

**THE LAW<sup>1</sup>**  
**ON HIGHER EDUCATION**  
**(AMENDED VERSION)**

PART ONE – GENERAL PROVISIONS .....	3
PART TWO - THE AUTHORITIES OF CANTONAL AUTHORITIES IN THE AREA OF HIGHER EDUCATION .....	10
<i>CHAPTER I THE AUTHORITIES OF CANTONAL AUTHORITIES</i> .....	10
PART THREE - TYPES, ESTABLISHING, ACCREDITING AND LICENSING OF INSTITUTIONS OF HIGHER EDUCATION .....	13
<i>CHAPTER I. TYPES OF INSTITUTIONS OF HIGHER EDUCATION</i> .....	13
<i>CHAPTER II. THE PROCESS OF ESTABLISHMENT, CHANGE OF STATUS, TRANSFORMATION, REORGANIZATION AND TERMINATION OF WORK OF INSTITUTIONS OF HIGHER EDUCATION</i> .....	13
<i>CHAPTER III. ACREDITATION AND LICENSING</i> .....	22
PART FOUR - CHANGES IN THE STATUS AND THE .....	26
STATUTE OF THE INSTITUTION OF HIGHER EDUCATION .....	26
PART FIVE - ACTIVITIES AND CONDITIONS FOR PERFORMING ACTIVITIES OF AN INSTITUTION OF HIGHER EDUCATION, INTERNAL AND EXTERNAL QUALITY ASSURANCE .....	29
<i>CHAPTER I. ACTIVITIES AND CONDITIONS FOR PERFORMING ACTIVITIES OF AN INSTITUTION OF HIGHER EDUCATION</i> .....	29
<i>CHAPTER II. INTERNAL AND EXTERNAL QUALITY ASSURANCE</i> .....	38
PART SIX STUDY CYCLES AND DIPLOMA AWARDS .....	39
PART SEVEN - STUDENTS .....	56
PART EIGHT – ACADEMIC STAFF AND TITLES .....	68
<i>CHAPTER I. ACADEMIC TITLES</i> .....	68
<i>CHAPTER II ACADEMIC STAFF AND EMPLOYMENT CRITERIA</i> .....	75
PART NINE: BODIES OF INSTITUTIONS OF HIGHER EDUCATION AND ORGANIZATIONAL UNITS .....	91
<i>CHAPTER I BODIES OF THE INSTITUTION OF HIGHER EDUCATION</i> .....	91

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<i>PART II. THE BODIES OF ORGANIZATIONAL UNITS</i> .....	102
PART TEN – FINANCING .....	110
CHAPTER ELEVEN: DOCUMENTATION, KEEPING RECORDS AND OFFICIAL DOCUMENTS.....	115
PART TWELVE - SUPERVISION .....	120
PART THIRTEEN - PENAL PROVISIONS .....	124
PART FOURTEEN - TRANSITIONAL AND FINAL PROVISIONS.....	128

## **PART ONE – GENERAL PROVISIONS**

### Article 1 (The Scope of Law)

This Law regulates: performing higher education activities; general issues in regards to establishment, organization, financing, management and business management of institution of higher education's; activities and prerequisites for performing activities in the area of higher education; rights and responsibilities of competent authorities in the area of higher education; quality assurance methods in the area of higher education; organization of courses, students' rights and responsibilities, requirements for issuing awards and other entitlements and public documents; issues of academic staff status; scientific and artistic development as well as any other significant issues essential for implementation of higher education activities in the area of Sarajevo Canton (hereinafter referred to as: the Canton).

### Article 2 (Special Significance for the Canton)

Higher education is an activity of special significance for the Canton.

### Article 3 (Basic Terms)

Terms used in this Law bear the following meanings:

- 1) Academic staff consist of persons participating in educational processes or are engaged in scientific-teaching, artistic or art-teaching activities at an accredited and licensed tertiary education institution, and who have been appointed to academic titles;
- 2) Accreditation is a formal confirmation (decision-based) that the accreditation requirements have been met as stipulated by the Agency for Development of Higher Education and Quality Assurance (hereinafter: the Agency); the decision is made by the Minister for Education and Science of Sarajevo Canton (hereinafter: the Minister) having obtained an independent quality assurance assessment performed by the outside authority and the recommendations by the Agency;

3) Academy is an organizational unit of the university engaged in educational, artistic, art-research and scientific-research activities in the area of one or more related, or mutually interconnected art disciplines and which ensures their development;

4) Study cycles (cycles) represent levels, or graded units of the Bologna Higher Education Program of study cycles, identified as: the first cycle (Baccalaureate); the second cycle (post-graduate or Master studies); and the third cycle (Doctoral studies);

5) Diploma or Degree Certificate which is awarded by an accredited and licensed institution of higher education represents a public document certifying that the holder of the certificate has successfully completed a study cycle based on a unique model established for the European Higher Education Area, and has obtained a qualification;

6) Diploma Supplement is a public document which accompanies the Diploma or Degree Certificate awarded and issued by an accredited and licensed institution of higher education, to provide further information regarding the level, nature, content, system and study regulations as well as the holder's results achieved during studies;

7) ECTS (EUROPEAN CREDIT TRANSFER SYSTEM) is a European system of transferring the study points (credits). The study points – credits – are used to define a measure of the student workload and requirements of each course, and are determined on the basis of optimal student workload necessary for achieving competencies in each particular course;

8) European Higher Education Area is a proclaimed goal set by all signatories of the Bologna Declaration of the European Ministers of Higher Education (1999) which leads to the establishment of a unified European higher education area, thus enabling greater mobility of students and academic staff, which also strengthens international competitiveness of the European higher education, and encourages the establishment of joint frameworks and systems of mutually recognized and comparable higher education awards;

9) Quality Assurance (Assessment) of an accredited and licensed institution of

higher education represents a procedure of a formal assessment and determining an achieved level of quality of the processes and procedures which occur in the accredited and licensed institution of higher education;

10) Faculty is an organizational unit of the university engaged in teaching, scientific-teaching and scientific-research activities within one or more relevant or mutually interconnected scientific disciplines, and which ensures their progress and other activities arising from the main scope of activities of the faculty;

11) Institute is an organizational unit of the university engaged in scientific and research activities in accordance with the law and the Statute of the university;

12) Faculty Institute represents an organizational sub-unit which is established following the same procedures for establishing a Division or a Department, and the activities, principles and the scope of activities of which are further defined by the charter of foundation and the statute of an institution of higher education;

13) An integrated study represents a study program which can be carried out in an integrated manner throughout the First and the Second Study Cycle.

14) Department is a basic sub-unit of a faculty, an academy, or a school of higher education, which pools academic staff from a particular related group of subjects/fields within a scientific area, with the aim to improve teaching, scientific/art or scientific-research activities;

15) Licensing represents a process of assessing whether the criteria stipulated by Standards and Norms for establishment and operations of a institution of higher education have been met in order to be granted permission (licence) to perform activities of higher education;

16) Curriculum (educational plan and program) is a document outlining competencies of academic staff, the content and structure of study programs, as well as assessment procedures;

17) Non-cyclic education represents a method of education which enables any interested persons to upgrade their educational qualifications by means of courses, seminars and other forms of educational programs, resulting in obtaining a certificate of attendance. This form of education shall not be recognized as part of a study cycle defined by this Law, and examinations taken

and results achieved within a non-cyclic educational program shall not be taken as equivalent to examinations within a study cycle;

18) Division is a basic sub-unit of a faculty, an academy, or a school of higher education, which is organized to carry out activities of higher education and art/science within one or more related scientific/art areas/fields. Within its internal structure, a division may comprise several departments;

19) Students' Representative Body is a body which represents students and articulates their interests, as well as which contributes in realization of scientific, cultural, academic and other socially useful students' needs, in accordance with democratic principles and with the law;

20) An external quality assessment assurance includes the accreditation of the institution as well as the accreditation of the study programs.

21) A repeated examination corresponds to the former makeup examination implying that the previously realized examination requirements have been recognized, and only additional learning areas which have not been passed are to be completed and passed.

22) Cantonal Strategy on Development of Higher Education is a document adopted by the Assembly of Sarajevo Canton upon proposal by the Government of Sarajevo Canton, the content and scope of which have been defined in paragraph (2) of Article 4 of this Law;

23) Standards and Norms for Higher Education Activities represent a document which is adopted by the Government of Sarajevo Canton, upon proposal by the Ministry of Education and Science of Sarajevo Canton, and which defines a set of criteria necessary for performing higher education activities at an accredited and licensed institution of higher education;

24) Student is a person enrolled in an accredited and licensed institution of higher education, who studies either full-time, part-time, or at distance, or in a combination of these three study modes, in the manner stipulated by the Statute of the institution of higher education;

25) Study (course) is a process defined in the curriculum in which a student attends a specific educational, scientific-teaching, or art-teaching program, organized and delivered by an accredited and licensed institution of higher

education, and after completion of which the student is entitled to obtain an academic title, or a particular qualification;

26) Distance learning is a formal system of education of self-financing students who through using of computer technologies and interactive teaching materials gain access to the educational processes, which is regulated in more detail by the Statute of the institute of higher education.

27) Study program represents a curriculum which covers one or more scientific areas, the realization of which is carried out through scientific-teaching/art process and which leads to one of the three academic levels in accordance with the Bologna Declaration. The final decision on adopting the study program is made by the Senate of the institution of higher education.

28)

29) University is an accredited and licensed institution of higher education engaged in teaching, scientific-teaching, artistic, art-teaching or scientific-research activities, and which provides other forms of professional-consultative and expert services in accordance with the law, and which offers all three academic cycles and is engaged in realization of programs in at least five different teaching fields – natural sciences, technical sciences, bio-medical and human health sciences, bio-technological sciences, social sciences, and humanities;

30) Higher School is an institution of higher education accredited and licensed to award or issue a first cycle Diploma and which is engaged in realization of at least one educational program from one scientific field and which meets other criteria in accordance with the law;

31) Institution of higher education is an institution engaged in activities of higher education in accordance with the law;

32) Higher Education is education realized at a institution of higher education after completion of four-year high school education, and which leads to an award of an academic title or scientific or professional qualification, in accordance with the curriculum, the law and other regulations;

33) Joint study is the study program carried out by at least two universities, faculties or higher schools. Interdisciplinary/multidisciplinary study is the study carried out in two or more scientific areas at universities or organizational units.

Article 4  
(Development of Higher Education Activities)

(1) Development of higher education activities is performed in accordance with the Plan and Program of Development of Sarajevo Canton and with the Cantonal Strategy on Development of Higher Education (hereinafter referred to as: Strategy on Development of Higher Education), which is adopted by the Assembly of Sarajevo Canton (hereinafter referred to as: the Assembly), upon proposal by the Local Government of Sarajevo Canton (hereinafter referred to as: the Government).

(2) Strategy on Development of Higher Education defines vision, mission and main courses of development of higher education in the Canton by means of educational, teaching, scientific-teaching, artistic, art-teaching and scientific-research activities, as well as the range of needs for educating certain profiles of human resources, including other significant issues related to higher education activities.

Article 5  
(Academic Autonomy and Academic Liberties)

(1) Institution of higher education performs activities according to principles of academic autonomy and academic liberties in accordance with the Constitution and law.

(2) Academic autonomy of a institution of higher education is reflected especially in the following:

- a) educational, scientific-teaching, artistic, art-teaching, scientific-research and creative freedom;
- b) setting, independent approach to, and development of educational, scientific, artistic and professional programs and research projects;
- c) appointment of academic staff, researchers, management and engagement of other employees whose engagement is related to higher education activities;
- d) deciding on criteria for selection of candidates for enrolment in the first study year in each of the three study cycles at a institution of higher education;
- e) setting study regulations;
- f) independent organization of activities within an existing internal organizational structure, in accordance with the law;



- g) establishing and development of co-operation with other institution of higher education and other institutions in the country and abroad, within their registered activities;

(3) Academic liberty at a institution of higher education is the right exercised by academic staff and students to have freedom of thought, expression of ideas and delivery of teaching, presenting hypotheses and scientific facts, without threat of any possible sanctions, under condition that their academic activities are performed in accordance with the Constitution and law, and that they do not jeopardize human rights and freedom of other persons in academic or wider community as a whole.

(4) Academic autonomy and academic liberties include responsibilities of academic community towards the wider community in which they act.

#### Article 6 (Implementation of the Law)

The issues which are not regulated by this Law fall under the authority of the Framework Legislation on Institutions of Higher Education in Bosnia and Herzegovina (hereinafter referred to as: the Framework Legislation) and other regulations which regulate the subject matter or the subject issue.

#### Article 7 (Equal Rights)

(1) Activities of higher education are directed towards development of the full personal integrity of an individual, respect of human rights, rights of citizens and other democratic, academic, legal and constitutional principles and freedoms.

(2) Access to higher education at an accredited and licensed institution of higher education (hereinafter referred to as: Institution of Higher Education) cannot be restricted, directly or indirectly, on either the real or supposed basis, which may contradict the constitution, laws and international law; such bases include: sex, race, sexual orientation, physical or other disabilities, marital status, skin color, language, religion, political or other convictions, national, ethnic or social background, affiliation with any national communities, asset, birth or under any other status.

(3) As referred to in paragraph (2) of this Article, it is the duty of all bodies

including administrators, supervisors, management, professional and other authorities at a institution of higher education to ensure that in the selection and appointment procedures the appropriate national and gender representation is employed.

(4) Bodies referred to in paragraph (3) of this Article are required to undertake any measures deemed necessary, within the scope of their authorities, in order to prevent any discrimination of members of the academic community, as well as to ensure their academic professional development, as well as participation in realization of teaching, scientific-teaching, artistic and art-teaching activities in all three study cycles, as well as in the procedures related to engagement at other organizational units, on equal terms.

(5) Use of male or female gender in this Law includes both sexes.

(6) Any political activity or organization is prohibited at the institution of higher education.

## **PART TWO - THE AUTHORITIES OF CANTONAL AUTHORITIES IN THE AREA OF HIGHER EDUCATION**

### *CHAPTER I THE AUTHORITIES OF CANTONAL AUTHORITIES*

#### Article 8 (Authorities of the Assembly)

In the area of higher education, the Assembly is authorized to:

- a) pass the Law on Higher Education, as well as its amendments, upon proposal by the Government;
- b) set out Strategy on Development of Higher Education, upon proposal by the Government;
- c) adopt an Elaborate study on justification of establishment of a institution of higher education, upon proposal by the Government;
- d) adopt an act on foundation, changes in status, transformation, reorganization and termination of a institution of higher education as a public institution;
- e) consider and adopt a report on integration of Sarajevo Universities;

- f) make decisions concerning opening a department of a institution of higher education as a public institution based in the area of Sarajevo Canton which will be outside Sarajevo Canton (an outpost teaching department);
- g) give its approval to institutions of higher education, which are based outside the Canton of Sarajevo, to establish departments in the Sarajevo Canton area;
- h) provide, by adopting the Budget of Sarajevo Canton, resources for realization of teaching, scientific-teaching, artistic, art-teaching and scientific research activities of institutions of higher education in the Canton;
- i) decide about other issues in the area of higher education, upon proposal by the Government .

Article 9  
(Authorities of the Government)

In the area of higher education the Government is authorized to:

- a) propose to the Assembly for consideration and adoption the Law on Higher Education in the Canton as well as its amendments;
- b) propose to the Assembly adoption of the Strategy on Development of Higher Education;
- c) consider the elaborate study on justification of establishment of a institution of higher education and to propose to the Assembly to adopt it;
- d) adopt Standards and Norms for Higher Education Activities in the area of Sarajevo Canton (hereinafter: Standards and Norms), based on the proposal by the Ministry of Education and Science of Sarajevo Canton (hereinafter referred to as: the Ministry) ;
- e) adopt criteria for financing of higher education activities, as proposed by the Ministry, in accordance with this Law;
- f) adopt by-laws and implementation acts, for which it is authorized by the law, which are related to the area of higher education;
- g) appoint and relieve of duty members of the Board of Governors of a public institution of higher education, representatives of founders;
- h) make a decision concerning the number and structure of students enrolling in the first year of the first or second study cycle at a public institution of higher education, which is either founded or co-founded by the Canton, in institutions situated both in and outside of the Canton;
- i) perform other activities as set out by the law.

Article 10  
(Authorities of the Ministry)

In the area of higher education the Ministry is authorized to:

- a) prepare a draft of the Law on Higher Education in the Canton as well as its amendments;
- b) prepare a draft in cooperation with the University of Sarajevo of the Strategy on Development of Higher Education ;
- c) monitor the process and development of higher education activities and propose measures for its improvement;
- d) propose Standards and Norms;
- e) make a decision on accreditation to a institution of higher education;
- f) make a decision to license an institution to perform activities in the area of higher education;
- g) assess whether the requirements for the commencement of work and continuation of activities of a institution of higher education have been met;
- h) make a decision that the requirements for the commencement of work of a institution of higher education have been met;
- i) make a decision which shall order all deficiencies in the work of a institution of higher education be rectified;
- j) make a decision to ban activities of a institution of higher education should the requirements for its activities have not been met;
- k) monitor results obtained during the process of the quality assurance assessments conducted by authorities outside of an institution;
- l) make a regulation regarding content, registration and managing of the Register of Institution of Higher Education (hereinafter referred as: the Register);
- m) keep records in the Register;
- n) supervise to ascertain that institution of higher education activities comply with regulations in the area of higher education in accordance with the law;
- o) consider initiatives by institution of higher education and propose to the Government the structure and number of students at institutions of higher education to be enrolled in the first year of study in the first or second study cycle;
- p) support the mobility of students and academic personnel within European and wider international higher education level;

- r) regulate the content of public documents which are issued by accredited and licensed institution of higher education in accordance with the law;
- s) propose the Criteria for financing of higher education activities;
- t) perform other activities as set out by the law.

## **PART THREE - TYPES, ESTABLISHING, ACCREDITING AND LICENSING OF INSTITUTIONS OF HIGHER EDUCATION**

### *CHAPTER I. TYPES OF INSTITUTIONS OF HIGHER EDUCATION*

#### Article 11

(Types of institutions of higher education)

- (1) A institution of higher education can be established as a university or a higher school.
- (2) A institution of higher education can be established as a public institution or as an institution.
- (3) A institution of higher education has the status of a legal entity.

