

THE LAW  
ON HIGHER EDUCATION

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**CHAPTER I**

**BASIC PROVISIONS**

**Subject of the law**

Article 1

This law regulates: goals and principles of higher education in the Republic of Srpska, levels and types of higher education, establishment, organization and work of higher education institutions, general principles in the field of quality assurance in higher education, educational, scientific research and artistic activities of higher education institutions, rights and obligations of academic staff and students, bodies in the field of higher education, financing of higher education institutions, as well as other issues of importance for the performance of higher education activities.

**Higher education activities**

Article 2

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

(2) This Law establishes the principles and standards of higher education activities, in accordance with the strategic goals of the European Higher Education Area.

**Goals of higher education**

Article 3

The goals of higher education are:

- 1) education of professional staff in accordance with the strategic documents of the Republic and the needs of the labor market,
- 2) development and advancement of science and artistic creation,

- 3) preservation of cultural identity,
- 4) creating a stimulating environment for the development of careers of highly educated professionals in the Republic,
- 5) development of society and economy.

## **Principles of higher education**

### Article 4

Higher education is based on the following principles:

- 1) academic freedoms,
- 2) autonomy,
- 3) ethics of academic staff,
- 4) the student is in the center of learning and teaching,
- 5) unity of teaching and scientific research, ie artistic work and realization of socially useful projects,
- 6) respect for humanistic and democratic values of European and national traditions,
- 7) harmonization with the European Higher Education Area,
- 8) development of a quality assurance system in accordance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (hereinafter: ESG standards),
- 9) openness to citizens,
- 10) interaction with the social community and the obligation of higher education institutions to develop social responsibility,
- 11) orientation towards a higher degree of financial self-sustainability,
- 12) objective and transparent procedures for selection, employment and promotion of teaching staff,
- 13) knowledge transfer and protection of intellectual property,
- 14) encouraging excellence in science and art and comparability with international quality criteria,
- 15) encouraging innovation and entrepreneurship with the aim of affirming competitiveness,
- 16) equality of higher education institutions regardless of the form of ownership, ie who is the founder,
- 17) respect for human rights and civil liberties, including the prohibition of all forms of discrimination,
- 18) gender equality,
- 19) encouraging the inclusion of vulnerable groups.

## **Academic freedoms**

### Article 5

(1) Academic staff has the freedom of scientific research and artistic creation, as well as the freedom to choose the method of interpretation of teaching content, without thereby exposing themselves to the danger of losing the status they have in a higher education institution.

(2) The academic freedoms referred to in paragraph 1 of this Article may not be interpreted or applied in a manner that calls into question the observance of statutory rights and obligations for academic staff.

## **Autonomy**

### Article 6

(1) Higher education institutions have autonomy in teaching, scientific research and artistic work within the obtained work permit.

(2) A higher education institution, in accordance with the law, has the right to:

- 1) freedom of research, artistic creation and transfer of knowledge,
- 2) election of its academic, administrative and governing bodies,
- 3) regulating its structure and activities by its own rules in accordance with this Law,
- 4) employment of teaching and other staff in accordance with the regulations governing the field of work and this Law,
- 5) development, adoption and realization of study programs, scientific research and artistic projects and determination of study rules,
- 6) assignment of titles to teaching and other staff in accordance with the authorizations from this Law,
- 7) independent realization of teaching, research and artistic cooperation and activities with other higher education institutions and other legal and natural persons in the Republic, Bosnia and Herzegovina (hereinafter: BiH) and abroad,
- 8) election of bodies in accordance with the statute and other acts,
- 9) financial autonomy in accordance with this Law,
- 10) property management in accordance with the law,
- 11) management of intellectual property in the processes of knowledge transfer.

## **Inviolability of academic space**

## Article 7

- (1) The space of a higher education institution is inviolable.
- (2) Police officers may enter the premises of a higher education institution, without the permission of the competent body of the higher education institution, on the basis of a court order.
- (3) Notwithstanding paragraph 2 of this Article, police officers may enter the premises of a higher education institution, without the permission of the competent body of the higher education institution and without a court order if necessary to deprive the perpetrator of liberty or to save people and property.

## **The right to higher education**

## Article 8

- (1) All persons who have completed a four-year secondary school in the Republic and BiH, as well as persons who have completed an appropriate school abroad, have access to higher education.
- (2) Access to higher education may not be restricted directly or indirectly on the basis of: sex, gender identity, race, sexual orientation, physical or other disability, marital status, skin color, language, religion, political or other opinion, national, ethnic or of social origin, connection with a national community, property, number of years or some other status.
- (3) For a person who has completed school abroad, the competent authority shall conduct the procedure of recognition of a public document on the acquired level of education.
- (4) Notwithstanding paragraph 3 of this Article, a procedure for recognition of a document on the acquired level of education shall not be conducted for a person who has completed secondary school in the Republic of Serbia.
- (5) The grammatical terms used in this Law to denote the masculine and feminine genders mean both genders.

## **CHAPTER II**

## **COUNCIL FOR HIGHER EDUCATION OF THE REPUBLIC OF SRPSKA**

## **Council**

### Article 9

- (1) The Council for Higher Education of the Republika Srpska (hereinafter: the Council) shall act as an independent academic, professional and advisory body.
- (2) Administrative and technical tasks for the Council shall be performed by the Ministry of Scientific and Technological Development, Higher Education and Information Society (hereinafter: the Ministry).
- (3) The work and functioning of the Council shall be regulated by the Rules of Procedure of the Council, in accordance with the provisions of this Law.
- (4) The Rules of Procedure shall be adopted by the Council by a two-thirds majority of the total number of its members.
- (5) Members of the Council are entitled to a monthly remuneration for work, the amount of which is determined by the decision on the appointment of the Council.
- (6) The work of the Council shall be financed from the budget of the Republic.

## **Appointment and dismissal of members of the Council**

### Article 10

- (1) The Council has 17 members: two members from six scientific fields and one member from the field of art, representatives of prominent university teachers and four members who are representatives of the business sector.
- (2) Elected representatives in the legislative power, holders of functions in the executive power, members of the governing bodies of political parties, heads in higher education institutions (rector, dean, director of a scientific research institute, director of a higher school, member of the governing board of a higher education institution) may not be members of the Council.
- (3) The Government of the Republika Srpska (hereinafter: the Government) shall appoint the members of the Council upon the proposal of the Ministry.
- (4) Before drafting the proposal referred to in paragraph 3 of this Article, the Ministry is obliged to request proposals for the election of members of the Council: scientific organizations, universities, the Academy of Sciences and Arts of Republika Srpska, the Rectors' Conference, the Chamber of Commerce of Republika Srpska and economic organizations.
- (5) The proposal referred to in paragraph 4 of this Article must contain the biography of the candidate and a brief explanation of the proposal.

(6) The term of office of the members of the Council lasts four years with the possibility of one re-election.

(7) The Council elects the President from among its members.

(8) The Government, at the proposal of the Ministry, shall dismiss a member of the Council even before the expiration of the term for which he was appointed, if:

1) request the dismissal himself,

2) assumes any of the duties referred to in paragraph 2 of this Article,

3) fails to perform the obligations prescribed by this Law and the Rules of Procedure of the Council,

4) loses legal capacity,

5) by his actions violates the reputation of the duty he performs,

6) it is determined that he has used unethical practices in his academic career in accordance with this law.

(9) At the invitation of the Council regarding issues of importance to students, two student representatives delegated by the Union of Students of the Republika Srpska shall participate.

## **Work methods**

### Article 11

(1) The work of the Council is public.

(2) Representatives of institutions may participate in the work of the Council, without the right to decide, in accordance with the Rules of Procedure of the Council.

(3) For the needs of its work, the Council may form special working bodies composed of experts who are not members of the Council.

(4) The Council shall submit a report on its work to the Government at least once a year.

## **Competences**

### Article 12

Within its competences, the Council:

1) monitor the development of higher education in the Republic and its harmonization with European and international standards,

- 2) propose measures for the development and improvement of higher education,
- 3) make recommendations to the Ministry on the enrollment policy,
- 4) give an opinion on the standards for the initial accreditation of higher education institutions and study programs,
- 5) give an opinion on the standards for accreditation of higher education institutions and study programs, taking into account European and international standards, and criteria for accreditation of higher education institutions in BiH,
- 6) give an opinion on the study on the justification of the establishment of a higher education institution, a member of the university and a department outside the seat, ie on the implementation of a new study program,
- 7) propose to the Minister of Scientific and Technological Development, Higher Education and Information Society (hereinafter: the Minister) the conditions for election to scientific-teaching, artistic-teaching, teaching and associate titles,
- 8) propose to the Government the Network of Higher Education Institutions and Study Programs in the Republika Srpska (hereinafter: the Network of Higher Education Institutions),
- 9) propose to the Ministry models for financing scientific research, higher education, technological and artistic development,
- 10) propose to the Ministry the proclamation of scientific centers of excellence,
- 11) propose to the Minister criteria for categorization of scientific journals,
- 12) perform other tasks in accordance with the law.

## **CHAPTER III**

### **TYPES AND LEVELS OF STUDIES**

#### **Types of studies**

##### Article 13

- (1) The activity of higher education is realized through academic and professional studies.
- (2) Academic study prepares students for performing work in science, art and higher education, in the real and public sector, and for the development and application of scientific, artistic and professional achievements.
- (3) Vocational study provides students with an appropriate level of knowledge and skills that enables them to perform professional occupations and enables them to be directly involved in the work process.

(4) The type of study is defined and explained by the study program and general acts of the higher education institution.

## **Study levels**

### Article 14

(1) The levels of higher education are:

- 1) first cycle,
- 2) second cycle and
- 3) the third cycle.

(2) Studies of the first and second cycle of higher education may be academic and vocational.

(3) Third cycle studies are academic studies.

(4) The levels of higher education referred to in paragraph 1 of this Article are harmonized with the European Qualifications Framework (EQF).

## **Scope of study**

### Article 15

(1) The studies referred to in Article 13 of this Law shall be performed in accordance with the European Credit Transfer and Accumulation System (hereinafter: ECTS).

(2) ECTS credits are determined on the basis of the average student's work necessary to achieve the intended learning outcomes, where one ECTS credit represents, as a rule, 30 hours of total average student engagement.

(3) The sum of 60 ECTS credits corresponds to the average total student engagement within a 40-hour working week during one academic year, and consists of teaching, independent work, colloquium, exams, final papers, practical work, professional practice and volunteering. work in accordance with the regulations governing this area.

(4) In the structure of the study program, the higher education institution shall prescribe which forms of engagement referred to in paragraph 3 of this Article are obligatory for students in that study program.



(5) The higher education institution shall prescribe the criteria for determining ECTS credits by subjects that are harmonized with the ECTS User Guide 2015.

(6) The transfer of ECTS credits between different study programs of the same type of study is performed on the basis of the number of ECTS credits and learning outcomes.

### **Duration of studies**

#### **Article 16**

(1) One semester of study is evaluated with at least 30 ECTS credits in each cycle.

(2) First cycle studies last three or four years and are evaluated with at least 180 ECTS points, or at least 240 ECTS points, except for a short study program lasting from one to two years and evaluated with at least 60 ECTS points to at least 120 ECTS points .

(3) A short program of studies referred to in paragraph 2 of this Article, as part of the first cycle studies, may be organized if it provides appropriate knowledge, skills and competencies for work or occupation, personal development of the student or further studies to complete the first cycle.

(4) For the short study program referred to in paragraph 2 of this Article, the higher education institution shall issue a certificate on the completed short study program and acquired competencies.

(5) Second cycle studies are performed after the first cycle studies, last one or two years and are evaluated with at least 60 ECTS points, ie at least 120 ECTS points, so that in the sum with the first cycle of studies they amount to at least 300 ECTS points.

(6) Exception from para. 2 and 5 of this Article are integrated studies that are performed as a single study program that includes the first and second cycle of studies and is evaluated with at least 300 ECTS points, or integrated studies of medicine and dentistry that are evaluated with at least 360 ECTS points.

(7) Third cycle studies are performed after the second cycle academic study, ie integrated study, last for three years and are evaluated with at least 180 ECTS points.

### **Academic year**

#### **Article 17**

(1) The academic year begins, as a rule, on October 1 and lasts for one year.

(2) The teaching process in one academic year is organized in two semesters, each of which lasts, as a rule, 15 weeks.

## **Manner of conducting studies**

### Article 18

- (1) Higher education may be acquired full-time or part-time, in accordance with the study program and the statute of the higher education institution.
- (2) In the structure of the study program, the higher education institution shall prescribe the forms and methods of teaching for full-time and part-time study.
- (3) The manner of conducting part-time study is regulated by the statute of the higher education institution, with the obligation to acquire ECTS credits, as well as in full-time study.
- (4) Study programs may be organized through distance learning.
- (5) The conditions and ways of achieving distance learning shall be prescribed by the standards for initial accreditation and the general act of the higher education institution.

## **Teaching process**

### Article 19

- (1) The higher education institution is obliged to organize the teaching process for all students who acquire higher education in the manner prescribed by Article 18 of this Law.
- (2) The higher education institution is obliged to provide publicly available information on:
  - 1) the manner, time and place of teaching, lectures and exercises,
  - 2) goals, methods and contents of teaching,
  - 3) methods, criteria and test criteria,
  - 4) the manner of providing the public with the exam,
  - 5) the manner of gaining insight into the results of exams and knowledge tests,
  - 6) other issues of importance to students.
- (3) Higher education institutions in the Republic are obliged to provide students with access to teaching materials, ie literature, presentations, audio-video material and other materials for which the publication will not infringe copyright in connection with distribution, in accordance with technical possibilities through electronic means of communication.
- (4) Availability of information from para. 1, 2 and 3 of this Article, the higher education institution shall prescribe by general acts.

- (5) Teachers and associates conduct lectures and exercises and other forms of teaching in one of the official languages of the Republic of their choice.
- (6) Students take exams in one of the official languages of the Republic of their choice.
- (7) Teaching or part of teaching may be conducted in one of the foreign languages, if defined by the study program.
- (8) A higher education institution, ie a member of a higher education institution, is obliged to organize and implement practical work and professional practice as an integral part of the teaching process.
- (9) Practical work and professional practice that develops students' knowledge, skills and competencies can be realized as an integral part of teaching in the premises of a higher education institution, ie in the teaching bases of higher education institution members, which will be more precisely regulated by the higher education institution's statute.
- (10) Part of the teaching can be performed in institutions and organizations that are teaching bases of higher education institutions, in accordance with the study program and the law.
- (11) The teaching base of a public higher education institution in the field of health and health care is used for performing the teaching process only for the needs of that higher education institution.

