higher Education;
- 5) establish criteria for evaluation of the quality of educational, scientific-research, artistic, and professional activity on the national level, in accordance with European standards, taking into consideration suggestions of Higher Education institutions and the opinion of the University Conference;
- 6) develop evaluation standards and accreditation procedures of curriculums;
- 7) develop accreditation standards and procedures for independent Higher Education Institutions;
- 8) establish necessary conditions for election of teachers, including criteria for evaluation of scientific-research activity, in accordance with specific law; and
- 9) perform other duties according to the law.

The Functioning of the National Council

Art. 12

The work of the National Council shall be public.

Two students proposed by the Student Conference should be entitled to the observer's status in the Council's activities, as well as two representatives of the ministry competent for Higher Education affairs, or scientific-research work.

For the purpose of its proper functioning, the National Council shall establish special working bodies.

The Republic Budget shall provide funds for the Council's functioning.

The ministry competent for Higher Education affairs shall perform expert and administrative-technical duties for the National Council.

The Council shall submit the report on its activities to the Parliament at least once a year.

The National Council shall develop the Set of Procedure Rules for its functioning.

The Accreditation Committee

Art. 13

The National Council shall establish the *Accreditation Board* (hereinafter: the Board) for accreditation affairs.

The National Council shall appoint, upon a public invitation, members of the Board among prominent university teachers, scientists, artists, and experts.

The list of candidates who have applied shall be published. Higher Education institutions shall be entitled to submit remarks and suggestions in relation with the proposed candidates.

The Board shall have 10 members, two from each field of science.

When appointing the Board members, the National Council shall take into consideration remarks and suggestions referred to in Par. 3 of this article.

The Board member cannot be a person elected or appointed to a position within the state authority, political party's body, or the administration or management body of Higher Education institution.

The Board shall elect the President among its members.

The Board members' term in the office shall be five years.

The National Council may release of duties a member of the National Council, even before his/her term in the office is up, in the following cases - upon personal request of the member, if he/she carries out his/her duties unconscientiously, or if he/she is elected or appointed to the position referred to in Par. 6 of this article.

The Board Competence

Art. 14

The Accreditation Board shall:

- 1) propose to the National Council standards for accreditation evaluation and procedures of curriculums;
- 2) propose to the National Council standards for accreditation evaluation and procedures of Higher Education institutions;
- 3) implement the accreditation procedure of institutions and curriculums in the area of Higher Education, shall decide on the accreditation application, and shall issue the accreditation certificate;
- 4) implement the international cooperation in the area of accreditation, in particular with corresponding institutions within the European area of Higher Education; and
- 5) perform other affairs in accordance with the legal act on establishment of the Board.

The Functioning of the Board

Art. 15

The Board shall perform its activities in its sessions.

For the purpose of conducting the accreditation procedure, the Board shall appoint reviewers who shall review specific accreditation applications.

The Board shall appoint reviewers, upon public invitation, among internationally recognized national and international experts. In the case the curriculum of a specific national character is at issue, reviewers shall be appointed among recognized national scientists or artists.

Reviewers shall submit their report to the Board, which will be accessible to general public.

The Board shall provide protection of identity of reviewers.

The Board shall submit report on its activities to the National Council, at least once a year, and the National Council shall make it public.

The Board shall develop its Set of Procedure Rules.

The University Conference

Art. 16

The University Conference shall be established for the purpose of coordinating activities, establishing common policies, implementing joint interests, and performing duties established by the law.

The University conference shall be consisted of universities that are founded by the Republic, or by the Autonomous Province.

In the University Conference, universities shall be represented by their presidents (Rektor). Universities referred to in Par. 2 of this article shall be entitled to delegate to the University conference another representative for each 1,500 full-time teachers.

The Statute of the Conference shall regulate organization and functioning of the Conference.

Accredited universities that are not founded by the Republic or Autonomous Province and colleges may become members of the University Conference pursuant to the Statute.

The University Conference Competencies

Art. 17

The University Conference shall:

- 1) review issues of common interest for improvement of instructional-scientific or instructional-artistic activity;
- 2) harmonize attitudes and coordinate activities of the Conference members, especially in the area of enrollment policy;
- 3) harmonize attitudes of ethical committees;
- 4) offer opinion on criteria for evaluation of the quality of educational, scientific-research, artistic, and professional activities;
- 5) propose the list of academic titles in relevant areas and abbreviations for professional and academic titles;

- 6) propose measures for the improvement of material status of the Conference members and students standard;
- 7) propose necessary conditions for teacher election; and
- 8) review other issues of common interest for the Conference members (study conditions, curriculums, etc.), in accordance with this Law and the Statute.

The Conference of Academies for Applied studies

Art. 18

The Conference of Academies for Applied Studies (hereinafter: the Conference of Applied Academies) shall be established for the purpose of coordinating activities, establishing common policies, implementing joint interests, and performing duties established by the law.

The Conference of Applied Academies is consisted of academies for applied studies and colleges for applied studies that are founded by the Republic, or by the Autonomous Province.

In the Conference of Applied Academies, academies for applied studies shall be represented by their presidents, and colleges for applied studies will be represented by their directors

The Statute of the Conference shall regulate organization and functioning of the Conference.

Accredited academies and colleges for applied studies that are not founded by the Republic or Autonomous Province and colleges may become members of the Conference of Applied Academies, pursuant to the Statute.

Competencies of the Conference of Applied Academies

Art. 19

The Conference of Applied Academies shall:

- 1) review issues of common interest for improvement of teaching-scientific or teaching-artistic activity;
- 2) harmonize attitudes and coordinate activities of academies and colleges for applied studies, especially in the area of enrollment policy;
- 3) harmonize attitudes of ethical committees;
- 4) offer opinion on criteria for evaluation of the quality of educational, research, artistic, and professional activities;
- 5) propose the list of academic titles in relevant areas and abbreviations for professional and academic titles within occupational studies;
- 6) propose measures for the improvement of material status of occupational academies and colleges and students standard; and
- 7) review other issues of common interest for academies and colleges for applied studies, in accordance with this Law and the Statute.

The Student Conference

Art. 20

The Student Conference shall be established for the purpose of implementing joint interests of students as partners in the process of Higher Education.

The Student Conference shall be consisted of universities and academies for applied studies that are founded by the Republic.

The Statute of the Conference shall regulate organization and functioning of the Conference.

Accredited universities and academies for applied studies that are not founded by the Republic or Autonomous Province may become members of the Student Conference pursuant to the Statute.

Institutions referred to in Par. 2 of this article shall be represented in the Conference by presidents of student parliaments of such institutions – members of the Student Conference.

The Student Conference members referred to in Par. 2 of this article shall take over rights, obligations, and property of organizations, or student associations, which run their business activities by socially or state owned means.

Student parliaments of independent Higher Education institutions founded by the Republic, or the Autonomous Province, shall use the property referred to in Par. 6 of this article in the manner and according to the procedure envisaged by the Student Conference Statute, taking care of representation of the student parliaments and territorial distribution of real estate property in relation to the venue of student parliament activities and headquarters of the organization, or association, referred to in Par. 6 of this article.

The Ministry Competent for Higher Education Affairs

Art. 21

The Ministry competent for Higher Education affairs (hereinafter: the Ministry) shall particularly:

- 1) plan Higher Education policy, upon the proposal by the National Council;
- 2) plan student enrollment policy for studies implemented by Higher Education institutions that are founded by the Republic, or the Autonomous Province, upon the proposal by the National Council;
- 3) monitor the development of Higher Education;
- 4) issue the operating license;
- 5) define contents of the diploma form and transcript format;
- 6) allocate funds coming from the Republic Budget aimed for Higher Education institutions, in accordance with legal provisions, and control their use;
- 7) perform administrative supervision; and
- 8) facilitate inclusion of the Higher Education system in the European Higher Education space, as well as in the process of recognizing Higher Education qualifications.

A special organizational unit shall be established at the Ministry for performing the monitoring and coordinating activity for the purpose of including Higher Education system in the European Higher Education space.

A special organizational unit shall be established at the Ministry for performing activities related to recognition of Higher Education public documents. That is the *National Information Center* as a part of the European ENIC Network (hereinafter: the ENIC Center), which shall collect and exchange data on the Higher Education systems in Europe and worldwide.

III. Studies and Curriculums

Curriculum

Art. 22

The curriculum is a set of mandatory and optional areas of studies, or subjects, with general contents. Mastering the curriculum shall provide necessary knowledge and skills for acquiring diploma for the corresponding level and type of studies.

Types and Levels of Studies

Art. 23

Higher Education activity shall be implemented through academic and applied studies, within which accredited curriculums shall be implemented in order to acquire Higher Education.

Within academic studies, academic curriculum shall be implemented, which prepares students for the development and application of scientific, professional, and artistic achievements.

Within applied studies, the applied curriculum shall be implemented, which prepares students to apply knowledge and skills.

The studies may be undergraduate and post-graduate studies.

Within undergraduate studies, the following shall be implemented:

- 1) academic curriculum; and
- 2) applied curriculum.

Within post-graduate studies, the following shall be implemented:

- 1) specialized applied curriculum;
- 2) master's academic curriculum; and
- 3) Ph.D. academic curriculum.

Curriculum for Acquiring Joint Diploma

Art. 24

Curriculum for Acquiring a joint diploma is a curriculum organized and implemented by Higher Education institutions that are accredited for the relevant curriculum within the educational system of their countries.

The curriculum referred to in Par. 1 of this article can be implemented after being adopted by the competent authorities of Higher Education institutions that organize curriculum.

Scientific Fields and Areas

Art. 25

Curriculums shall be implemented within the following scientific fields:

- 1) science;
- 2) humanities;
- 3) medicine;
- 4) technology; and
- 5) arts.

The National Council shall establish scientific or artistic areas within fields of science referred to in Par. 1 of this article – upon the proposal of the University Conference or the Conference of Applied Academies.