#### Article 12

(The establishment and performing of activities)

Institution of higher educations are established and perform their activities in accordance with the law, with the Strategy on Development of Higher Education, and with Standards and Norms.

### *CHAPTER II. THE PROCESS OF ESTABLISHMENT, CHANGE OF STATUS, TRANSFORMATION, REORGANIZATION AND TERMINATION OF WORK OF INSTITUTIONS OF HIGHER EDUCATION*

#### Article 13

(Submitting an application for the establishment and lodging a guarantee)

- (1) The founder of the institution of higher education submits to the Ministry an application for founding the institution of higher education.
- (2) Along with the application, the founder shall enclose a copy of a document

which proves that all the payments have been made, in the amounts stipulated by the Government decision, onto the current account of the Ministry, for the purpose of processing the founding of higher educational institution procedure, from the initial stage of submission of the application until the completion of the procedure.

(3) Besides the application referred to in paragraph (1) of this Article, the founder of the university shall enclose a proposal in form of the Elaborate study on the justification for the founding of a higher educational institution, as well as the founding guarantee securing the financial assets provided and planned in advance that would ensure the commencement of and further continuation of its activities.

(4) The guarantee referred to in paragraph (3) of this Article shall be provided by the institution of higher education for a minimum period covering the duration of the first and second study cycles, whereas the founder of a higher school shall provide it for the period of the duration of the first study cycle.

(5) The guarantees referred to in paragraph (3) of this Article shall be provided by the founder of the university and for the period of at least five years, whereas the founder of a higher school shall provide the guarantee for the period of the first study cycle.

(6) The Ministry shall notify the founder of the higher educational institution whether the application has been proper and in compliance with the law and shall define a timeframe for rectifying of the identified shortcomings.

(7) The timeframe referred to in paragraph (5) shall not exceed 30 days.

(8) It shall be considered that the founder has withdrawn the application if the proposal has not been rectified within the 30-day period from the date of notification referred to in paragraph (5).

#### Article 14

(The content of the elaborate study of a institution of higher education)

The Elaborate study on justification of establishment of a higher educational institution must include: information about the founder, name and location, goals, the duration of studies, organizational units planned to form the higher educational institution, curriculum, study rules, academic titles, academic and

professional titles and qualifications achievable upon graduation, general and specific conditions set by the Standards and Norms, financial assets required for fulfilling the abovementioned conditions, cost of studies on the annual basis, and the manner of ensuring all the financial means to support the institution.

Article 15  
(An Expert Committee)

(1) Upon the submission of the proper application referred to in Article 19 of the Law, the Ministry adopts a separate act by which it forms an expert committee to consider the application and provide a professional opinion on the social justification for founding a higher educational institution.

(2) The act on forming an expert committee referred to in paragraph (1) of this Article shall include: descriptions of jobs and tasks, manner of work, timeframe set for the completion of all the jobs and tasks assigned and the amount of remuneration for the members of the committee.

(3) The expert committee referred to in paragraph (1) of this article, consisting of at least 5 members, is formed by the Ministry, particularly from the sphere of eminent scholars and scientists, as well as experts from the scientific-teaching and art-teaching spheres, who are representatives of the founder of the institution and of the Ministry.

Article 16  
(Proposal of the Government decision on the elaborate study)

(1) If the expert committee's opinion is favorable, the proper founder's application with the enclosed expert committee's professional opinion is submitted to the Government, which, in the event of its approval, forwards the proposal to the Assembly for its further consideration and adoption.

(2) Proposal of the Government decision on the Elaborate study referred to in paragraph (1) of this Article must be submitted to the Ministry no later than 30 days upon the expert committee's delivery of the report.

(3) The Ministry must inform the founder about the Government's decision within 8 days.

(4) In the event the Government rejected to give its approval to the elaborate

study, due to the unfavorable opinion provided by the expert committee, the founder is eligible to require forming of a special expert committee which would reconsider and reassess the elaborate study and the reasons for its rejection and disapproval, and which would re-consider the justification for the establishment of a institution of higher education. The special committee's opinion and the report shall be submitted through the Ministry to the Government for re-consideration.

(5) The committee referred to in paragraph (4) of this article is assembled by the Ministry from among the outstanding academics and scholars who were not members of the expert committee in the first instance, where one third of the committee members shall be recommended by the founder.

(6) The decision on forming a special committee referred to in paragraph (4) of this Article shall include: job and task description, manner of work, timeframe set for the completion of jobs and tasks assigned, and the amount of remuneration for the members of the committee.

(7) If the special expert committee's opinion is favorable, the proper founder's application accompanied by the enclosed professional opinion of the special expert committee as well as the professional opinion of the expert committee referred to in paragraph (1) of Article 15 of the Law is submitted to the Government by the Ministry for its further consideration and adoption.

(8) In the event that both the expert commission and the special expert commission provided unfavorable opinion, the Government shall make a decision to reject the elaborate study on establishment of a institution of higher education.

(9) An appeal against the Government decisions referred to in paragraphs (7) and (8) of this Article is not allowed; however, administrative court proceedings may be undertaken before a competent court in Sarajevo within 30 days from the receipt of the official decision.

#### Article 17 (Decision of the Assembly)

(1) Decision of the Assembly on the founder's application must be delivered no later than 4 months from the date of submitting the proper application referred to in paragraph (5) of Article 19 of the Law to the Ministry.



(2) The Assembly decision referred to in paragraph (1) of this Article shall be final and shall be delivered to the founder through the Ministry.

(3) Upon the decision of the Assembly to approve of the founding of the higher education institution, the Ministry submits the decision of the Assembly both to the Government and to the founder for the purpose of nominating the Registrars' Committee, and conducting further proceedings necessary for registering the institution of higher education into the Register of legal entities at the competent court in Sarajevo (hereinafter: The Court Register).

(4) The same founder or co-founder are eligible to submit the same application referred to in Article 19 of the Law after a 5-year period upon the decision of the Assembly referred to in paragraph (2) of this Article expired, provided that the decision was negative.

#### Article 18

##### (Nomination and duties of the Registrars' Committee)

(1) The Government nominates the Registrars' Committee members upon establishing of a institution of higher education as a public institution. The Committee consists of at least five members. Upon the establishment of a institution of higher education as an institution, the Committee members are nominated by the founder. The Registrars' Committee members are nominated from the sphere of eminent scholars and professionals in the relevant scientific-teaching or art-teaching areas.

(2) The Registrars' Committee has the following duties:

- a) To adopt curricula;
- b) To adopt a general act on the study rules;
- c) To publish vacancy announcements and select academic staff for all narrow teaching, scientific or artistic areas or teaching subjects for all planned academic years in compliance with the Standards and Norms and with the unique criteria established for the appointment to academic titles laid down by the Ministry;
- d) To establish the proposal for the Statute;
- e) To publish the competition announcements and select members of the Board of Governors;

- f) To recommend the number of students to be enrolled in the first study year;
- g) To monitor the process whether all other criteria essential for the commencement and continuation of work at the founded institution of higher education have been met;
- h) To submit the report to the Ministry and the founder related to meeting the criteria set for the commencement and continuation of work at the institution of higher education to be founded, accompanied by the activity calendar with the explanation of activities in relation to having the founding act adopted, and deadlines for assessment of the criteria required for the commencement and continuation of work, as well as the set date for the commencement of work of the institution of higher education to be founded.

(3) The act on nomination the Registrars' Committee referred to in paragraph (1) of this Article contains the deadline for the Registrars' Committee report in relation to meeting the criteria set for the commencement of work at the institution of higher education, accompanied by the proposed activity calendar with the explanation of activities in relation to having the founding act adopted by the Assembly, and deadlines for assessment of the criteria, as well as the set date for the commencement of work of the institution of higher education.

(4) Should the Registrars' Committee submit the report that all the necessary requirements for commencement and continuation of work at the institution of higher education have been met, the Ministry delivers the opinion on the Registrars' Committee's report and should the Ministry's opinion be favorable, it shall be forwarded to the Government, as well as to the founder, who shall adopt the act on establishment of the institution of higher education.

#### Article 19 (The Expert Committee)

(1) The newly founded institution of higher education is eligible to commence work based on the official decision issued by the Ministry related to meeting the criteria for the commencement of work.

(2) The official decision referred to in paragraph (1) of this Article represents the first accreditation and license for the institution of higher education which is to be renewed no later than two years upon issuing the official decision.

(3) The application for issuing the decision referred to in paragraph (1) is to be submitted no later than three months prior to the commencement of the academic year.

(4) Following the decision of the Assembly by which the founding of the institution of higher education had been approved, and upon receipt of the application referred to in paragraph (3) of this Article, the Ministry nominates an expert committee to assess whether the criteria in relation to the commencement of work at the higher institution as an institution have been met.

(5) The expert committee referred to in paragraph (4) of this Article, consisting of at least five members, is nominated by the Ministry, with the members coming from the sphere of eminent scholars and professionals in the relevant scientific-teaching or art-teaching areas, who are representatives of the founder and of the Ministry.

(6) The act on nominating the Expert Committee referred to in paragraph (4) of this Article shall contain: job and task description, manner of work, timeframe set for the completion of jobs and tasks assigned, and the amount of remuneration for the members of the committee.

#### Article 20

(Registering into the Register of Accredited and Licensed Institutions of Higher Education)

(1) When the Expert Committee referred to in Article 25 of the Law verifies that all the conditions for commencement and continuation of work have been fulfilled, the newly founded institution of higher education shall be registered into the Register, in compliance with the decision on meeting the criteria for the commencement and continuation of work, set out by the Ministry.

(2) Should it be established that the newly founded institution of higher education has not met the criteria in compliance with the law, Standards and Norms and the implementation acts, the Ministry shall set the appropriate timeframe for rectifying of the identified shortcomings and inform the founder thereof.

(3) It shall be considered that the founder has withdrawn the application if no remedy has been done in the period of 30 days from the receipt of the decision referred to in paragraph (2).

(4) The Committee referred to in Article 25 of the Law, shall, in the time period not longer than 15 days, consider all the submitted evidence regarding rectifying of the identified shortcomings and establish whether the criteria for the commencement and continuation of work of the founded institution of higher education have been met, and shall inform the Ministry thereof, which shall, on the basis of the report submitted, issue an official decision in compliance with the law.

(5) An appeal against the Ministry's decision referred to in paragraphs (1), (2) and (4) of this Article is not allowed, however administrative court proceedings may be undertaken before the competent court in Sarajevo within 30 days upon the receipt of the official decision.

(6) Upon registering in the Register and in the Court Register, the institution of higher education is eligible to enroll the students and commence its work.

(7) Besides the Register referred to in paragraph (1) of this Article, the Ministry keeps records or registers of:

a) study programs;

b) outpost units of the institution of higher education;

c) academic and other staff employed in the area of higher education;

d) persons who were suspended or whose contracts were terminated at an institution of higher education in the area of Sarajevo Canton in accordance with Article 121 of the Law;

e) persons against whom criminal offence procedures have been initiated and finalized.

(8) Regulations which in more detail stipulate the procedures for meeting the criteria, enrolment, content and manner of keeping records in the registers referred to in paragraphs (1) and (7) of this Article, are decided by the Ministry

## Article 21

(Establishment of new organizational and sub-organizational units)

(1) Establishment of a new faculty, an academy, an institute, a division, a department, or an institute as a sub-organizational unit of a registered institution of higher education is conducted in the same manner and following the same procedure as for the establishment of the higher educational institution, on the basis of an application and the elaborate study adopted by the Senate of the institution of higher education.

(2) Establishment of new organizational units at a higher school are conducted in the manner and following the procedure set out by the law, the Statute and other by-laws, on the basis of an application and the elaborate study adopted by the Senate.

(3) Should the procedure for statutory changes be carried out within the existing institution of higher education, then the responsibilities of the Registrars' Committee shall be carried out by competent authorities of the institution of higher education.

#### Article 22

(Assessment of working conditions in the registered institution of higher education)

(1) One year after the decision to allow the commencement of work at a higher education institution was granted, the Ministry is required to nominate a special expert committee to assess whether the institution of higher education complies with the conditions for continuation of its work.

(2) Following the decision referred to in paragraph (1) of Article 25 of the Law, the Ministry is required to continuously monitor compliance with the conditions for the continuation of work of the institution of higher education and shall request from its founder, or approve of, nominating of a special expert committee.

(3) The expert committee referred to in clause (1) of this Article is required to assess or establish whether the institution of higher education complies with the conditions for continuation of its work, and in accordance with the findings, is required to undertake all necessary measures and activities.

(4) In order to have any eventual shortcomings which may obstruct further activities of the institution of higher education rectified, the Committee referred to in paragraph (2) of this Article is authorized to perform activities from the scope of authorities of the body of the institution of higher education, or its

organizational unit, during the process of rectification of any established shortcomings. Having completed the procedure, the Committee shall submit a report to the Ministry, accompanied by evidence certifying that all the shortcomings have been rectified.

(5) Should it be established that the institution of higher education does not fulfill the conditions set out by the law, Standards and Norms or implementation acts, the Ministry shall define the adequate timeframe for rectifying of the identified shortcomings.

(6) During the identified shortcomings rectifying timeframe referred to in paragraph (5) of this Article, and until the decision is issued to confirm that rectifying is completed, the institution of higher education shall not enroll any students nor shall perform any other activities conditioned by rectifying the shortcomings.

(7) In form of a formal decision, the Ministry shall ban performing any actions at the institution of higher education and shall inform thereof the founder, the court competent for the Court Register, and Agency for Development of Higher Education and Quality Assurance (hereinafter: the Agency), should the shortcomings not be rectified by the special Expert Committee.

### *CHAPTER III. ACREDITATION AND LICENSING*

#### Article 23 (Licensing)

(1) Licensing represents the process of assessing whether the institution of higher education works in compliance with Standards and Norms for the purpose of obtaining the licence to perform activities of higher education.

(2) Upon the application by the institution of higher education, the licence is granted by the Ministry after the finalization of the licensing process.

(3) The licence identifies: the type of the institution, study programs, maximum number of students who can enroll in study years of all three study cycles, as well as degree certificates or diplomas which can be issued by the institution of higher education.

(4) Standards and Norms referred to in paragraph (1) are set out by the

Government upon the proposal by the Ministry, which in the process of making the proposal is required to consider the norms identifying minimum standards in the area of higher education, stipulated by the Agency.

(5) The institution of higher education is entitled to commence its work, or perform its activities, after the licence has been granted.

(6) Book of Rules specifying the procedure of establishing and licensing institution of higher education is brought by the Minister.

#### Article 24

##### (Granting accreditation to institutions of higher education)

(1) Institutions of higher education are accredited based on the institutional and program accreditations.

(2) The institutional accreditation is a formal confirmation of the compliance with the Accreditation Criteria set out by the Agency for Development of Higher Education and Quality Assurance (hereinafter referred to as: the Agency), the decision of which is brought by the Ministry, after the independently and externally performed quality assurance procedure had been completed, and upon the proposal by the Agency had been made thereof.

(3) The program accreditation is a formal confirmation of the compliance with the Accreditation Criteria for Study Programs set out by the Agency, the decision of which is brought by the Ministry, after the independently and externally performed quality assurance procedure had been completed, and upon the proposal by the Agency had been made thereof.

#### Article 25

##### (Application for granting the accreditation)

(1) A licensed institution of higher education submits an application for granting the accreditation to the Ministry, by the due date set out in Article 61 of the Framework Legislation.

(2) Upon receipt of the application and verification of its regularity, the Ministry shall propose to the Agency accreditation experts from the established list of experts to process the application.

Article 26  
(Independent Experts' Committee)

(1) The Independent Experts' Committee, appointed by the Agency, verifies whether the criteria set out for the institutional and program accreditation of the institution of higher education referred to in Article 30 of the Law have been met, in the manner and under conditions stipulated by the Book of Rules brought by the Minister.

Article 27  
(The application for granting the accreditation, the procedure of carrying out the procedure and granting the accreditation)

(1) The application for granting the accreditation, the procedure of carrying out the procedure and granting the accreditation are stipulated in more detail by the Book of Rules referred to in Article 32 of the Law.

(2) Having received the application for accreditation or re-accreditation submitted by the institution of higher education, the Ministry can make one of the following decisions:

- a) Decision to grant the accreditation;
- b) Decision to refuse to grant the accreditation;
- c) Decision to grant a conditional accreditation with the timeframe set for rectifying the shortcomings, which cannot be longer than one year;
- d) Decision to revoke the accreditation.

(3) The institution of higher education which has been granted a conditional accreditation is required to submit to the Ministry a report with all the necessary evidence that the shortcomings have been rectified in accordance with the law, and this shall be done by the due date referred to in paragraph (2) (b) of this Article, at latest.

(4) Diploma awards awarded at accredited institutions of higher education are exclusively legally valid.

(5) A Decision on granting the accreditation must be published and entered into the Registry of Institutions of Higher Education.



(6) The Decision made in accordance with paragraph (2) of this Article is final; however, an appeal can be made in form of the administrative dispute in the manner and under conditions stipulated by the law.

Article 28  
(Revoking of Licence and Accreditation)

(1) The Ministry is authorized to make a decision to revoke the institutional accreditation granted to the institution of higher education in the following circumstances:

a) the institution does not meet any more the conditions and criteria based on which the accreditation has been granted in the first instance,

b) the institution has not fulfilled the requirements outlined in the conditional accreditation within the set timeframe,

c) the institution has not met its financial obligations during the process of obtaining the accreditation.

(2) The accreditation for the study program granted to the institution of higher education can be revoked for all three study cycles in the following circumstances:

a) after the license has been withdrawn;

b) after the institutional accreditation referred to in Article 32 of the Law has been revoked;

c) in all other cases stipulated by the Book of Rules or other regulations regulating the referred area.

(3) Should the accreditation be revoked, the institution of higher education is entitled to re-apply for the accreditation within 12 months.

(4) The Decision made in accordance with paragraphs (1) and (2) of this Article is final; however, an appeal can be made in form of the administrative dispute in the manner and under conditions stipulated by the law.

Article 29  
(Obligations of the founders)

(1) Institutions of higher education which have been issued the decision on the institutional and program accreditation have the exclusive right to be granted the financial means for educational and scientific-research activities from the founder's finances.