## **Curriculum**

### Article 20

- (1) The study curriculum determines:
- 1) scope of studies,
  - 2) subjects, their content and schedule by years and semesters,
  - 3) number of hours for various forms of teaching.
- (2) Courses may be compulsory, elective and optional, and this is determined by the study program.
- (3) Courses, as a rule, are taught during one semester, and at most during two semesters.
- (4) The curriculum of the first and second cycle of studies determines a minimum of 20 and a maximum of 25 teaching hours per week.
- (5) The exception from paragraph 4 of this Article are study programs for the realization of which it is necessary to determine a larger number of teaching hours per week in the curriculum of the first and second cycle of studies.
- (6) The study curriculum shall be published before the beginning of classes for the next academic year in a way that is available to the public.

## **Study program - general provisions**

### Article 21

(1) A study program is a comprehensive and systematic approach to the provision of academic and vocational education with the aim of preparing students for further education or a successful career.

(2) The study program should be harmonized with the strategic goals in the field of higher education and the needs of the labor market.

(3) The study program is adopted according to the procedure and in the manner prescribed by the statute and general act of the higher education institution, and in accordance with the ESG standards for accreditation.

(4) In accordance with ESG standards, the higher education institution is obliged to include representatives of students and the labor market in the development of study programs.

## **First and second cycle study program**

### Article 22

The study program of the first and second cycle determines:

- 1) name and goals of the study program,
- 2) the field of education to which the study program belongs,
- 3) type and level of studies,
- 4) scope of studies,
- 5) learning outcomes at the level of the study program,
- 6) professional or academic title acquired upon completion of the study program,
- 7) conditions for enrollment in the study program for students from the Republic and BiH, ie abroad,
- 8) list of compulsory, elective and optional subjects with outline content,
- 9) obligatory and auxiliary literature for study,
- 10) the manner of conducting studies and taking exams for all forms of higher education,
- 11) places of teaching,
- 12) necessary time for performing certain forms of studies,
- 13) estimated number of hours for individual subjects and their schedule by years,

- 14) point value of each subject expressed in accordance with ESTS points,
- 15) point value of the final work expressed in accordance with ESTS points,
- 16) conditions for enrollment of students in the next semester, ie the next year of study, and preconditions for enrollment of individual subjects and groups of subjects,
- 17) the manner of choosing subjects from other study programs,
- 18) the possibility of teaching in foreign languages,
- 19) conditions for transfer from other study programs,
- 20) syllabus of subjects,
- 21) other issues of importance for the implementation of the study program.

### **Third cycle study program**

#### Article 23

The study program of the third cycle determines:

- 1) name and goals of the study program,
- 2) scientific and artistic field to which the study program belongs,
- 3) scientific and artistic title acquired upon completion of the study program,
- 4) conditions for enrollment in the study program for students from the Republic and BiH, ie abroad,
- 5) list of compulsory and elective courses with outline content,
- 6) literature,
- 7) the manner of conducting studies and taking exams,
- 8) necessary time for conducting studies,
- 9) estimated number of hours for individual subjects and their schedule by years,
- 10) point value of each subject expressed in accordance with ESTS points,
- 11) point value of published scientific papers, presentations of scientific results, dissertations and works of art expressed in ESTS points,
- 12) conditions for enrolling students in the next semester, ie the next year of study, and preconditions for enrolling individual subjects and groups of subjects,
- 13) the manner of choosing subjects from other study programs,
- 14) the possibility of teaching in foreign languages,

- 15) conditions for transfer from other study programs,
- 16) syllabi of subjects,
- 17) other issues of importance for the implementation of the study program.

### **Study program - adaptability and monitoring**

#### Article 24

- (1) Study programs conducted by a higher education institution must be adaptable so as to enable entry and exit at the appropriate stages of study, in such a way that, depending on the progress made by the student, ECTS points are awarded.
- (2) The realization of the study program is monitored by the scientific-teaching and artistic-scientific-teaching councils of the members of the university, ie the senate of the high school, and they give a proposal for their amendment.

### **Study programs - obligations in the final year**

#### Article 25

- (1) The study program of the first cycle may envisage the preparation of a final paper.
- (2) The study program of the second cycle and the integrated study program contain, as a rule, the obligation to prepare a final thesis.
- (3) The study program of the third cycle contains the obligation to prepare a doctoral dissertation.
- (4) The number of ECTS points that express the final thesis and the doctoral dissertation are counted in the total number of points required for the completion of studies.
- (5) The manner and procedure of preparation and defense of the final thesis and doctoral dissertation shall be prescribed by a general act of the higher education institution.

### **Study program - amendments**

#### Article 26

- (1) Changes in the study program, changes in the form and manner of teaching shall be made in accordance with the procedure established for its adoption.

(2) Amendments to the study program for which the higher education institution has received a work permit, and which it performs in order to harmonize it with the organization of work and achievements of science and art in accordance with the prescribed standards for accreditation of study programs, are not considered new study programs.

(3) Amendments to the study program referred to in paragraph 2 of this Article may not include changes in the field of education to which the study program belongs, the name of the study program, or the title acquired upon its completion.

(4) The higher education institution shall notify the Ministry of the change or supplementation of the study program within 60 days from the day of making the decision on the change or supplementation of the study program.

### **Joint study**

#### Article 27

(1) A higher education institution may establish a joint study with another accredited higher education institution in the country and abroad, on the basis of a jointly determined study program and a general act of the higher education institution.

(2) Joint study is a joint study program organized and performed by two or more accredited domestic or foreign higher education institutions.

(3) The study program referred to in paragraph 1 of this Article, conducted by higher education institutions from the Republic, ie BiH, must pass the procedure of initial accreditation and accreditation.

(4) The study program referred to in paragraph 1 of this Article performed by domestic and foreign higher education institutions must be accredited in accordance with the regulations in the field of quality assurance in the country where it is performed and in the country where the seat or department is located. performs a study program.

(5) The establishment, performance, completion of a joint study and the issuance of a joint diploma shall be defined by an agreement between the higher education institutions that perform it, in accordance with the provisions of law and the general act of the higher education institution.

### **Multidisciplinary or interdisciplinary study**

#### Article 28

(1) A multidisciplinary or interdisciplinary study is a study that can be organized by one or more higher education institutions.

(2) The organization of studies referred to in paragraph 1 of this Article shall be prescribed by a general act of the higher education institution.

### **Acquisition of a title**

#### Article 29

(1) Upon completion of the first, second, integrated or third cycle studies, a person acquires a professional, academic, scientific or artistic title in a certain field, depending on the type and level of the completed study program.

(2) The title acquired by the person referred to in paragraph 1 of this Article shall be regulated by the regulations governing the field of title.

## **CHAPTER IV**

### **HIGHER EDUCATION INSTITUTIONS**

#### **Higher education institution**

#### Article 30

(1) The activity of higher education is performed by higher education institutions:

- 1) universities and
- 2) high schools.

(2) A higher education institution is a non-profit organization and performs its activity as a public service in accordance with the regulation governing the system of public services, and uses the profit generated by performing higher education activities exclusively for the development and improvement of its own higher education activity.

(3) A higher education institution has the status of a legal entity.

#### **University / college**

#### Article 31

(1) A university is a higher education institution that:



- 1) unites educational and scientific research, professional, ie artistic work, and projects of importance for the social community as three components of a unique process of higher education,
  - 2) realizes at least ten different academic study programs from at least four areas of education and
  - 3) conducts academic studies of all three cycles.
- (2) The University may also conduct vocational studies of the first and second cycle.
- (3) A college is a higher education institution that:
- 1) unites educational, scientific research and professional, ie artistic work, and projects of importance for the business community as components of a unique process of higher education,
  - 2) realizes at least three study programs from at least one field of education and
  - 3) conducts professional and / or academic studies of the first cycle.
- (4) Areas of education and lower levels of classification of education are prescribed by the Rulebook on areas of education, in accordance with the international standard classification of education.
- (5) The Rulebook referred to in paragraph 4 of this Article shall be adopted by the Minister.

### **Activities of higher education institutions**

#### Article 32

- (1) Within the activities of higher education, higher education institutions perform scientific research, artistic, expert-consulting and publishing activities, and may also perform other tasks that commercialize the results of scientific, artistic and research work, provided that these activities do not jeopardize the quality of teaching and scientific, artistic, or professional work.
- (2) In order to commercialize scientific results, artistic creation and inventions, higher education institutions may be founders of organizations for technology development and organizations for infrastructural support of technology development, in accordance with this Law and the regulation governing scientific research and technological development. the profits of a higher education institution may be used exclusively for the improvement of the core business.
- (3) A higher education institution within its activity may implement lifelong learning programs in the field of education from which it conducts study programs, and which are not considered higher education in the sense of this Law.
- (4) Lifelong learning programs are an integral part of the internal system of providing and improving the quality of a higher education institution.
- (5) The conditions and procedure for the implementation of the lifelong learning program shall be prescribed by a general act of the higher education institution.

## **Network of higher education institutions and study programs**

### **Republika Srpska**

#### Article 33

(1) The Government, upon the proposal of the Council, shall make a decision on the Network of Higher Education Institutions.

(2) The network of higher education institutions shall contain data on the current situation, on the need for the establishment of new higher education institutions and new study programs.

(3) The network of higher education institutions shall be adopted for a period of two years.

## **Founders of higher education institutions**

#### Article 34

(1) Higher education institutions may be public and private.

(2) The founder of a public higher education institution is the National Assembly of the Republika Srpska (hereinafter: the National Assembly) on behalf of the Republic.

(3) The founder of a private university may be a domestic private higher education institution or a foreign legal entity together with a domestic private higher education institution, in accordance with this Law and the law governing the field of public services.

(4) The higher education institution referred to in paragraph 3 of this Article must have previously completed at least one generation of students from at least seven different study programs and at least four areas of education, and internationally recognized results in scientific research.

(5) The founder of a private higher education institution may be a domestic legal or natural person, as well as a foreign legal or natural person together with a domestic higher education institution, in accordance with this Law and the law governing the field of public services.

(6) The founder of a private higher education institution may not be a natural person who has been sentenced to imprisonment by a final judgment, for criminal offenses committed against official duty, against full integrity, sexual abuse and exploitation of a child, nor a person who has violated the code of professional integrity in accordance with with this law.

(7) The name of the higher education institution shall be determined by the founder.

## **Initiation of the procedure for issuing a work permit**

### Article 35

(1) A higher education institution shall submit to the Ministry an application for the issuance of a work permit.

(2) In addition to the request referred to in paragraph 1 of this Article, the higher education institution shall submit:

1) founding act,

2) excerpt from the register of economic entities,

3) evidence of fulfillment standards for initial accreditation,

4) study on the justification of the establishment and implementation of study programs that the higher education institution wishes to conduct, in accordance with the decision on the Network of Higher Education Institutions referred to in Article 33 of this Law and strategic documents in the field of higher education,

5) proof of payment of the fee for conducting the procedure, in accordance with the law governing administrative fees.

(3) A higher education institution for the establishment and operation of which funds from the budget of the Republic are not provided shall be obliged to have appropriate space in its own ownership for performing higher education activities, of which it shall submit evidence with the request referred to in paragraph 1 of this Article.

(4) A higher education institution for the establishment and operation of which funds are not provided from the budget of the Republic, with the request referred to in paragraph 1 of this Article, submits a bank guarantee in the amount of 50% tuition for each student and an agreement with another accredited higher education institution completion of studies for students in the event of termination of employment.

(5) Before the expiration of the term of the bank guarantee referred to in paragraph 4 of this Article, the higher education institution shall submit a new bank guarantee to the Ministry.

(6) The Minister shall issue an Ordinance on the procedure for determining the fulfillment of conditions for performing higher education activities.

## **Opinion of the Council on the study**

### Article 36

(1) The Ministry shall obtain the opinion of the Council on the study referred to in Article 35, paragraph 2, item 4) of this Law.

(2) If the opinion of the Council on the study is negative, the Minister shall reject the request of the higher education institution for the issuance of a work permit by a decision.

(3) The decision of the Minister referred to in paragraph 2 of this Article is final, and an administrative dispute may be initiated against the decision before the competent court.

(4) The Ministry shall submit a proper request with documentation and a positive opinion of the Council on the study to the Agency for Higher Education of the Republika Srpska (hereinafter: the Agency), for the purpose of conducting the external evaluation procedure for the purpose of initial accreditation.

### **Implementation of the initial accreditation procedure**

#### Article 37

(1) The external evaluation procedure for the purpose of initial accreditation shall be conducted in accordance with this Law, the law governing the area of quality assurance, the rulebook referred to in Article 35, paragraph 6 of this Law and the standards for initial accreditation.

(2) The standards referred to in paragraph 1 of this Article shall be adopted by the Agency, in accordance with this Law and the law governing the field of quality assurance.

(3) After the procedure referred to in paragraph 1 of this Article, the Agency shall submit to the Ministry a report with a recommendation for the issuance of a work permit or for the rejection of the application of the higher education institution for the issuance of a work permit.

### **Issuance of a work permit**

#### Article 38

(1) On the basis of the report with the recommendation for issuing a work permit referred to in Article 37, paragraph 3 of this Law, the Minister shall issue a work permit to a higher education institution.

(2) On the basis of the report with the recommendation for rejection of the request for issuance of a work permit referred to in Article 37, paragraph 2 of this Law, the Minister shall reject the request for issuance of a work permit by a decision.

(3) The license for the operation of a higher education institution referred to in paragraph 1 and the decision referred to in paragraph 2 of this Article are final, and an administrative dispute may be initiated against them before the competent court.

## **Register**

### Article 39

(1) On the basis of a work permit, a higher education institution shall be entered in the Register of Higher Education Institutions (hereinafter: the Register), maintained by the Ministry.

(2) A higher education institution may start working and perform the activity of higher education after registration in the Register referred to in paragraph 1 of this Article.

(3) The Minister shall issue the Rulebook on the content and procedure of entry in the Register referred to in paragraph 1 of this Article.

## **Accreditation**

### Article 40

(1) A higher education institution to which a work permit has been issued shall be obliged to submit an application for accreditation of a higher education institution and study program no later than two years from the finality of the work permit.

(2) Procedures for accreditation of higher education institutions and study programs shall be conducted in accordance with the law governing the field of quality assurance and standards for accreditation of higher education institutions and study programs.

(3) The standards referred to in paragraph 2 of this Article shall be adopted by the Agency, in accordance with this Law, the law governing the field of quality assurance, criteria for accreditation of higher education institutions and study programs in BiH, and European and international standards.

(4) Public documents may be issued only by accredited higher education institutions.

## **Establishment of a university member and issuance of a performance permit**

### **study program**

### Article 41

The establishment of an organizational unit, ie a member of an accredited university (hereinafter: university member), a department outside the seat of an accredited higher education institution, and the issuance of a license to conduct a new study program at an accredited higher education institution shall be performed in the manner prescribed by the institution.