The list of scientific and artistic areas quoted in Par. 2 of this article shall be published in “The Official Gazette of the Republic of Serbia”.

The Curriculum Substance

Art. 26

The curriculum shall define:

- 1) the name of the curriculum;
- 2) the type of studies and the outcome of the study process;
- 3) the professional or academic title;
- 4) conditions for enrollment in curriculum;
- 5) the list of mandatory and optional curriculum areas, or subjects, with general contents;
- 6) the method of implementing studies and the time needed for implementation of specific forms of studies;
- 7) the point value for each subject expressed according to the European System of Point Transfer (hereinafter: ESPT points);
- 8) the point value of the graduation thesis, specialist thesis, master’s thesis, or Ph.D. thesis expressed in ESPT points;
- 9) preconditions for assigning to a specific subject or group of subjects;
- 10) the method of opting for subjects and other curriculums;

- 11) conditions for transfer to other type of curriculum within the same or related area of study; and
- 12) other issues relevant to the implementation of curriculum.

Duration of Studies

Art. 27

Each subject in the curriculum shall be valued by a certain number of ESPT points, which shall determine how much is a student's work load in mastering such subject;

The total duration of studies shall be expressed by the sum of ESPT points.

Academic undergraduate studies shall have between 180 and 240 ESPT points.

Applied undergraduate studies shall have 180 ESPT points.

Specialist studies shall have:

- 1) minimum 60 ESPT points if in previous graduate studies 240 ESPT points were reached; and
- 2) minimum 120 ESPT points if in previous graduate studies 180 ESPT points were reached.

Master's studies shall have:

- 1) minimum 60 ESPT points if in previous graduate studies 240 ESPT points were reached; and
- 2) minimum 120 ESPT points if in previous graduate studies 180 ESPT points were reached.

Ph.D. studies shall have:

- 1) minimum 180 ESPT points if in previous graduate and master's studies 300 ESPT points were reached;
- 2) minimum 300 ESPT points if in previous academic graduate studies 180 ESPT points were reached; and
- 3) minimum 240 ESPT points if in previous academic graduate studies 240 ESPT points were reached.

Exceptionally, academic curriculums in medicine may be integrally organized within undergraduate and master's studies with total duration of maximum 360 ESPT points.

Graduation Thesis and Dissertation

Art. 28

Curriculum may envisage graduation thesis as the final part of undergraduate studies.

Specialist thesis represents the final part of the specialist studies curriculum.

Master's thesis represents the final part of the master's studies curriculum.

Ph.D. thesis represents the final part of the Ph. D. studies curriculum.

Exceptionally, Ph.D. may be acquired by an individual who has completed studies of medicine and health care specialization on the basis of defended dissertation that is based on scientific papers published in world's top magazines.

The method and procedure of application, preparation, defense, and evaluation of the paper, thesis, or dissertation shall be regulated by the general legal act of the High Education institution.

IV. Higher Education Activity

Higher Education Institutions

Art. 29

The following institutions shall carry out Higher Education activities:

- 1) The University, and faculties (graduate schools) and art academies as its parts;
- 2) Academies for applied studies;
- 3) Colleges;
- 4) Colleges for applied studies.

Only Higher Education institution performing its activities pursuant to this Law may function under the name of Higher Education institution referred to in Par. 1 of this article.

Political, political party-related, or religious organizations and activities shall not be allowed at the Higher Education institution referred to in Par. 1 of this article.

Independent Higher Education Institutions

Art. 30

The University, academy for applied studies, college, and college for applied studies shall be founded as independent Higher Education institutions.

Independent Higher Education institution may found and have Higher Education units as forms of its internal organization.

Independent Higher Education institution shall carry out Higher Education activities in its headquarters and in facilities outside headquarters as quoted in the license.

Independent Higher Education institution may implement curriculum for distance studying, in accordance with its license.

Independent Higher Education institution may, in the cooperation with other national or international Higher Education institution, implement curriculum for acquiring a joint diploma.

Within Higher Education activity, independent Higher Education institution and Higher Education units belonging to it shall carry out scientific-research, artistic, and expert-consultative activities, as well as other activities which may commercialize results of scientific work, research, and artistic creativity, given that these activities do not jeopardize the quality of instruction.

Independent Higher Education institution may organize board and lodging for students, in accordance with the special law.

Public service regulations shall be applied to the foundation and functioning of independent Higher Education institutions and Higher Education units.

The University

Art. 31

The University is an independent Higher Education institution that integrates educational, scientific-research, and artistic activities as components of the integral Higher Education process.

The University may implement all types, levels, and forms of studies.

Independent Higher Education institution may have the University status if it implements at least five accredited curriculums for acquiring higher education in minimum three different scientific or artistic areas in at least two fields of science.

The University may found and have graduate schools, art academies, and other Higher Education units.

Graduate Schools (Faculties) and Art Academies

Art. 32

The graduate school is a Higher Education institution belonging to the University, which implements academic studies and develops scientific-research and expert activities in one or more scientific or artistic areas.

The Art Academy or the Art Faculty is a Higher Education institution belonging to the University, which implements academic studies and develops superior artistic creativity and scientific-research activities in the area of arts.

The Art Academy or Faculty may implement applied studies as well, in line with this Law.

The Art Academy or Faculty shall act in legal affairs under the name of the University it belongs to and under its own name if the University Statute regulates so.

The Academy for Applied Studies

Art. 33

The Academy for Applied Studies is an independent Higher Education institution that integrates educational, applied, and artistic activities as components of integral process of the higher applied education.

The Academy for Applied Studies may implement graduate studies and specialist applied studies.

The independent Higher Education institution may enjoy the status of academy for applied studies if it implements at least five accredited applied curriculums in minimum three different scientific or artistic areas in two fields of science.

The College

Art. 34

The college is an independent Higher Education institution that implements academic undergraduate and post-graduate studies, as well as specialist studies in one or more scientific or artistic areas.

The College for Applied Studies

Art. 35

The college for applied studies is an independent Higher Education institution that implements applied undergraduate studies and specialist studies in one or more scientific or artistic areas.

Scientific Institutes and other Scientific-Research Institutions

Art. 36

In order to improve scientific-research activities, or to implement accredited curriculum for master's or Ph.D. studies, the independent Higher Education institution may enter an agreement on cooperation with a scientific institute or other scientific-research institution.

Property

Art. 37

Real estate or other property necessary for the founding and functioning that is provided for Higher Education institution and Higher Education units belonging to it by the Republic or the Autonomous Province, as founder, is the state property.

Real estate or other property referred to in Par. 1 of this article shall be used only for performing activities as established by this Law.

Real estate or other property acquired through activities of Higher Education institution, as well as on the basis of endowments or gifts, shall be property of the Higher Education institution that has acquired such property.

Higher Education institution shall manage the transferred or entrusted property of the foundation or fund, in accordance with the specific law.

Founding

Art. 38

The Republic, the Autonomous Province, legal entity, or private person may found an independent Higher Education institution.

If the Republic is the founder of independent Higher Education institution, the decision on foundation shall be passed by the Government.

In the procedure of founding the independent Higher Education institution, the founder shall file a request for the issuance of accreditation certificate.

Accreditation

Art. 39

In the procedure of the curriculum accreditation, it shall be established whether the curriculum meets standards referred to in Art. 11, Item 6 of this Law.

In the procedure of accreditation of master's or Ph.D. curriculum, it shall be established whether conditions for performing scientific-research activity are met, according to the specific law.

In the procedure of accreditation of independent Higher Education institution, it shall be established whether such an institution meets standards of corresponding Higher Education institution referred to in Art. 11, Item 7 of this Law, as well as conditions referred to in Art. 31, 33-35 of this Law.

The accreditation procedure shall be conducted during foundation of the independent Higher Education institution, when introducing the new curriculum, and periodically in intervals of maximum 5 years (hereinafter: re-accreditation).

The re-accreditation procedure shall also include students' evaluation of the curriculum.

The founder, or the independent Higher Education institution, shall be entitled to resubmit the application for accreditation, or re-accreditation, within one year after the date when the accreditation application was denied.

The Accreditation Procedure

Art. 40

The application for accreditation of an independent Higher Education institution, along with required documentation, shall be submitted to the Accreditation Board.

The Board shall review such an application, conduct the accreditation procedure, and bring its decision within 6 months from the date of the application's arrival.

If the Accreditation Board rejects the accreditation application, then the founder, or the independent Higher Education institution, may lodge an appeal to the National Council within 30 days from the date when the decision on denial was received.

It shall not be possible to initiate an administrative lawsuit against the decision of the National Council based on the appeal referred to in Par. 7 of this article.

The Board shall issue a certificate on accreditation in standardized type of format (its contents shall be regulated by the Board).

The Operating License

Art. 41

The independent Higher Education institution may commence its activity after obtaining the operating license.

The Ministry shall issue the operating license upon the request of the independent Higher Education institution.

The independent Higher Education institution shall submit the accreditation certificate and the foundation act attached to its request referred to in Par. 2 of this article.

The independent Higher Education institution, which is not founded by the Republic or the Autonomous Province, shall be obliged to submit, together with its request referred to in Par. 2 of this article, also a bank guarantee for the termination of studies according to the number of students for which the institution is accredited.

The Ministry shall issue the license if the independent Higher Education institution has met all conditions quoted in the accreditation certificate and if out of the total number of teachers aimed for the implementation of curriculum, 67% of them are full time employed.

The license shall quote accredited curriculums, maximum number of students for which the curriculum is accredited, the number of full time teachers, as well as facilities where the activities are conducted.

The license shall also quote if the curriculum is accredited for distance studying and maximum number of students who can study this way.

The formal decision on denying the request for obtaining the license shall be final in the administrative procedure.

The Minister competent for Higher Education affairs (hereinafter: the Minister) shall regulate the contents of the license.