(2) The founder is obliged to initiate the procedure of reorganization of the institution of higher education which twice successively fails to be granted the institutional and program accreditation, in the manner and under conditions stipulated by the Book of Rules referred to in Article 26 of the Law.

## **PART FOUR - CHANGES IN THE STATUS AND THE STATUTE OF THE INSTITUTION OF HIGHER EDUCATION**

### Article 30

(Changes in the status and termination of work of an institution of higher education)

(1) Changes in the status and termination of work of an institution of higher education are executed in compliance with the law.

(2) An institution of higher education can, in compliance with the law, expand the scope of its activities, change its name and location, and make changes in its status by merging, division, or separation.

(3) Changes in the status are performed in the manner and following the procedure for establishment of an institution of higher education, and based upon an application and the elaborate study approved by the Senate of the institution of higher education.

(4) The elaborate study referred to in paragraph (3) of this Article, which contains elements defined in Article 20 of the Law, is submitted by the institution of higher education to its founder.

(5) The institution of higher education shall stop with its operations if:

a) the conditions for its performing activities in higher education cease to exist;

b) the institution of higher education is issued with an order to ban work due to

non-compliance with the criteria set out by the law, which it failed to rectify by the due date;

c) the competent court makes a final ruling to declare its registration in Court Register null and void;

d) it discontinues performing activities of higher education as its primary activities, and it becomes a business enterprise;

e) there is no need for performing activities of a institution of higher education;

f) in any other circumstances stipulated by the law, or act on establishment of the institution of higher education.

(6) Decision on termination of work is made by the founder, who is obliged to inform the Ministry thereof within 15 days from the day of the decision.

(7) The institution of higher education which terminates its work is obliged to secure financial funds for all the students who had enrolled before the decision on termination of work was made for finalization of their studies at another appropriate institution of higher education at the same cost of study referred to in the elaborate study.

(8) In case the work of the institution of higher education is terminated, the founder has the responsibility to ensure permanent storage of official documents, archives, and other documentation, in compliance with the law.

#### Article 31

##### (Statute of the institution of higher education)

(1) Statute is a basic act of an institution of higher education which regulates the organization, manner of work, management, administration and other issues of importance for the operations of the institution of higher education.

(2) The Statute is adopted by the Senate upon recommendations of Board of Governors of the institution of higher education.

(3) The Statute of the institution of higher education shall contain provisions which regulate the following:

a) organization of the institution of higher education;

- b) representing and acting on behalf of the institution of higher education;
- c) rules and procedures for selection of the Board of Governors, the members of which are appointed by the Senate;
- d) organization of teaching, scientific-teaching, artistic, art-teaching, scientific-research activities, and the manner of organization and delivery of academic programs;
- e) study rules and students' rights;
- f) appointment to academic titles;
- g) manner of implementing the European Credit Transfer System (hereinafter referred to as: ECTS)
- h) criteria for awarding academic titles;
- i) obligations of the institution of higher education towards its Founder;
- j) academic, financial and other authorities of the institution of higher education and organization of organizational units in legal transactions;
- k) organization and authorities of organizational units;
- l) manner of executing of changes in the status and forming new organizational units and study departments;
- m) manner of realization of revenues, property and assets managing;
- n) criteria for implementing the process of the internal evaluation of study/course programs and the academic staff work performance, as well as applying the evaluation results;
- o) types, the scope and the manner of organization of the institution of higher education bodies;
- p) form and level of students' participation in bodies of the institution of higher education;

- r) manner of expressing one's views and decision making on specific issues;
- s) responsibilities of students and academic staff towards community; and
- t) any other issues relevant to the institution of higher education operations in accordance with the law and the foundation act.

(4) The Statute of the institution of higher education must be in compliance with the law.

(5) Upon adopting the Statute by the Senate, the institution of higher education submits the Statute along with the Board of Governor's recommendations to the Ministry for the purpose of obtaining the decision on compliance of the Statute with the law.

(6) Ministry is obliged to notify the institution of higher education, within 60 days from the date of the receipt of the Statute, about the compliance of the Statute with the law and should the Ministry not respond in this timeframe, the Statute shall be considered in compliance with the law.

(7) Ministry shall provide grounds for its decision and shall give instructions for rectifying any non-compliance should it find any non-compliance, in which case it shall refuse to make the decision that the Statute is in compliance with the law.

(8) Procedure referred to in paragraph (5) of this Article is followed even in case of amendments to the Statute.

## **PART FIVE - ACTIVITIES AND CONDITIONS FOR PERFORMING ACTIVITIES OF AN INSTITUTION OF HIGHER EDUCATION, INTERNAL AND EXTERNAL QUALITY ASSURANCE**

### *CHAPTER I. ACTIVITIES AND CONDITIONS FOR PERFORMING ACTIVITIES OF AN INSTITUTION OF HIGHER EDUCATION*

#### Article 32 (Activities of the University)

(1) The University is an autonomous accredited and licensed institution of higher education which is engaged in teaching, scientific-teaching, artistic, art-teaching and scientific-research activities, which offers academic levels of all three study

cycles and which engages in realization of at least five different curricula for at least three scientific areas - natural sciences, technical sciences, bio-medical and human health sciences, bio-technological sciences, social sciences and humanities, with the aims comprising improvement of higher education, as well as scientific, cultural, social and economic development of Bosnia and Herzegovina and the Canton, promotion of a democratic civil society, and achieving the highest standards in educational, scientific-teaching and professional activities in compliance with the law.

(2) The University can be engaged in offering scientific, consulting, professional and other services in compliance with the law.

### Article 33 (Organization of the university)

(1) The university performs its activities through its bodies and organizational units defined by the law and by the Statute of the University.

(2) The university is a legal entity.

(3) Organizational units of the University are not legal entities.

(4) Transfer of authorities of the university onto its organization units in all areas of its activities and decision-making, including representation in legal transactions, is vested in the Statute of the university.

(5) Changes of the Statute within the university can be made in compliance with the Law.

### Article 34 (Higher School Activities)

(1) Higher School is an independent institution of higher education accredited and licensed to award and issue diplomas of the first cycle of study, with the aims comprising preparing and educating individuals for professional, economic and cultural development of Bosnia and Herzegovina and the Canton, promoting a democratic civil society and achieving high teaching standards and higher education standards in compliance with the law.

(2) Higher schools in place with the legal status of institutions (faculties) as legal

entities-joined members of Sarajevo University as a public institution shall keep their status in accordance with the Decision made by the Assembly of Sarajevo Canton on acquiring the status of a joined member, and are entitled to organize the first, second, and third study cycle programs in accordance with the law and under conditions stipulated by the contract.

(3) Faculties referred to in paragraph (4) of this Article in the domain of academic activities have the authorities of organizational units of Sarajevo University in realization of the teaching, scientific-teaching and scientific-research activities in all three study cycles, and accordingly, comply with the relevant provisions of the Law on Higher Education and other regulations regulating that area.

(4) Any activities from the authorities of the Senate of the University, the Senate shall perform for the faculty-joined member, under conditions stipulated by a specific contract concluded between the faculty and Sarajevo University.

(5) In the area of administration and management, faculties referred to in paragraph (4) of this Article shall comply with the relevant provisions of the Law on Institutions and other regulations regulating the rights and responsibilities of the founders.

(6) Higher School realizes at least one curriculum in one area of natural sciences or art.

(7) Higher School is a legal entity.

(8) Changes of the Statute within a Higher School can be made in compliance with the Law.

#### Article 35

(Name of an institution of higher education)

(1) The name of an institution of higher education is determined by the founder, in compliance with the law.

(2) An institution of higher education has a seal, sign and a hallmark, the appearance of which, their content and the manner of use are determined by the Statute.

(3) The Ministry gives its special consent to regulations in the Statute regarding

issues referred to in paragraphs (1) and (2).

### Article 36

#### (Rights and obligations of an institution of higher education)

In compliance with the law, the Statute, other regulations and by-laws, an institution of higher education has the right and obligation to:

(a) implement and improve teaching, scientific-teaching, artistic, art-teaching and scientific research in compliance with strategic interests of Bosnia and Herzegovina and the Canton, in accordance with rules and standards of quality of the European system of higher education;

(b) create a development plan;

(c) determine general, special and elective courses;

(d) perform activities concerned with research and defense of doctoral dissertations, and participate in a process of awarding doctoral titles;

(e) propose awarding honorary doctoral and university titles;

(f) select and relieve of duty members of its bodies;

(g) validate and carry out procedures of equivalence of university degrees from abroad through its organizational units by means of nominating a special committee, in compliance with the Law;

(h) promote national and international co-operation with institutions of higher education in performing teaching, scientific-teaching, artistic, art-teaching and scientific research activities and initiate international mobility of students and academic staff;

(i) continuously develop a system of control and quality assurance in order to provide a high quality and achieve goals of a institution of higher education;

(j) found institutes, centers, schools, departments, laboratories, galleries, stages and other organized forms of work, under a prior consent provided by its founder,



in order to organize teaching, scientific-teaching, artistic, art-teaching and scientific-research activities;

(k) plan, establish, create, develop and implement syllabi, curricula and research projects;

(l) propose criteria for ranking applicants for enrolment to the institution of higher education and to accept and enroll students and decide on assessment methods;

(m) select academic staff and other employees;

(n) organize and carry out different forms of scientific, professional and artistic development of the academic staff;

(o) organize and carry out publishing, particularly textbooks and other scientific and specialized scientific and reference materials;

(p) attend to financial issues of academic staff and other employees at the institution of higher education;

(r) ensure respect of all student rights stated in the Law and the Statute;

(s) efficiently, economically, transparently and responsibly manage assets and the budget at its disposal;

(t) be open to public opinion, citizens, local community, promote respect and affirmation of human rights and develop the sense of social responsibility of students, academic staff and other employees;

(u) perform other activities in accordance with the law, the Statute and other official documents.

#### Article 37 (Assets)

(1) An institution of higher education acquires, manages and uses its assets in compliance with the law.

(2) Real estate and other assets of the institution of higher education provided by

the founder for the purpose of establishing the institution of higher education and performing its activities are the founder's assets, unless the act on founding the institution states otherwise.

(3) Assets obtained by performing a registered activity of the institution of higher education, as well as assets received from legate, donations or bequeaths, or in any other legal way, are in the ownership of the institution of higher education which acquired such assets.

(4) Assets referred to in paragraph (3) of this Article can be acquired only for the purpose of performing, developing and improving the primary activity and cannot be used for the purpose of changing the status of the institution of higher education or usurpation of the rights of the founder by other parties or the institution of higher education itself.

(5) Assets referred to in paragraphs (2) and (3) cannot be disposed of, or burdened in any other manner, without the founder's consent, and can be used only for the purpose of performing the registered activity in accordance with the Law.

(6) Assets of a institution of higher education as a public institution are depreciated in compliance with the law.

(7) Assets and related rights and interests of the institution of higher education as a public institution are represented and protected by The Court of Law of Sarajevo Canton.

#### Article 38

##### (Inviolability of the institution of higher education premises)

(1) The premises of the institution of higher education are inviolable.

(2) Inviolability referred to in paragraph (1) of this Article implies that without the approval obtained by: the University rector, or the higher school director, or the organizational unit's director, or by individuals empowered by them, or other individuals empowered by the Statute, the police forces or the authorities responsible for prevention of criminal acts are not entitled to enter the University or the higher school premises.

(3) Exceptionally, for the purpose of preventing or stopping criminal acts, or

consequences from natural disasters and other disasters from occurring, the authorities referred to in paragraph (2) of this Article and other competent authorities can organize, within their registered activities, any necessary actions at the premises of the institution of higher education premises, under obligation to inform the University administration and the organization unit administration, or the higher school administration, thereof.

#### Article 39

##### (Organization of joint, interdisciplinary and multidisciplinary studies)

(1) University can organize studies for all three study cycles in co-operation with a national or a foreign institution of higher education.

(2) A higher school can organize the first cycle study in co-operation with a national or a foreign institution of higher education.

(3) Upon request by an organizational unit, the University can consent that one or more organizational units organize a multidisciplinary and/or an interdisciplinary study.

(4) In organizing studies referred to in paragraphs (1) and (2) of this Article, the institution of higher education can conduct a program for awarding and issuing double or joint degrees.

(5) Institute as an organizational unit can make a request to the University to organize the third study cycles in co-operation with a national or a foreign institution of higher education.

(6) For realization of the studies referred to in this Article, the institution of higher education is required, upon the previously obtained consent of the Senate, to obtain the consent by the Ministry as well. The cost for this kind of study which is organized by the institution of higher education with another domestic or foreign institution of higher education is determined by the institution of higher education and the Ministry is informed thereof.

(7) The cost of the study referred to in paragraph (6) of this Article and which is realized by one or more organizational units of the institution of higher education as a public institution is determined by a particular decision made by the institution of higher education.

(8) The founder of the institution of higher education as the institution shall determine the cost of the study referred to in paragraph (6) of this Article in the manner and under conditions stipulated by the Statute of the institution of higher education, and shall inform the Ministry thereof.

Article 40  
(Curricula and syllabi)

(1) Study programs at the institution of higher education are conducted according to the curricula and syllabi adopted by the Senate in the manner and the procedure stipulated by the Statute.

(2) The curricula and syllabi in particular contain the following information: the holder of the study program, aims of the program, learning outcomes in terms of knowledge, skills and competencies, the total number of ECTS points acquired upon the completion of the study. The study programs in form of info catalogues are submitted to the university or a higher school and to the Ministry.

(3) The university, or a higher school, are obliged to fully realize the curricula and syllabi which have been adopted and approved.

(4) The curriculum stipulates the courses and their titles, the status of the course, the course code, the number of ECTS points, and the total number of lecture or practice hours as well as other obligatory forms of educational activities.

(5) The syllabus determines the holder of the program, the aims of the program (knowledge, skills and competences), goals and learning outcomes, the content of a particular subject, methods of teaching delivery, administration of examinations, sitting for examinations and other forms of assessments, bibliography (compulsory and recommended reference materials), and preparation for examinations in the particular subject.

Article 41  
(Academic courses)

(1) Academic courses can be: compulsory and elective.

(2) Compulsory courses are those in which students acquire knowledge, skills and competences within a study program.

(3) Elective courses are compulsory only for those students who have opted for them.

(4) Elective courses are introduced in the curriculum and syllabus and are offered to students as an option for expanding their knowledge in a particular field of study, general education and culture.

(5) University, or a higher school, can determine that some of the specifically determined compulsory or elective courses be common courses, taking into consideration their common and specific bases of knowledge they provide to students.

(6) Teaching particular courses can be organized at the level of the university which organizes these activities with the main organizational unit of the institution of higher education for each academic subject.

#### Article 42

##### (Implementation of the study programs)

(1) The implementation of the study program is monitored by the scientific-teaching council of the organizational unit, or by the Senate, which propose changes and amendments to the programs, taking into consideration the customers' and market needs and requirements.

(2) Curricula and syllabi are subject to evaluation, changes and amendments at least once after completion of the cycle of study in which the study program had been realized.

(3) For the purpose of enhancing education of the teaching staff with relevant qualifications, and in order to meet the public interest determined by the decision made by the Assembly or outlined in the Strategy for Development of Higher Education, the founder may request that the institution of higher education as a public institution introduce a new one, or update the existing study program, or curriculum and syllabus.

(4) In case that a new study program is introduced, or an existing one updated, as referred to in paragraph (3) of this Article, the founder is obliged to ensure that the sufficient finances are available.

(5) Should the introduction of a new program, or updating an existing one, does not require allocation of additional financial funds, then the organizational unit is not required to seek consent for such actions from the founder.

#### Article 43

(Changes in the existing curriculum)

(1) Changes to the curricula and syllabi are performed following the same procedures applied in their adoption, as determined by the Law, and retroactive rules shall not be applied, in terms of imposing additional obligations on students for the academic year which the student has already successfully completed.

(2) Changes to the curricula and syllabi are performed following the same procedures applied in their adoption, as determined by the Law, and the retroactive rules shall not be applied.

### *CHAPTER II. INTERNAL AND EXTERNAL QUALITY ASSURANCE*

#### Article 44

(Internal evaluation of quality assurance)

(1) An institution of higher education is required to establish and develop the quality assurance system, and to ensure its implementation.

(2) Decision on the establishment of the system referred to in paragraph (1) of this Article is adopted by the Board of Governors upon the proposal by the Senate.

(3) Self-evaluation procedure is carried out at least once in two years.

#### Article 45

(External evaluation of quality assurance)

(1) An external evaluation of quality assurance comprises the institutional accreditation and the accreditation of study programs.

(2) An institution of higher education is obliged to ensure that the external quality assurance is obtained by 30.09.2014.

(3) Besides the requirement for obtaining the external evaluation of quality assurance as referred to in paragraph (2) of this Article, an institution of higher education can also ensure to obtain an international institutional accreditation and certification, and the Ministry must be informed thereof within 30 days.

## **PART SIX STUDY CYCLES AND DIPLOMA AWARDS**

### Article 46 (Study Cycles)

(1) Higher education is organized in three study cycles:

a) The first cycle of study leads to the academic title of Bachelor's Degree (the degree of Bachelor) or its equivalent, acquired after at least three and not more than four years of study at an undergraduate course, after completion and obtaining of a secondary school certificate, which is valued at least 180 or 240 ECTS credits.

b) The second cycle of study leads to the academic title of Master's Degree or its equivalent, acquired after completing undergraduate studies, which lasts for one or two years, and is valued at 60 or 120 ECTS credits, and so that the sum of the first and the second cycle of study accumulates to 300 ECTS credits, and

c) The third cycle of study leads to the academic title of Doctor's Degree (PhD) or its equivalent, which lasts for three years and is valued at 180 ECTS credits.

(2) One semester is worth 30 ECTS credits in each cycle of study.

(3) Integrated study programs of the first and the second cycle of study are of the duration of at least five years and upon their completion at least 300 ECTS are acquired.

(4) Organization of the first and second cycle of study is based on the students' right, in accordance with the European standards of the Bologna process, to be able to have the horizontal mobility and to be free to select study programs within

the organizational units in institutions of higher education.

Article 47  
(The organization of studies)

(1) Studies in each of the three study cycles in higher education can be organized as a full-time study with the corresponding curriculum and a number of hours (full-time study), or as a part-time or distance learning study, where the number of hours has been scheduled to meet the needs of the students unable to attend a full-time study.