## **Status changes of a higher education institution**

### Article 42

- (1) A higher education institution may change its name, seat and status change, in accordance with the law.
- (2) For higher education institutions founded by the Republic, the decision on the change referred to in paragraph 1 of this Article shall be made by the founder.
- (3) In the event of a change referred to in paragraph 1 of this Article, the procedure for issuing a new work permit shall be carried out.

## **Termination of the higher education institution**

### Article 43

The higher education institution ceases to operate:

- 1) when the founder makes a decision on termination of work,
- 2) when the competent authority determines irregularities, including illegal issuance of public documents or conducting a study program without a permit in accordance with this Law,
- 3) when that institution's license to operate in the supervision procedure in accordance with this Law is revoked,
- 4) when the court by a final decision determines the unfoundedness of the entry in the register of economic entities,
- 5) on the day the decision rejecting the request for accreditation becomes final, in accordance with this Law and the law regulating the area of quality assurance,
- 6) on the day of expiration of the accreditation period, if it has not submitted a new request for accreditation, in accordance with this Law and the law governing the field of quality assurance,
- 7) in the event that he / she ceases to engage in the activity of higher education as a basic activity,
- 8) when other cases determined by this Law or the act on the establishment of a higher education institution occur.

## **Responsibility of the founder in case of termination of work**

### Article 44

In the event of termination of the higher education institution, it is the responsibility of the founder to ensure, in accordance with the regulations governing the field of archives, permanent storage:

- 1) records in accordance with this Law,
- 2) study programs,
- 3) archive,
- 4) other documentation.

## **Statute of a higher education institution**

### Article 45

(1) The statute is the basic act of a higher education institution which prescribes:

- 1) organization of a higher education institution,
- 2) organs, bodies and the manner of their work,
- 3) organization and competence of university members,
- 4) management and administration of a higher education institution,
- 5) representation of the higher education institution,
- 6) study programs,
- 7) organization and performance of scientific research, professional and artistic work,
- 8) the manner of exercising the rights and obligations of teaching and administrative staff, and students,
- 9) organization of teaching and administrative staff and students,
- 10) manner of generating income, management of funds and assets,
- 11) academic and financial powers and responsibilities of university members,
- 12) obligations of the higher education institution towards the founder,
- 13) records,
- 14) examination deadlines,

15) other issues in accordance with this Law.

(2) The statute of a higher education institution also contains provisions that:

1) provide the staff and students of the higher education institution with freedom of speech, organization and assembly in accordance with the law,

2) protect the staff and students of the higher education institution from discrimination on any grounds, such as: sex, race, sexual orientation, gender identity, marital status, skin color, language, religion, political or other opinion, national, ethnic or social origin, affiliation with a national community, property, birth or any other status,

3) ensure the freedom of academic staff and students to, in accordance with this law, examine and test the acquired knowledge and to offer new ideas and opinions, without exposing themselves to the danger of losing their status or any other privilege that may be in a higher education institution enjoy in,

4) provide fair and impartial mechanisms for resolving disciplinary issues concerning teaching and administrative staff and students.

### **Statute adoption procedure**

#### Article 46

(1) The statute of a higher education institution shall be adopted by the senate, with the previously obtained opinion of the management board and with the consent of the Ministry.

(2) The higher education institution shall submit the draft statute to the Ministry, for the purpose of obtaining consent.

(3) If the Ministry determines that the proposed statute is not in accordance with this Law and other regulations, it shall notify the higher education institution to eliminate the established non-compliances within 15 days from the day of receipt of the notification.

(4) The consent to the proposal of the statute of the higher education institution shall be given by the Ministry on behalf of the Government within 60 days from the day of submitting the request for consent.

(5) Amendments to the statute of a higher education institution shall be made in the manner and in the procedure prescribed for the adoption of the statute.

## **CHAPTER V**

### **ORGANIZATION OF HIGHER EDUCATION INSTITUTION**

#### **University members**



## Article 47

(1) The members of the university are:

- 1) faculties,
- 2) art academies and
- 3) scientific research institutes.

(2) University members do not have the status of a legal entity.

(3) The University is obliged to register its members in the register of economic entities.

(4) The members of the university have a statute which is harmonized with the statute of the university and which regulates their organization.

## **Establishment of other bodies and distribution of profits**

### Article 48

(1) A higher education institution may establish: scientific institutes, innovation centers, centers of excellence, technology transfer centers, business and technology incubators, science and technology parks and other organizational forms for performing innovation activities and commercialization of research results, in accordance with law.

(2) The academic staff that realized them on the basis of innovations, inventions, technical improvements and other forms of creativity may also participate in the distribution of profits, on which the decision is made by the management board of the higher education institution.

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

### Article 49

(1) The bodies of the university are:

- 1) board of directors,
- 2) the Senate and
- 3) rector.

(2) The bodies of a higher education institution are:

- 1) board of directors,
- 2) the Senate and
- 3) Director.

(3) The bodies of the university members are:

- 1) scientific-teaching council, ie artistic-scientific-teaching council and scientific council,
- 2) Dean, ie director of the scientific research institute.

(4) A higher education institution may form bodies in accordance with the statute of the higher education institution.

### **Managing board**

#### Article 50

(1) The Administrative Board is the governing body of a higher education institution.

(2) The Board of Directors of a public university has 11 members and consists of four representatives of academic staff, one representative of administrative staff, one representative of students, two representatives of businessmen and three representatives of founders.

(3) The Board of Directors of a public college and a private higher education institution has a minimum of seven and a maximum of 11 members and consists of representatives of academic and administrative staff, students, business and founders.

(4) Members of the management board who are representatives of academic and administrative staff are elected and appointed by the senate of the higher education institution in the procedure of public competition, according to the procedure prescribed by the statute of the higher education institution.

(5) The members of the management board who are the representatives of the founders for public higher education institutions shall be appointed by the Government, after the conducted public competition.

(6) Members of the governing board of a public university who are representatives of students and businessmen shall be appointed by the senate of the higher education institution at the proposal of the student representative body, ie at the proposal of the Chamber of Commerce of Republika Srpska and the Union of Employers of Republika Srpska.

(7) Members of the Board of Directors are appointed for a period of four years, with the possibility of another election, except for student representatives whose term of office lasts one year.

(8) Members of the management board who are representatives of businessmen may not be in the bodies of a company that is in a business-legal relationship with a public higher education institution.

(9) A member of the board of directors who is a student representative must be a full-time student who has enrolled for the first time in the year of study.

(10) Members of the management board of a public higher education institution who are representatives of the founders may not be employed or engaged in that higher education institution.

(11) The president of the board of directors is elected from among the academic staff, and the deputy president is elected from among the members of the board of directors appointed by the founder.

(12) A member of the board of directors may not be a member of another body of the same or another higher education institution.

### **Responsibilities of Management board**

#### Article 51

(1) In addition to the tasks determined by the law governing the system of public services, the Management Board of a higher education institution shall also perform the following tasks:

- 1) gives an opinion on the statute of the higher education institution,
- 2) adopt a rulebook on the internal organization and systematization of jobs for public higher education institutions, with the prior consent of the Ministry, and at the proposal of the Rector,
- 3) determines financing and development plans,
- 4) adopt the annual work program of the higher education institution, at the proposal of the senate of the higher education institution,
- 5) adopts the financial plan and adopts the annual report on the financial operations of the higher education institution,
- 6) considers the financial plan and report on the financial operations of the university member,
- 7) propose to the Ministry the amount of tuition fees for full-time students of the first and second cycle of studies who renew the year in which they were financed from the budget of the Republic,
- 8) determine the amount of tuition fees and enrollment fees for students of all three cycles of studies who self-finance their education, part-time students and foreign students,
- 9) determine the amount of the enrollment fee for full-time students of the first and second cycle of studies financed from the budget of the Republic, ie students who renew the year in which they were financed from the budget of the Republic,
- 10) directs, controls and evaluates the work of the rector or director in the field of financial operations,
- 11) propose to the senate the dismissal of the rector of the university, ie the director of the college,

12) decides on the use of funds in excess of the amount determined by the statute of the higher education institution,

13) decides in the second instance on the objection of employees to the decisions of the rector, ie the director of the higher school from employment,

14) submits to the Ministry at least once a year a report on the operations of the higher education institution, in the first year of the first and second cycle of studies for public higher education institutions,

15) propose to the Ministry the number of self-financing students, part-time students and students of foreign citizens, for enrollment in the first year of all three cycles of studies,

16) adopts the rules of study,

17) propose to the board of directors the annual work program of the higher education institution, at the proposal of the scientific-teaching and artistic-scientific-teaching council,

18) the senate of the university, at the proposal of the scientific-teaching council and the artistic-scientific-teaching council, ie the senate of the college, adopts the list of responsible teachers and associates,

19) adopts the report on self-evaluation of the higher education institution,

20) make a proposal to the governing board for the establishment and abolition of faculties and other members of the university,

21) perform other tasks in accordance with the law and the statute of the higher education institution.

(2) Members of the senate who are student representatives may decide on matters referred to in paragraph 1, item 1), 2), 3), 4), 5), 6), 14), 15), 16), 17) and 19) of this Article.

15) makes a decision on the formation and abolition of university members at the university at the proposal of the senate,

16) gives consent to the statute of the university members in accordance with their competencies,

17) adopts general acts in the field of material and financial operations and in the field of labor and labor relations, in accordance with the law and the statute of the higher education institution, and

18) perform other tasks prescribed by law, statute and general acts of the higher education institution.

(2) The decision of the management board is final, and an administrative dispute may be initiated against it before the competent court.

## **Responsibility for business**

- (1) The Board of Directors is responsible for the operations of the public higher education institution.
- (2) The founder, ie the assembly of founders and the board of directors are responsible for the operations of the private higher education institution.

### **University Senate and High School**

#### Article 53

- (1) The Senate is an academic and professional body of a higher education institution.
- (2) The university senate is chaired by the rector, and the high school senate by the director.
- (3) The University Senate consists of the Rector, Vice-Rectors, Deans of the Faculty, Directors of the Scientific Research Institute, as well as students in accordance with paragraph 5 of this Article.
- (4) The number of members, composition, election procedure, duration of mandate and manner of work of the senate of the higher school shall be prescribed by the statute of the high school.
- (5) The Senate must include at least 15% of members from the ranks of full-time students who have enrolled for the first time in a year of study, from all cycles of studies organized at a higher education institution.

### **Powers of the Senate**

#### Article 54

- (1) The Senate decides on academic issues and performs the following tasks:
  - 1) decides on the teaching, scientific, artistic and professional activities of the higher education institution,
  - 2) adopts the statute of the university, ie college with the previously obtained opinion of the governing board and with the consent of the Ministry,
  - 3) gives consent to the statutes of university members,
  - 4) adopt general acts in accordance with the law and the statute of the higher education institution,
  - 5) the University Senate, at the proposal of the Scientific-Teaching Council, ie the Art-Scientific-Teaching Council, adopts short study programs, study programs of the first, second, third cycle of studies, integrated study programs and lifelong learning programs, and the Senate of the College adopts short study programs. programs, first cycle study programs and lifelong learning programs,
  - 6) elects and dismisses the rector of the university, ie the director of the college,

- 7) appoint and dismiss vice-rectors at the proposal of the rector,
- 8) appoint members of the Board of Directors from among academic and administrative staff,
- 9) the university senate appoints councils of scientific fields by scientific fields on the proposal of the councils of university members,
- 10) make a decision on announcing a competition for elections to teaching and associate titles in accordance with the general act of the higher education institution,
- 11) the university senate selects the academic staff on the proposal of the scientific-teaching, ie artistic-scientific-teaching council of the university member and the opinion of the council of scientific fields,
- 12) the University Senate gives consent to the reports in the procedure of acquiring the scientific title of Doctor of Science,
- 13) the University Senate, at the proposal of the Scientific-Teaching Council, awards the honorary title of Professor Emeritus and Honorary Doctor of Science,
- 14) propose to the Ministry the number of students financed from the budget of the Republic for enrollment

#### **Rector and director of a high school**

##### Article 55

- (1) The University is managed by the Rector.
- (2) The high school is managed by the director.

#### **Election of rector, vice-rector and director of the higher school**

##### Article 56

- (1) The rector of the university, ie the director of the college is elected and dismissed by the senate by secret ballot.
- (2) A full professor, who is employed full-time at that university, may be elected rector of a university.
- (3) A high school professor who is employed full-time in that high school may be elected as the director of a higher school.
- (4) A teacher in the scientific-teaching or artistic-teaching title of full or associate professor, who is employed full-time at the university where he / she is elected, may be elected vice-rector.

(5) Exceptionally from para. 2 and 4 of this Article, a full professor may be elected rector, ie a full or associate professor from clinical branches of medicine and dentistry may be elected vice-rector, who is in additional employment at the university and has a full-time employment contract. time with the health institution which is the teaching base of the higher education institution, with the obligation to establish a full-time employment relationship at the higher education institution before taking over the function.

(6) The decision of the senate is final, and an administrative dispute may be initiated against it before the competent court.

### **Mandate of the Rector, Director and Vice-Rector**

#### Article 57

(1) The rector of the university, ie the director of the college is elected on the basis of a public competition for a period of four years, with the possibility of another election.

(2) Upon the expiration of the term of office of the Rector or in the case of dismissal of the Rector before the expiration of the term of office, the term of office of the Vice-Rectors shall also end.

(3) If the election of a new rector is not made until the expiration of the rector's term, as well as in case of termination of the rector's term or dismissal of the rector before the expiration of the term, the senate shall appoint a person .

(4) The procedure of election and dismissal, as well as the reasons for dismissal of the rector, vice-rector, ie director of a higher education institution before the expiration of the term of office shall be prescribed by the statute and general act of the higher education institution.

(5) The Rector of the University, ie the Director of the College, may be dismissed by the Senate even before the expiration of the term by secret ballot, by a majority vote of the total number of members.

(6) The decision of the senate is final, and an administrative dispute may be initiated against it before the competent court.