Amendments, Supplements, and Revoking of the License

Art. 42

The independent Higher Education institution holding the license shall file the application for supplementing the license if it wants to accredit the new curriculum.

The independent Higher Education institution, which is not granted with accreditation in the procedure of re-accreditation, shall have the valid license for another year, but it shall not be entitled to enroll new students during that year.

The license shall be taken away from the independent Higher Education institution, which does not obtain re-accreditation after the deadline referred to in Par. 2 of this article has elapsed.

The license shall be also taken away from the independent Higher Education institution if its activity is banned, in accordance with the law.

The independent Higher Education institution, which is not granted with accreditation for certain curriculum in the procedure of re-accreditation, shall have the valid license for such curriculum for another year, but it shall not be entitled to enroll new students to that curriculum during that year.

The license of the independent Higher Education institution, referred to in Par. 5 of this article, which does not obtain accreditation within given deadline, shall be amended.

The formal decision on denying the request for supplementing the license, as well as the decision on amending or taking away the license shall be final in the administrative procedure.

If the license of the independent Higher Education institution founded by the Republic or the Autonomous Province is taken away or amended, students shall be entitled to complete commenced studies at such Higher Education institution, i.e. curriculum, as ruled by the Minister or by the competent Autonomous province authority.

Self-evaluation

Art. 43

The independent Higher Education institution shall conduct the self-evaluation procedure or evaluation and assessment of the quality of all curriculums, instruction, and working conditions.

Self-evaluation shall be continuously conducted according to methods and procedures defined by the Statute of the independent Higher Education institution.

The independent Higher Education institution shall submit self-evaluation results and other data relevant to the self-evaluation procedure to the Accreditation Board, upon the Board's request.

The Change of Name and Headquarters and Status Changes

Art. 44

The independent Higher Education institution may change its name, headquarters, and status in accordance with the law.

The Government or the competent Autonomous Province authority shall bring decision on changes referred to in Par. 1 of this article for those independent Higher Education institutions that are founded by the Republic or the Autonomous Province.

In the process of bringing the decision referred to in Par. 2 of this article, the opinion of the management of all Higher Education units belonging to the independent Higher Education institution to which the change refers shall be obtained, as well as the approval of the National Council.

In the case of changes referred to in Par. 1 of this article, the procedure for issuing the new license shall be conducted.

The Registry

Art. 45

The Ministry shall keep records (hereinafter: the Registry) of:

- 1) the independent Higher Education institutions;
- 2) faculties and art academies belonging to the University;
- 3) accredited curriculums; and
- 4) employed teachers and associates.

Other data relevant to the development of the Higher Education system and inclusion in the European space of Higher Education shall be entered into the Registry.

The contents and method of maintaining the Registry shall be regulated by the Minister.

Data from the Registry shall be accessible to the public.

Abolition

Art. 46

The independent Higher Education institution shall be abolished under conditions and procedures established by the law.

The Government or the competent Autonomous Province authority shall bring decision on abolition for those independent Higher Education institutions that are founded by the Republic or the Autonomous Province.

In the process of bringing the decision referred to in Par. 2 of this article, the opinion of the management of the independent Higher Education institution and the approval of the National Council shall be obtained.

The decision referred to in Par. 2 of this article shall identify the independent Higher Education institution at which students can complete their already commenced studies.

The Statute of the Independent Higher Education Institution

Art. 47

The Statute of the independent Higher Education institution shall regulate the institution's organization, the method of work, management, the method and procedures for protecting professional ethics, the method of quality control, and other issues relevant to carrying out activities and operations of the institution.

The Organization of the Independent Higher Education Institution

Art. 48

The statute shall regulate the organization of the independent Higher Education institution, in accordance with the legal act of foundation and this Law.

The independent Higher Education institution may found and have Higher Education units as forms of its internal organization, in accordance with the Statute.

The legal act of foundation of the Higher Education unit shall define the status of such Higher Education unit in terms of its right to legal and business performance, disposing of resources, management, decision making, and it shall regulate other issues relevant to the unit's activities.

The academy for applied studies may found and have departments, sections, and other units in order to implement curriculums in related branches, research, and artistic activities, and to utilize resources in a more efficient way.

The University may found and have faculties, art academies, departments, scientific institutes, scientific-research units, and other Higher Education units in order to implement curriculums in related branches, research, and artistic activities, and to utilize resources in a more efficient way.

The University may found and have faculties, art academies, and other Higher Education units with the legal entity status.

The Faculty (graduate school), or art academy, may enjoy the legal entity status if it implements at least three accredited curriculums.

The management of the University shall bring a decision, by 2/3 majority, on the change of status, name or headquarters of the Higher Education unit with the legal entity status referred to in Par. 6 of this article.

Higher Education units shall regulate their internal organization by a general legal act pursuant to the Statute of the Higher Education unit.

The Higher Education unit shall approve the legal act referred to in Par. 9 of this article.

Integrated Function of the University and the Academy for Applied Studies

Art. 49

The Statute of the University, or academy for applied studies, the legal act on foundation of the Higher Education unit, and the general legal act of the Higher Education unit shall define the mandate and management method that should secure a unified and harmonized activity of the Higher Education institution.

The University, or the art academy, shall integrate functions of its all Higher Education units by implementing a unique policy aimed to permanent improvement of teaching quality, capacity building of young scientific and research generations, as well as the improvement of scientific-research work and artistic creativity.

In order to be able to implement objectives referred to in Par. 2 of this article, the University, or the academy for applied studies, shall have competence in the following areas:

- 1) strategic planning;
- 2) developing curriculums;
- 3) providing and controlling quality;
- 4) enrollment policy;
- 5) basis for the employment policy;
- 6) election of teachers;
- 7) issuing and supplementing diplomas;
- 8) basic policies of use and disposing of real estate and other property provided by the Republic or the Autonomous Province;
- 9) international cooperation; and
- 10) investment planning.

The Higher Education unit shall be entitled to propose decisions referred to in Par. 3 of this article, as regulated by the Statute of the University, or academy for applied studies.

V. Scientific-Research Work and Artistic Activity

Art. 50

The Higher Education institution shall perform scientific-research and artistic activities in order to develop science and creativity, to improve Higher Education activity, i.e. to improve the teaching quality, to build capacity of young scientific and artistic generations, to introduce students to scientific-research or artistic activity, and to provide material conditions for work and development of Higher Education institutions.

Scientific-research activity shall be implemented through basic, applied, and development research, and artistic activity through projects of art.

Scientific-research or artistic activity shall be organized according to the law and general legal act of the institution.

In order to commercialize results of scientific-research or artistic work, the Higher Education institution may found a center for technology transfer, innovation center, Business-technology Park, incubator, or other Higher Education unit, in accordance with the law.

The Higher Education institution shall bring decision on the founding of Higher Education unit referred to in Par. 4 of this article after it obtains an approval from the Ministry stating that the teaching quality will not be jeopardized by founding such unit.

VI. The Higher Education Institution Bodies

The Independent Higher Education Institution Bodies

Art. 51

The Statute shall regulate bodies of the independent Higher Education institution, in accordance to the law and legal act of foundation.

The independent Higher Education institution shall have the management body, the executive body, expert bodies, and Student's Parliament.

Higher Education units shall regulate their management bodies and other bodies by its general legal act, in accordance with the Statute of the independent Higher Education institution.

Bodies making decisions related to the securing of teaching quality, curriculums' reforms, analysis of studies' efficiency, and the introducing of ESPT should have up to 25% students' representatives, out of the total number of members, in accordance with the general legal act.

The Management Body

Art. 52

The management body of the independent Higher Education institution shall be the Council [like the Board of Trustees – translator's note]

The number of the Council members shall be odd.

The President shall head the Council and he shall be elected among the teachers employed at the Higher Education institution who are the Council members.

The Statute of the Higher Education institution shall regulate the number of the Council members, procedures for election and release of duties of the President and members of the Council, the method of work and decision making.

When establishing composition of the Council, representation of employees and students' representation shall be provided.

The Council members' term in the office shall be 3 years.

The Council member can be the member of the management body of only one Higher Education institution.

The Council of the Higher Education Institution Founded by the Republic or the Autonomous Province

Art. 53

The number of the Council of the Higher Education institution founded by the Republic or the Autonomous Province shall be from 13 to 29, pursuant to the Statute of the Institution.

The Council of the Higher Education institution referred to in Par. 1 of this article shall be consisted of representatives of the institution, students, and founders.

In the structure of the Council of the Higher Education institution referred to in Par. 1 of this article, the institution representatives shall be represented by 50% of the total number of members decreased by one, plus one more member, and representatives of students and founders by 25% each out of the total number of members decreased by one.

The Government, or the competent authority of the Autonomous Province, shall appoint representatives of the founder among prominent persons in the area of science, culture, education, arts, and economy.

The Council member referred to in Par. 3 of this article cannot be a person employed at that institution or at the administrative authority competent for the area of education or science, the person elected or appointed to a position at the state authority or territorial autonomy authority, or a person elected to a political party body.

The Council Competence

Art. 54

The Council of the Higher Education institution shall:

- 1) develop the Statute;
- 2) elect and release of duties the management body;
- 3) adopt financial plan;
- 4) adopt the business report and annual accounts;
- 5) decide on the use of funds for investments;
- 6) manage the property of the Higher Education institution;
- 7) distribute allocated funds from the budget, as well as funds coming from other types of income;
- 8) decide on the tuition amount;
- 9) submit business report to the founder at least once a year;
- 10) develop a general legal act on disciplinary responsibility of students; and
- 11) perform other activities, in accordance with the law and the Statute.

The Executive Body

Art. 55

The executive body of the University is the President of the University (Rektor), of the faculty or art academy – the Dean, of the academy for applied studies – the President, of college and college for applied studies – the Director.

The executive body shall be elected among teachers of the Higher Education institution.