(2) Part-time study is organized and carried out as a particular form of study where the teaching plans are adapted to meet the needs of the students unable to attend a full-time study, with at least one third of the full teaching hours scheduled for full-time students, in the manner and under conditions stipulated by a by-law.

A study program can also be organized as distance learning.

Article 48  
(Study Rules)

(1) More detailed organization of studies, duration of studies, methods of examinations and grading, conditions and procedures related to the final examination paper, documentation related to studies and any other relevant issues are determined for each study cycle by the Study Rules which are adopted by the Senate, approved by the Board of Governors of the institution of higher education.

(2) Prior to the students' enrollment in the study year, and announcement of their names in a transparent and public manner on the notice board and on the website, the institution of higher education, or its organizational units, are required to inform the students about the study rules, which cannot be changed during the academic year.

(3) The Senate of the institution of higher education as an institution, or the Council of the organizational unit of the institution of higher education as a public institution, determines by a particular decision the recommended compulsory and



optional textbooks and handbooks and other recommended reference materials on which basis the examinations are prepared and conducted.

(4) Any changes to and amendments to the decision referred to in paragraph (1) of this Article are adopted by the Senate of the institution of higher education as an institution, or by the Council of the organizational unit of the institution of higher education as an institution.

(5) Member of the academic staff is not allowed to request from students to purchase materials referred to in paragraph (1) of this Article, as well as to possess such textbooks or handbooks in the assessment procedures.

#### Article 49 (Study Programs)

(1) Studies in each of the three study cycles in higher education are organized in accordance with the study program. When determining a study program, it must be considered that the study is in accordance with the Strategy of Development of Higher Education and the needs of the professional areas, at the level of the most recent scientific discoveries and knowledge and skills based thereupon, and that it is comparable with other accredited programs in the region and/or in the world.

(2) A study program comprises: the description of the study; the duration of the study; a professional or academic title, and a professional and scientific title acquired at the completion of the study; conditions for enrollment to the study program; learning outcomes upon the completion of all the student's obligations in the course of study; a content outline for the compulsory and elective courses and the number of hours required for their completion; credit points for each particular course in accordance with ECTS; methods of teaching activities and assessment methods for each particular course; a list of courses which a student can select from other university study programs; conditions for student's enrollment; conditions for completion of the study; conditions to continue studies referring to the students who discontinued their study or who lost their student's status.

(3) Study programs are divided on study years and semesters.

(4) In accordance with ECTS, the content of curricula amounts to 60 ECTS study credits in one study year, or 30 ECTS study credits in one semester.

(5) The number of study credits for a particular academic course is determined according to the number of teaching hours, (lectures, practical work, seminars), the time required by students to work on assignments, the time required by students to study to prepare for assessments and examinations, and the time required by the academic staff to assist the students in acquiring knowledge.

(6) One ECTS study credit represents 25 hours of the total student workload in all aspects of his/her work on a particular subject, or 30 hours of the total workload in relation to the medical group of sciences.

(7) Study cycles and programs which lead to the academic titles, professional and scientific titles which are offered by the institution of higher education are flexible, so that they provide mobility to the student in the relevant stages, with accrual of the ECTS credits and/or qualifications, depending on the student's achievements.

(8) When determining the study rules, the institution of higher education shall ensure their compliance with the current European credits transfer system.

#### Article 50

##### (Organization of the academic year)

(1) A study year is organized in two semesters: Winter and Summer.

(2) Classes in the Winter semester start on the first Monday in October. Teaching activities in the Winter semester in the first two cycles of study last for 15 weeks of continuous activities and seven working days for the final examination. Preparation period for the examination and the makeup examination after the end of the Winter semester last for maximum of two weeks.

(3) Verification of the Winter semester and enrollment in the Summer semester last for up to two weeks.

(4) Teaching activities in the Summer semester in the first two cycles of study starts on the third of Monday in February and lasts for 15 weeks of continuous activities and two weeks for preparation for the final examination. Preparation period for the examination and the makeup examination after the end of the Summer semester last for maximum of two weeks.

(5) Teaching activities in the third cycle of study can commence by the end of the Winter semester, at latest.

(6) Weekly hours of teaching activities outlined by the curriculum (lectures, practical work, seminars, tutorials, etc.) in either the Winter or the Summer semester cannot be fewer than 20, or exceed 30 hours.

(7) Summer holiday lasts for maximum of 8 weeks.

(8) Verification of the Summer semester and the enrollment in the Winter semester lasts for up to two weeks.

(9) Academic Calendar of organization and realization of the curricula for the study year is determined and announced by the Senate of the institution of higher education 60 days prior to the commencement of the classes, at latest.

#### Article 51

##### (Organization of teaching activities)

(1) Teaching activities are performed and delivered according to the established teaching schedule.

(2) The institution of higher education or its organizational units are required to announce the teaching schedule referred to in paragraph (1) of this Article, ten days prior to the commencement of the teaching activities, at latest.

(3) The teaching schedule contains: the name of the curriculum, the study year, the name of the academic subject, the time (day, hour) of performing the teaching activities, the place of performing the teaching activities (room, laboratory), names of the academic staff who engaged in performing the activities, and other instructions about the classes.

(4) The teacher in charge of the academic subject is required to inform the students about the syllabus in the first teaching week.

(5) Besides the organizational unit with divisions and departments for studying foreign languages, other institutions of higher education or organizational units can deliver teaching completely or partially in a foreign language, which is stipulated by the Statute.

(6) Cost of studies referred to in paragraph (5) of this Article is determined by the decision of the Government through the Ministry, upon proposal by the institution of higher education.

#### Article 52

(Organization of exams, practical work and work experience in particular forms of teaching activities)

(1) When the teaching activities or particular forms of the teaching activities are organized in the form of "distance learning", the exams must be conducted at the location of the organizational units.

(2) Exams in the artistic subjects can be conducted out of the location of the institution of higher education, in a case when the exam is conducted in form of a public event, such as a concert, exhibition, performance or other form of artistic presentation.

(3) Practical work and work experience can be organized and realized as part of the teaching activities at the location of the institution of higher education, or at the place where the teaching is delivered in the organizational unit.

#### Article 53

(Obligations of the Academic Staff)

a) Academic staff are obliged with their personal presence and commitment to fully implement the established curricula and syllabi in the subject for which they are elected or hired.

b) Exceptionally, for justified reasons, the selected academic staff, in the implementation of the academic curricula and syllabi referred to in paragraph (1) of this Article, can be substituted by another appropriate academic staff proposed by the subject teacher or the Dean / Director, upon prior written approval of the Dean/Director, with the prior consent of the Council, in a manner and under the conditions stipulated by the Statute or other by-laws of the institution of higher education.

c) Methods for implementing obligations by the academic staff at the institution of higher education, referred to in paragraphs (1) and (2) of this Article, are to be determined by the Statute.

#### Article 54 (Syllabus)

(1) The course teacher is obliged to inform students in the first week of classes about the objectives, content and methods of teaching the course, as well as the methods and criteria for monitoring their work, assessment and evaluation.

(2) Tasks designed for individual student's work (seminars, projects, papers, assignments and other forms of study commitments) must be evenly distributed during the semester or the academic year.

(3) The total amount of tasks referred to in paragraph (2) of this Article must comply with the workload specified for the course, according to ECTS.

(4) During the teaching process, the course teacher is obliged to assist students complete the student's individual tasks, the scientific-educational content and prepare for assessments, and to organize and maintain regular, and if necessary, or at the request of students, additional consultations.

(5) Dates for consultations during the week must be consistent with the curriculum so that it accommodates the duties of academic staff, as well as the students' needs. Consultations can be arranged in the teacher's office, or in the classroom, by e-mail and by other forms of electronic communication, provided that at least 5 hours a week are planned for the office consultations.

(6) Changing the timetable and syllabus during the semester is generally not allowed.

(7) In case of any necessary changes in the timetable and syllabus, the course teacher is obliged to notify the students in a public and transparent way at least 24 hours prior to the change.

(8) In accordance with the obligations set out in the curriculum, the course

teacher is responsible for carrying out of forms of teaching activities – lectures, exercises, seminars, practical work, as well as for monitoring students' activities and assessing their knowledge.

Article 55  
(Students' assessment grading system)

(1) Student's final achievements, based on all the assessment criteria, are evaluated and marked comparable to the ECTS marking scale, as follows:

- a) 10 (A) – exceptional achievement, without errors, or with minimal errors, 95 – 100 points;
- b) 9 (B) – above average achievement, with few errors, 85 – 94 points;
- c) 8 (C) – average achievement, with noticeable errors, 75 – 84 points;
- d) 7 (D) – generally good achievement, with significant imperfections, 65 – 74 points;
- e) 6 (E) – meets minimal criteria for achievement, 55 – 64 points;
- f) 5 (F, FX) – does not meet minimal criteria, less than 55 points.

(2) Pass grades are recorded in the student's record booklet and/or another document. The grade referred to in paragraph (1) item e) is the minimum pass grade.

Article 56  
(Modes of assessments)

(1) Modes of student assessments may be: written, oral, or practical.

(2) As a rule, assessments are written and conducted by a test or as a written assignment.

(3) The results of the written exam must be released within five days from the date of the examination with the announcement of the timeframe in which students may inspect their work.

(4) All forms of assessments are public.

- (5) As a rule, exams in art subjects are taken in front of a panel.
- (6) Students' written exam papers are kept until the end of the academic year.
- (7) The institution of higher education is obliged to organize and establish dates of the exams so that students can have only one exam on the same day.
- (8) The course teacher cannot administer the final exam in presence of only one student.
- (9) The Council of the organizational unit is obliged to determine all forms of assessments, as well as the structure of the grading score for each subject, by a separate written decision.
- (10) Established elements of grading of particular activities, or stipulated forms of assessments, must be conducted as a whole.

#### Article 57

##### (Examination procedure and grading)

- (1) Students' work and knowledge are graded continuously during the course, and records are kept thereof in the manner stipulated by the decision made by the council of the organizational unit, and the final grade is determined at the examination.
- (2) In the assessment procedure, students receive points for each form of activity and assessment during the semester, as well as on their final exam when the final grade is determined. Established elements of grading particular activities, or proscribed forms of examinations, must be performed as a whole in the current academic year.
- (3) In the structure of the total number of points, activities done during the semester account for at least 50 percent of the final grade in the semester.
- (4) Final examination accounts for maximum 50 percent of the final grade. The final examination is conducted in the regular and in the makeup term of the examination term.
- (5) If a student during the semester accrues the number of points which meet the

criteria for a pass grade, and which are achieved through planned activities, then the student is not required to sit for the final examination.

(6) Examination terms are the regular examination terms and makeup examination terms.

(7) The regular examination terms are the winter and the summer ones.

(8) The regular winter and summer examination terms are conducted in the sixteenth week of the semester and two weeks after the completion of the semester in which the course subject had been studied.

(9) The winter and summer makeup examination terms are in the duration of one week after the regular winter and summer examination terms. The period between sitting for the examination in the regular and the makeup examination term is two weeks.

(10) Besides the winter and summer examination terms, students are entitled to have one fall examination term, which is conducted in the first two weeks in September. In this examination term, students are entitled to sit for the examinations in the manner and under conditions stipulated by by-laws of the institution of higher education with one examination term.

(11) The institution of higher education is required to organize "classroom lessons" for part-time students and distance learning students. This has to take place at least during the first, eighth and fifteenth week of each semester and has to be carefully registered, which is further regulated by the study rules of the institution of higher education.

(12) Part-time students and distance learning students are obliged to attend all assessments and examinations that have been planned in the syllabi of the institution of higher education, which, as a rule, are taken during working weeks in which the lessons for these students have been scheduled, which is further regulated by the study rules of the institution of higher education.

(13) The final examination as well as other teaching activities can be conducted only during the regular working hours in the period from 08-20 o'clock, which are determined within a working week.



Article 58  
(Final examinations)

- (1) Final examinations, in accordance with the syllabi and curricula, are conducted during the first two weeks after completion of the teaching schedule.
- (2) Students who do not pass the final examination will be able to re-sit the examination in the subject they did not pass at the end of the semester, or the academic year, in compliance with article 58 of the Law, unless in specific professional-artistic subjects for which re-sitting is not deemed feasible due to the nature of the teaching process, and the list of such subjects is determined by the by-law of the organizational unit.
- (3) Between the final and makeup examinations, the academic staff will organize consultations and additional teaching classes should it be deemed necessary to assist students to prepare for the makeup examinations, which is more precisely regulated by the study rules of the institution of higher education.

Article 59  
(Sitting for the exam before the examination committee upon the student's request)

- (1) A student who is not satisfied with the examination grade may submit a written appeal within 24 hours after the announcement of the result, and request to re-sit the examination in front of the examination panel.
- (2) The request from paragraph (1) of this Article to re-sit an exam has to be substantiated.
- (3) If the dean or director of higher education finds that the student's request has been well-grounded, they must appoint a chair and two members of the examination panel within 24 hours from the receipt of the appeal referred to in paragraph (1) of this Article.
- (4) The course teacher who graded the examination and with whose grade the student has been dissatisfied cannot be the chair of the panel, and one panel member must be from another subject area, but from the same or relevant teaching area.
- (5) The dean, or the director of the higher school, sets the examination date

within 3 days after receiving the student's request with valid grounds for the appeal.

(6) In the event of the request referred to in paragraph (1) of this Article, the student will not re-sit the written examination or a part of the written examination; however the panel will re-asses the existing examination and re-assign the grade. However, the student must re-sit the oral examination, or a part of the oral examination in front of the panel.

(7) Other verified activities and academic performance achieved by the student during the teaching activities will also be re-evaluated by the panel.

(8) In the procedure based on the student's appeal to re-assess the grade in the practical component of the examination which cannot be re-scheduled, the panel, appointed by the dean, and composed of teachers from the relevant field, will re-assess the grade made by the teacher who initially graded the examination, on the basis of an audio/video recording or other forms of documented evidence, and then the final decision will be made.

(9) For subjects referred to in paragraph (8) of this Article, the institutions of higher education or organizational units are required to ensure a video/audio recording or another relevant form of documenting the assessment.

(10) The decision by the panel is made by a majority of votes, and an appeal to the decision can be made to the dean, or to the director of the higher school, within 24 hours from the date of the announcement of the panel's decision.

(11) The student can request to sit for the examination in front of the examination panel only on two occasions during one academic year.

#### Article 60

##### (Transition to the next academic year)

(1) Students can transfer a maximum of 6 ECTS credits within one study cycle to the next academic year, or one pending subject, if this subject carries more than 6 credits, under condition that this subject is not a prerequisite for another subject in the next academic year.

(2) Students who are repeating the academic year are required to attend the classes in those subjects that they did not pass.

(3) The institution of higher education, or the organizational unit, can allow the student repeating the study year to attend the classes and sit for the exams in subjects from the following study year under condition that the maximum student workload does not exceed 30 ECTS credits, and that that could be organized within one study cycle and according to its facilities and organizational capacities

(4) The subjects referred to in paragraph (1) of this Article are determined in the syllabus and by the study rules.

#### Article 61

(Verification of the semester and of the academic year)

(1) Verification of the semester and of the academic year is compulsory for all students.

(2) Based on the verification of the semester and of the academic year, students receive credits achieved during the semester or academic year.

#### Article 62

(Final graduation paper)

(1) Curriculum of the first or the second study cycle may require completion of the final paper (final graduation paper or a Master thesis).

(2) Curriculum of the third study cycle requires completion of the final (Doctoral Thesis) paper which cannot accrue less than 120 ECTS credits.

(3) The timeframe for commencement of the final graduation paper for the first and second study cycle must be harmonized with the workload envisaged for the final paper so that the student can start the defense of the thesis by the end of the semester, at latest, and by all means prior to the enrollment in the following study cycle.

(4) The manner, methods and procedures to approve the thesis, select the committee, and defend the final thesis, referred to in paragraphs (1) and (2) of this Article, are determined by the Statute of the institution of higher education.

Article 63  
(Selecting the thesis topic)

- (1) The topic of the final thesis/graduation paper must be from the field of the study program.
- (2) The topic can be proposed by the mentor, or by the student, which is further determined by the study rules.
- (3) For the purpose of having a multidisciplinary approach to the thesis in the second or third study cycle, the student can be assigned more than one mentor.
- (4) Decision upon the candidate's request to change the assigned mentor, or the topic of the thesis, is made by the competent body of the institution of higher education.

Article 64  
(Defense of the graduation paper/thesis)

- (1) Procedures regarding selection of the thesis, assigning and changing the mentor, the defense of the final graduation paper/thesis and other issues related to the subject matter are more precisely defined by the study rules for the relevant study cycle.
- (2) If the student's performance at the defense of the graduation paper/ is not satisfactory, the student will have one more opportunity to defend the thesis, or the right to select a new topic for the thesis, which is more precisely defined by the study rules.
- (3) The graduation paper for the first study cycle and its defense are graded with one grade from 10 (A) to 5 (F, FX). The final grade is made by a majority of votes of the panel members.
- (4) The defense of the final graduation paper/thesis is public.

Article 65  
(Obligation to publish the final graduation paper/thesis)

Institutions of higher education in the Canton are required to submit three copies of a doctoral thesis to the National Library and to the University Library in Bosnia and Herzegovina for their cataloguing.

Article 66  
(Academic, scientific and professional titles)

(1) At the end of each study cycle, students are awarded an academic, scientific or professional title in accordance with the Book of Rules on awarding academic titles and acquiring scientific and professional titles in accordance with the Framework Legislation, as well as have other entitlements in accordance with the particular by-laws.

(2) If there is no Book of Rules referred to in paragraph (1) of this Article, the Ministry may bring Book of Rules that will regulate this area and which will remain valid until the relevant Book of Rules will be brought at the national level.

Article 67  
(The end of a study cycle)

The study of a particular study cycle is considered successfully completed if the student has passed all the exams and defended the final thesis, if required by the study program from that cycle.

Article 68  
(Diploma Awards)

(1) The institution of higher education is authorized to organize study cycles and award Diploma Awards for the study cycles it is licensed and accredited for.

(2) At completion of each study cycle, students are awarded Diploma Awards that confirm that the student has completed a certain study cycle and that they have the right to obtain a certain professional and scientific title.