### **Responsibilities of the rector and director of the higher school**

#### Article 58

(1) The Rector of the University, ie the Director of the College, in addition to the tasks regulated by the regulations on the public service system, shall also perform the following tasks:

1) represents the higher education institution,

- 2) organizes and manages the work of the higher education institution and is responsible for the legality of the work,
  - 3) adopts individual acts in accordance with the law and the statute of the higher education institution,
  - 4) propose vice-rectors to the university senate,
  - 5) appoints and dismisses the dean, ie the director of a member university, at the proposal of the scientific-teaching, artistic-scientific-teaching council, ie the scientific council,
  - 6) propose general acts in accordance with the law and the statute of the higher education institution,
  - 7) propose to the bodies of the higher education institution measures for the improvement of work,
  - 8) propose to the Board of Directors measures for efficient and legal performance of the activities of the higher education institution,
  - 9) propose the work and development plan of the higher education institution to the board of directors,
  - 10) propose to the Board of Directors a rulebook on the internal organization and systematization of jobs, based on the previously obtained opinion of the members of the university,
  - 11) executes the decisions of the board of directors and other bodies of the higher education institution,
  - 12) decides on the use of funds up to the amount determined by the statute of the higher education institution,
  - 13) decide on the rights, obligations and responsibilities of employees from employment,
  - 14) submits to the board of directors a report on the financial operations of the higher education institution,
  - 15) execute the financial plan,
  - 16) participates in the work of the Rectors' Conference of the Republika Srpska (hereinafter: the Rectors' Conference) and the Rectors' Conference of BiH, ie in the work of the Conference of Higher Education Institutions of the Republika Srpska (hereinafter: the Conference of Higher Education Institutions),
  - 17) perform other tasks in accordance with the law and the statute of the higher education institution.
- (2) The Rector may suspend the execution of the decision of the Dean and Director of a member university if it is in conflict with this Law and the Statute of the University.
- (3) An objection may be filed against the decision of the rector or director of a higher education institution to the board of directors of the higher education institution.
- (4) The decision of the management board is final, and an administrative dispute may be initiated against it before the competent court.

#### **Responsibility for academic and business issues**



(1) The rector of the university, ie the director of the college for his work concerning academic issues is responsible to the senate.

(2) The Rector of the University, ie the Director of the College shall be accountable to the Governing Board for its work related to business, in accordance with the provisions of this Law relating to the responsibility for the business of the higher education institution.

## **Council structure**

### Article 60

(1) The professional body of the faculty or art academy is the scientific-teaching council, ie the artistic-scientific-teaching council (hereinafter: the council).

(2) The Council consists of teachers, associates and student representatives in accordance with the statute of the university.

(3) A teacher or associate may be a member of the council of only one member of the university, provided that he is employed full-time at that higher education institution.

(4) A member of the council may be a teacher in the scientific-teaching title and an associate in the associate title in clinical branches of medicine and dentistry, who is in additional work at the university and has a full-time employment contract with a health institution that is teaching. university base.

(5) The members of the council who are the representatives of the students are elected by direct elections to the member of the university from the ranks of full-time students.

(6) At least 15% of full-time students must be members of the university.

## **Competences of the council**

### Article 61

(1) The Council, within its competence:

1) adopts the statute of the faculty, ie the art academy, with the previously obtained opinion of the management board,

2) adopts ordinances regulating the work of the faculty, ie art academy, at the proposal of the dean,

3) gives opinions and proposals to the Senate on academic, scientific, artistic and professional issues, in accordance with the statute of the higher education institution,

- 4) submits to the senate a proposal of the list and a proposal of the final list of responsible teachers and associates at that member of the university,
  - 5) propose to the Senate study programs of the first, second and third cycle, ie changes in the structure and content of study programs and teaching methods,
  - 6) make a proposal to the Senate for the election of a professor emeritus,
  - 7) propose to the Rector the appointment and dismissal of the Dean,
  - 8) make a proposal to the Rector regarding the employment status of academic staff,
  - 9) give the rector an opinion on the proposal of the rulebook on internal organization and systematization of jobs, in the part concerning that organizational unit,
  - 10) appoints vice-deans on the proposal of the dean,
  - 11) propose the development program of the university member,
  - 12) propose to the Senate to announce a competition for elections to the titles of teachers and associates,
  - 13) form a commission for submitting a report for the election to a scientific-teaching, ie artistic-teaching title and determine the proposal of the decision on the selection of candidates,
  - 14) propose to the senate members of the council of scientific fields,
  - 15) considers and adopts reports on self-evaluation of study programs,
  - 16) appoints commissions for the preparation of the final work on the first, second and doctoral dissertations on the third cycle of studies,
  - 17) adopts the Rulebook on the use of own income of a university member,
  - 18) perform other tasks in accordance with the statute and other general acts of universities and faculties, ie art academies.
- (2) Council members who are student representatives may decide on matters referred to in paragraph 1, item 1), 5), 7), 11), 15) and 17) of this Article.

## **Dean**

### Article 62

- (1) The faculty or art academy is managed by the dean.
- (2) The Dean is appointed and dismissed by the Rector, at the proposal of the member council of the university, according to the procedure determined by the statute of the university.

(3) The term of office of the dean lasts four years with the possibility of one re-election to the position of dean.

(4) A teacher in the scientific-teaching or artistic-teaching title of associate or full professor, who is employed full-time at that university and who is a member of the council of that university member, may be appointed dean of a university member.

(5) Notwithstanding paragraph 4 of this Article, a teacher in the scientific-teaching title of associate or full professor of clinical branches of medicine and dentistry, who is in additional work at the university and has a full-time employment contract, may also be appointed dean. working hours with the health institution which is the teaching base of the university, with the obligation to establish a full-time employment relationship at the university after the election for the dean.

(6) The decision of the Rector on the appointment or dismissal of the Dean is final, and an administrative dispute may be initiated against it.

### **Powers of the Dean**

#### Article 63

(1) The Dean represents a faculty or an art academy, is responsible for the legality of work and has rights and obligations in accordance with this law and the statute of the university.

(2) The Dean is responsible for his work to the rector, the council of the faculty or academy and other bodies of the university, in accordance with the statute of the university.

(3) The Dean adopts individual acts in accordance with the law, the statute and general acts of the university.

(4) The Dean decides on the use of funds up to the amount determined by the statute of the university and the statute of the member of the university.

(5) The Dean shall submit to the Board of Directors a financial plan and a report on financial operations, at least once a year.

(6) The conditions for the election and dismissal of the vice-dean, as well as his / her competencies shall be determined by the statute of the university, ie the statute of the member of the university.

(7) Upon the expiration of the term of office of the dean or in the case of dismissal of the dean before the expiration of the term, the term of office of the vice-deans shall also end.

### **Director of the Scientific Research Institute**

#### Article 64

- (1) The scientific research institute is managed by the director.
- (2) The director is appointed and dismissed by the rector, at the proposal of the scientific council of the institute, according to the procedure determined by the statute of the university.
- (3) The term of office of the director lasts four years with the possibility of another election to the position of director.
- (4) The conditions and procedure for the election, competencies and dismissal of the director of the scientific research institute shall be regulated in accordance with the general acts of the university.

### **Financial director**

#### Article 65

- (1) The higher education institution may prescribe the tasks of the financial director by the statute.
- (2) Financial Director:
  - 1) propose general acts in the field of financial operations,
  - 2) propose financing and development plans,
  - 3) implements the financial plan, directs and controls the work in the field of financial operations,
  - 4) execute the decisions of the body in accordance with the law and the statute.
- (3) The financial director is responsible for his work to the rector, ie the director and the board of directors.
- (4) The procedure and conditions of elections, dismissals, jobs and other issues related to the function of financial director shall be regulated by the statute of the higher education institution.

### **Unfitness to run a higher education institution**

#### Article 66

- (1) The governing body may not be a person who has been sentenced to imprisonment by a final judgment, for criminal offenses committed against official duty, against full integrity, sexual abuse and exploitation of a child, or a person who has violated the code of professional integrity in accordance with this Law.
- (2) The duty of the management body shall cease on the day the judgment referred to in the preceding paragraph becomes final, as well as on the day the decision establishing the violation of professional integrity becomes final.

## **CHAPTER VI**

### **THE STUDENTS**

#### **Enrollment competition**

##### Article 67

(1) The enrollment of candidates for the studies of the first, second and third cycle is done on the basis of a public competition.

(2) The higher education institution shall perform the classification and selection of candidates on the basis of the following general criteria:

1) type and level of previous education,

2) success in previous education and

3) results achieved at the entrance exam or results achieved at the exam for checking aptitude and ability.

(3) In addition to the general criteria referred to in paragraph 2 of this Article, the higher education institution may also determine special criteria on the basis of which the classification and selection of candidates for enrollment in a higher education institution is performed.

#### **Student status**

##### Article 68

(1) The status of a student is acquired by enrolling in the appropriate study program of a higher education institution.

(2) A student who is enrolled in a higher education institution concludes a contract with a higher education institution, in accordance with this Law and the statute of the higher education institution.

(3) A person who has the status of a foreign citizen, and concludes a contract with a higher education institution in accordance with paragraph 2 of this Article, has the status of a student in terms of this Law while learning the language, for a maximum of one year.

(4) In accordance with the Agreement on Mutual Recognition of Documents in Education and Regulation of Status Issues of Pupils and Students (Official Gazette of the Republika Srpska, No. 79/05), students citizens of the Republic of Serbia, in terms of this Law, have the same rights and obligations as students domestic citizens.

(5) The contract referred to in paragraph 2 of this Article must contain:

1) the manner of enabling the continuation and completion of education in the event of termination of the work of the higher education institution or termination of the performance of a certain study program,

2) provisions on tuition fees and other financial obligations,

3) the title that the student acquires upon completion of the study program,

4) scope of studies,

5) other rights and obligations of the student, in accordance with the statute of the higher education institution.

(6) The rector of a university may authorize the dean of a faculty or art academy to conclude a contract with a student enrolled in that member of the university.

(7) A student booklet - index is issued to a student who is enrolled in a higher education institution.

### **Number of enrolled students**

#### Article 69

(1) Higher education institutions shall submit to the Ministry a proposal of the plan for enrollment of students in the first year of the first, second and third cycle of studies, no later than January 31 for the following academic year.

(2) The proposal of the enrollment plan referred to in paragraph 1 of this Article shall contain the data referred to in Article 54, paragraph 1, item 14) and 15) of this Law.

(3) The Ministry shall determine the proposal of the number of students for enrollment in the first year of the first, second and third cycle of studies at higher education institutions, in accordance with the Network of Higher Education Institutions and the needs of the labor market.

(4) At the proposal of the Ministry, the Government shall make a decision on the number of students for enrollment in the first year of the first and second cycle of studies at public higher education institutions, no later than March 31 of the current academic year.

(5) An integral part of the proposal referred to in paragraph 1 of this Article for public higher education institutions is a reasoned assessment of the necessary financial resources for the implementation of the study program in relation to the number of proposed enrollment places.

(6) Higher education institutions shall submit to the Ministry data on students enrolled in the first year of study no later than November 30 of the academic year, of which the Ministry shall inform the Government.

## **Student rights**

### Article 70

(1) Students have the right, in accordance with the general act of the higher education institution, to:

- 1) free expression of opinion on the quality of teaching or other services of the higher education institution,
- 2) timely and accurate information on all issues related to the study,
- 3) equality in relation to the conditions of studies and treatment in a higher education institution,
- 4) use of the library and database located in the higher education institution,
- 5) participation in the evaluation and improvement of the quality assurance system of the higher education institution,
- 6) participation in elections for student representative bodies in accordance with the regulations governing student organization,
- 7) studying, researching and performing professional practice outside the home higher education institution in the Republic, BiH and abroad,
- 8) transfer and recognition of ECTS credits at higher education institutions in the Republic that have been achieved at other accredited higher education institutions in the Republic, BiH and abroad, in accordance with this Law,
- 9) consultations and assistance of academic staff in mastering the teaching content, and especially in the preparation of the final work.

(2) Conditions for exercising the rights referred to in paragraph 1, item 7) and 8) of this Article shall be prescribed by the higher education institution in its general act, in accordance with the Guide for the use of ECTS - 2015.

## **Student obligations**

### Article 71

(1) Students enrolled in a higher education institution have the obligation to:

- 1) attend lectures, exercises, seminars and other forms of teaching,
- 2) fulfill teaching and other obligations of the student,
- 3) adhere to the rules established by the higher education institution,
- 4) show due respect for the rights of staff and other students,

- 5) participate in academic activities,
- 6) respect the code of ethics.

(2) The general act of the higher education institution prescribes minor and serious violations of the student's obligations, disciplinary bodies and disciplinary procedure for determining the student's responsibility.

### **Suspension rights and obligations of the student**

#### Article 72

(1) At the request of the student, the suspension of rights and obligations is approved in the case of:

- 1) severe illness,
- 2) stay on professional practice for a period of at least three months and a maximum of one year,
- 3) maintenance of pregnancy,
- 4) care of a child up to one year of age,
- 5) performing managerial functions in the student representative body for a maximum of one term,
- 6) other cases provided by the general act of the higher education institution.

(2) The study rules shall prescribe the procedure and conditions for exercising the rights referred to in paragraph 1 of this Article.

### **Study rules**

#### Article 73

(1) The study rules for each study cycle regulate:

- 1) organization and duration of studies,
- 2) examination and evaluation procedure,
- 3) organization of exam deadlines in accordance with the statute of the higher education institution,
- 4) final work and
- 5) other relevant issues.

(2) The higher education institution, ie a member of the university, is obliged to acquaint all students with the rules of study, which cannot be changed during the academic year, before enrolling students in



the academic year, in a public and transparent manner - by publishing on the bulletin board and its website. .

(3) A university member is obliged to determine mandatory and recommended textbooks and manuals, as well as other recommended literature, on the basis of which the student is on the proposal of the university member council, before the beginning of each academic year, by a special decision. prepares and takes exams.

### **Student knowledge test**

#### Article 74

(1) The student's success in mastering an individual subject is continuously monitored in the manner determined by the study program, in accordance with the statute of the higher education institution.

(2) All forms of knowledge testing are public.

(3) The success of students in the exam is expressed by the following grades: 10 - outstanding, 9 - excellent, 8 - very good, 7 - good, 6 - satisfactory and 5 - unsatisfactory.

(4) Grade 5 shall not be entered in the index.

(5) A higher education institution may, for some forms of teaching, determine another, non-numerical method of assessment.

(6) A student with a disability has the right to take the exam in a manner adapted to his / her abilities, in accordance with the statute of the higher education institution.

(7) The examination shall be taken at the seat of the higher education institution / member of the university and in the departments outside the seat of the higher education institution / member of the university specified in the work permit.

(8) A higher education institution may, in accordance with the study program and the statute, organize the taking of an examination outside the seat only if it is an examination in a subject whose character so requires.

(9) The teacher is obliged to communicate the results of the knowledge test to the student immediately, and no later than within seven days from the day of the test in writing.

(10) In case of declaring a state of emergency for the Republic or part of the territory of the Republic (hereinafter: state of emergency) or in case of declaring a state of emergency for the Republic or part of the Republic (hereinafter: state of emergency), as well as in other justified cases, shall be organized and performed in the manner prescribed by the instruction issued by the Minister, with the consent of the Government.