The Statute of the institution shall regulate other conditions and method and procedures for election, release of duties, term in the office, competence, and accountability of the body referred to in Par. 1 of this article.

The executive body cannot be the person who was found responsible for minor offence in the area of education, commercial offence or criminal offence in performing his/her duties, as well as the person sentenced by final judgement for a criminal offence against personal dignity and morality, corruption in the education field, forgery of the public document issued by the Higher Education institution, accepting bribe when performing duties at the Higher Education institution, or the person who has breached the code of ethics.

The executive body of the Higher Education unit without status of the legal entity shall be regulated by the general legal act of such Higher Education unit, in accordance with the Statute of the Higher Education institution.

Expert Bodies

Art. 56

Expert bodies of the independent Higher Education institution shall decide on the issues that are of interest for the implementation of instruction, scientific work, research, and artistic activity.

The Statute of the Higher Education institution shall regulate the composition, competence, the number of members, the method of election, the duration of term in the office, and the method of decision making of expert bodies.

The Statute of the Higher Education institution shall establish the expert body that develops the Statute proposal.

The Student Parliament

Art. 57

The Student Parliament is a body of the Higher Education institution or unit with the management body.

The general legal act, developed by the management body, shall establish the number of members of the Student Parliament and method of their election.

The right to elect and be elected members of the Student Parliament shall be the right of all students of the Higher Education institution or Higher Education unit enrolled in the school year for which elections for the Student Parliament are held.

Term in the office of the Student Parliament members shall be one year.

Elections for the Student Parliament shall be held every year by secret and direct ballots for a unified voting list that is proposed by student organizations and students, pursuant to the general legal act referred to in Par. 2 of this article.

The Student Parliament shall elect and release of duty students' representatives in management bodies of the independent Higher Education institution or Higher Education unit. It shall also perform other duties in order to protect students' rights and interests in accordance with the Statute or corresponding general legal act of the Higher Education unit.

VII. Funding of the Independent Higher Education Institutions Founded by the Republic or the Autonomous Province

Sources of Funding

Art. 58

The independent Higher Education institution shall obtain funds for carrying out its activities pursuant to the law and the Statute from the following sources:

- 1) funds provided by the founder;
- 2) tuition;
- 3) donations, gifts, and endowments;
- 4) projects and contracts related to the teaching, research, and consulting services;
- 5) compensation for commercial and other type of services;
- 6) founder's rights and from contracts with third parties; and
- 7) from other sources, in accordance with the law.

The independent Higher Education institution shall manage autonomously the funds referred to in Par. 1 of this article.

The Higher Education unit may obtain the funds referred to in Par. 1 of this article pursuant to the legal act of foundation and general legal act of the independent Higher Education institution.

The funds referred to in Par. 1 of this article shall be presented and recorded in line with the unique budgetary classification.

Funds Provided by the Founder

Art. 59

According to the established norms and standards, the Republic or the Autonomous Province shall provide funds for the implementation of curriculums referred to in Art. 23 of this Law, and for scientific or artistic work that is carried out with the aim of improving the quality of teaching at the independent Higher Education institution.

The independent Higher Education institution founded by the Republic or the Autonomous Province shall obtain funds for implementation of the accredited curriculum within its activity on the basis of an agreement with the Government for the period of time for which the institution is accredited.

Funding for carrying out activities during one academic year shall be provided according to the activity program of the independent Higher Education institution for the contracted period.

In performing legal affairs, Higher Education units within the Higher Education institution, when carrying out their activities with funds provided by the founder, shall act on the basis of the authorization by the statute of the independent Higher Education institution in its own name and on behalf of the Higher Education institution.

The management body of the independent Higher Education institution referred to in Par. 1 of this article shall be responsible to the Government for the designated and economical spending of allocated budgetary funds.

The independent Higher Education institution and Higher Education units within it may not invest funds provided by the founder when entering agreements with third parties.

An agreement entered in opposition to the provisions of Par. 5 of this article shall be invalid.

Norms and standards of the independent Higher Education institutions' activities referred to in Par. 1 of this article and funds needed for their implementation shall be defined by the Government upon the obtained opinion of the national Council, the University Conference, the Conference of Applied Academies, and the Student Conference.

Obtaining Funds from the Founder

Art. 60

The independent Higher Education institution shall obtain funds referred to in Art. 59, Par. 1 of this Law for the following:

- 1) real cost, depreciation, and capital investments;
- 2) salaries;
- 3) equipment and the cost of instruction and scientific research or artistic activity that is aimed for the improvement of the teaching quality;
- 4) library holdings;
- 5) scientific and professional capacity building of the employed;

- 6) incentives for the development of young generations of teachers in the area of science and arts;
- 7) work with talented students;
- 8) international cooperation;
- 9) information sources and information systems;
- 10) publishing activity;
- 11) functioning of the Student Parliament and extra-curricular activities of students; and
- 12) other purposes according to the law.

Own Income

Art. 61

The funds that the independent Higher Education institution or Higher Education units obtain from the sources established in Art. 58 of this Law, apart from the funds provided by the founder, shall make own income of the independent Higher Education institution or Higher Education unit.

The independent Higher Education institution or Higher Education unit shall have free use of the funds referred to in Par. 1 of this article and it shall act in legal affairs in its own name and for its own account, pursuant to the law and general legal act of the independent Higher Education institution and Higher Education units within it.

The Higher Education units within the independent Higher Education institution shall allocate a part of the funds referred to in Par. 1 of this article for financing activities within the competence of the independent Higher Education institution.

Allocation of the funds referred to in Par. 3 of this article shall be made on the basis of the planned size and cost of the activity, which is defined by the decision of the management body of the independent Higher Education institution for given academic year.

Tuition

Art. 62

Tuition represents the cost of studies for one academic year, i.e. for gaining 60 ESPT points.

The general legal act of the Higher Education institution shall define standards for establishing tuition.

The independent Higher Education institution shall be obliged to announce publicly, at least 3 months prior to the beginning of the academic year, composition, structure, and amount of tuition for all years of the curriculum that it implements. In the course of duration of the curriculum, the independent Higher Education institution may alter the amount of tuition according to the increase of the living cost index.

Tuition shall include overall compensation for all services that the independent Higher Education institution renders to a student within the curriculum implementation, taking examinations, and issuing public documents.

Funding of Specific Curriculums

Art. 63

The Republic Budget may provide funds for the curriculum that is implemented by the independent Higher Education institution founded by the Republic or the Autonomous Province, upon recommendation of the National Council pursuant to the norms and standards prescribed by Art. 59 of this Law if such curriculum cannot be implemented at the independent Higher Education institution founded by the Republic or the Autonomous Province.

VIII. The Higher Education Institution Staff

Teaching and Non-teaching Staff

Art. 64

The Higher Education institution teaching staff shall include persons who implement teaching and scientific work, research, and artistic activity.

Under terms of this Law, the teaching staff shall include teachers, researchers, and associates.

Non-teaching staff of the Higher Education institution shall include persons performing expert, administrative, and technical activities.

An individual cannot become a teacher or associate if he/she has been found responsible for minor offence in the area of education, commercial offence or criminal offence in performing his/her duties, as well as the person sentenced by final judgement for a criminal offence against personal dignity and morality, corruption in the education field, forgery of the public document issued by the Higher Education institution, accepting bribe when performing duties at the Higher Education institution, or the person who has breached the code of ethics.

If the person referred to in Par. 4 of this article has already held the position, the independent Higher Education institution shall bring a decision on banning teaching (or associate's) activities of such person.

Employment of the person referred to in Par. 5 of this article shall be terminated according to the law.

The Position of a Teacher

Art. 65

Teacher's positions at the independent Higher Education institution are - lecturer, senior lecturer, professor of applied studies, teaching assistant (docent), associate professor, and professor.

Teachers holding positions of lecturer, senior lecturer, and professor of applied studies may teach only applied studies.

The precondition for acquiring position of a lecturer is the title of a specialist and participation in research and professional projects.

The precondition for acquiring position of a senior lecturer is the academic title of Master of Sciences or the professional title of a specialist along with published expert papers that affirm the author as an expert in certain area of science or arts.

The precondition for acquiring position of a professor of applied studies is the academic title of Ph.D. along with published expert papers that affirm the author as an expert in certain area of science or arts.

Teachers holding positions of docent, associate professor, and professor may teach all kind of studies.

The precondition for acquiring position of a docent is the academic title of Ph.D. along with published papers that affirm the author as a scientific worker.

The precondition for acquiring position of an associate professor is the academic title of Ph.D. along with published scientific papers representing an independent contribution to the science.

The precondition for acquiring position of a professor is the academic title of Ph.D. along with published scientific papers, through which the author made an impact on the development of science or gained international reputation.

As an exception, a person may be elected to the position of the teacher referred to in Par. 6 of this article if he/she does not have academic title of Ph.D. only in the cases and under the conditions defined by the Statute of the Higher Education institution.

The general legal act of the independent Higher Education institution may establish other teaching positions (foreign language teacher and other), in line with the type of studies for which the institution is accredited.

Commencing of Employment and Acquiring the Position

Art. 66

The general legal act of the independent Higher Education institution or authorized Higher Education unit within it shall regulate the method and procedure of the commencement of employment and for acquiring teacher's positions.

The independent Higher Education institution or authorized Higher Education unit within it shall announce publicly an ad for employment and for acquiring teacher's positions in line with the general legal act quoted in Par. 1 of this article.

The University and the college shall elect teachers for all teaching positions while the academy for applied studies and the college for applied studies only for teachers who have right to teach applied studies.

The person elected to the position of a lecturer, senior lecturer, docent, and associate professor, as well as the person elected to the position of a teacher referred to in art. 65, Par. 11 of this Law, shall acquire position and commence employment for the period of 5 years.

The person elected to the position of a professor of applied studies and professor shall acquire position and commence employment for indefinite period of time.