(3) Together with the Diploma Award, students will also obtain a Degree Supplement.

(4) The Diploma issued by the institution of higher education is a public document.

(5) A Certificate of Completion of Studies, as a public document, is issued in the interim as an official document which confirms that the student has fulfilled all the requirements to obtain a title pertaining to the studies in the study cycle.

(6) The degree certificate is issued within seven days after the date of completion of the study cycle and is valid until the document referred to in paragraphs (1) and (2) of this Article is issued.

(7) Conditions, manner and the procedure of the awarding degree awards, as well as the revoking and nullification of degree awards at the end of the study cycle are determined in compliance with the law and the Statute of the institution of higher education.

#### Article 69

##### (The content and layout of the Diploma Award)

(1) The Diploma Award and the Diploma Supplement must contain the main information about the study cycle, the obtained title or professional title and the success accomplished by the student during the studies.

(2) The Diploma Award and the Diploma Supplement are issued in one of the official languages in use in Bosnia and Herzegovina, however the institution of higher education can issue diplomas in foreign languages, which is more precisely regulated by the Statute of the institution of higher education.

(3) The Diploma Award and the Diploma Supplement are signed by the rector and the director of the organization unit, or by the director of the higher school.

#### Article 70

##### (Certificates)

(1) The institution of higher education is authorized to issue certificates after the completion of non-cyclic studies in accordance with the decision of the Senate of the institution of higher education and with the programs of all forms of education that are being performed within the program of lifelong learning.

(2) The education programs referred to in paragraph (1) of this Article are carried out at the institution of higher education or at the organization unit that is the head unit for the specific field. Educational activities are carried out by the academic staff of the institution of higher education, as well as professionals from the field in the manner and under conditions stipulated by the Law.

(3) The titles obtained within the program of the non-cyclic education cannot be regarded as equal to the titles referred to in Article 76 of the Law and the examinations that the students have passed and the credits obtained cannot be equal to the examinations within the study cycle in compliance with Article 57 of the Law.

(4) Certificate issued after completion of non-cyclic forms of education are used as proof that the holder of the certificate has been trained to perform particular tasks, and cannot be used as equivalents to the diploma award issued by the institution of higher education.

#### Article 71 (Retroactive application)

(1) The institution of higher education cannot retroactively apply a new study concept in accordance with the Bologna study programs for any already started study cycle.

(2) The student has the right to complete the studies according to the curriculum that was in force when the student applied and registered for it, or before the Law entered into force, and the student is obliged to complete the studies by September 30th, 2015, at latest.

(3) After the deadline referred to in paragraph (2) of this Article, and at the request of the student before the set deadline, the student is entitled to continue the studies according to the Bologna study programs on the basis of the study equivalence which was in force when the student registered, or before the Law had entered into force, in regards to the new studies, complying with the status and conditions determined by the institution of higher education, which are in compliance with the Statute and the law.

## **PART SEVEN - STUDENTS**

### Article 72

#### (Acquiring and terminating the student status)

(1) The student status is acquired by enrolling into a correspondent study program at a institution of higher education.

(2) The admission and enrollment into the first year of a study program is done based on the final results of an open competition.

(3) All citizens of Bosnia Herzegovina who have completed their four-year high school education are entitled to take part in this open competition.

(4) Foreign citizens, who have completed an adequate high school education, are also entitled to take part in this open competition, according to law, conventions and international agreements and contracts which oblige Bosnia and Herzegovina to work in accordance with the manner and the conditions referred to in Article 88 of the Law.

(5) The enrolled student referred to in paragraph (1) of this Article is issued with a student's record booklet by the institution of higher education, the form and content of which are determined by the Ministry in the Book of Rules and in compliance with Paragraph (3) of Article 147 of the Law.

(6) The student status is terminated in the following circumstances:

a. when the study program is completed;

b. if the student withdraws from the institution of higher education;

c. if the student is expelled from the institution of higher education according to the procedure and under conditions determined by the law, the Statute or other corresponding acts and regulations of the institution of higher education;

d. if the student does not complete the study program by the deadline determined by the law, the Statute or other general acts and regulations of the institution of higher education;



e. in any other specific cases determined by the law, the Statute or other general acts and regulations of the institution of higher education.

(7) The individual who loses the student status referred to in paragraph (6) can acquire the student status again in the manner and under conditions determined by the Statute of the institution of higher education.

### Article 73

#### (Determining the number and structure of students)

(1) The institution of higher education, as a public institution, proposes to the Government the number of students to be enrolled in all the study programs which it offers, and this number cannot be higher than the one stated in the license. The Government determines the final number and structure of students to be enrolled in the first year of the correspondent study programs – which includes first two study cycles.

(2) Candidates who completed appropriate first study cycle, as well as candidates who completed the studies prior to the introduction of the Bologna study programs, are entitled to enroll into the second study cycle under conditions determined by the study rules.

(3) Disabled candidates with a proven 100% disability are entitled to enroll once in any study program in all three study cycles at a public institution of higher education as students financed from the Budget resources. They can enroll under the following conditions:

- a. that they have passed the entrance exam;
- b. that they are able to do all practical tasks in class;
- c. that they have met the requirements to study in the correspondent study cycle at the institution of higher education as a public institution;
- d. that they have provided a document issued by the competent institution confirming their disability status and the percentage of their disability.

(4) In case where the number of candidates who have passed the entrance exam and fulfilled the requirements to be enrolled in the institution of higher education as a public institution is higher than the number of publically funded places in any

of the study programs, they can enroll as self-financed students, which is to be done in compliance with the ranking list and up to the number determined by the Government decision for that specific category of students, or by the number specified in the institution of higher education license.

(5) If a self-financed student has successfully completed the academic year and passed all the required examinations from that academic year with the average grade of 8, then the student can be granted a place as a publically funded student for the continuation of studies in that study cycle, in compliance with the Statute and financial competencies of the organizational unit or the higher education.

(6) Full-time students, whose studies are funded from the Cantonal Budget, and who have to repeat the study year, are required to pay an appropriate fee each time they sit for the final or makeup exam in subjects they failed to pass; the amount of the fee is determined by the Government by its decision made upon proposal by the Senate of the institution of higher education, which was made following consultations of the Senate with the organizational units, unless it has been determined otherwise by the law.

(7) The full-time student who is financed from the funds provided by the founder of the institution of higher education as a public institution loses the full-time student status in case that she/he repeats the same academic year twice in succession, and does not fulfill the requirements to proceed to the next academic year; however, such student is entitled to continue studies with the status of a self-financing student.

(8) Through its organizational units and in compliance with the final ranking list results and under a prior consent provided by the Government, brought upon proposal of the Ministry, the institution of higher education as a public institution may, for the study programs it offers, accept and enroll candidates who have formally met the requirements for enrollment in the number exceeding the determined number, for the category of students with the self-financed or part-time status, under condition that the Council of the organizational unit submits its decision to the Ministry confirming that the organizational unit has adequate facilities, staff and equipment to accommodate such number of students and to perform teaching activities in compliance with the Law and with the Standards and Norms.

(9) Based on the final ranking list results and upon proposal by the organizational unit, the Government can, upon proposal of the Ministry, establish an additional number of candidates who can enroll in the programs for which the fees are payable, in the number exceeding the determined number, and the eligible candidates are: candidates who have met the formal requirements, and who hold the status of children whose parents were soldiers killed in war, or who are orphans without any parent.

(10) When applying for enrollment, the candidates are required to submit evidence confirming their status referred to in paragraph (1) of this Article.

Article 74  
(The enrollment competition)

The enrolment competition in all study programs is announced by the institution of higher education, in compliance with the law, the Statute and the study rules.

Article 75  
(The content of the student enrollment competition)

(1) An open competition for the enrollment in the first year of all study programs at the institution of higher education as a public institution includes:

- a. the number of candidates (both domestic and foreign students) whose studies will be financed from the Cantonal Budget;
- b. the number of candidates (both domestic and foreign students) who will finance their own studies;
- c. the amount of the tuition fees (for both domestic and foreign students);
- d. the rules and criteria for the establishment of the student enrollment ranking list;
- e. the criteria for evaluating the high school education success;
- f. the procedure to assess the knowledge and abilities of candidates (the entrance exam) for studying in the study program of their choice which is done in form of a test or in any other written form done on a certified duplicate form, where one copy remains with the institution of higher education, and one copy is kept by the candidate;
- g. the date and time of the entrance testing to assess the knowledge and abilities of candidates for studying in the program of their choice, as well as the date and time when the entrance exam results will be announced;

- h. information on the rules of appeal and protection of rights of the students who are not satisfied with their entrance exam results;
- i. the deadline by which the institution of higher education is required to make known the final list of candidates who have successfully passed the entrance exam;
- j. the deadline by which the successful candidates can be enrolled.

(2) Conditions referred to in items a), b), c) referred to in paragraph (1) of this Article are determined by the Government; conditions referred to in items d), e), f), g), h), i) and j) are determined by the institution of higher education. Conditions referred to in item a) are determined by the Government upon proposal by the institution of higher education, and in accordance with the student enrolment plan, available spatial facilities, staff and equipment of the institution of higher education, whilst conditions referred to in item d) are determined by the institution of higher education in compliance with the common criteria for ranking candidates.

(3) The open competition for the enrollment of students in the first year of studies at the institution of higher education is published in at least three daily newspapers at the territory of Bosnia and Herzegovina.

(4) The open competition for the enrollment of students in the first year of studies is also posted on the web page of the organizational unit of the institution of higher education, as well as on notice boards at the institution of higher education, with a prior consent provided by the Ministry, two months prior to the commencement of the academic year, at latest.

(5) The open competition for the enrollment of students in the first year of studies at the institution of higher education as a public institution, which is published with a prior consent by the Ministry, besides financial information must include the number of students in all student status criteria, as well as conditions proscribed in paragraph (1) of this Article, referring to items d), e), f), g), h), i) and j), as well as other conditions stipulated by the Statute of the institution of higher education.

(6) Written exams assessing the applicants' knowledge are identical for all candidates who are applying for enrollment in the same study program within the organizational unit, and the assessment must be carried out on the same day in the same timeframe.

Article 76  
(The final list of candidates)

(1) When lodging the application for the competition, the candidates need to submit the original documents in accordance with the requirements of the competition.

(2) The preliminary ranking list of all candidates who have applied and have been accepted by the institution of higher education is published on the notice board by the organization unit, after the competent body of the institution had verified it. It is done two days after the last day of the entrance exam, at latest; and for the organization units where no entrance exam is required, it has to be done two days after the deadline for submitting the applications for the competition, at latest.

(3) Candidates are entitled to lodge an appeal against the list referred to in paragraph (2) of this Article within three days after the list has been published.

(4) The organizational unit of the institution of higher education is required to make a decision on the appeal referred to in paragraph (3) of this Article and respond within three days.

(5) The institution of higher education is required to publish the final list of all enrolled students, in all categories and at all organizational units, two days after the deadline for making the final decision on any appeals, at latest, and deliver it to the Ministry seven days prior to the commencement of the academic year, at latest.

(6) The candidates who are eligible to enroll in the first academic year at the organizational unit which does not require sitting for the entrance examinations cannot acquire the status of a student at the organizational unit which requires that students sit for the entrance examination during that academic year.

(7) Students referred to in paragraph (6) of this Article can be eligible to continue studies at another organizational unit in a senior study year, according to the principle of equivalence.

#### Article 77

##### (Eligibility to enroll in the first study cycle)

(1) A student is eligible to enroll in the study programs of the first study cycle, where the student will obtain the institution of higher education diploma, based on an open competition.

(2) For enrollment in specific study programs, the institution of higher education can establish additional requirements, in compliance with the Law, the Statute of the institution of higher education and study rules at the institution of higher education.

(3) Conditions referred to in paragraphs (1) and (2) of this Article will be implemented until an external graduation system is introduced at high schools in the Canton.

#### Article 78

##### (Eligibility to enroll in the second and third study cycles)

A student is eligible to enroll in the second or the third study cycle in compliance with the law, the Statute and study rules brought by the Senate of the institution of higher education.

#### Article 79

##### (Foreign student's eligibility to enroll)

(1) Foreign nationals are eligible to enroll in all study programs at institutions of higher education as public institutions in the Canton under the same conditions as the citizens of Bosnia Herzegovina, in compliance with the Law and the Statute of the institution of higher education, and in accordance with the enrollment quota concerning the enrollment of foreign students which is determined by the Government and upon proposal by the institution of higher education.

(2) Foreign students, apart from those who come from any of the former Yugoslavia countries, have to pay the tuition fees at the institution of higher education according to the price list concerning foreign students, unless it is specified and determined otherwise by international contracts and agreements.

(3) Students who come from any of the former Yugoslavia countries are eligible to enroll and are obliged to pay the fees at all the study programs at all institutions of higher education as public institutions under the same financial conditions as the citizens of Bosnia Herzegovina, and in accordance with the quota concerning the enrollment of foreign students of this category which has to be approved by the Government and upon proposal by the institution of higher education.

(4) The enrollment entitlements for foreign students can be limited or even denied if the study programs concerned are in the area of military or police education, or in any other area of vital interest for the safety of Bosnia Herzegovina and the Canton.

#### Article 80

(Eligibility to take part in the competition before the procedure of validation of qualifications or equivalency has been completed)

(1) Candidates who have completed their high school education abroad are eligible to take part in the competition to enroll in the first year of the study cycle even before the procedure of validation of high school certificates or equivalency has been completed.

(2) The candidates referred to in paragraph (1) of this Article who fulfill the requirements of the competition and are ranked on the ranking list of the candidates who have passed the entrance exam within the approved quota of the students to be enrolled at that institution of higher education in the first year of the study cycle, can be enrolled after the procedure of the validation of their high school certificates or equivalency has been completed, which has to be done by the beginning of the academic year at latest.

(3) The candidates referred to in paragraph (2) of this Article, in some exceptional cases, can enroll in the first year of the study cycle even before the validation of their high school certificates or equivalency has been completed, under condition that they present a document confirming that they have applied for validation or equivalency procedure, which is being in progress, and that any delays in the processing of their application is not caused by their negligence.

(4) Candidates who fulfill the requirements to enroll in the second or third study cycle, are eligible to a conditional enrollment, in compliance with the legal conditions stated in paragraphs (2) and (3) of this Article.

(5) The procedure of the validation of international high school certificates, diplomas, or any other official documents confirming the commencement or completion of an educational program, is done in accordance with a by-law, or on the basis of bilateral or multilateral contracts or agreements which oblige Bosnia Herzegovina to act accordingly.

Article 81  
(The study contract)

(1) The student and the institution of higher education sign the study contract which defines their mutual rights and obligations in more detail.

(2) The essential elements referred to in paragraph (1) of this Article are determined by a by-law by the Ministry, and upon proposal by the institution of higher education.

Article 82  
(The rights and obligations of students and the student standard)

(1) A student has the right and obligation to study according to adopted and approved study rules and according to the curricula, and to be tested and assessed in accordance with the principles which need to be transparent, fair and available to all students.

(2) The rights and obligations concerning the student standard are personal and non-transferrable.

(3) The student is entitled to:

- a. attend all types of teaching activities;
- b. have the quality teaching process based on the adopted and approved curricula;
- c. be timely and accurately informed about all the issues regarding the studies;



- d. be treated equally in terms of the study conditions and treatment at the institution of higher education, as well as to have all privileges of the student status;
- e. be different and protected from discrimination;
- f. have access to health insurance according to law;
- g. use the library as well as all other student services available at the institution of higher education, and in accordance with the regulations of the institution of higher education;
- h. attend consultations and receive assistance from the academic staff to understand the teaching content, especially when writing the final graduation paper;
- i. express opinion and personal viewpoints concerning the teaching content in the teaching process;
- j. do the evaluation of the teaching process and academic staff;
- k. have the acknowledgement and transfer of study credits/grades between institutions of higher education to ensure student mobility;
- l. take part in selecting the student representative body and other bodies determined by the Statute of the institution of higher education;
- m. take part in work of student organizations;
- n. take part in work and decision-making process in the institution of higher education bodies in accordance with the Statute;
- o. be protected against all violations of his/her rights, in accordance with the law and the by-laws and regulations of the institution of higher education;
- p. exercise any other rights determined by the Statute and other general acts of the institution of higher education in compliance with the Statute.

(4)The student has the obligations to:

- a. abide by the study rules determined by the institution of higher education;
- b. fulfill educational and other obligations required from the student;
- c. show respect for the rights of all academic and non-academic staff, as well as the rights of other students at the institution of higher education;
- d. fulfill the requirements and student obligations in due course and take part in all academic activities;
- e. respect the house rules of the institution of higher education and the code of ethics.

#### Article 83

##### (Dormant student rights and obligations)

(1) The rights and obligations of the student will remain dormant in cases determined by the law and the Statute of the institution of higher education;

(2) Only in exceptional cases, the institution of higher education will allow – at the student's own request – the dormant status of the student's rights and obligations, based on justifiable grounds and for up to one year.

(3) The justifiable grounds referred to in paragraph (2) of this Article are as follows:

- a. a long-lasting illness due to which the student is/was not capable of attending lectures and taking exams;
- b. maternity leave;
- c. other circumstances determined by the Statute or other general acts and regulations of the institution of higher education.

(4) The student is required to submit evidence for the justifiable grounds referred to in paragraph (3) of this Article to the head of the organizational unit; the

evidence has to be issued by an official medical or any other relevant institution in each particular case.

(5) The head of the organizational unit makes a decision upon the request of the student referred to in paragraph (2) of this Article, and has the right to check the validity of the reason referred to in paragraph (3) of this Article.

(6) The student whose rights and obligations remain dormant, but who does not enroll in the next academic year, or does not re-register in the same academic year, acquires the status of the student who has withdrawn from the institution of higher education.

#### Article 84

##### (Student's disciplinary accountability)

(1) The general acts and regulations of the institution of higher education determine in more detail the following: the disciplinary procedures regarding student's accountability, minor and major violations of the obligations, as well as the disciplinary body and procedures to determine the student's responsibility.

(2) The procedure of the disciplinary accountability of the student can be initiated only in cases of minor or major violations of the obligations, which were defined by the acts and regulations of the institution of higher education and for which the responsibility has been determined prior to their occurrence.