### **Conditions for enrollment in the next year of study**

## Article 75

- (1) A student acquires the conditions for enrollment in the next year of study if he / she has achieved at least 45 ECTS points in the academic year in which he / she is enrolled.
- (2) In case the student does not meet the conditions for enrollment in the next year of study, he renews the year and has the right to attend classes and take exams from the next year of study up to the number of ECTS credits he achieved in the previous year of study.
- (3) The member council of the university, ie the senate of the college for students referred to in paragraph 2 of this Article shall determine the subjects from which they can attend classes and take exams in the next year of study.
- (4) The status of a full-time student lasts for a maximum of twice the number of academic years required for the realization of the study program.
- (5) A student of the final year of study who has not fulfilled all the obligations determined by the study program renews the final year of study and has the status of a full-time student in accordance with paragraph 4 of this Article.

### **Taking exams before the commission**

## Article 76

- (1) After three failed exams, the student has the right to, at his personal request, take the exam before the examination commission.
- (2) The formation and manner of work of the examination commission referred to in paragraph 1 of this Article shall be determined by a general act of the higher education institution.

### **The right to object to the grade obtained**

## Article 77

- (1) A student has the right to submit an objection to the obtained grade to the competent body of the higher education institution if he considers that the exam was not passed in accordance with the law and the general act of the higher education institution or if he is not satisfied with the grade obtained within two days.
- (2) The competent body of the higher education institution shall, within three days from the day of receiving the objection referred to in paragraph 1 of this Article, in accordance with the provisions of the

general act of the higher education institution, consider the objection and make a decision on the objection.

(3) The decision of the competent authority referred to in paragraph 2 of this Article is final.

### **Termination of student status**

#### Article 78

(1) Student status ceases:

1) completion of the study program,

2) discharge from a higher education institution before the completion of studies,

3) when the student does not enroll in the year of study, and his rights and obligations of the student are not suspended,

4) when the student does not renew the enrollment in the same year within the prescribed period, and the student's rights and obligations are not suspended,

5) when the higher education institution imposes on the student a disciplinary measure of expulsion from the higher education institution.

(2) The status of a full-time student shall also terminate when the student does not complete his / her studies within the deadline referred to in Article 75, paragraph 4 of this Law.

## **CHAPTER VII**

### **ACADEMIC STAFF**

#### **Titles**

#### Article 79

(1) Teacher titles at higher education institutions are: scientific-teaching, artistic-teaching and teaching.

(2) Scientific-teaching and artistic-teaching titles are: assistant professor, associate professor and full professor.

(3) Teaching titles are: high school lecturer and high school professor.

(4) Teachers in the scientific-teaching and artistic-teaching profession may teach in all types of academic and vocational studies.

(5) Teachers in the teaching title may teach in the first cycle of vocational studies.

(6) Scientific-teaching and artistic-teaching titles may be acquired only at the university.

(7) Scientific and research titles may be acquired at the university, in accordance with the regulations governing scientific research and the statute of the university.

(8) Associate titles at the university are: assistant, artistic associate, senior assistant, senior artistic associate and lecturer, and at the high school assistant and artistic associate.

### **Election to the title**

#### Article 80

(1) The election to the title of teacher at a higher education institution shall be based on the achieved and measurable results of the candidate's work in teaching and scientific research, ie artistic work.

(2) In addition to the results referred to in paragraph 1 of this Article, the following shall be evaluated during the election to the title:

1) professional contribution which means that the candidate is the author / co-author of a study or study, manager or associate on a scientific research or professional project, innovator, author / co-author of a patent or technical improvement, or author / co-author of an art project or collaborator on an art project, and other,

2) contribution to the academic and wider community, which includes engagement in national or international scientific or professional organizations, institutions of public importance, cultural institutions, etc.,

3) cooperation with other higher education, scientific research, ie cultural or art institutions in the country and abroad, which includes mobility, joint study programs, internationalization, plenary lectures at international scientific gatherings and others.

(3) When electing to the title, only the results achieved in the last five or six years shall be taken into account, depending on the duration of the last election period.

### **Minimum conditions for selection in scientific-teaching and collaborative degrees at the university**

#### Article 81

The minimum requirements for the selection of academic staff for scientific-teaching and associate titles in teaching and research work at the university are:

1) a candidate who meets the following conditions may be elected as an assistant professor:

1. scientific title of doctor of science in the appropriate scientific field,
2. at least three scientific papers from the scientific field for which he is selected, published in scientific journals and peer-reviewed proceedings, of which at least one has been published in a scientific journal of international importance or a scientific conference of international importance,
3. proven teaching ability, ie has an introductory lecture in the field for which he / she is elected, has been positively assessed by a higher education institution or has a positive assessment of pedagogical work in student surveys during the entire previous election period,

2) a candidate who meets the following conditions may be elected as an associate professor:

1. has spent at least one election period in teaching as an assistant professor,
2. at least five scientific papers from the scientific field for which he is selected, published in scientific journals and peer-reviewed proceedings, of which one is a scientific paper in a scientific journal of international importance or a scientific conference of international importance and at least one scientific paper is published in a prominent importance, after the election to the title of assistant professor,
3. has at least one scientific monograph (with ISBN number) from the scientific field for which it is chosen, or a university textbook (with ISBN number),
4. proven teaching ability, has been positively assessed by a higher education institution or has a positive assessment of pedagogical work in student surveys during the entire previous election period,
5. has been a member of the commission for the defense of a master's or master's thesis or doctoral dissertation, or has successfully completed the mentorship of candidates in the second or third cycle of studies,
6. proof that he has achieved at least one of the three elements referred to in Article 80, paragraph 2 of this Law,

3) a candidate who meets the following conditions may be elected a full professor:

1. has spent at least one election period in teaching as an associate professor,
2. at least eight scientific papers from the scientific field for which he is selected, published in scientific journals and peer-reviewed proceedings, of which two are scientific papers in scientific journals of international importance or a scientific conference of international importance and at least one scientific paper published in a prominent international scientific journal. importance, after the election to the title of associate professor,
3. has cited scientific papers,
4. has two publications from the scientific field for which it is selected (with ISBN number) which are categorized as a scientific monograph or university textbook,

5. proven teaching ability, is positively assessed by a higher education institution or has a positive assessment of pedagogical work in student surveys during the entire previous election period,
  6. has been a member of the commission for the defense of a master's, master's or doctoral dissertation, or has successfully completed the mentorship of candidates in the second or third cycle of studies,
  7. proof that he has achieved at least two of the three elements referred to in Article 80, paragraph 2 of this Law,
- 4) a candidate who has completed the first cycle of studies in the relevant field with at least 240 ESTS points and the lowest average grade of 8.0, or equivalent, may be selected as an assistant,
- 5) a candidate who:
1. has completed the second cycle of studies in the relevant field with the lowest average grade in both the first and second cycle of studies 8.0 or equivalent, or
  2. has a scientific degree of Master of Science in the relevant field with the lowest average grade in undergraduate and postgraduate studies of 8.0, or equivalent,
- 6) a candidate who has published professional and scientific papers and has:
1. completed the second cycle of studies with the lowest average grade in both the first and second cycle of studies 8.0 or equivalent, or
  2. scientific degree of Master of Science with the lowest average grade in undergraduate and postgraduate studies of 8.0 or equivalent.

### **Minimum conditions for selection in art-teaching**

#### **degrees at the university**

#### Article 82

The minimum requirements for the selection of academic staff for artistic and teaching titles in teaching and artistic work in the field of art at the university are:

- 1) a candidate who:
  1. has completed at least the second cycle of studies in the relevant field,
  2. has three representative references in the artistic field in which i is chosen
  3. demonstrated results in teaching work, ie an introductory lecture in the field for which he / she is selected, has been positively evaluated by a higher education institution or has a positive evaluation of pedagogical work in student surveys during the entire previous election period,
- 2) a candidate who:

1. has spent at least one election period as an assistant professor,
2. has five representative references in the artistic field in which he is selected, from at least two different categories,
3. mentoring of two final theses at all levels of study, ie one representative reference in the field of art for which he is selected if the study program does not enable the teacher to be elected as the head of the final work,
4. demonstrated results in teaching work, ie has a positive assessment of pedagogical work in student surveys during the entire previous election period,
5. has established international cooperation with other universities and relevant institutions in the field of higher education, culture and arts,

3) a candidate who:

1. has spent at least one election period as an associate professor,
2. has eight representative references in the artistic field in which he is selected, from at least three different categories,
3. mentoring of four final theses at all levels of study, ie two representative references in the artistic field for which it is chosen if the study program does not enable the teacher to be elected as the head of the final work,
4. demonstrated results in teaching work, ie has a positive assessment of pedagogical work in student surveys during the entire previous election period,
5. has established international cooperation with other universities and relevant institutions in the field of higher education, culture and arts.

### **Minimum conditions for selection in the artistic-collaborative**

#### **degrees at the university**

#### Article 83

The minimum requirements for the selection of academic staff for artistic-associate titles in teaching and artistic work in the field of art at the university are:

1) a candidate who:

1. has completed the first cycle of studies in the relevant field with a minimum of 240 ECTS credits and a minimum average grade of 8.0 or equivalent, and
2. at least three artistic achievements in collective presentations,

2) a candidate who has completed the first cycle of studies in the relevant field with at least 240 ESTS points and the lowest average grade of 8.0 or equivalent may be selected as an assistant,

3) a candidate who:

1. has completed the second cycle of studies in the relevant field with the lowest average grade of 8.0 or equivalent in both the first and second cycle of studies,
2. publicly presented forms of artistic creation,

4) a candidate who:

1. has completed the second cycle of studies in the relevant field with the lowest average grade of 8.0 or equivalent in both the first and second cycle of studies, or the first cycle of studies with at least 240 ECTS points and the lowest average grade of 8.0 or equivalent and
2. publicly presented forms of artistic creation.

### **Minimum requirements for election to high school titles**

#### Article 84

(1) The minimum conditions for election to teaching and associate titles at a higher school are:

1) a candidate who has:

1. completed the second cycle of studies in the relevant field with the lowest average grade in both the first and second cycle of studies 8.0 or equivalent or the scientific degree of Master of Science in the relevant field with the lowest average grade in basic studies 8.0 or equivalent,
2. demonstrated results in teaching work, ie an introductory lecture in the field for which he / she is elected, has been positively evaluated by a higher education institution or has a positive evaluation of pedagogical work in student surveys during the entire previous election period,
3. published at least two scientific papers in the field for which it is selected, published in scientific journals and peer-reviewed proceedings,

2) a candidate who has:

1. scientific degree of doctor of science in the appropriate scientific field,
2. has at least three scientific papers in the field for which he is selected, published in scientific journals and peer-reviewed proceedings, and
3. demonstrated results in teaching work, ie a positive assessment of pedagogical work in student surveys during the entire previous election period.

(2) A candidate who has completed the first cycle of studies in the relevant field with at least 240 ECTS points and the lowest average grade of 8.0 or equivalent may be selected as an assistant at a higher education institution.



**Minimum requirements for election to titles in the field of art  
in high school**

Article 85

The minimum requirements for election to teaching and associate titles in the field of art at a high school are:

1) a candidate who has:

1. completed at least the first cycle of studies in the relevant field with at least 240 ESTS credits and the lowest average grade of 8.0 or equivalent,
2. publicly presented forms of artistic creation and
3. demonstrated results in teaching work, ie has an introductory lecture in the field for which he / she is elected, is positively evaluated by a higher education institution or has a positive evaluation of pedagogical work in student surveys during the entire previous election period,

2) a candidate who has:

1. completed the second cycle of studies in the relevant field with the lowest average grade in both the first and second cycle of studies 8.0 or equivalent,
2. publicly presented forms of artistic creation and
3. demonstrated results in teaching, ie has a positive assessment of pedagogical work in student surveys during the entire previous election period,

3) a candidate who:

1. has completed the first cycle of studies in the relevant field with a minimum of 240 ECTS credits and a minimum grade point average of 8.0 or equivalent, and
2. at least three artistic achievements in collective presentations,

4) a candidate who has completed the first cycle of studies in the relevant field with at least 240 ECTS points and the lowest average grade of 8.0 or equivalent may be selected as an assistant.

**Categorization criteria**

Article 86

For the purpose of applying the provisions of Art. 81 to Art. 85 of this Law, the criteria for categorization of "prominent scientific journals of international importance", "scientific journals of international importance", "scientific journals of national importance", "scientific conference of international

importance", artistic "representative references" and artistic "categories" shall be proposed by the Council. , taking into account the specifics of scientific / artistic fields and scientific / artistic fields.

### **Rulebook on conditions for election to titles**

#### Article 87

(1) The Minister shall issue a Rulebook on the conditions for election to scientific-teaching, artistic-teaching, teaching and associate titles.

(2) The Rulebook referred to in paragraph 1 of this Article shall also prescribe the criteria for categorization of journals in accordance with Article 86 of this Law.

(3) The procedure for election to scientific-teaching, artistic-teaching, teaching and associate titles shall be determined by a general act of the higher education institution, in accordance with Art. 81 to 85 of this Law by the Rulebook referred to in paragraph 1 of this Article.

### **The period for which the selection of academic staff in the teaching profession is made**

#### Article 88

The period for which the academic staff is elected to the scientific-teaching, artistic-teaching and teaching title is:

- 1) assistant professor - for a period of five years, with the possibility of one re-election,
- 2) associate professor - for a period of six years, with the possibility of one re-election,
- 3) full professor - for an indefinite period of time,
- 4) high school lecturer - for a period of five years, with the possibility of a maximum of two re-elections,
- 5) high school professor - indefinitely.

### **The period for which the selection of academic staff in the associate title is made**

#### Article 89

The period for which academic staff is elected to the associate title is:

- 1) artistic associate - for a period of four years, with the possibility of one re-election,
- 2) assistant - for a period of four years without the possibility of re-election,

- 3) senior artistic associate - for an indefinite period of time,
- 4) senior assistant - for a period of five years, with the possibility of one re-election,
- 5) lecturer - for a period of five years, with the possibility of one re-election.

### **Foreign language and skills teacher**

#### Article 90

(1) The teaching of foreign languages and skills in a non-core study program, in addition to a person who has a title referred to in Article 81 of this Law, may also be conducted by a teacher of a foreign language and skills.

(2) A candidate who has the following may be elected a teacher of a foreign language and skills:

1) completed the second cycle of studies in the relevant field with the lowest average grade in both the first and second cycle of studies 8.0 or equivalent or the scientific degree of Master of Science in the relevant field with the lowest average grade in both undergraduate and postgraduate studies 8.0 or equivalent i

2) published at least two professional or scientific papers.

(3) The manner of election and the time for which a foreign language and skills teacher is elected shall be regulated by a general act of the higher education institution.