The executive body of the independent Higher Education institution or authorized Higher Education unit shall enter the employment agreement with the elected person referred to in Par. 4 and 5 of this article.

Conditions and Criteria for Acquiring Teacher's Positions

Art. 67

Conditions and criteria for acquiring teacher's positions shall be regulated by the general legal act of the independent Higher Education institution in line with Art. 11, Par. 8 of this Law.

Conditions and criteria referred to in Par. 1 of this article include the following elements: results of scientific-research or artistic work, involvement in the development of instruction and other activities of the independent Higher Education institution or Higher Education unit, as well as the quality of teaching.

The independent Higher Education institution shall evaluate, on the basis of criteria quoted in Par. 1 of this article, fulfillment of conditions on the results of scientific-research or artistic work.

In regard to fulfillment of conditions on the results of the involvement in instruction and other activities and results of educational work, the Higher Education unit, where the activity is performed, shall conduct the evaluation.

The teaching quality shall be evaluated on the basis of a survey among students.

Visiting Teacher

Art. 68

The independent Higher Education institution or the authorized Higher Education unit may elect, without announcing publicly, a person to the position of a visiting teacher, according to criteria envisaged in the Art. 67 of this Law.

The management body of the independent Higher Education institution or the authorized body of the Higher Education unit shall enter an agreement with the person elected to the position referred to in Par. 1 of this article on hiring him/her as a teacher under conditions and in a way envisaged by the general legal act of the independent Higher Education institution or the authorized Higher Education unit.

Professor Emeritus

Art. 69

The independent Higher Education institution may award the title of *Professor Emeritus* to a retired professor.

The general legal act of the independent Higher Education institution shall closely regulate procedures and conditions for awarding this title and rights to individuals referred to in Par. 1 of this article.

Scientific Titles

Art. 70

An individual, who has been elected to a scientific position (title), according to the procedure prescribed by special law, may teach Ph.D. studies.

If the person referred to in Par. 1 of this article is not employed by the independent Higher Education institution or the authorized Higher Education unit where the curriculum is implemented, then he/she shall be hired as a contracted teacher.

Associate's Position

Art. 71

Associate's positions are Teaching Assistant and senior Teaching Assistant.

The general legal act of the independent Higher Education institution may establish other associate's positions (teaching associate, editor, and other) in line with the type of studies for which the institution is accredited.

The general legal act of the independent Higher Education institution shall regulate procedures and conditions for electing an individual to the position referred to in Par. 2 of this article.

The executive body of the independent Higher Education institution or the authorized body of the Higher Education unit shall enter an agreement with the person elected to the

position referred to in Par. 3 of this article on hiring him/her for a limited period of time. The period of time shall be defined by the general legal act of the independent Higher Education institution.

Teaching Assistant

Art. 72

The independent Higher Education institution or the authorized Higher Education unit shall elect teaching assistant and shall enter employment agreement with a student involved in master's or specialist studies, in accordance with the general legal act.

The person referred to in Par. 1 of this article shall be contracted for employment for the period of one year with a possibility of extending it for another year during his/her studies and the longest the contract can be extended is until the end of the academic year in which his/her studies are completed.

The executive body of the independent Higher Education institution or the authorized body of the Higher Education unit shall enter the agreement referred to in par. 2 of this article.

Senior Teaching Assistant

Art. 73

The independent Higher Education institution or the authorized Higher Education unit shall elect senior teaching assistant and shall enter employment agreement with a student involved in Ph.D. studies or with master of sciences who has applied for Ph.D. thesis, in accordance with the general legal act of the independent Higher Education institution.

The person referred to in Par. 1 of this article shall be contracted for employment for the period of 3 years with a possibility of extending it for another year during his/her studies, i.e. the deadline for defending Ph.D. thesis elapses, and the longest the contract can be extended is until the end of the academic year in which his/her studies are completed, i.e. the year in which the Ph.D. thesis is defended.

The executive body of the independent Higher Education institution or the authorized body of the Higher Education unit shall enter the agreement referred to in par. 2 of this article.

The Employment Policy at the Independent Higher Education Institution Founded by the Republic or the Autonomous Province

Art. 74

The independent Higher Education institution shall establish the employment policy on the basis of the need for the teaching process to be organized in a good quality, rational, and efficient manner.

As a rule, teachers and associates shall be employed full time.

Teachers and associates teaching clinical subjects in medical science shall have full time employment by dividing their employment between the independent Higher Education institution or the authorized Higher Education unit and the corresponding health care institution.

Teachers referred to in Par. 3 of this article shall be considered full time teachers when Art. 41, par. 5 of this Law is applied.

IX. Rights and Obligations of the Employed

Rights and Obligations of the Employed

Art. 75

In regard to rights, obligations, and responsibilities of the employed with the independent Higher Education institution or Higher Education unit, the Labor Law shall be applied if this Law does not regulate otherwise.

The executive body of the independent Higher Education institution or the authorized Higher Education unit shall decide on specific rights, obligations, and responsibilities of the employed.

The competent governing body shall decide on specific rights, obligations, and responsibilities of the body referred to in Par. 2 of this article.

The Banning of Competition

Art. 76

The general legal act of the independent Higher Education institution and the employment agreement shall envisage limited possibilities for teachers and associates to enter contracts with other legal entities if at issue is the contract with an organization which, with its activities, compete with the independent Higher Education institution where the teacher or associate is employed. The same shall be applied to a contractual relation that may have a negative impact on the quality of work at the domicile institution.

The Paid Leave

Art. 77

A paid leave can be approved to the teacher in duration up to one academic year for his/her professional, scientific, or artistic capacity building, in accordance with the general legal act of the independent Higher Education institution or Higher Education unit.

Suspension of Employment and Elective Period [Leave of Absence]

Art. 78

The elective period and employment of a teacher being away due to the military service or maternity leave, leave for taking care of sick child or sick leave longer than 9 months shall be extended for that period of time.

Upon personal request of a teacher or associate referred to in Par. 1 of this article, the executive body of the independent Higher Education institution or the authorized Higher Education unit may decide not to extend the elective period and employment during the leave of absence referred to in Par. 1 of this article.

Termination of Employment of the Teacher

Art. 79

The teacher's employment shall terminate at the end of the academic year in which he/she turns 65 years of age.

The teacher's employment referred to in Par. 1 of this article may be extended for a period of 2 years under the conditions envisaged by the Statute of the independent Higher Education institution.

The teacher, whose employment has been terminated in line with Par. 1 and 2 of this article, as well as the teacher whose employment has been terminated in line with pension and disability insurance regulations, shall keep his/her academic title that he/she has been elected to during his/her employment.

Based on the decision of the appropriate expert body, the teacher referred to in Par. 3 of this article may teach all forms of post-graduate instruction and be a member of evaluation boards for specialist papers, master's theses, and Ph.D. dissertations.

X. The System of Studies

The Academic Year

Art. 80

The studies shall be organized and implemented within an academic year lasting for 12 calendar months.

The academic year instruction shall be implemented within:

- 1) 2 semesters, each lasting for 15 weeks;
- 2) 3 semesters, each lasting for 10 weeks; and
- 3) blocks – their duration shall be established in total duration of 30 weeks.

The average student's workload needed for mastering curriculum during an academic year shall amount, as a rule, to 60 ESPT points.

Subjects shall be organized and implemented, as a rule, within one semester, one trimester, or one block, but not longer than 2 semesters or 3 trimesters.

The Language of Studies

Art. 81

The studies shall be organized and implemented in Serbian language.

Studies or particular parts of studies may be organized and implemented in the national minority language or in a foreign language.

The independent Higher Education institution founded by the Republic or the Autonomous Province cannot implement graduate studies curriculum in foreign language if such curriculum is not implemented in Serbian language, apart for curriculum for acquiring the joint diploma.

The Organization of Studies

Art. 82

The general legal act of the independent Higher Education institution or the authorized Higher Education unit shall regulate obligations in regard to the method of organizing and time for implementing studies.

The independent Higher Education institution or the Higher Education unit shall be obliged to organize lectures and other forms of instruction for all students and to provide, in line with its possibilities, conditions for students with special needs.

The independent Higher Education institution or the Higher Education unit shall be obliged to inform students, in an appropriate way, on the method, timing, and venue of instruction; on the instruction methods, purpose, and program; on methods, criteria, and standards of exams; on the method of providing public character of exams and method of insight into exam results; as well as on other issues relevant to students.

Distance Studies

Art. 83

The independent Higher Education institution may organize the implementation of curriculum through distance studies, in line with its license.

When implementing curriculum referred to in Par. 1 of this article, the independent Higher Education institution or the authorized Higher Education unit shall be obliged to provide presentation of the program as per in advance established schedule and to provide regular communications with teachers.

XI. Students

Enrollment

Art. 84

Individuals can be enrolled in the studies under the conditions and procedures regulated by this Law and the general legal act of the independent Higher Education institution.

An individual can be enrolled in the studies referred to in Par. 1 of this article if he/she can speak the language of instruction.

A student can be enrolled as a *student financed from the budget* (hereinafter: financed student) or as a *student that personally finances own studies* (hereinafter: self-financing student).

The independent Higher Education institution, or the Higher Education unit within it, cannot charge a budgetary student for services referred to in Art. 64, Par. 4 of this Law.

The independent Higher Education institution that is not founded by the Republic or the Autonomous Province shall enter an agreement with the student on mutual rights and obligations.

The Announcement for Enrollment

Art. 85

The independent Higher Education institution shall make an *announcement for enrollment in studies* (hereinafter: announcement for enrollment).

The announcement for enrollment shall include - the number of students for specific studies, enrollment conditions, conditions and criteria for the selection of candidates, conditions and criteria for the selection of candidates—individuals with special needs or individuals from socially vulnerable groups, the procedure of conducting enrollment, and the method and deadlines for an appeal.

The announcement for enrollment shall be published not later than 6 months prior to the beginning of the academic year.