(3) The disciplinary accountability procedure cannot be initiated in the following circumstances:

a. six months from the date the violation of the regulations and the offender became known;

b. one year from the date when the violation of the regulation referred to in paragraph (1) of this Article occurred.

(4) In cases of some major violation of the student obligations, the student can even be expelled from the institution of higher education.

Article 85  
(Student transfers)

(1) Students who study at an institution of higher education in Bosnia and Herzegovina or abroad can be entitled to transfer only to the same or related study program at the university/organizational unit.

(2) The transfer is approved by the dean/director of the organizational unit, based on the decision made by the scientific-teaching council, in the manner and under conditions stipulated by the Statute and other by-laws of the institution of higher education.

Article 86  
(The student representative body)

(1) Students at a institution of higher education can establish their representative body which will represent their interests and which can contribute in achieving educational, scientific, cultural, academic and other socially useful needs of students, and on the basis of democratic principles and in accordance with the law.

(2) The manner of the establishment and work of the student representative bodies, as well as their rights, obligations and responsibilities, the issue of the student standard and other issues that are important for the work of the student representative bodies, are determined by the Statute of the institution of higher education, or by a by-law.

(3) The student representative bodies can take part or join in the association of student representative bodies of Bosnia Herzegovina, through which they can become members of international organizations and student associations.

## **PART EIGHT – ACADEMIC STAFF AND TITLES**

### *CHAPTER I. ACADEMIC TITLES*

Article 87  
(Awarding of academic titles)

(1) Institution of higher education awards academic titles which can be scientific-teaching, art-teaching, teaching, and artistic.

(2) University awards the following scientific-teaching and artistic titles:

- a. full-time professor
- b. associate professor
- c. assistant professor
- d. lector
- e. senior assistant
- f. assistant.

(3) Higher school awards the following teaching and artistic titles:

- a. higher school professor
- b. higher school lecturer
- c. assistant.

#### Article 88

(Appointment period and status issues)

(1) Academic staff at the university are appointed for a specific period of time as follows:

- a. assistant is appointed for a four year period with no possibility of reappointment;
- b. senior assistant is appointed for a five year period with a possibility of reappointment under condition that the third study cycle has been achieved;
- c. lector is appointed for a five year period with no possibility of reappointment;

d. assistant professor is appointed for a five year period with a possibility of one reappointment;

e. associate professor is appointed for a six year period with a possibility of one reappointment;

f. full-time professor is appointed on a permanent basis.

(2) Full-time professor concludes work contract on a permanent basis.

(3) Academic staff at a higher school are appointed as follows:

a. assistant for a four year period with no possibility of reappointment;

b. higher school lecturer for a five year period with a possibility of one reappointment;

c. higher school professor is appointed on a permanent basis.

(4) A member of academic staff concludes work contract with the institution of higher education for a period of time for which he/she has been appointed. After the expiry of that period of time, the institution of higher education is obliged to conclude a new work contract with each member of academic staff who has been appointed and to whom the same or higher academic title has been awarded.

(5) Appointment deadline is extended in case of maternity leave, sick-leave that takes longer than six months, public service/duty or on any other reasonable grounds that are in accordance with the law, which is to be more precisely determined by the higher education Statute.

(6) Within six months from the date of enactment of this Law, the institution of higher education or its organizational unit is obliged to prepare the program of criteria for the promotion of academic staff, as well as the faculty human resources needs for the next five year period.

(7) The institution of higher education is obliged to submit the plan referred to in paragraph (6) of this Article to the Ministry as soon as it is prepared, and the report on implementation of the program referred to in paragraph (6) of this Article is to be submitted at the beginning of each academic year.

(8) The founder is obliged to secure financial resources so that the institution of higher education at the position in the course subject/scientific area besides the teacher who turned 55 there is also an appointed assistant, or that besides the teacher who turned 65 there is also an appointed assistant professor.

#### Article 89

(Minimum requirements for appointment to scientific-teaching titles)

(1) Minimum requirements for appointment to scientific-teaching titles at an institution of higher education are as follows:

a. assistant: a relevant university degree with a minimum of 240 ECTS study points and 8 or 3,5 as the lowest average mark during studies;

b. senior assistant: the second study cycle completed (Master studies);  
lector; the second study cycle completed (Master studies);

c. lecturer: the second study cycle (Master studies);

d. assistant professor: a doctoral degree in a certain field, with a minimum of three research papers published in widely acknowledged publications, and demonstrated competence in teaching;

e. associate professor: a minimum of one appointment period as assistant professor, at least five research papers published in widely acknowledged publications, a publication, an achievement in completing an original work such as a project, a patent or an original method, all completed after the appointment to the title of the associate professor, as well as mentoring of at least one candidate doing the second cycle of studies (Master studies);

f. full-time professor: a minimum of one appointment period as an assistant professor, at least two publications, at least eight research papers published in widely acknowledged publications, all completed after the appointment to the title of the full-time professor, as well as mentoring at least one candidate in the second and one in the third study cycles.

## Article 90

(Minimum requirements for appointment to art-teaching titles)

(1) Minimum requirements for appointment to art-teaching titles in case where the artistic criteria bear a significant importance in the academic subject in the curriculum are as follows:

- a. assistant: completed the first study cycle with a minimum of 240 ECTS points and 8 or 3,5 as the lowest average mark during studies;
- b. senior assistant: completed the second study cycle, or completed the first study cycle and a public presentation of creative works;
- c. assistant professor: a minimum of the first study cycle completed, a larger number of publically presented art works, as well as good teaching results;
- d. associate professor: a minimum of the first study cycle completed, a larger number of publically presented art works, recognition and awards in the relevant art field and also good teaching results;
- e. full-time professor: a minimum of the first study cycle completed, a larger number of publically presented art works which have significantly contributed to the development of art and culture, as well as in the teacher/art training area.

## Article 91

(Minimum requirements for appointment to teaching titles at a higher school)

(1) Minimum requirements for appointment to teaching titles at a higher school are as follows:

- a. assistant: completed the first study cycle, with 8 or 3,5 as the lowest average mark during studies;
- b. higher school lecturer: completed the second study cycle and demonstrated teaching competence;
- c. higher school professor: completed the third study cycle and demonstrated teaching competence.



(2) Persons who have obtained titles such as full-time professor, associate professor, or assistant professor may also teach at a higher school, provided they are appointed at the university.

#### Article 92

(Minimum requirements for appointment to artistic titles at a higher school)

(1) Minimum requirements for appointment to artistic titles at a higher school are as follows:

a. assistant: completed the first study cycle, with 8 or 3,5 as the lowest average mark during studies;

b. higher school lecturer: completed at least the first study cycle, a larger number of art works publically presented, and demonstrated teaching competence;

c. higher education professor: completed at least the first study cycle, a larger number of outstanding art works publically presented, and demonstrated teaching competence.

(2) Persons who have been appointed at a university to art-teaching titles may also teach at a higher school.

#### Article 93

(Definition and meaning of terms referring to the minimum appointment criteria)

(1) In accordance with the Law, a publication implies a thematically completed and reviewed scientific, professional or artistic text in a published or electronic form, which

a. explores a certain field;

b. has never been published before;

c. has been catalogued;

d. is available to students and academic community in libraries of the organizational unit or the institution of higher educations

(2) Mentorship, as referred to in paragraphs e) and f) of Article 96 implies a successful mentorship in the second and the third study cycles, or mentorship provided to candidates in their process of Master's or Doctoral studies in the programs preceding the Bologna studies.

(3) The meaning of the terms: a successful mentorship, a published scientific work, an acknowledged publication, a catalogued book, a university textbook, an original professional achievement, a project, a patent and original method, awards for successful performance in the art field, demonstrated teaching competence, and significant contribution to the development of art and culture, are defined in more detail by the Statute of the institution of higher education.

#### Article 94 (Register of publications)

(1) Based on the previously submitted proposals by the council of organizational units, and two months after the adoption of the Statute, at latest, the Senate of the institution of higher education is required to establish a register of national and international bibliography data base.

(2) Works published in national and international publications which follow the international data base, and which are defined in the register referred to in paragraph (1) of this Article, shall be regarded as relevant in the procedure of awarding titles.

(3) The work which has been published in a publication which does not follow the international data base shall be regarded as relevant in the procedure of appointment to academic titles, under condition that the work has been reviewed by at least two reviewers, and the candidate for the title is required to include evidence thereof in the application to the appointment competition.

(4) The institution of higher education is required to submit the register referred to in paragraph (1) of this Article to the Ministry within thirty days from the date of its establishment.

(5) Amendments and revisions of the register referred to in paragraph (1) of this Article are done following the same procedure for its establishment.

(6) Works published prior to the establishment of the register referred to in paragraph (1) of this Article shall be regarded as relevant in the selection to the academic titles procedure, in compliance with the Law.

#### Article 95

(Evaluation upon appointment to the same or higher title)

(1) Upon appointment to the same or higher titles, the following can only be considered:

- published works,
- books and results of one's own research being applied
- projects, and
- mentorship, or publically presented art works.

(2) Conditions for appointment to the titles referred to in paragraph (1) of this Article can be taken into account only if they have appeared in the period following the most recent appointment to the title.

(3) Academic staff cannot be appointed to two or more different academic titles at the same institution of higher education

### *CHAPTER II ACADEMIC STAFF AND EMPLOYMENT CRITERIA*

#### Article 96

(Criteria for appointment to the academic titles)

(1) Appointment of academic staff into academic titles (hereinafter: appointment to the titles) is carried out in all cases by a public competition, in accordance with the criteria set by the Law, Standards and Norms, the Statute of the institution of higher education and generally accepted standards in the given profession.

(2) Generally accepted standards referred to in paragraph (1) of this Article are determined in more detail by the Book of Rules brought by the Ministry on proposal of the institution of higher education, and all institutions of higher

education in the Canton are required to apply them during the process of selecting the academic staff for the appointment.

(3) The public competition for appointment of the academic staff into titles is announced based on the proposal by the scientific-teaching, or art-teaching council of the organizational unit, or by the scientific council of the institute (hereinafter referred to as: the council), or by the Senate of the higher school, in which decision it has been determined that there is a need for the academic staff.

(4) The public competition for appointment into titles must be announced for appointments into all titles when the need has been expressed to appoint a member of the academic staff who, in accordance with the provisions of the Law, can independently carry out the teaching process; in case that there is a need, but the member of the academic staff cannot independently carry out the teaching process, the competition is announced in accordance with specific needs of the teaching process.

(5) The public competition is published in at least one daily newspaper and on the web page of the organizational unit, or the institution of higher education.

(6) The public competition for selection of the needed academic staff must be announced six months prior to the expiry of the appointment period of the current member of the academic staff.

(7) If based on the public competition referred to in paragraph (3) of this Article an appointment to the title is not made, then the institution of higher education is obliged to duly announce a public competition for the vacancy prior to the commencement of each academic year; namely, the procedure for the member of the academic staff is carried out prior to the commencement of each academic year.

(8) The need for the academic staff appointment as referred to in paragraph (1) of this Article, which forms the basis for the announcement of a public competition, as well as a number of the staff required, is determined based on the optimum average workload stipulated by the Standards and Norms.

## Article 97

(Work engagement without establishing an employment relationship)

(1) An institution of higher education can engage members of academic staff from other domestic or foreign institution of higher education, or from other organizational units, in the following circumstances:

a. having the public competition been announced, no candidate has applied for the appointment to the academic staff, or no applicant has been selected in the selection procedure;

b. a member of the academic staff employed in the same organization unit at the university resigns from the position or is dismissed, or is suspended by the decision of the competent authority, until a new academic staff member is appointed based on the public competition procedure;

c. circumstances referred to in paragraphs (5) and (6) of Article 121 of the Law occur.

(2) For the purpose of introducing students to particular scientific or artistic achievements; getting informed about the practical application of results of scientific works; practical work experience; or other forms of professional development; or for the purpose of providing particular specific lectures, practical work, seminars or other forms of activities to the students, an organizational unit can, upon proposal by a course teacher, engage an outstanding scientist, artist, or a professional from the field to take part in realization of part of the teaching activities in the course.

(3) An institution of higher education can engage a member of the academic staff who has been selected or appointed to a public function to take part in the scientific-teaching process, in accordance with the regulations regulating employment relationships.

(4) In justifiable circumstances such as maternity leave, sick leave in the duration longer than six months, or in other cases defined by the Statute, an institution of higher education can, without announcing a public competition, engage a member of the academic staff holding the appropriate appointment to the academic title to fill in for the respective period of time to carry out teaching activities, in the manner and under conditions stipulated by the Statute.

Article 98  
(Selection Committee)

(1) For preparation of the proposal for appointment to the titles, the council of organizational unit of the institution of higher education appoints a committee consisting of three or five teachers of the same or higher titles for which the candidate has applied, and with a previously written agreement of the proposed teachers for the engagement in the committee.

(2) For preparation of the proposal for the appointment to the academic title of an assistant, a higher assistant or a lector, the council of the organizational unit of the institution of higher education appoints a committee of three teachers who can hold the academic titles of either an assistant professor, an associate professor, or a full-time professor, and with a previously written agreement of the proposed teachers for the engagement in the committee.

(3) Most members of the committee must be from the same field, and the other members could be from a similar scientific or artistic field, for which the candidate has applied.

(4) The candidate referred to in paragraph (1) of this Article who has not previously taught at a institution of higher education is obliged to hold an introductory lecture on the subject, or in a relevant scientific or artistic field for which he/she has applied, before the students and the committee referred to in paragraph (1) of this Article.

(5) During the process of the appointment of the candidate, the committee referred to in paragraph (1) of this Article evaluates success of his/her introductory lecture, taking into consideration the students' evaluation of the lecture, where the students' body refers to the students referred to in paragraph (4) of this Article.

(6) The institution of higher education is obliged to announce in a public and in a transparent manner the time of the lecture referred to in paragraph (4) of this Article.

(7) The Statute of the institution of higher education regulates issues from this Article in more details.

#### Article 99

(Obligations of the administrative services, the Committee's report and proposal)

(1) Prior to submitting the applications to the Committee for selection and appointment to the title, the administrative service of the organizational unit is obliged to confirm in writing that the applications have been received by the due date and that the announced criteria have been met, and state the number of the applicants as well as the titles for which the candidates applied.

(2) The written notification referred to in paragraph (1) of this Article is submitted to the head of the organizational unit prior to nominating the Committee referred to in paragraph (1) of Article 105 of the Law and it represents the component part of the Committee's report.

(3) The Committee referred to in Article 105 of the Law is obliged to submit a report on the proposal for the appointment to the academic title to the council of the organizational unit, in accordance with the criteria of the competition and the act on the appointment of the Committee, within 30 days from the competition due date.

(4) The Committee referred to in paragraph (3) of this Article affirms the proposal by a majority of votes, under condition that each member of the Committee has the right to single out and explain his/her opinion.

#### Article 100

(Submitting of the Committee's report)

Head of the organizational unit at the higher university institution is obliged to include the Committee's report accompanied by the proposal for the appointment to the titles in the agenda of the council of the organizational unit meeting no later than 30 days from the date of submission of the Committee's report.

#### Article 101

(Proposal of the decision on the appointment)

(1) The council of the organizational unit makes the decision upon the proposal for the appointment to the title by a majority of votes, and no council members can be abstained.

(2) The council of the organizational unit can, should it deem necessary, request from the Committee referred to in Article 105 of the Law an annex to the report, or additional explanations about the report.

(3) The council of the organizational unit makes a decision on the proposal of the decision on the appointment to the title and submits it to the Senate for adoption.

(4) In case that the council does not make the decision referred to in paragraph (3) of this Article, the decision of the council is final, however administrative proceedings may be initiated against the decision before the Cantonal Court in Sarajevo within 30 days from the date of the receipt of the decision.

(5) Regulations from this Article regarding voting by the council of the organizational unit shall apply also to decision making or voting by the committees and working groups nominated by the council, unless the Law, or the Statute, or the by-law stipulates otherwise.

#### Article 102

##### (Obligations of the head of the organizational unit)

Within 5 days of the council of the organizational unit meeting, in which the proposal has been adopted, the head of the organizational unit is obliged to forward the decision to the Senate of the institution of higher education for further procedure.

#### Article 103

##### (Making decision about the appointment)

(1) The Senate of the institution of higher education is obliged to make a decision about the appointment to the title within 30 days from the receipt of the decision proposal determined by the council of the organizational unit.

(2) Decision referred to in paragraph (1) of this Article is brought by a majority of votes of all Senate members, who cannot abstain from voting.

(3) Within 5 days from accepting the proposal and making decision about the appointment to the title, the rector is obliged to forward the decision to the council of the organizational unit.



(4) The decision by the Senate on the appointment referred to in paragraph (3) of this Article is final and it is forwarded to the organizational unit in order to notify the candidates and inform them about the selected candidates.

(5) Should the Senate's decision referred to in paragraph (1) of this Article be contrary to the proposal made by the council of the organizational unit, which accepted the Committee's report referred to in paragraph 106 of this Law, the rector is obliged to deliver the decision to the organizational unit with the appropriate explanation within five days of the decision for further consideration and standpoint.

(6) The council of the organizational unit is obliged to submit to the Senate its standpoint referring to the Senate's decision referred to in paragraph (5) of this Article, within 20 days from the receipt of the decision.

(7) On its first session, or within 30 days from the receipt of the organizational unit's standpoint, at latest, the Senate will bring the final decision on the appointment to the title.

(8) An appeal against the Senate's decision is not allowed, however administrative proceedings can be initiated before the competent court in Sarajevo within 30 days from the receipt of the decision.

(9) The appointment procedure to the titles in teaching and artistic profession at a higher school is performed in the manner and the procedure proscribed for the appointment of the academic staff to the titles at the university.

#### Article 104

##### (Right to access to the information)

On request of a candidate who participates in the procedure of appointment to the title, the institution of higher education is obliged to notify the candidate of the stages of the selection procedure, and after its completion, is required to ensure access to the information in regards to the appointment procedure.

#### Article 105

##### (Meeting the deadlines of the Committee)

(1) All committees established to perform work and tasks at the institution of higher education are obliged to complete their obligations and prepare reports

within given deadlines, and in accordance with the law, the Statute, and the appointment act.

(2) Should members of the committee fail to complete their obligations without acceptable reasons, it shall be regarded as failing to complete their regular work obligations.