### **Vocational election plan**

#### Article 91

(1) The University Senate adopts the annual plan for election to titles on the basis of the proposal of the list of responsible teachers of the university members.

(2) The Senate of the College shall adopt an annual plan for the election of titles.

(3) Annual plans for election to the titles referred to in para. 1 and 2 of this Article shall be adopted no later than eight months before the beginning of the academic year.

(4) For responsible teachers and associates at the university, teachers and associates who have a choice in the appropriate title in accordance with the law are proposed.

(5) The proposal of the list of responsible teachers and associates for each teacher and associate must state the duration of the election period.

(6) In accordance with the annual plan referred to in para. 1 and 2 of this Article, the higher education institution announces competitions for election to titles.

(7) The higher education institution is obliged to carry out the procedures for election to titles within six months from the day of announcing the competition.

(8) Notwithstanding paragraph 7 of this Article, if the competition for election to the title for objective reasons is not completed within the period referred to in paragraph 7 of this Article, the higher education institution is obliged to end it no later than two months after the deadline.

(9) The procedure for election to titles is prescribed by a general act of a higher education institution.

### **Candidate Assessment Commission**

#### Article 92

(1) The member council of the university, ie the senate of the college, shall form a commission for compiling reports on the registered candidates.

(2) The commission referred to in paragraph 1 of this Article shall consist of at least three teachers from the scientific or artistic field, of which at least one is from the already scientific or artistic field for which the teacher or associate is elected.

(3) When appointing the commission referred to in paragraph 1 of this Article, at least one member of the commission must be employed by another higher education institution.

(4) The members of the commission referred to in paragraph 1 of this Article are in the same or higher title than the title to which the candidate is elected.

### **Commission report**

#### Article 93

The report of the commission referred to in Article 92 of this Law shall contain:

- 1) biographical data on registered candidates,
- 2) review and opinion on the previous scientific, professional, ie artistic work of the registered candidates and the teaching work of the candidates,
- 3) data on published works,
- 4) opinion on fulfillment of other conditions determined by this Law,
- 5) proposal of the candidate for election to the title of teacher, ie associate and
- 6) other elements prescribed by the bylaw and the statute of the higher education institution.

## **Council of Scientific Fields**

### Article 94

- (1) Councils of scientific fields are advisory bodies of the Senate.
- (2) The acts of the university shall prescribe the number, structure, competencies and manner of work of the councils of scientific fields.
- (3) In the structure of the council of scientific fields, at least one half of the total number of members of each council are full professors.

## Decisions on election to the title

### Article 95

- (1) The council of a member university shall determine the proposal of the decision on election to the title.
- (2) The council of the relevant scientific field shall give an opinion to the senate on the proposal of the decision on election to the title.
- (3) The decision on election to the title is made by the senate of the university, based on the proposal of the decision of the council member of the university and the opinion of the council of the relevant scientific field, ie the senate of the college.

## **Objection to the decision on election to the title**

### Article 96

- (1) The candidate may submit to the senate a request for reconsideration of the decision on election to the title, within 15 days from the day of receipt of the notification on the decision of the senate.
- (2) The decision of the senate, upon the request for review, is final, but an administrative dispute may be initiated.
- (3) Deadlines and procedures for resolving the request referred to in paragraph 1 of this Article shall be prescribed by university acts.

## **Hiring and hiring teachers and associates**

### Article 97

(1) The Senate shall determine the list of teachers and associates responsible for teaching in the following academic year no later than one month before the beginning of the academic year which the higher education institution is obliged to publish.

(2) On the basis of the list of responsible teachers and associates, the higher education institution hires the missing teachers and associates who have a choice in the title, with the obligation to organize the teaching process in a quality, rational and efficient manner.

(3) Teachers and associates shall conclude a full-time or part-time employment contract with a higher education institution in accordance with this Law and regulations in the field of work.

(4) A teacher and associate who has a full-time employment relationship with another employer in the country or abroad may not have a full-time employment relationship at a higher education institution.

(5) The higher education institution shall terminate the employment contract of the teacher and associate referred to in paragraph 4 of this Article without the right to a notice period and without conducting a procedure for determining disciplinary responsibility.

#### **Status of employees who have not been elected to the title**

##### Article 98

(1) In the event that a teacher or associate is not elected to the same or higher title, his employment shall be terminated.

(2) The person referred to in paragraph 1 of this Article is not entitled to severance pay in accordance with the regulations governing employment.

(3) For a teacher or associate who is employed at a higher education institution and who was a participant in the competition for election to the title, and which has not been completed within the deadline referred to in Article 91, paragraph 7 of this Law, employment at the higher education institution shall not be terminated. completion of the selection process.

(4) Teachers and associates whose election period has expired may participate in the teaching process as responsible teachers and associates, for a maximum of two months after the end of the election period.

#### **Additional work**

##### Article 99

(1) A teacher, ie associate of a higher education institution may conclude a contract on additional work at another higher education institution only with the prior consent of the higher education institution on which the full-time employment relationship is based.

(2) The general act of a higher education institution shall regulate the conditions and procedure for giving consent for hiring a teacher at another higher education institution.

### **Engaged teachers and associates**

#### Article 100

A higher education institution, in accordance with the general act, may hire teachers and associates from another university in BiH or abroad, who have the appropriate choice for a title in a narrower scientific / artistic field.

### **Realization of a part of teaching**

#### Article 101

(1) A prominent scientist and artist may participate in the realization of part of the teaching of a subject at a higher education institution, in accordance with the statute.

(2) At the Academy of Arts, associates may, in cooperation with the teacher, teach part of the program or certain forms of professional or artistic work, training in professional knowledge and skills, exercises and other tasks determined by the statute.

(3) For the needs of realization of a part of practical teaching which is realized in a higher education institution or outside it, a person who is employed in a legal entity with which the higher education institution has concluded a cooperation agreement may be engaged.

### **Rights and obligations of academic staff**

#### Article 102

- (1) Academic staff, within working hours, prepares and conducts classes, performs scientific research and artistic work and other tasks that are an integral part of the teaching load.
- (2) Academic staff is obliged to fully implement the established curriculum from the subject for which they are responsible, through their personal presence and engagement.
- (3) The teacher and associate, in accordance with the obligations determined by the curriculum, is responsible for conducting all forms of teaching - lectures, exercises, seminars, practical work, as well as for monitoring student activities and checking their knowledge.
- (4) The higher education institution is obliged to determine by its statute the methods for monitoring the fulfillment of the obligations of the academic staff from para. 2 and 3 of this Article.
- (5) The rights, obligations and responsibilities of the persons referred to in paragraph 1 of this Article shall be regulated by the provisions of the Special Collective Agreement for Employees in the Field of Higher Education and Student Standard of the Republic and the general act of the higher education institution.
- (6) The law governing labor relations shall apply to issues of rights, obligations and responsibilities arising from the employment of academic staff and other persons employed in a higher education institution, unless otherwise provided by this Law.

### **Suspension of the rights and obligations of academic staff**

#### Article 103

- (1) A teacher and an associate have the right to suspend deadlines for election to academic titles and to suspend rights and obligations arising from employment, while performing the duty of vice-rector in a higher education institution or while performing other public function, in accordance with the statute.
- (2) A teacher or associate who is on maternity leave or has been prevented from working on sick leave for more than six months, the election period shall be extended at that time upon personal request.
- (3) At the personal request of a teacher and associate, the university senate may grant paid leave for a period of one school year for scientific, artistic or professional work or training, in accordance with the statute of the higher education institution.
- (4) At the personal request of the teacher and associate, the senate, upon the proposal of the university member council, may grant unpaid leave for a maximum of four years for further training, in accordance with the statute of the higher education institution.
- (5) The Senate is obliged to decide on the request referred to in para. 3 and 4 of this Article in accordance with the law and the general act of the higher education institution.

### **Retirement and hiring of retired teachers**



#### Article 104

(1) The employment of a teacher at a higher education institution shall end at the end of the academic year in which he / she reached the age of 68.

(2) Notwithstanding paragraph 1 of this Article, a full professor may be contractually engaged in teaching for up to one year, at the proposal of the senate of the higher education institution, if the appropriate candidate has not been selected according to the previously announced competition, with the possibility of extension until the end of the academic year. 70 years of life by the same procedure.

(3) A person retired in accordance with the regulations of the Federation of BiH, the Brčko District of BiH or another state may not teach at higher education institutions in the Republic.

(4) Retired teachers with the title of full professor from para. 1 and 2 of this Article may be members of the commissions for the defense of master's or master's thesis and doctoral dissertation up to the age of 75.

#### **Professor emeritus**

#### Article 105

(1) The University Senate may, at the proposal of the scientific-teaching council of the faculty, ie the artistic-scientific-teaching council of the academy, award the title of professor emeritus to a retired full professor who has distinguished himself by his scientific or artistic work, gained international reputation and achieved results scientific-teaching, ie artistic-teaching staff in the field for which he was elected.

(2) Professor emeritus may:

1) participate in teaching in the second and third cycle of studies,

2) participate in research projects,

3) be a member of the commission for election to titles and

4) be a member of the commission for the defense of master's or master's thesis and doctoral dissertation.

(3) A professor emeritus may not be appointed as a responsible teacher referred to in Article 97, paragraph 1 of this Law.

(4) The procedure and conditions for awarding the title and rights of the persons referred to in paragraph 1 of this Article shall be determined by a general act of the university.

(5) A person elected to the title referred to in paragraph 1 of this Article may exercise the rights and obligations referred to in paragraph 2 of this Article no later than the age of 75, and they shall be determined by the contract on engagement at the higher education institution.

## **Honorary Doctor of Science and Visiting Professor**

### Article 106

(1) The University may also award the title of honorary doctor of science, in accordance with the conditions and procedures established by the statute of the university and generally accepted standards in scientific research and educational activities.

(2) The University may assign teachers from other higher education institutions from the country and abroad the title of Visiting Professor in accordance with the statute and the general act of the higher education institution.

## **CHAPTER VIII**

### **BODIES IN THE FIELD OF HIGHER EDUCATION**

#### **Rectors' Conference**

### Article 107

(1) The Rectors' Conference determines and represents the common interests of universities in the Republic and establishes cooperation with institutions in the field of education in the Republic, BiH and abroad.

(2) Full members of the Rectors' Conference are the rectors of accredited universities in the Republic.

(3) The work and functioning of the Rectors' Conference is regulated by the statute.

(4) The work of the Rectors' Conference is financed by the universities, in accordance with their statutes.

(5) Rectors of accredited universities from the Republic may also be members of the Rectors' Conference of BiH.

#### **High School Conference**

### Article 108

(1) The Conference of Higher Education Institutions determines and represents the common interests of higher education institutions in the Republic and achieves cooperation with institutions in the field of education in the Republic, BiH and abroad.

(2) Full members of the Conference of Higher Education Institutions are the directors of accredited higher education institutions in the Republic.

(3) The work and functioning of the Conference of Higher Schools shall be regulated by the statute.

(4) The Statute of the Conference of Higher Education Institutions shall be adopted by the Conference of Higher Education Institutions, at the first convocation, by consensus.

(5) The work of the Conference of Higher Education Institutions shall be financed by higher education institutions, in accordance with the Statute.

## **CHAPTER IX**

### **RECOGNITION OF FOREIGN HIGHER EDUCATION QUALIFICATIONS**

#### **EVALUATION OF FOREIGN STUDY PROGRAMS**

#### **Recognition of a foreign higher education qualification**

##### Article 109

(1) Recognition of a foreign higher education qualification is a procedure by which the holder of the qualification is determined the right to access employment (hereinafter: professional recognition), ie the right to continue education (hereinafter: academic recognition).

(2) The recognition procedure shall not be conducted for qualifications acquired on the territory of the former SFRY until April 6, 1992 and for qualifications acquired at accredited higher education institutions in the Republic of Serbia, based on the Agreement on Mutual Recognition of Documents in Education and Regulation of Status Issues ("Official Gazette of Republika Srpska", No. 79/05).

(3) The qualifications referred to in paragraph 2 of this Article shall be used in legal transactions in the Republic in the manner as if they had been acquired on the territory of the Republic.

(4) Exceptionally, at the request of the qualification holder, the procedure of professional recognition of higher education qualification acquired at an accredited higher education institution in the Republic of Serbia may be conducted for employment and other professional purposes in institutions of BiH, Federation BiH and Brcko District BiH.

#### **Professional recognition**

##### Article 110

(1) Professional recognition is carried out by the Agency through its internal organizational unit of the Center for Information and Recognition of Foreign Higher Education Qualifications in the Republika Srpska (hereinafter: CIP), in accordance with the law governing the field of quality assurance in higher education.

(2) The Agency shall keep records and permanently keep the documentation on the conducted procedures of professional recognition.

## **Academic recognition**

### **Article 111**

(1) Academic recognition is conducted by a higher education institution where the holder of a foreign higher education qualification wishes to continue education, in the manner and according to the procedure prescribed by this Law and the general act of the higher education institution.

(2) In the procedure of academic recognition, the professional body of the higher education institution in whose competence the academic recognition evaluates a foreign higher education qualification, ie part of a foreign study program in case of incomplete qualification, ie mastered part of the study program.

(3) If the higher education institution determines that the conditions for recognition are not met, but recognition is possible with the fulfillment of additional obligations (taking exams, seminar papers, research practice, etc.), it may propose conditional, partial or alternative recognition.

(4) The conditions for recognition referred to in paragraph 3 of this Article shall be prescribed in more detail by the higher education institution by a general act.

## **CHAPTER X**

### **RECORDS AND PUBLIC DOCUMENTS**

#### **Record**

### **Article 112**

(1) A higher education institution and a member of a university shall run:

- 1) student register,
- 2) register with the student's registry book,
- 3) student file,

4) records on issued public documents,

5) records of exams,

6) records on recognized foreign higher education qualifications and

7) records on performed equivalences of previously acquired titles with new titles.

(2) Data entered in the records are collected, processed, stored and used for the needs of performing the activities of a higher education institution, ie a member of a university and for the needs of the Ministry.

(3) Data from the records are used in such a way as to ensure the protection of students' identities, in accordance with the law.

(4) The Minister shall issue a Rulebook on the content and manner of keeping records kept by the higher education institution.

(5) The higher education institution is obliged to permanently keep the documentation referred to in paragraph 1 of this Article.

(6) The data entered in the records of the higher education institution shall be submitted to the Ministry for the performance of tasks determined by law, in accordance with this Law.

### **Unique information system**

#### Article 113

(1) In order to collect comprehensive and standardized data on higher education, the Ministry shall maintain a single information system (hereinafter: JIS).

(2) The Minister shall prescribe by an ordinance the manner of collecting, storing and processing information, ie other procedures important for the work of the JIS.