The Number of Students

Art. 86

The independent Higher Education institution shall establish the number of students that shall be enrolled to curriculums that it implements and such number cannot be larger than the number established in the license.

The Government or the competent authority of the Autonomous Province shall decide on the number of financed students to be enrolled into the first year for each level and type of studies for the independent Higher Education institutions founded by the Republic or the Autonomous Province, upon the opinion of the National Council, not later than two months prior to the announcement for enrollment.

Within the number of financed students referred to in Par. 2 of this article, a specific number of students shall be defined for individuals with special needs and *individuals from socially vulnerable groups on which, following the opinion of the competent ministry, the principle of affirmative action shall be applied* (hereinafter: individuals from socially vulnerable groups).

For the following academic year, the independent Higher Education institution may increase the number of students referred to in Par. 2 of this article by maximum 20% in relation to the previous year, in line with the decision of the competent body of the Higher Education institution.

Enrollment in Undergraduate Studies

Art. 87

The candidate for enrollment in undergraduate studies shall take an entrance examination or a placement test (to check skills and abilities), in accordance with the general legal act of the independent Higher Education institution.

The candidate list for enrollment in undergraduate studies shall be established according to the general academic standing in the secondary school and results achieved at the entrance exam or the placement test.

The candidate who has passed the secondary school general final exams shall not take the entrance exam. Instead of the entrance exam, the results of the secondary school final exams shall be evaluated for such a candidate, in accordance with the general legal act of the independent Higher Education institution.

The independent Higher Education institution may refer a candidate who has passed the secondary school applied or artistic final exam to take some of the secondary school general final exams instead of the entrance exam.

The independent Higher Education institution shall make a ranking list of applied candidates based on criteria of the announcement for enrollment.

A separate ranking list of applied candidates shall be made for candidates – individuals with special needs or individuals from vulnerable social groups.

The candidate who is placed on the ranking list referred to in Par. 5 or 6 of this article within the number of students referred to in Art. 86, Par. 1 of this Law shall be entitled to enrollment.

The undergraduate student of the other independent Higher Education institution, an individual who has acquired higher education in undergraduate studies, and an individual who has lost the right to the status of undergraduate student due to failing to enroll in the academic year may enroll in undergraduate studies under the conditions and procedures envisaged by the general legal act of the independent Higher Education institution.

The right referred to in Par. 8 of this article shall be implemented upon personal request.

Enrollment in Postgraduate Studies

Art. 88

An individual who has acquired higher education in undergraduate studies may be enrolled in postgraduate studies.

The candidate shall be enrolled in postgraduate studies under the conditions and procedures envisaged by the general legal act and announcement for enrollment of the independent Higher Education institution.

Rights and Obligations of Students

Art. 89

A student shall have rights and obligations defined by this Law and the general legal act of the independent Higher Education institution or the authorized Higher Education unit.

The student shall have the following rights:

- 1) to have good quality education, objective appraisals;
- 2) to be correctly and in due time informed;
- 3) to actively participate in decision making;
- 4) to self-organizing and to have different opinions;
- 5) to have privileges deriving from the student status;
- 6) to have the same quality conditions of studies for all students and studies adapted to the needs of all students;
- 7) to have education in the language of national minorities, in line with the law;
- 8) to be different and to be protected from discrimination; and
- 9) to elect and to be elected to the Student Parliament and University bodies.

The student shall have the following obligations:

- 1) to meet instructional and pre-exam obligations;
- 2) to observe general legal acts;
- 3) to observe rights of the employed and rights of other students; and
- 4) to participate in the decision making in accordance with the law.

The Number of Points and Selection of Subjects

Art. 90

When enrolling in each academic year, students shall choose subjects from curriculum.

Curriculum shall define which subjects are compulsory for particular year of studies.

The financed student shall opt for as many subjects as needed to collect at least 60 ESPT points.

The self-financing student shall opt for as many subjects as needed to collect at least 37 ESPT points, in line with the organization of the curriculum implementation.

The self-financing student shall pay a part of tuition according to the number of subjects he/she has opted for.

Student's obligation shall be to pass exams in all subjects he/she has opted for before the end of the current academic year.

The student shall acquire certain number of ESPT points when he/she passes exams, according to the curriculum.

If the student does not pass exam in a subject before the beginning of the following academic year, he/she shall be obliged to repeat the subject if it is a compulsory one. If it is an optional subject, he/she can repeat it or take a new one. Curriculum may envisage that the student may opt for a certain subject given that he/she has passed exams in one or more subjects established by curriculum.

Financed (under the budget) Students and Self-financing Students

Art. 91

The financed student who has acquired 60 ES... points in an academic year shall be entitled to enter the following academic year as financed student.

The financed student who has acquired less than 60 ESPT points in an academic year shall be entitled to enter the following academic year as self-financing student.

Self-financing student who has acquired 60 ESPT points in an academic year shall be entitled to enter the following academic year within the number of financed students referred to in Art. 86 of this Law.

The student shall implement the right referred to in Par. 3 of this article if he/she is ranked within the total number of financed students, according to the method and procedures established by the general legal act of the independent Higher Education institution.

Appraisal

Art. 92

Student's achievement in mastering particular subject shall be monitored throughout instruction and shall be expressed in points.

Meeting pre-exam obligations and passing exams may bring to the student maximum of 100 points.

Student's achievement in meeting pre-exam obligations and passing exams shall be expressed in grades from 5 (failed) to 10 (outstanding).

The independent Higher Education institution may envisage some other numerical method of appraisal by relating it to the grades quoted in Par. 3 of this article.

The student who acquires at least 55 points shall be graded with "6".

Pre-exam obligations shall be evaluated with minimum 50 points where the number of points shall depend on the quality and level of fulfillment of pre-exam obligations.

The precondition of being eligible to take an exam shall be that the student has acquired 25 points in meeting his/her pre-exam obligations.

The student who has not met the precondition referred to in Par. 7 of this article shall have to repeat the same subject, in case it is a compulsory one or if he/she opts for the same subject again.

Exams

Art. 93

The exam shall be undivided and shall be taken orally, in writing, or as practical work, under the procedure envisaged by the general legal act of the independent Higher Education institution.

The student with special needs shall be entitled to take exam in such way that is adapted to his/her, in accordance with the general legal act referred to in Par. 1 of this article.

The exam shall be taken at the headquarters of the independent Higher Education institution or in premises quoted in the license.

The provision of Par. 3 of this article refers to distance curriculum implementation as well.

The independent Higher Education institution may organize exams to be taken out of its headquarters if at issue is the exam in the subject of such character that requests so.

The student shall take exam immediately after instruction in that subject is completed.

If the student referred to in Par. 6 of this article fails the exam, he/she shall be entitled to take it once again in the next examination term.

The student who is unable to take exam immediately after instruction is completed, due to illness or professional training that lasts for minimum 3 months, may take the exam in the next examination term after the above mentioned reasons cease, in accordance with the general legal act of the independent Higher Education institution.

Complaint

Art. 94

The student shall be entitled to file a complaint to the competent body of the Higher Education institution or the authorized body of the Higher Education unit in relation to the given appraisal (grade) if he/she thinks that the exam has not been conducted in line with the law or the appropriate general legal act, within 72 hours since he/she has been appraised.

The competent body referred to in Par. 1 of this article shall urgently take the complaint into consideration and bring its decision according to provisions of the appropriate general legal act.

If the student takes the exam again, he/she may keep previously awarded appraisal if he/she is appraised with lower grade than the one he/she complained about.

Suspension of Students' Rights and Obligations

Art. 94

Student's rights and obligations may be suspended, upon personal request, in the case of serious illness, professional practical training in duration of minimum 3 months, military service, taking care of the child up to child's age of one, pregnancy leave, and other cases envisaged by the general legal act of the independent Higher Education institution.

The student referred to in Par. 1 of this article may take exams during the suspension period, in accordance with the general legal act of the independent Higher Education institution or the authorized Higher Education unit.

Suspension of rights and obligations in duration of one academic year shall be approved to the student, upon personal request, once during his/her studies.

Cessation of the Student Status

Art. 96

The student status shall cease in case of:

- 1) leaving the studies;
- 2) completing the studies;
- 3) failing to enroll in the academic year;
- 4) when the student fails to complete studies within the deadline that is established in the doubled number of academic years needed for the curriculum implementation; and
- 5) pronounced disciplinary measure of banning further studies.

Upon personal request, the student may be granted with the extension of the deadline for completion of studies, in accordance with the general legal act of the independent Higher Education institution or the authorized Higher Education unit.

Academic and Professional Titles

Art. 97

The individual who completes undergraduate studies shall acquire the professional title – “graduate”, with the name of his/her profession in the appropriate field of science.

The individual who completes undergraduate applied studies shall acquire professional title – “graduate”, with the name of his/her profession in the appropriate field of science followed by abbreviation (“*appl.*”).

The individual who completes specialist-applied studies shall acquire professional title – “specialist”, with the name of his/her profession in the appropriate field of science.

The individual who completes master's academic studies shall acquire academic title – “Master of Science”, with the name of the field of science.

The individual who completes Ph.D. studies shall acquire academic title – “Ph.D.” in science or Ph.D. in arts, with the name of the field of science.

The list of titles in corresponding fields of science, as well as abbreviations of professional and academic titles shall be established by the National Council upon the proposal of the University Conference or the Conference of Academies for Occupational Studies.

The professional title abbreviation shall be put after the first and second name, whilst the academic title abbreviation shall be put before the first and second name.

Life Long Education

Art. 98

The independent Higher Education institution may implement the life long education program within its activities.

The general legal act of the independent Higher Education institution shall regulate conditions, methods and procedures for implementation of the program referred to in Par. 1 of this article.

The independent Higher Education institution shall issue the certificate to the individual who has mastered the program referred to in Par. 1 of this article.

The individual enrolled in the program referred to in Par. 1 of this article shall have the status of a student in terms of this Law.