(3) The Senate, the council and the head of the organizational unit are obliged to carry out the accountability procedure, and announce appropriate measures to the committee members who failed to fulfill their obligations in accordance with paragraph (1) of this Article, which is determined by the Statute and other acts of higher education unit in more detail.

(4) Persons referred to in paragraph (2) of this Article, for whom it has been confirmed that, without acceptable reason, acted contrary to the provisions referred to in paragraph (1) of this Article, will be prohibited to participate in work of bodies and committees which are appointed by the institution of higher education for the period of one year.

#### Article 106

(Finalization of the appointment to the title procedure)

(1) The procedure of selection and appointment of the academic and management staff at a institution of higher education, which started prior to the enactment of the Law, shall be finalized in accordance with the initial regulations which were the basis for the commencement of the procedure.

(2) Commencement of the procedure referred to in paragraph (1) of this Article means obtaining approval of the council of the organization unit to announce a public competition.

#### Article 107

(Rights and obligations concerning the appointment to the title)

(1) Should the need arise, when an academic staff member is not reappointed to the same or higher title after the appointment period expires, the institution of higher education can, prior to cancellation of the work contract, offer to the same academic staff member a new employment contract in accordance with his/her qualifications for the position which does not require an appointment to the academic title.

(2) In case that due to justified reasons during the appointment to the title the candidate could not fulfill mentorship criteria for the second, or third study cycles, an equivalence or substitution for mentorship will be introduced, with the requirement that three additional scientific works are published in distinguished publications, in regards to the minimum criteria set by the law.

(3) Justified reasons are defined by the Statute of the institution of higher education.

(4) An academic staff member with the title of an assistant professor or associate professor can be promoted to a higher title even before the expiry of the period for which he/she had been appointed to, if he/she fulfills the criteria for appointment to the higher teaching title, and if he/she spent at least three years teaching after the last appointment.

(5) In case that an assistant could not complete studies of the second cycle (Master's studies) due to the objective reasons which occurred because the second cycle had not been organized, or post-graduate studies had not been organized for the study programs prior to the commencement of the Bologna study programs, then he/she is entitled to remain in the same title for up to three years after the enactment of the Law.

(6) An academic staff member appointed to the title of an assistant can be appointed to the title of a senior assistant even before expiry of the period for which he/she had been appointed to, if he/she fulfills the criteria for appointment to that title and if he/she spent at least three years teaching after the appointment to the title of an assistant.

(7) Appointment and selection procedures referred to in paragraphs (4) and (6) of this Article shall not apply for the appointment to the title of the assistant professor procedure, which is to be carried out in accordance to paragraph (1) of Article 96 of the Law.

#### Article 108

(Mutual obligations of the academic staff and the institution of higher education)

(1) Academic staff members are obliged to carry out teaching as well as other obligations in accordance with the law, the Statute, or other general institution of higher education acts, and they should pay particular attention to the students'

performance as well as stimulate and encourage students to work independently to participate in the professional, scientific-research and art work.

(2) Assistants and senior assistants cannot hold independent lectures, nor examine students in the final examinations.

(3) The institution of higher education can approve a paid-leave in duration of up to two semesters to members of academic staff for purposes of academic research in completion of their Master's or Doctoral thesis, scientific, artistic or professional development, or performing any activities which serve the interests of the institution of higher education, which is determined by the Statute of the institution of higher education in more detail.

(4) During the period of absence for the reasons referred to in paragraph (3), the institution of higher education is obliged to find an adequate substitute and ensure continuous course of teaching and performance of other tasks.

(5) Members of the academic staff of the institution of higher education can be engaged by another organization or institution of higher education without a public competition in realization of teaching, scientific-teaching, artistic, art-teaching and research-scientific activities in all three study cycles, in the following circumstances:

a. that they meet the legal requirements referred to in paragraph (1) of Article 61; paragraphs (4) and (5) of Article 62; and paragraph (1) of Article 115 of the Law;

b. that they meet the criteria for the appointment to the title; and

c. that they obtain a prior written approval by the head of their organizational unit; or the rector of the institution of higher education, in case that the engagement refers to the position of the head of the organizational unit; or by the rector of the institution of higher education, in case that the engagement refers to the position of the manager of the organizational unit; or by the board of governors, in case that the engagement refers to the position of the rector of the institution of higher education.

(6) Engagement referred to in paragraph (5) of this Article, as well as the engagement of the academic staff member within the organizational unit, or the institution of higher education, can be maximum 50% of the teaching workload scheduled per semester or per academic year in respect to the optimum teaching workload proscribed by the Standards and Norms.

(7) In the written application for the engagement referred to in paragraph (5) of this Article, the academic staff member is required to state:

- a. his/her current workload,
- b. the academic title he/she has been appointed to and the scientific or artistic field or the teaching subject he/she has been selected for,
- c. the number of hours he/she is asking permission for the engagement,
- d. period of time he/she is asking permission for and for which study subject,
- e. the name of the organizational unit or the institution of higher education he/she will be engaged for.

(8) It must be stated in the decision made by the head of the organizational unit which gives permission for the engagement referred to in paragraph (5) of this Article that all the requirements and criteria for engagement of the academic staff member have been met.

(9) Organizational units of the institution of higher education are required to establish the procedure for monitoring and recording of proper and regular meeting the obligations of the academic staff member.

(10) The head of the organizational unit cannot give his/her permission for the engagement in another organizational unit or the institution of higher education to the academic staff member who does not fulfill his/her obligations referred to in paragraph (5) item a. of this Article.

(11) In case that the academic staff member acts contrary to the regulations referred to in paragraph (5) of this Article, the head of the organizational unit is obliged to initiate the procedure to establish the accountability of the member of the academic staff.

(12) In case of actions contrary to the regulations referred to in paragraph (5) of this Article, the procedure for establishing the accountability of the head of the organizational unit is initiated by the rector; and for the accountability of the rector, the procedure is initiated by the Board of Governors of the institution of higher education.

Article 109  
(Selection of members of the academic staff)

(1) Members of academic staff are selected for a scientific or artistic area of work, or for a teaching subject, and can participate in realization of the teaching process only in the subjects they have been selected for, or in the areas of work associated with the scientific or artistic areas for which they have been selected, in the first two study cycles.

(2) Prior to commencement of each academic year, the Council of the organizational unit, or the institute, makes a decision referring to the proposal made by the Council of the doctoral studies which course teachers in the third study cycle are to be selected. The Book of Rules on the Third Study Cycle stipulates in more detail the selection criteria for selecting a subject teacher in the doctoral study from the academic staff.

(3) The institution of higher education is required to make a decision on establishment of scientific or artistic areas of work, as well as teaching subjects pertaining to them, and the decision is based upon proposals submitted by the organizational units.

(4) The dean is required to forward to the Senate of the institution of higher education the established proposal of the organizational unit, as well as the proposal for any amendments or revisions of the decision referred to in paragraph (2) of this Article.

(5) The institution of higher education is required to submit the decision referred to in paragraph (2) of this Article to the Ministry, as well as to continually inform the Ministry about any amendments to the decision.

(6) Academic staff members who fulfilled the conditions for retirement when they turn 65 years of age, regardless of the number of years accrued in the social insurance entitlements, are entitled, should it be stipulated in the decision on their appointment, to remain employed until the end of the academic year in which they turn 65.

(7) The institution of higher education is obliged to offer to the academic staff member who turns 65 in the academic year, but whose appointment period has not expired, to conclude a new employment contract until the end of that academic year.

(8) Academic staff members referred to in paragraph (5) of this Article can be engaged in the institution of higher education until they turn 70 years of age, under condition that no other academic member has been selected for that position following the competition procedure defined in Article 104 of the Law, and that the decision for the appointment to that position allows for it. Members of academic staff who turn 65 cannot be appointed to the same or higher title based on the public competition.

(9) Procedure defined in Article 104 of the Law is to be carried out prior to the beginning of each academic year.

(10) Members of staff who intend to stay engaged after the ending of that particular academic year, referred to in paragraph (5) of this Article, are obliged to inform the head of the organizational unit in writing about their intention at least 6 months before they turn 65 years of age.

(11) By the end of the academic year in which academic staff members reach the age of 70, any opportunities to engage such members expire, with the exception of Professor Emeritus.

#### Article 110 (Professor Emeritus)

(1) Upon proposal of the organizational unit, the institution of higher education can award a retired professor the title of Professor Emeritus.

(2) The criteria as well as the procedure of awarding the honorary title of Professor Emeritus are determined in accordance with the Statute of the institution of higher education.

(3) Professor Emeritus can be engaged without signing the employment contract as a mentor for postgraduate candidates doing Master or Doctoral thesis; to assess and evaluate the theses; as a member of selection committees for employment of academic staff; as a member of committees for validation and equivalence of foreign higher education qualifications; as a reviewer of works to be published; as a coordinator for work in scientific research and art projects; and to teach in some parts in subjects in all three study cycles should no other staff resources be available, under condition that he/she cannot be in charge of the full subject, nor to conduct the final examination.

Article 111  
(Medical check-up)

(1) Prior to the beginning of an academic year, and even earlier upon request by the head of the organizational unit, every employee of a institution of higher education must have a comprehensive medical check-up done in a health institution as a public institution and hand in the certificate on medical examination to the institution of higher education or to the organizational unit which keeps his/her personal file.

(2) No employment engagement can be accepted in the teaching process at any institution of higher education with a person if, during the medical procedure, it has been established that the person is: an alcoholic, a drug-addict, or suffering from a contagious or a mental disease.

(3) The Statute of the institution of higher education defines in more detail the meaning of terms referring to contagious diseases referred to in paragraph (2) of this Article.

(4) An employee for whom it has been established that he/she is affected by a health disorder referred to in paragraph (2) of this Article, immediately after the facts have been established, is to be removed from the work process and referred for treatment.

(5) The Statute of the higher education statute stipulates the procedure related to the employee referred to in paragraph (4) of this Article in more detail, as well as the employee's further work status.

(6) Financial means covering expenses of the medical check-up procedure referred to in paragraph (1) of this Article are provided by the institution of higher education.

Article 112  
(Evaluation of work of the academic staff)

(1) At the end of each academic year, the institution of higher education is obliged to evaluate work of the academic staff, or the success of realization of the curricula.



(2) Evaluation of work of each academic staff member is to be carried out in accordance with the Statute of the institution of higher education by the institution as well as by students.

(3) The institutions of higher education are obliged to carry out a students' evaluation survey on the academic staff performance after the end of each semester, or after the completed teaching cycle for the subject taught.

(4) Evaluation must evaluate: lecture quality, student-academic staff interaction, correctness of communication, teacher's attitudes towards students attending the teaching activities and at assessments, availability of suggested reading material, attendance and punctuality of the teacher, along with other criteria which are defined in the Statute.

(5) The institution of higher education by a specific act determines the procedure for evaluation of the academic staff performance, the content of survey forms, the manner of conducting the evaluation, grading criteria for the evaluation, as well as adequate measures for the academic staff who received negative evaluation for two consecutive years.

(6) The evaluation of the academic staff performance is an integral process of establishment the quality assurance system, or self-control and internal quality assurance.

(7) Results of the evaluation of the academic staff performance are to be adequately analyzed by the institution of higher education, and the decision of the head of the organizational unit about the employee's work performance is an integral part of the personal file of each member of academic staff.

#### Article 113

##### (Protection of rights of academic staff and other employees)

(1) Protection of rights of academic staff and other employees at the institution of higher education is carried out in compliance with the law, the Statute, as well as other acts of the institution of higher education.

(2) In exercising academic staff and other employees' rights and obligations arising from employment contracts concluded with the institution of higher education, regulations from the Employment Law apply, unless this Law stipulates otherwise.

#### Article 114

(Responsibility of the officials in the bodies of institutions of higher education and academic staff)

(1) Institution of higher education officials and members of the academic staff have explicit social responsibility.

(2) The institution of higher education general act regulates disciplinary accountability of persons referred to in paragraph (1) of this Article in more detail; major and minor breach of duties; disciplinary bodies; procedures for disciplinary accountability; and appropriate sanctions.

(3) Procedure of disciplinary accountability against officials referred to in paragraph (1) of this Article can be initiated only for major and minor breaches of duties which were, before having been committed, defined by a general act of the institution of higher education and for which responsibility was determined.

(4) The process of disciplinary accountability cannot be initiated in the following circumstances:

- a. 6 months after the breach and the responsible party became known,
- b. one year after the breach was committed.

(5) In case when against the official referred to in paragraph (1) of this Article charges have been laid and confirmed for criminal acts which are defined in the Penal Law of the Federation of Bosnia and Herzegovina, and the sentence of 6 months or more can be pronounced for such acts, suspension of the person from scientific-teaching process is mandatory until the finalization of the legal proceedings.

(6) Officials referred to in paragraph (5) of this Article who have been convicted or sanctioned due to one or more committed acts referred to in paragraph (5) of this Article, are to be formally laid off by the decision of the institution of higher education and the Ministry must be notified thereof in writing.

(7) The institution of higher education is obliged to officially make a decision to terminate employment status of the member of staff who had enclosed forged documentation or false statements in the application process.

(8) Ministry keeps records of persons referred to in paragraphs (5) and (6) of this Article.

## **PART NINE: BODIES OF INSTITUTIONS OF HIGHER EDUCATION AND ORGANIZATIONAL UNITS**

### *CHAPTER I BODIES OF THE INSTITUTION OF HIGHER EDUCATION*

#### Article 115

(Bodies of the institution of higher education)

(1) The University bodies are:

- a. Board of Governors
- b. Senate
- c. Rector
- d. other professional and advisory bodies the establishment, structure, and authorities of which are determined by the Statute or other by-laws of the institution of higher education.

(2) The University may have organizational units such as: faculty, academy, higher school, and research institute, and which perform teaching, scientific-teaching, artistic, art-teaching and scientific research activities in one or more fields.

(3) Organization and authorities of organizational units are closely determined by the University Statute in more detail.

(4) Higher school bodies are:

- a. Board of Governors
- b. Senate

c. Director

d. other professional and advisory bodies the establishment, structure, and authorities of which are determined by the Statute or other by-laws.

#### Article 116

(Authorities, method of election or appointment of the institution of higher education bodies)

(1) Bodies referred to in Article 122 of the Law have authorities stipulated by the law and the Statute of the institution of higher education.

(2) The University rector or higher school director is elected or appointed according to the procedures stipulated by the law and the higher school Statute.

(3) Members of the Board of Governors and the Senate members are elected and appointed according to the procedures stipulated by the law and the higher school Statute.

#### Article 117

(Structure of the Board of Governors of the higher school institution)

(1) The Board of Governors of the University as a public institution has 11 members who are appointed for a term of office of 4 years, out of whom 6 members are nominated by the Government, whereas the rest of the Board members, out of whom there is at least one student representative, are nominated by the University Senate.

(2) The Board of Governors of a higher school as a public institution has 7 members who are nominated for a term of office of 4 years, out of whom 4 members are nominated by the Government, and the rest are nominated by members of the Senate of the higher school, in accordance with the Statute.

(3) The Board of Governors of the institution of higher education as a public institution has between 7 and 11 members, out of whom at least one third are elected by the founder, whilst the others are nominated by members of the Senate of the institution of higher education, in accordance with the Statute.

(4) The Chair of the Board of Governors of the institution of higher education as a public institution is nominated from among the founders.

(5) Upon proposal of the Ministry, the Government stipulates the act which precisely and in more detail regulates the appointment of members of the Board of Governors, commencement and the manner of their work, their rights and obligations, the relief of duty procedure, as well as any other matters deemed important for lawful and efficient operations of the Board of Governors of the institution of higher education as a public institution.

(6) Prior to submission of the proposal referred to in paragraph (5) of this Article, the Ministry is obliged to come to an agreement with the Senate members on the text of the proposal.

(7) The Senate members, members of the university council, rectors, vice-rectors, and heads of organizational units cannot be members of the Board of Governors.

(8) Rectors and vice-rectors attend the meetings of the Board of Governors, with no decision-making powers.

(9) The Board of Governors is authorized to request any information related to all matters within its authorities.

(10) The Board of Governors of the institution of higher education as a public institution is obliged to inform the Government through Ministry about their work by delivering minutes of their meetings, as well as 6 monthly and annual reports on their performance and work.

(11) The Chair of the Board of Governors is required to deliver the minutes of the meetings referred to in paragraph (10) of this Article no later than 5 days from their motion.

Article 118  
(Authorities of the Board of Governors)

(1) The Board of Governors of the University or a higher school is responsible for the operations of the institution of higher education.

(2) The Board of Governors performs activities stipulated by the law and the University Statute, and specifically:

a. assesses the Statute of the institution of higher education and introduces a general Act on the internal organization and job classification, and other general acts in accordance with the law and the Statute of the institution of higher education;

b. prepares financial plans for financing and developing the institution of higher education;

c. makes the annual program of activities of the institution of higher education, proposed by the Senate of the institution of higher education, and monitors its implementation;

d. prepares the financial plan and adopts the annual statement of accounts;

e. steers, monitors and assesses the work of the rector or director in the area of financial management and takes any necessary measures and activities to ensure lawfulness of financial and overall operations of the institution of higher education;

f. addresses the issues related to the relationship between the institution of higher education and its founder;

g. decides on use of the financial means exceeding the amounts allocated to the rector's discretion, which is stipulated by the Statute of the institution of higher education;

h. resolves employees' complaints or appeals on the decisions made by the institution of higher education bodies which have made the first instance decisions on the employees' rights, obligations and responsibilities;

i. submits six-monthly and annual reports to the founder about the operations of the institution of higher education;

j. performs other activities in accordance with the law, foundation act and the Statute of the institution of higher education.

Article 119  
(Authorities and structure of the Senate)

(1) The Senate, as the highest academic body consisting of academic staff representatives and student representatives, is responsible for academic issues at the institution of higher education.