(3) All higher education institutions are obliged to provide access to data in their information systems for the purpose of entering and updating data in the JIS.

### **Public documents**

#### Article 114

(1) Based on the data from the records, the higher education institution shall issue public documents in accordance with the law, by-laws and the statute of the higher education institution.

(2) Public documents in the sense of this Law are:

- 1) student booklet - index,
- 2) diploma on the acquired title,
- 3) diploma supplement,
- 4) certificate of passed exams,
- 5) certificate of acquired title,
- 6) certificate on the equivalence of the previously acquired title with the new title,
- 7) certificate of completed lifelong learning program,
- 8) decision on academic recognition of qualifications,
- 9) certificate of completed short program of studies and acquired competencies.

(3) The higher education institution shall issue public documents in one of the official languages in use in the Republic, in Cyrillic or Latin script, depending on the student's request.

(4) When classes are conducted in one of the foreign languages, public documents are issued on a form printed bilingually in the language of the Serbian people, and at the request of a student in another official language in use in the Republic and in the language and script in which classes are conducted. .

(5) At the request of a student, a higher education institution is obliged to issue a diploma and a diploma supplement in English as well.

(6) At the request of the student, the higher education institution issues a public document on the mastered part of the study program, which contains data on the level, type and content of studies, as well as the achieved results.

(7) Based on the data from the records, the higher education institution, ie faculty or art academy as a member of the university, issues a duplicate diploma on the acquired title after declaring the original diploma invalid in the "Official Gazette of Republika Srpska".

(8) A mark shall be entered on the new diploma stating that it is a duplicate of the diploma, which was issued after the original diploma was declared invalid.

(9) The higher education institution shall issue a certificate of the acquired title until the issuance of the diploma which determines that the student has fulfilled the conditions for acquiring the title from the cycle of studies he has completed.

(10) The certificate referred to in paragraph 9 of this Article shall be issued within seven days from the day of completion of the study cycle and shall be valid until the issuance of the diploma and diploma supplement.

## **Certification of diplomas**

- (1) The diploma shall be certified by a dry stamp of a higher education institution.
- (2) The diploma supplement must be issued with the diploma and contains the skills, competencies and knowledge of the diploma holder and other data in accordance with the law, by-laws and the statute.
- (3) The diploma supplement must also state the ECTS credits earned outside the home higher education institution.
- (4) The Minister shall issue an Ordinance on the content of public documents issued by higher education institutions.

### **Signing diplomas / diploma supplements**

#### Article 116

- (1) The diploma and the diploma supplement are signed by the rector and the dean of the faculty, ie the art academy, within the university.
- (2) The diploma and the diploma supplement to the high school shall be signed by the director.
- (3) The diploma supplement shall be certified by the seal of the higher education institution.
- (4) The joint diploma and the diploma supplement shall be issued in accordance with the contract referred to in Article 27, paragraph 5 of this Law and the general act of the higher education institution.

### **Determining completed education**

#### Article 117

A person who does not have a public document on the acquired title, and the records on that, ie archival material is destroyed, missing or inaccessible, can submit a request to the basic court in the place of residence or stay for determining the completed education.

### **Declaring the diploma null and void**

#### Article 118

- (1) The higher education institution is obliged to declare null and void the diploma, diploma supplement and certificate of acquired title in the following cases:

- 1) if they were signed by an unauthorized person,
- 2) if they were issued by a non-accredited higher education institution,
- 3) if the holder of the diploma has not fulfilled all examination obligations for the study in the manner and according to the procedure determined by the regulations in the field of higher education that were in force at the time of issuing the public document, this law and the study program of the higher education institution,
- 4) plagiarism.

(2) The annulment of the diploma, diploma supplement and certificate of acquired title shall be published in the "Official Gazette of the Republika Srpska".

(3) If the diploma, diploma supplement and certificate of acquired title contain an error in names and numbers, writing, as well as other obvious inaccuracies, the correction shall be made in accordance with the law governing the general administrative procedure.

## **CHAPTER XI**

### **ETHICS**

#### **Academic integrity**

##### **Article 119**

(1) Academic integrity in accordance with this Law means research integrity in planning, conducting and publishing research results, teacher integrity in mentoring, working with students and other teaching associates, or professionalism reflected in respect for international academic norms, laws and dignity persons.

(2) Violations of research integrity are reflected in unethical practices in conducting and publishing research results such as plagiarism, fabrication, forgery, misuse of authorship, duplicate publications, selective reporting and the like.

(3) Violations of teacher integrity are reflected in unethical practices when working with students and teachers, such as non-performance of teaching duties, violation of personal dignity, including intimidation, blackmail, bribery and the like.

(4) Each higher education institution is obliged, in accordance with its general acts, to sanction the academic staff who are determined to have violated the academic integrity referred to in para. 2 and 3 of this Article.

#### **Plagiarism**

##### **Article 120**



(1) Professional, scientific or artistic work for which the competent body of the higher education institution determines that it is plagiarism shall be considered null and void, as well as awards, titles, diplomas and titles acquired by the person using plagiarism on the basis of such work.

(2) The procedure for determining plagiarism referred to in paragraph 1 of this Article shall be regulated by the higher education institution by a general act.

(3) The higher education institution is obliged to declare null and void all awards, titles, diplomas and titles that the person referred to in paragraph 1 of this Article has acquired at that institution, on the basis of such work.

### **Reasons for unworthiness for election to the title**

#### Article 121

(1) A teacher or associate who has been convicted by a final verdict of a criminal offense against full integrity, forgery of a public document issued by a higher education institution or receiving bribes in performing work in a higher education institution, as well as a person who has seriously violated the code of professional integrity in accordance with this Law , cannot be elected as a teacher or associate.

(2) If criminal proceedings have been initiated against a teacher or associate for the criminal offenses referred to in paragraph 1 of this Article, the higher education institution shall remove the employee from work until the end of the criminal proceedings in accordance with the law governing employment.

(3) The higher education institution shall terminate the employment contract of an employed teacher, ie associate who has been convicted of a criminal offense referred to in paragraph 1 of this Article, in accordance with the law governing employment.

## **CHAPTER XII**

### **FINANCING OF PUBLIC HIGHER EDUCATION INSTITUTIONS**

#### **Financial resources**

#### Article 122

(1) Funds for the performance of higher education activities at public higher education institutions shall be provided from the following sources:

1) the budget of the Republic,

- 2) own revenues,
- 3) budget of local self-government units,
- 4) donation and
- 5) other sources.

(2) The funds referred to in paragraph 1 of this Article belong to the higher education institution and the member of the university that realized them and are used in accordance with the law, the statute, bylaws and the adopted financial plan.

(3) Higher education institutions may be financed only from those sources that do not affect their autonomy.

(4) For the use of financial resources, in accordance with the financial plan and regulations governing the field of higher education and financial operations, the rector of the university is responsible, ie the director of the college, the dean / director of the university member and the board of directors of the higher education institution. .

## **Tuition fees**

### Article 123

(1) Tuition fees at public higher education institutions in terms of this Law are:

1) the amount of funds by which a full-time student of the first and second cycle of studies enrolled in accordance with Article 69, paragraph 4 of this Law participates in co-financing total costs for one year of study, if he does not meet the conditions for enrollment in the next year of study. ,,

2) the amount of funds by which a full-time student of the first, second and third cycle of studies enrolled in accordance with Article 54, paragraph 1, item 15) of this Law participates in financing the total costs for one year of study.

(2) The public higher education institution shall submit to the Ministry a proposal for the amount of tuition fees referred to in paragraph 1, item 1) of this Article, no later than March 31 of the current year for the next academic year.

(3) The Ministry shall propose to the Government the amount of tuition fees referred to in paragraph 1, item 1) of this Article for all study programs at public higher education institutions.

(4) The Government shall make a decision on the amount of tuition fees referred to in paragraph 3 of this Article for all study programs at public higher education institutions, for each academic year.

(5) Full-time students of the first and second cycle of studies enrolled in accordance with Article 69, paragraph 4 of this Law shall be financed from the budget of the Republic in the first and each subsequent year of study they enroll for the first time.

(6) Full-time students of the first cycle of studies enrolled in accordance with Article 69, paragraph 4 of this Law who renew their final year of study for the first time shall be financed from the budget of the Republic.

(7) The rights referred to in para. 5 and 6 of this article, a student can use only one study program, at the same level of study, at public higher education institutions.

(8) A student who terminates his / her education during the first year of study in which he / she used the right referred to in paragraph 5 of this Article, shall pay the amount of tuition fees for that year, determined in accordance with paragraph 4 of this Article.

(9) Exceptionally, at the proposal of the member council of the university and with the consent of the Ministry, full-time students of the first cycle of studies enrolled in accordance with Article 54, paragraph 1, item 15) of this Law, may use the right from paragraph 5 of this Article from the third year first cycle of studies, if they have not renewed previous years of study and have an average grade above 8.00.

(10) The amount of tuition fees referred to in paragraph 1, item 2) of this Article and other fees paid by students during their studies shall be determined by the higher education institution and shall announce the amount of tuition fees and other fees for all study programs in a manner accessible to the public. .

## **Incentives**

### Article 124

(1) The Ministry shall provide incentive funds:

1) full-time students up to the age of 35, if they are enrolling for the first time in the third cycle of studies and

2) full-time students of the first cycle of studies, if they complete their studies within the deadline.

(2) Incentive funds shall be awarded in the procedure of public competition conducted by a competition commission appointed by the Ministry.

(3) The Minister, upon the proposal of the commission, shall issue a decision on the allocation of incentive funds.

(4) The notification and the decision on the allocation of incentive funds shall be delivered to all participants in the competition.

(5) The decision of the Minister referred to in paragraph 3 of this Article is final and an administrative dispute may be initiated against him before the competent court.

(6) The Minister shall issue a rulebook on the procedure for determining the fulfillment of conditions for incentive funds referred to in paragraph 1 of this Article.

**Funds for performing higher education activities which  
provided by the founder**

Article 125

(1) The salaries and compensations of employees shall be financed from the budget of the Republic, in accordance with the regulations governing the salaries of employees in the field of higher education, standards and norms for financing public higher education institutions.

(2) The following shall be co-financed from the budget of the Republic:

- 1) tuition costs in accordance with Article 123, para. 5 and 6 of this law,
- 2) costs of scientific research and artistic work,
- 3) costs of materials and services,
- 4) costs for the purchase of fixed assets,
- 5) programs and projects of student organizations,
- 6) international exchanges of students and academic staff and
- 7) equipment and conditions for studying students with disabilities.

(3) The Minister shall issue a rulebook on:

- 1) standards and norms for financing public higher education institutions,
- 2) co-financing the international exchange of students and academic staff.

(4) The share of the budget of the Republic in co-financing the costs referred to in paragraph 2 of this Article shall be determined on the basis of regulations governing the execution of the budget and the adopted budget of the Republic.

**Own revenues of higher education institutions**

Article 126

(1) Funds realized by a higher education institution and a member of a university, except for funds provided from the budget of the Republic, constitute own income of that higher education institution and member of the university (tuition fees, enrollment fees, fees, donations, revenues from knowledge commercialization, revenues from services to third parties and other income from registered activities listed in the act on the establishment of a higher education institution).

(2) The higher education institution may generate its own revenues from the previous paragraph in a manner and according to a procedure which does not interfere with the performance of the basic activity of the higher education institution.

(3) The Management Board of the higher education institution shall adopt the Rulebook on the criteria for the use of own revenues on the basis of the proposal of the council of members of the university.

## **CHAPTER XIII**

### **FINANCING OF PRIVATE HIGHER EDUCATION INSTITUTIONS**

#### **Financial resources**

##### Article 127

(1) Funds for the performance of higher education activities at private higher education institutions shall be provided from:

1) funds provided by the founder,

2) tuition fees,

3) income from publishing and other activities that do not affect the main activity of the higher education institution,

4) donation and

5) other sources.

(2) The funds referred to in paragraph 1 of this Article shall be independently disposed of by the higher education institution, and it shall use them for the improvement of activities and raising the quality of work, in accordance with this Law, the statute and the financial plan.

#### **Tuition at a private higher education institution**

##### Article 128

(1) The decision on the amount of tuition fees, in terms of the amount of funds by which a student participates in financing the total costs of his studies at a private higher education institution for one year of study, is made by the higher education institution.

(2) The higher education institution referred to in paragraph 1 of this Article is obliged to announce the amount of tuition fees and other fees for all study programs in a manner accessible to the public before announcing the competition for enrollment of new students.

## **CHAPTER XIV**

### **SUPERVISION AND PENAL PROVISIONS**

#### **Administrative control**

##### Article 129

- (1) Administrative supervision over the work of higher education institutions and the legality of acts adopted by higher education institutions, on the basis of this Law, shall be performed by the Ministry.
- (2) At the request of the Ministry, the higher education institution shall submit all required information and documents necessary for the execution of the tasks of the Ministry determined by this Law.
- (3) Administrative supervision shall be conducted in such a way as not to violate the autonomy and not to interfere with the work of the higher education institution.
- (4) If the Ministry, in performing administrative supervision, determines that the higher education institution, in its entirety or for individual study programs, does not meet any of the conditions for performing higher education activities prescribed by this Law, it shall determine the deadline within which the higher education institution is obliged to eliminate the identified deficiencies.
- (5) If the higher education institution referred to in paragraph 3 of this Article does not eliminate the deficiencies within the established deadline, the Ministry shall conduct the procedure of revoking the license of the higher education institution or the license to conduct certain study programs at that higher education institution. Work.
- (6) A higher education institution whose work permit or license for conducting certain study programs has been revoked shall be obliged to provide the students with the continuation and completion of their education in accordance with Article 35, paragraph 4 of this Law.