XII. Records and Public Documents

Records

Art. 99

The independent Higher Education institution or the authorized Higher Education unit shall maintain the following records: the student registry, records of issued diplomas, records of transcripts, and minutes taken at exams.

Records referred to in Par. 1 of this article shall be maintained in Serbian language in Cyrillic alphabet. Records shall be maintained in Latin alphabet on the territory of those municipalities where Latin alphabet is officially used. The text in Latin alphabet shall be written below the text in Cyrillic alphabet.

In the case when instruction is implemented in the language of national minority, records referred to in Par. 1 of this article shall be maintained in Serbian language in Cyrillic alphabet and in language and alphabet of the national minority.

The student registry shall be permanently kept.

The Minister shall regulate contents and method of maintaining records.

Protection of the Records Data

Art. 100

Data entered into records referred to in Art. 99 of this Law shall be collected, processed, kept, and used for the needs of the independent Higher Education institution activity, for needs of the Ministry in carrying out affairs established by the law, and for other needs in line with the law.

For the needs of scientific-research work and statistic analysis, data from records shall be used and published in such way that student's identity is protected.

When publishing data from records, student's identity can be revealed only upon his/her written consent.

Public Documents

Art. 101

The independent Higher Education institution shall issue public documents on the basis of data from records.

In terms of this Law, public documents are - student's booklet (index), Higher Education diploma, and transcript.

The independent Higher Education institution shall issue public documents in Serbian language in Cyrillic alphabet. Public documents shall be issued in Latin alphabet on the territory of those municipalities where that alphabet is officially used. The text in Latin alphabet shall be written below the text in Cyrillic alphabet.

In the case when instruction is implemented in the language of national minority or in one of world's languages, public documents shall be issued on a form printed in both languages – Serbian in Cyrillic alphabet and in language and alphabet of instruction.

Upon student's request, the independent Higher Education institution shall issue public document on mastered part of curriculum including data on the level, type, and subject of studies, as well as on achieved results.

The Minister shall define contents of the public document referred to in Par. 2 of this article.

Diploma and Supplement to Transcript

Art. 102

Diploma and transcript referred to in Art. 101, Par. 2 of this Law shall be signed by the executive body of the independent Higher Education institution and appropriate body of the Higher Education unit, upon authorization.

Diploma and transcript shall be issued on a form printed in Serbian language in Cyrillic alphabet and in English language.

Diploma shall be stamped with the dry embossed stamp of the independent Higher Education institution.

Transcript shall be always issued with diploma.

Description of the Higher Education system in Serbia at the time when the education indicated in diploma has been acquired shall necessarily be attached to the transcript.

Pronouncing Diploma and Transcript Null and Void

Art. 103

Diploma or transcript referred to in Art. 101, Par. 2 of this Law shall be pronounced null and void in the following cases:

- 1) if it has been issued by unauthorized organization;
- 2) if it has been signed by unauthorized person; and
- 3) if the holder of diploma has not passed all exams as per this Law and curriculum.

The independent Higher Education institution shall pronounce diploma or transcript null and void on the basis of the reasons defined in Par. 1, items 2 and 3 of this article.

The independent Higher Education institution shall pronounce diploma of master's academic title null and void if it establishes that the master's thesis has not been result of independent work.

The independent Higher Education institution shall pronounce diploma of Ph.D. academic title null and void if it establishes that the Ph.D. dissertation has not been the authentic result of the candidate's scientific or artistic work.

The Ministry shall pronounce, *ex officio*, diploma or transcript null and void due to reasons established in Par. 1, Item 1 of this article.

Issuance of New Public Document

Art. 104

The independent Higher Education institution shall issue the new public document after the original public document has been announced null and void in "The Official Gazette of the Republic of Serbia", based on data from records that it maintains.

The public document referred to in Par. 1 of this article shall have relevance of the original public document.

The public document referred to in Par. 1 of this article shall be marked with a note indicating that it is public document issued after the original public document has been announced null and void.

Replacement of the Public Document

Art. 105

If records referred to in Art. 99 of this Law and archival materials have been destroyed, an individual that does not possess diploma or transcript may file a request to the municipal court on the territory of the independent Higher Education institution in order that his/her acquired Higher Education be confirmed.

Such request shall include evidence supporting the statement that the person has acquired Higher Education and that archival materials have been destroyed or missing.

The independent Higher Education institution where the person has acquired Higher Education or other institution that has taken over records or archival materials shall issue a certificate that archival materials have been destroyed or missing.

The municipal court shall bring a decision on the establishment of acquired Higher Education in out-of-court procedure

The formal decision referred to in Par. 4 of this article shall replace diploma or transcript issued by the independent Higher Education institution.

XIII. Recognition and Validation

Recognition of Foreign Public Documents

Art. 106

Recognition is the procedure in which the holder of a foreign public document shall be granted the right to continue his/her education and the right to employment.

The recognition procedure shall be conducted in line with provisions of this Law unless otherwise is envisaged by an international agreement.

In the procedure of recognition for the continuation of Higher Education, the holder of a foreign public document shall be granted the right to continue his/her Higher Education corresponding to the right of continuing education in the educational system of the country where the public document has been issued.

In the procedure of recognition for employment, the type and level of studies shall be established, as well as the academic or professional title of the public document's holder.

The Ministry shall regulate the recognition referred to in Par. 3 and 4 of this article.

The recognition procedure shall not be conducted if the public document was issued on the territory of the SFR Yugoslavia before April 27, 1992.

The public document referred to in Par. 6 of this article shall be legally effective as any public document issued on the territory of the Republic.

The Minister shall regulate the recognition procedure, as well as standards for assessing foreign public document.

Recognition of a Part of Curriculum

Art. 107

In the procedure of recognition for the continuation of commenced Higher Education, successfully terminated period of studies or a part of curriculum mastered at a foreign Higher Education institution shall be evaluated.

The procedure of recognition referred to in Par. 1 of this article shall be conducted by the Higher Education institution where the commenced curriculum is to be continued, under the procedure envisaged by the general legal act of such institution.

Validation

Art. 108

In the procedure of recognition referred to in Art. 106 of this Law, the procedure of validation shall be implemented.

Validation is the procedure of giving the opinion of a foreign curriculum based on the type and level of achieved knowledge and skills without comparing curriculums.

Once implemented positive validation of a particular foreign curriculum shall be applied to all future cases when the same curriculum is at issue.

The expert body of the independent Higher Education institution shall give the opinion referred to in Par. 1 of this article taking into consideration data on the foreign Higher Education institution where the curriculum is implemented, which are provided by the ENIC center.

XIV. Administrative Supervision

Art. 109

The Ministry shall perform administrative supervision over the independent Higher Education institution activities.

Inspectors shall perform the inspecting supervision.

Inspector's duties can be performed by an individual with the degree in law, licensing state exam, and at least 3 years of experience.

When performing inspecting supervision, the inspector shall be authorized to:

- 1) cancel enrollment of students in the first year of studies exceeding the number of students as per Art. 86, Par. 1 of this Law;

- 2) cancel enrollment of students that is implemented contrary to the provisions of this Law; and
- 3) undertake other measures for which he/she is authorized by the law and regulations.

XV. Punitive Provisions

Art. 110

A pecuniary fine of 30,000 to 100,000 dinars shall be imposed on the independent Higher Education institution for an infringement if it:

- 1) carries out political, party-related, and religious organizing and acting (Art. 29, Par. 7);
- 2) performs its activities out of its headquarters and facilities where they are supposed to be performed (Art. 30, Par. 3 and Art. 41, Par. 6);
- 3) implements curriculum that is not included in the license (art. 41, Par. 6,7);
- 4) changes the name, headquarters, and status contrary to the provisions of this Law (Art. 44, Par. 1);
- 5) charges higher tuition than established by this Law (Art. 62, Par. 1,4);
- 6) charges for services to students that are already included in tuition (Art. 62, Par. 4);
- 7) employs a teacher that does not meet conditions envisaged by this Law or without public announcement (Art. 65 and 66);
- 8) does not organize lectures and other forms of instruction in line with this law (Art. 82 and 83);
- 9) enrolls a candidate who has not applied to curriculum contrary to the public announcement (Art. 85);
- 10) enrolls students over the established number, in accordance with this Law (Art. 86, Par. 1); and
- 11) does not maintain records in a prescribed manner or does not maintain it dully and issues public documents that do not correspond in contents to what is established by the Minister (Art. 99 and 101, Par. 5).

A pecuniary fine of 5,000 to 10,000 dinars shall be imposed on the executive body of the independent Higher Education institution for an infringement referred to in Par. 1 of this article.

XVI. Designating State Administration Duties to the Autonomous Province

Art. 111

Duties established by Art. 109 of this Law shall be designated to the Autonomous Province.

Provincial authorities shall cooperate with the Republic authority in performing duties referred to in Par. 1 of this article.

In regard to the designated state administration duties referred to in Par. 1 of this article, the Ministry shall have rights and obligations in relation to the Autonomous Province as prescribed by the law regulating state administration.

XVII. Transitional and Final Provisions

The National Council

Art. 112

The National Assembly (Parliament) shall establish the National Council referred to in Art. 9 of this Law within 9 months from the date of enactment of this Law.

Pending the National Council establishment, its duties shall be carried out by the Republic Council for the Development of University Education, which was established according to the Law on University (“The Official Gazette of the Republic of Serbia” no. 21/2002).

The Accreditation Board

Art. 113

The National Council shall establish the Accreditation Board referred to in Art. 13 of this Law within 6 months from the date of enactment of this Law.

Pending the Accreditation Board establishment, its duties shall be carried out by the Higher Education Accreditation Board, which was established by the decision of the Republic Council referred to in Art. 112, Par. 2 of this Law.

By-laws

Art. 114

The Minister shall develop by-laws in line with this Law within 6 months from the date of enactment of this Law.