#### **Inspection control**

##### Article 130

- (1) Inspection supervision over the application of this Law, by-laws, as well as acts of higher education institutions adopted for the purpose of fulfilling the obligations determined by this Law shall be performed by the Republic Administration for Inspection Affairs through educational inspection.
- (2) When the competent inspection determines irregularities in the work of the higher education institution, ie when it determines that the higher education institution does not act or acts incorrectly or incompletely according to the obligations determined by regulations, the educational inspector shall take appropriate measures according to the established facts:

- 1) order the elimination of illegalities, irregularities and omissions in the procedure of keeping records and documentation,
  - 2) order the harmonization of individual acts of the higher education institution with the regulations,
  - 3) order the adoption of the statute and other acts prescribed by the statute,
  - 4) order that exam deadlines be organized in accordance with the rules of study and the statute of the higher education institution,
  - 5) order the elimination of shortcomings in the appointment of the commission for the submission of reports on the selection of teachers and associates,
  - 6) order the exclusion from the teaching process of academic staff who have not acquired the appropriate scientific-teaching title, artistic-teaching, teaching title or associate title in accordance with this Law,
  - 7) order the exclusion from the teaching process of a teacher or associate who is not designated as the responsible teacher or associate,
  - 8) order the annulment of the enrollment of students who are enrolled contrary to the regulations in the field of higher education that were in force at the time of enrollment,
  - 9) order the annulment of exams that are not:
    1. performed in accordance with the regulations in the field of higher education that were in force at the time of taking the exam, this law, ie the statute of the higher education institution and other acts of the higher education institution, and
    2. recognized from another higher education institution in accordance with the regulations in the field of higher education that were in force at the time of recognition of the exam, this law, ie the statute of the higher education institution and other acts of the higher education institution,
  - 10) order the annulment of public documents issued contrary to the regulations in the field of higher education that were in force at the time of issuing the public document, this Law and the statute of the higher education institution,
  - 11) order the annulment of the decision on the academic recognition of a foreign higher education qualification issued contrary to the regulations in the field of higher education that were in force at the time of academic recognition,
  - 12) order the undertaking of appropriate measures and actions in order to eliminate the identified irregularities or deficiencies within the time limit determined,
  - 13) undertakes other measures and actions for which it is authorized by law and other regulations,
- (3) When in the course of inspection supervision the competent inspection determines that the higher education institution does not meet the conditions for work prescribed by this Law, standards and norms, including conducting a study program without a permit or illegal issuance of public documents, it shall prohibit the work of the higher education institution.

(4) In accordance with the decision referred to in paragraph 3 of this Article, the Ministry shall issue a decision on deleting the higher education institution from the Register.

(5) The decision of the Ministry referred to in paragraph 4 of this Article is final and an administrative dispute may be initiated against it.

(6) An appeal against the decision of the education inspector shall not postpone the execution of the decision.

## **Fines**

### Article 131

(1) A fine of 3,000 KM to 9,000 KM shall be imposed on a higher education institution for a misdemeanor if:

- 1) does not enable the public when checking all forms of knowledge (Article 19, paragraph 2, item 4),
- 2) does not publish the curriculum before the beginning of classes for the next academic year (Article 20, paragraph 6),
- 3) changes the study program and fails to notify the Ministry of the changes made to the study program in accordance with Article 26 of this Law,
- 4) fails to submit data for the Register, in accordance with the rulebook referred to in Article 39, paragraph 3 of this Law,
- 5) enrolls a student contrary to the provisions of Article 67 of this Law,
- 6) does not conclude a contract with a student who is enrolled in that higher education institution or concludes a contract contrary to the provisions of Article 68, paragraph 2 of this Law,
- 7) does not submit the proposal of the enrollment plan within the deadline determined by Article 69, paragraph 1 of this Law,
- 8) fails to submit an assessment of the necessary financial resources for the implementation of the study program in accordance with Article 69, paragraph 5 of this Law,
- 9) does not perform the knowledge test or does not organize the taking of exams in accordance with Article ---74. of this law,
- 10) does not enable the student to take the exam before the examination commission in accordance with Article 76 of this Law,
- 11) make an election to titles contrary to the provisions of Art. 80 to 85 of this Law,
- 12) does not announce and does not end the competition for the selection of teachers and associates in accordance with Article 91 of this Law,
- 13) fails to determine the responsible teacher and associate and does not publish or publishes an incorrect list of responsible teachers and associates (Article 97),



- 14) fails to determine by its statute the methods for monitoring the fulfillment of obligations of academic staff in accordance with Article 102, paragraph 4 of this Law,
  - 15) does not keep or if it keeps irregularly the records prescribed by Article 114, paragraph 1 of this Law,
  - 16) before announcing the competition for enrollment of new students, does not determine and proposes to the Ministry the amount of tuition fees for the next academic year for all study programs (Article 123, paragraph 2),
  - 17) fails to publish the amount of all fees in accordance with Article 123, paragraph 10 of this Law,
  - 18) a private higher education institution fails to publish the amount of tuition and other fees in accordance with Article 128, paragraph 2 of this Law,
  - 19) fails to harmonize the statute or other general acts with this Law (Article 149).
- (2) For the misdemeanor referred to in paragraph 1 of this Article, the responsible person in the higher education institution shall also be fined from 1,500 KM to 3,000 KM.

## **Fines**

### Article 132

- (1) A higher education institution shall be fined from 5,000 KM to 15,000 KM for a misdemeanor if:
- 1) conducts classes contrary to the provisions of Article 19, para. 7 and 8 of this Law,
  - 2) performs the activity of higher education in the Republic, and is not entered in the Register referred to in Article 39 of this Law,
  - 3) does not act in accordance with Article 40, paragraph 1 of this Law,
  - 4) conducts a study program for which she has not received a work permit (Article 41),
  - 5) performs the activity of higher education outside the seat and establishes a member of the university without a work permit (Article 41),
  - 6) make status changes contrary to the provisions of Article 42 of this Law,
  - 7) if it does not carry out the procedures for election to titles in the manner and within the deadlines as prescribed by Article 91 of this Law,
  - 8) concludes an employment contract with a teacher or associate contrary to the provisions of Article 99 of this Law,
  - 9) recognizes foreign higher education documents contrary to the provisions of Article 111 of this Law,
  - 10) issues a public document contrary to the provisions of Art. 114 to 116 of this Law,

11) does not declare the diploma, diploma supplement and certificate of acquired title null and void (Article 118, paragraph 1).

(2) For the misdemeanor referred to in paragraph 1 of this Article, the responsible person in the higher education institution shall be fined from 3,000 KM to 5,000 KM.

## **CHAPTER XV**

### **TRANSITIONAL AND FINAL PROVISIONS**

#### **Appointment of advice**

##### Article 133

The Government shall, within six months from the date of entry into force of this Law, make a decision on the appointment of the Council.

#### **Initiated procedures for issuing work permits**

##### Article 134

(1) The procedures for the establishment of a higher education institution, ie obtaining a license for conducting new study programs, shall begin in accordance with the previously valid Law, shall be completed in accordance with that Law.

(2) Higher education institutions, which are entered in the register of higher education institutions according to the regulations in force until the entry into force of this Law, are obliged to meet the conditions in accordance with Article 31 of this Law, no later than two years from the day of enactment.

#### **Quality assurance procedures initiated**

##### Article 135

Until the entry into force of the standard for initial accreditation of higher education institutions and study programs referred to in Article 37, paragraph 2 of this Law, the standard for accreditation of higher education institutions and study programs referred to in Article 40, paragraph 3 of this Law, and the law governing quality assurance in higher education of the Republic from Art. 37 and 40 of this Law, the provisions of the previously valid Law on Higher Education shall apply.

Deadline for submitting applications for accreditation of a higher education institution

Article 136

Higher education institutions registered in the Register are obliged to submit a request for accreditation of a higher education institution, if they have met the condition referred to in Article 40, paragraph 1 of this Law, in accordance with regulations issued by the Agency, no later than six months from the Agency's regulations. .

### **Coordination of study programs**

Article 137

Higher education institutions are obliged to harmonize study programs with the provisions of Article 21, paragraph three years from the day this law enters into force. 3 and 4 of this law.

### **Elected teachers and associates according to the previously valid law**

Article 138

(1) Teachers and associates elected to titles according to the previously valid Law on Higher Education shall retain those titles until the expiration of the period for which they were elected.

(2) Persons who have been elected to titles and who have spent more than one half of the election period until the entry into force of the Ordinance on the conditions for election to scientific-teaching, artistic-teaching, teaching and associate titles referred to in Article 87 of this Law, the right to choose under the conditions that were valid until the entry into force of this law.

(3) The provisions of this Law relating to the minimum requirements for elections to titles shall apply from the day the Ordinance referred to in Article 87 of this Law enters into force.

### **Expired mandates**

Article 139

(1) The term of office of the rector, vice-rector, dean and vice-dean of a higher education institution elected according to the regulations in force until the day this Law enters into force, shall last until the expiration of the term for which they were elected.

(2) Exceptions to paragraph 1 of this Article are deans with the title of assistant professor who may perform the function of dean for a maximum of two years from the date of entry into force of this Law.

(3) The mandate of the members of the Council for the Development of Higher Education and Quality Assurance of the Republic, who were elected in accordance with the regulations in force until the day this Law enters into force, shall end on the day this Law enters into force.

(4) The term of office of the members of the Senate who have been elected in accordance with the regulations in force until the day this Law enters into force, shall end on the day this Law enters into force.

(5) The term of office of the members of the Management Board who have been elected in accordance with the regulations in force until the day of entry into force of this Law shall end no later than three months from the day of entry into force of the statute of the higher education institution.

### **Students studying according to the provisions of the University Act**

#### Article 140

(1) Students enrolled in graduate studies who have met the conditions for acquiring the status of a graduate by the end of the academic year 2017/2018. According to the provisions of the Law on University ("Official Gazette of the Republic of Srpska", No. 12/93, 14/94, 99/04 and 92/05), I can complete these studies according to the started curriculum, conditions and rules of studies for the longest time. until October 31, 2020.

(2) Students enrolled in graduate studies lasting five or six years according to the provisions of the University Act may complete those studies according to the started curriculum, conditions and rules of studies until the end of the academic year 2021/2022. years.

(3) Students enrolled in postgraduate studies according to the provisions of the Law on University may complete those studies according to the started curriculum, conditions and rules of studies until October 31, 2020 at the latest.

(4) If the higher education institution, to which the persons referred to in para. 1, 2 and 3 of this Article, in the meantime, the work permit has been revoked, that institution is obliged to provide the students with the completion of education at another accredited higher education institution that conducts the same or a related study program.

(5) Upon the entry into force of this Law, students who do not complete their graduate and postgraduate studies within the period prescribed by the provisions of para. 1, 2 and 3 of this Article may continue their studies in accordance with this Law.

## **Acquisition of the scientific degree of Doctor of Science according to the Law on the University**

### Article 141

Persons who have fulfilled the conditions for initiating the procedure for acquiring the scientific title of Doctor of Science, according to the Law on University, can obtain the scientific degree of Doctor of Science by defending a doctoral dissertation in accordance with the Law on University, provided that the scientific degree of Doctor of Science can be obtained by 30. September 2022..

## **Students enrolled in accordance with the previously valid law**

### Article 142

Students enrolled in accordance with the previously valid Law on Higher Education have the right to complete their studies in accordance with that law.

## **A student who has not fulfilled the condition for enrollment**

### Article 143

A student who has not fulfilled the condition for enrollment in the next year of study referred to in Article 75, paragraph 1 of this Law has the right to enroll in the next year under the following conditions:

1) enrollment in the academic year 2020/2021. year with the right to transfer a maximum of 25 ECTS credits, regardless of how many courses are expressed by the number of credits that are transferred or with the transfer of a maximum of three courses, regardless of how many ECTS credits are reported those courses and

2) enrollment in the academic 2021/2022. and 2022/2023. year with the right to transfer a maximum of 15 ECTS credits, regardless of how many courses are expressed by the number of credits that are transferred or with the right to transfer a maximum of two courses, regardless of how many credits those courses are expressed.

## **Enrollment of students in accordance with the provisions of this law**

#### Article 144

(1) Enrollment of students in the first year of study in accordance with the provisions of this law shall be done from the academic year 2020/2021. years.

(2) The application of Article 123 of this Law refers to students who enroll for the first time in the first year of study from the academic year 2020/2021. years.

#### **Deadline for making a decision on the Network of Higher Education Institutions**

#### Article 145

(1) The Government shall, within one year from the day this Law enters into force, make a decision on the Network of Higher Education Institutions referred to in Article 33, paragraph 1 of this Law.

(2) Until the decision on the Network of Higher Education Institutions referred to in paragraph 1 of this Article is made, requests for the establishment of higher education institutions and study programs may not be submitted.

#### **Professional recognition procedure**

#### Article 146

Until the establishment of the CIP referred to in Article 110, paragraph 1 of this Law, the procedure of professional recognition of foreign higher education qualifications shall be conducted in accordance with the provisions of the previously valid Law on Higher Education.

#### **General acts**

#### Article 147

The Minister shall, within one year from the day this Law enters into force, issue ordinances on:

1) areas of education (Article 31, paragraph 4),

2) on the procedure for determining the fulfillment of conditions for performing the activity of higher education (Article 35, paragraph 6)

- 3) the content, manner and procedure of entry in the Register of Higher Education Institutions (Article 39, paragraph 3),
- 4) conditions for election to scientific-teaching, artistic-teaching, teaching and associate titles (Article 87, paragraph 1),
- 5) the content and manner of keeping records kept by the higher education institution (Article 112, paragraph 4),
- 6) the manner of collecting, storing and processing information, ie other procedures important for the operation of the unified information system (Article 113, paragraph 2),
- 7) the content of public documents issued by the higher education institution (Article 115, paragraph 4),
- 8) the procedure for determining the fulfillment of conditions for incentive funds (Article 124, paragraph 6),
- 9) standards and norms for financing public higher education institutions (Article 125, paragraph 3, item 1),
- 10) co-financing the international exchange of students and academic staff (Article 125, paragraph 3, item 2).

#### **Application of bylaws based on previously valid law**

##### Article 148

Until the adoption of bylaws from Art. 145 and 147 of this Law, bylaws adopted on the basis of the Law on Higher Education ("Official Gazette of the Republic of Srpska", No. 73/10, 104/11, 84/12, 108/13, 44/15, 90 / 16, 31/18 and 26/19) which are not in conflict with the provisions of this Law.

#### **Harmonization of acts of higher education institutions**

##### Article 149

(1) Higher education institutions shall harmonize their statutes and other general acts with the provisions of this Law within six months from the day of entry into force of the bylaws prescribed in Art. 145 and 147 of this law.

(2) Until the adoption of the statute of higher education institutions, the provisions of Article 49, para. 1, 2, 3, 4, 9, 10, 11 and 12 of the previously valid Law.

## **Exception to application**

### Article 150

- (1) The provisions of this Law do not apply to theological faculties, high theological schools and theological academies.
- (2) Faculties of theology, high theological schools and theological academies may be part of the university and this is defined by a special agreement.
- (3) The University Senate is competent for academic issues of higher education institutions referred to in paragraph 1 of this Article.

## **Termination of the previous law**

### Article 151

With the entry into force of this law, the Law on Higher Education ("Official Gazette of the Republic of Srpska", No. 73/10, 104/11, 84/12, 108/13, 44/15, 90/16, 31/18, ceases to be valid). 26/19 and 40/20).

## **The entry into force**

### Article 152

This Law shall enter into force on the eighth day from the day of its publication in the "Official Gazette of the Republika Srpska".

Number: 02/1-021-600/20

Date: June 25, 2020

PRESIDENT  
of the NATIONAL ASSEMBLY

Nedeljko Cubrilovic