The List of Titles

Art. 115

The National Council, within 6 months from the date of its constitution, shall establish scientific or artistic areas referred to in Art. 25 of this Law, as well as the list of titles and their abbreviations referred to in Art. 97, Par. 6 of this Law.

Pending enactment of the legal act referred to in Par. 1 of this article, provisions of the Law on Professional Titles and of statutes of the existing Higher Education institutions shall be applied.

Accreditation and License

Art. 116

Universities that have obtained a formal decision on the fulfillment of conditions for commencement of their activities pending enactment of this Law shall be considered as accredited and licensed for the period of 5 years from the day of enactment of this Law.

Faculties out of Universities that have obtained a formal decision on the fulfillment of conditions for commencement of their activities pending enactment of this Law shall be considered as accredited and licensed for the period of 3 years from the day of enactment of this Law.

Curriculums of Universities referred to in Par. 1 of this article and of faculties, or academies referred to in Par. 2 of this article belonging to those Universities, developed before the enactment of this Law shall be assumed as accredited curriculums within the period of validity of the license referred to in Par. 1 and 2 of this article.

The independent Higher Education institutions referred to in Par. 1 and 2 of this article shall be obliged to harmonize their curriculums and plans quoted in Par. 3 of this article, as well as organization and implementation of curriculum with provisions of this Law not later than September 1, 2005.

The re-accreditation procedure for institutions referred to in Par. 1 and 2 of this article shall be conducted before expiration of accreditation or license.

The procedure of founding University, or faculty, or the procedure for establishing the fulfillment of conditions for the commencement of activities that has been commenced before enactment of this Law shall be completed according to the provisions of this Law.

Universities and Faculties within Universities

Art. 117

Universities referred to in Art. 116, Par. 1 of this Law shall harmonize their organization and general legal acts with this Law by September 1, 2006.

The University referred to in Par. 1 of this article shall develop a legal act on the transformation of the University harmonizing its organization in line with this Law and establishing the status of faculties, art academies, and other Higher Education institutions belonging to it, in line with this Law, within one year from the date of enactment of this Law.

The University Council shall develop the legal act on transformation referred to in Par. 1 of this article upon proposal of the scientific-teaching council or teaching-artistic council.

If the legal entity status of faculties, art academies, or other organizations within the University is not established by the legal act on transformation, then they shall lose such status by the day defined in the act on transformation, but not later than September 1, 2006.

Rights, obligations, and property of faculties, art academies, the University Library, and other organizations within the University that are founded before the enactment of this Law shall be taken over by faculties, art academies, and other Higher Education institutions referred to in Par. 1 of this article in line with the legal act of transformation.

Junior Colleges

Art. 118

The junior college that has received a formal decision on the fulfillment of conditions for commencement of its activities, pending enactment of this Law, for curriculums lasting for 6 semesters, shall continue activities until it obtains accreditation and license.

The junior college that has obtained a formal decision on the fulfillment of conditions for commencement of its activities, pending enactment of this Law, for curriculums lasting for 4 or 5 semesters, shall continue activities with no right to enroll new students, until it obtains accreditation and license.

[Translator's note: Par. 1 and 2 of this article are not grammatically clear in original language]

Junior college that has obtained accreditation and license shall continue to function as the college for applied studies.

Junior college that has not obtained accreditation or re-accreditation and license shall cease its activities on August 31, 2008.

Higher Education Institutions' Bodies

Art. 119

The constituting of management bodies and expert bodies and election of the executive body of the University referred to in Art. 117 of this Law, in line with this Law, shall be conducted within 3 months from the date of enactment of the legal act on transformation of University.

Pending harmonization of activities of faculties referred to in Art. 116, Par. 2 and of junior colleges referred to in Art. 118, Par. 1 and 2 with provisions of this Law, provisions effective before enactment of this Law shall be applied onto election, release of duties, and activities of these institutions' bodies.

After constituting management bodies and expert bodies and after electing executive bodies referred to in Par. 1 and 2 of this article, term in the office of the management bodies and expert bodies that have been constituted according to previous regulations, as well as term in the office of the executive body that has been elected according to previous regulations, shall cease.

Elections to Positions

Art. 120

Elections to positions of teachers or associates that have commenced according to regulations effective on the day of enactment of this Law shall be completed according to such regulations within 6 months from the date of enactment of this Law.

Art. 121

Teachers, apart from junior college professors, and associates elected according to regulations effective before the enactment of this Law shall perform teacher's or associate's duties until the end of the period for which they have been elected.

The junior college professor who fulfills conditions to be elected to the position of a professor of applied studies according to provisions of this Law and has minimum 15 years of working experience as a teacher on the day of the enactment of this Law shall be assumed to have the title of a professor of applied studies.

The junior college professor who does not fulfill conditions to be elected to the position of a professor of applied studies according to provisions of this Law and does not have 15 years of working experience as a teacher on the day of the enactment of this Law shall be assumed to have the title of a senior lecturer.

Students

Art. 122

Student who is enrolled in studies at the University or faculty before enactment of this Law may complete his/her studies according to the commenced curriculum and rules of studies until August 31, 2010.

Student who is enrolled in studies at the junior college before enactment of this Law may complete his/her studies according to the commenced curriculum and rules of studies until August 31, 2008.

The student referred to in Par. 1 of this article shall be entitled, after completion of his/her studies, to the title of a professional or academic master's title or Ph.D. title according to regulations that have been effective before enactment of this Law.

The student referred to in Par. 1 and 2 of this article is entitled to continue studies commenced according to the curriculum that has been developed in line with provisions of this Law and under the procedure envisaged by the general legal act of the independent Higher Education institution.

Rules of Studies in Regard to Financing

Art. 123

Within the first three years from the date of enactment of this Law, students enrolling in studies after enactment of this Law and students referred to in Art. 122, Par. 4 shall have the following rights:

- 1) the financed student who has acquired 45 ESPT points within an academic year shall be entitled to enroll in the following academic year as a budgetary student;
- 2) the financed student who has acquired less than 45 ESPT points within an academic year shall be entitled to enroll in the following academic year as a self-financing student; and

- 3) self-financing student who has acquired 45 ESPT points within an academic year shall be entitled to enroll in the following academic year within the number of financed students referred to in Art. 86, Par. 1 of this Law.

Introduction of ESPT Points

Art. 124

The independent Higher Education institution shall be obliged to introduce and apply ESPT points as of the first academic year following the enactment of this Law.

When introducing and applying ESPT points, the Higher Education institution shall be obliged to monitor examination results as well as other relevant indicators of student's work load and to obtain students' opinion on the effective work load in mastering curriculums.

Based on indicators referred to in Par. 1 of this article, the Higher Education institution shall adapt the number of points assigned to particular subjects.

Public Documents

Art. 125

The independent Higher Education institution shall issue public documents on the forms prescribed before enactment of this Law to the individual who is entitled to the public document according to previous regulations.

Provisions of Art. 103, 104, 105 of this law shall be applied to public documents referred to in Par. 1 of this article.

Professional and Academic titles

Art. 126

An individual who has acquired certain professional title according to previous regulations shall retain acquired rights according to those regulations.

Education of the individual referred to in Par. 1 of this article shall be equalized to the education that is acquired on the basis of this Law according to the following:

- 1) acquired junior college education lasting for 2-3 years and professional working experience of minimum 3 years - with acquired higher education within undergraduate applied studies;
- 2) acquired junior college education lasting for 3 years - with acquired higher education within undergraduate applied studies;
- 3) acquired first level of higher education - with acquired higher education within undergraduate applied studies;
- 4) acquired higher education - with acquired higher education within undergraduate applied studies;
- 5) acquired specialization - with acquired higher education within specialist applied studies;
- 6) acquired academic master's title, or master of arts - with acquired higher education within master's academic studies; and

7) acquired Ph.D. title - with acquired higher education at Ph.D. academic studies.

The independent Higher Education institution shall be obliged to establish, by the general legal act, conditions under which individuals referred to in Par. 2. Item 4 of this article may acquire academic master's title or professional title of a specialist without being obliged to enroll in master's or specialist studies.

Art. 127

The individual referred to in Art. 126 of this Law may request from the institution where he/she has acquired professional or academic title to establish, under the procedure and conditions envisaged by its general legal act, that previously acquired professional or academic title corresponds to the certain professional or academic title referred to in Art. 97 of this Law.

When the independent Higher Education institution, in the procedure referred to in Par. 1 of this article, establishes corresponding professional or academic title, it shall issue a new diploma in line with this Law.

Diploma referred to in Par. 2 of this article can be issued after the previously issued diploma is returned or announced null and void.

If the institution where the individual referred to in Par. 1 of this article has acquired professional or academic title or its legal successor has ceased to exist, then the National Council shall assign the independent Higher Education institution that will decide on the request.

Art. 128

Individuals who have acquired master's academic title, according to previous regulations, may acquire Ph.D. academic title by defending Ph.D. dissertation according to the regulations that were effective before enactment of this Law within 6 months from the date of enactment of this Law.

Cessation of effectiveness of Former Regulations

Art. 129

By the day of enactment of this Law, the Law on Junior College ("The Official Gazette of the Republic of Serbia" no. 50/92, 39/93, 24/96), the Law on University ("The Official Gazette of the Republic of Serbia" no. 21/2002), and the Law on Professional Titles ("The Official Gazette of the Socialist Republic of Serbia" no. 31/77 and 17/85) shall become ineffective. The exception shall be made for the provisions of quoted laws that are envisaged by this Law to be applied after the enactment of this Law.

Art. 130

By-laws developed on the basis of laws referred to in Art. 129 of this Law shall be applied even after quoted laws become ineffective pending the development of new regulations in line with this Law unless they are in opposition to provisions of this Law.

Enactment of the Law

Art. 131

This Law shall come into force on the eighth day after being published in “The Official Gazette of the Republic of Serbia”.