(2) Within the limits of its academic activities, the Senate of the institution of higher education has the authority to:

- a. make decisions on all academic issues, especially those related to teaching, scientific, artistic and professional activities of the institution of higher education;
- b. adopt the Statute of the institution of higher education in accordance with the Law and with a previously obtained opinion of the Board of Governors;
- c. introduce the code of ethics and general acts in accordance with the law and the Statute of the institution of higher education;
- d. monitor development of the institution of higher education from the aspect of the realization of teaching, scientific-teaching, artistic, art-teaching, scientific-reasearch and professional activities by analyzing six-monthly and annual reports submitted by the heads of organizational units, or in other manners;
- e. submit a proposal of the annual program of activities of the institution of higher education to the Board of Governors;
- f. adopt syllabi and curricula for all the three study cycles and monitor their implementation;
- g. analyze proposals submitted by organizational units or the university council for the completion of studies in cooperation with national or international institutions of higher education, which could result in issue of dual or joint degrees;
- h. appoint the rector of university or director of higher school;
- i. appoint vice-rectors at the proposal of the rector of the university;
- j. select academic staff at the proposal of the organizational unit council;

k. appoint a committee in the process of obtaining an academic title of the third study cycle;

l. assign the honorary titles of Professor Emeritus or a honorary PhD title;

m. give the initiative to the Board of Governors to address the issues related to the organization or reorganization of the university;

n. perform other activities in accordance with the law and the Statute of the institution of higher education;

(3) The Senate of the institution of higher education makes decisions on academic issues at the proposal submitted by expert bodies of organizational units or other bodies of the institution of higher education and representative student bodies.

(4) Minimum 15% of the Senate members are from the student body, among whom are the representatives from each of the three study cycles.

(5) The appointment of the Senate members, as well as other issues significant for the functioning of the Senate, are specified in more detail in the Statute of the institution of higher education.

#### Article 120

(Rights and obligations of the rector or of the director)

1) The university is managed by the rector of the university and a higher school is managed by the director, in accordance with the law and the Statute of the institution of higher education

2) The rector of the university, or the director of the higher school, is accountable to the senate for his/her work in the area of academic issues, and to the Board of Governors in the area of management.

3) The rector of the university calls and chairs the Senate sessions.

4) The rector of the university is assisted by vice-rectors, secretary general, and other bodies set by the law and the university Statute.



5) The rector of the university, or director of the higher school, performs activities set by the law and the university Statute, and specifically:

- a. represents and acts on behalf of the institution of higher education;
- b. organizes and manages activities of the university, or the higher school, and is responsible for the legality of their work;
- c. brings individual acts in accordance with the law and the institution of higher education Statute;
- d. proposes general acts in accordance with the law and the institution of higher education Statute;
- e. proposes measures to university bodies for improvement of their work;
- f. proposes measures to the Board of Governors for efficient and lawful operations of the institution of higher education;
- g. proposes the elements of the university work plans and development programs;
- h. proposes to the Board of Governors internal organization and job classification;
- i. implements the decisions made by the Board of Governors or other bodies of the institution of higher education;
- j. decides on use of financial means in the amounts allocated by the Statute of the institution of higher education;
- k. makes decisions on employees' rights, obligations and responsibilities arising from their employment status;
- l. submits reports to the Board of Governors on financial operations of the institution of higher education;
- m. submits reports to the Senate on academic issues at the institution of higher education;
- n. makes orders for the implementation of the financial plan;

o. participates in the activities at the Bosnia and Herzegovina Rectors' Conference;

p. performs any other activities in accordance with the law and the Statute of the institution of higher education.

6) The rector of the university, or the director of a higher school, is responsible for lawfulness and implementation of the decisions made by competent government or institution of higher education bodies in performing their registered activity.

7) The rector of the university, or the director of a higher school, is authorized to annul or suspend the implementation of a decision of the head of an organizational unit or another organizational unit body, should it be contrary to the law, by-laws, implementation acts, or the Statute of the institution of higher education, and to inform the Senate and the Board of Governors thereof, in accordance with their authorities, as well as the administrative body in charge of supervising the legality of the activities of the institution of higher education, within seven days from the date of the decision.

8) The rector is authorized to suspend the head of the organizational unit should he/she does not fulfill his/her obligations in the lawful and conscientious manner, set by the law, the Statute, or other general acts of the institution of higher education, and within seven days from the date of the grounded decision notify thereof:

a. Board of Governors and the Senate of the institution of higher education;

b. Council of the organizational unit; and

c. The administrative body in charge of supervising the legality of the activities of the institution of higher education.

The rector can initiate the procedure to establish the accountability of the head of the organizational unit for the breach of law, the Statute, or another by-law.

(9) The rector of the university, or the director of a higher school, is obliged to submit to the Senate and to the Ministry through the Board of Governors a report

on the operations of the institution of higher education for the previous year by April 15 of the following calendar year, at latest.

(10) The report referred to in paragraph (9) of this Article must contain information about efficiency of work of the institution of higher education in the area of teaching, scientific-teaching, artistic, art-teaching, scientific-research and financial operations, and other elements set in a form stipulated by the Ministry.

(11) In their term of office, the rector and vice-rector of the university cannot exercise the function of the dean or vice-dean of an organizational unit, nor serve as a member of the Board of Governors of the university.

Article 121  
(Appointment of the Rector / Director)

(1) The rector / director is appointed on the basis of the results of a public competition published in at least three daily newspapers and on the web site of the institution of higher education at least six months before the end of term of office of the rector of the university on duty.

(2) A teacher with the title of a full-time professor, who meets the requirements for this position at the university at which he/she is entering the competition, can be appointed to the position of the rector of the university;

(3) A person fulfilling requirements to be a teacher at a higher school can be appointed to the position of the director of college.

(4) The rector / director is appointed by a majority of votes of the overall number of the Senate members of the institution of higher education or higher school who vote secretly;

(5) In the process of electing the rector all organizational units have equal right to vote according to the principle: one organizational unit – one vote.

(6) Having elected the rector / director, the Senate of the institution of higher education will vote to authorize a Senate member to endorse the formal decision on the appointment of the rector / director.

(7) Within seven days from the date of the decision to elect the rector, the Senate member referred to in paragraph (7) of this Article is obliged to endorse the decision on the appointment and forward it to the legal department, which will in due time, through the secretary general, forward the information about the appointment to the candidates who have applied for the position based on the competition referred to in paragraph (1) of this Article.

(8) The rector / director is appointed for a four-year term of office, with a possibility of a consecutive reappointment.

(9) Vice-rectors are appointed and relieved of duty by the Senate, at the proposal of the rector. The vice-rectors' term of office, except in extraordinary circumstances, follows the term of office of the rectors.

(10) The number of vice-rectors, their rights and obligations as well as the extraordinary circumstances referred to in paragraph (10) of this Article are stipulated by the university Statute.

(11) The procedure for appointing and relieving of duty of the rector / director and the vice-rectors before or after the end of their term of office, as well as the method of exercising the function of the rector / director or vice-rectors in case of the rector's / director's or vice-rector's temporary incapacity to perform his/her duties is stipulated by the university Statute in more detail.

(12) The rector / director who is in his first term of office on the day of the enactment of this law will exercise his/her function until the end of his/her term of office and can be reappointed to the office of the rector for his/her second consecutive term of office.

(13) The rector / director who is in his second term of office on the day of the enactment of this law will exercise his/her function until the end of his/her term of office and cannot be reappointed to the office of the rector for his/her third consecutive term of office.

## Article 122

### (Termination of the Rector's / Director's Term of Office)

(1) Rector's / director's term of office is terminated in the following circumstances:

a. at expiry of his/her term of office;

b. by his/her resignation;

c. by an early relief of duty;

d. by an appointment to another office which is incompatible with the office of the rector / director.

(2) The Senate can decide to relieve the rector / director of his/her duty before the expiry of his/her term of office in the following circumstances:

a. In case of poor business results due to his/her management;

b. If there is a legally-binding verdict against him/her;

c. If he/she does not perform duties set by the law and the Statute, or if he/she performs them contrary to their provisions;

d. If he infringes his/her authorities, inflicting damage to the institution of higher education on a large scale, which is stipulated by the Statute of the institution of higher education in more detail;

e. Due to being absent or being prevented from performing his/her duty in a continuous period longer than three months;

f. If his/her behavior violates the reputation of the office of a rector / director.

(3) A proposal supported by arguments for the relief of duty of a rector / director of a institution of higher education, for one or more of the reasons referred to in paragraphs (1) and (2) of this Article, can be submitted to the Senate by:

a. the founder of the institution of higher education;

b. minimum one third of the Board of Governors members;

c. minimum one third of the Senate members;

d. minimum three councils of organizational units.

(4) The rector / director is obliged to call a Senate session within fifteen days from the date of receiving the proposal referred to in paragraph (3) of this Article and to inform the founder and the Ministry thereof.

(5) On the proposal of a temporary relief of duty of the rector / director, the Senate makes a decision through secret voting and it requires a majority of votes of the overall number of the Senate members to make the decision on the relief of duty.

(6) At the same Senate session, after making the decision on the relief of duty of the rector, the Senate makes a decision on the appointment of an acting rector / director. A proposal for the acting rector / director can be submitted by any Senate member. The acting rector / director is appointed by a secret voting of the Senate, by a majority of votes of the Senate members, and for a maximum period of six months.

(7) In case of making the decisions referred to in paragraphs (5) and (6) of this Article, the Senate is obliged to make a decision on the same session on announcing vacancy for the position of a new rector / director according to the procedure from Article 129 of the Law.

(8) In case of the relief of duty of the rector prior to the expiry of his/her term of office, the term of office of the vice-rectors is terminated at the appointment of new vice-rectors at the proposal of the newly appointed rector.

## *PART II. THE BODIES OF ORGANIZATIONAL UNITS*

### Article 123 (Bodies of Organizational Units)

The bodies of the organizational units are:

- a. Dean or director;
- b. Council;
- c. other professional and advisory bodies the establishment, structure and authorities of which are defined by the Statute or other by-law.

Article 124  
(The Council of Organizational Unit)

(1) The council of faculty or academy comprises staff elected among professors, assistant, higher assistant and student representatives, elected in accordance with the Statute of the organizational unit. A member of the academic staff who turned 65 years of age, but who is employed in accordance with Article 116 of this Law, can be a member of the Council of the faculty or the academy with the voting right.

(2) The Council of the organizational unit has particular authorities to:

- a. make decisions on all academic, teaching, scientific, artistic and professional issues, within its authorities;
- b. initiate and assess curricula and syllabi in all study cycles, at least once after the end of the study cycle;
- c. elect and relieve of duty deans and vice-deans;
- d. adopt general acts of the organizational unit;
- e. propose teaching curricula and syllabi for all study cycles;
- f. propose to the Board of Governors internal organization and job classification within the organizational unit, taking into consideration the functional integration of the university;
- g. elect heads of departments or divisions;
- h. propose to the university Senate the program for scientific, research and artistic activities and the program for professional development of academic and other staff;
- i. nominate members of committees for supervision of doctoral studies and earning doctoral titles;
- j. nominate members of commissions for supervision of all steps in earning titles of the third cycles of study, or Master's or Doctoral titles;

k. consider requests and proposals regarding professional development and education of academic staff in the country and abroad;

l. verify the proposed number of students enrolling in the first year of all three cycles of studies;

m. decide on electives to be offered within syllabi and curricula in a certain academic year, having obtained the Senate's permission and having considered academic, spatial and financial capacities, as well as the number of students;

n. verify academic calendar prior to the commencement of the academic year;

o. analyze the students' exam pass-rates at the end of each semester and accordingly adopt measures towards the improvement of the pass-rates at the end of the academic year;

p. analyze and evaluate the results achieved and the quality of teaching performed within curricula;

r. verify proposed measures for the improvement of teaching;

s. make decisions on students' appeals pertaining to decisions made by the deans to keep students' rights and obligations dormant, and decide on the rights and obligation of students, as the second authority;

t. perform any other duties in accordance with the Statute and other by-laws.

(3) The Council structure, its membership and election of members, and the manner of decision-making by the scientific council of the institute are determined and carried out in accordance with the Law and the Statute of the institution of higher education at which the institute holds the status of the organizational unit.

#### Article 125

#### (Rights and duties of heads of departments)

(1) The dean or director of organizational unit has the rights and obligations which are determined by the law and the Statute.



(2) The Statute defines in more detail the authorities of the department heads, in particular those relating to the use of financial funds up to the limited amount.

(3) The dean / director calls and chairs the Council meetings, in accordance with a general act of the institution of higher education.

(4) For his/her work, the dean / director is accountable to the Council, rector and the university Board of Governors.

(5) The dean / director is assisted by the vice-dean, secretary of the organizational unit and other bodies established by the Statute.

(6) The dean / director is responsible for implementation of law and implementation of decisions made by the Council, university and other competent authorities, in accordance with the law and the Statute.

(7) The head of the organizational unit is obliged to annul or suspend implementation of any decision made by the heads of a subordinate organizational unit or any other body of the organizational unit, should they be made contrary to law, by-laws or implementation acts or the Statute of the university, and within seven days inform thereof, in respect to their authorities, the Senate or Board of Governors, as well as the administrative body in charge of supervising lawfulness of operations of the institution of higher education.

(8) The head of the organizational unit is authorized to suspend the head of the subordinate organizational unit or another body of the subordinate organizational unit should he/she does not do his/her duties efficiently and conscientiously, as stipulated by the law, the Statute or another general act of the institution of higher education, and within seven days from the date of making such a decision, inform thereof:

a. Council of the organizational unit,

b. Rector,

c. Senate and the Board of Governors of the institution of higher education.

The head of the organizational unit can initiate the disciplinary accountability procedure against the head of the subordinate organizational unit for breaches of the law, the Statute or another general act of the institution of higher education.

(9) The dean is obliged to submit a report for the previous year to the Council and to the rector about the implementation of curricula and about the business operations of the faculty or academy until March 15th of the following calendar year at latest, and the director of the institute is obliged to submit a report about the business operations of the institute by 31st January for the previous financial year.

(10) The report referred to in paragraph (9) must include the information on efficiency of work of the faculty or academy regarding teaching process, scientific and research or artistic activities, financial operations, and other elements set in a form stipulated by the Ministry.

(11) Rights and obligations of the director of institute are defined in more detail by the Law on Scientific and Research Activity of Sarajevo Canton, as well as by the Law, the Statute of the higher education in which the institute functions as an organizational unit.

#### Article 126

##### (Election of heads of organizational units)

(1) Deans are elected in accordance with the results of a public competition, which is published by the council in at least one daily newspaper and on the website of the organizational unit and university, at least six months before the expiry of term of office of the dean on duty.

(2) The faculty or academy dean is elected from among the academic staff holding the title of a full-time professor or associate professor who are employed on a full-time basis at that faculty or academy. The decision on the appointment is made by secret voting of the council members with a majority of votes of the overall number of the Council members.

(3) Upon the election of the dean, the council submits their decision to the rector of the university for endorsement.

(4) The rector is obliged to endorse the decision on appointment of the dean and forward it to the organizational unit within seven days from the date of receipt of the decision to be endorsed, in order to notify the candidates of the results of the competition.

(5) Applicants can appeal to the Senate against the decision referred to in paragraph (5) of this Article, within fifteen days from the date of receipt of the written decision.

(6) An appeal against the decision of the Senate referred to in paragraph (6) of this Article is not allowed; however, administrative proceedings can be taken at the competent court in Sarajevo, within 30 days from the date of receipt of the written decision.

(7) The Dean is elected for a four-year term of office, with the possibility of re-election for another consecutive term of office.

(8) The Vice-dean is elected and relieved of duty by the Council on the Dean's proposal. Except in extraordinary circumstances, the Vice-Dean's term of office is tied in with the Dean's term of office.

(9) The number of Vice-deans, their rights and responsibilities are determined by the Statute.

(10) The procedure for election and relief from duty of the Dean and the Vice-dean after or before their term of office expires, as well as performing the functions of the Dean and Vice-dean in case of the Dean's/Vice-dean's temporary incapacity to carry out their duties, are determined by the Statute in more detail.

(11) The dean who is in his/her first term of office on the day of the enactment of this law will exercise his/her function until the end of his/her term of office and can be reappointed to the office of the dean for his/her second consecutive term of office.

(12) The dean who is in his/her second term of office on the day of the enactment of this law will exercise his/her function until the end of his/her office and cannot be re-elected as the Dean for a third consecutive term of office.

(13) The Director of the institute is elected in accordance with regulations of the Law referring to the election of the head of the organizational unit, which is defined by the Statute of the institution of higher education in more detail.

(14) Employment relations on a full-time basis referred to in paragraph (2) of this Article are defined in more detail by the Statute of the institution of higher education.

#### Article 127

##### (Termination of the Rector's / Director's Term of Office)

(1) The Dean's/Director's term of office is terminated in the following circumstances:

- a. At expiry of his/her term of office;
- b. By his/her resignation;
- c. By an early relief of duty;
- d. By an appointment to another office which is incompatible with the office of the Dean.

(2) The Council can decide to relieve the Dean / Director of his/her duty before the expiry of his/her term of office in the following circumstances:

- a. In case of poor business results due to his/her management;
- b. If there is a legally-binding verdict against him/her;
- c. If he/she does not perform duties set by the law and the Statute, or if he/she performs them contrary to their provisions;
- d. If he/she infringes his/her authorities, inflicting damage to the institution of higher education on a large scale, which is stipulated by the Statute of the institution of higher education in more detail;
- e. Due to being absent or being prevented from performing his/her duty in a continuous period longer than three months;
- f. If his/her behavior violates the reputation of the office of the Dean / Director.

(3) A proposal supported by arguments for the relief of duty of the Dean / Director, for one or more of the reasons referred to in paragraphs (1) and (2) of this Article, can be submitted to the Council by:

- a. the founder of the institution of higher education;
- b. minimum one third of the Board of Governors members;
- c. minimum one third of the Senate members;
- d. the rector;
- e. minimum one third of the council of the organizational unit.

(4) The Dean / Director is obliged to call a Council session within fifteen days from the date of receiving the proposal referred to in paragraph (3) of this Article and to inform the rector, founder and the Ministry thereof.

(5) On the proposal of a temporary relief of duty of the Dean / Director, the Council makes a decision through secret voting and it requires a majority of votes of the overall number of the Council members to make the decision on the relief of duty.

(6) At the same Council session, after making the decision on the relief of duty of the Dean / Director, the Council makes a decision on the appointment of an acting Dean / Director. A proposal for the acting Dean / Director can be submitted by any Council member. The acting Dean / Director is appointed by secret voting of the Council, by a majority of votes of the Council members, and for a maximum period of six months.

(7) In case of making the decisions referred to in paragraphs (5) and (6) of this Article, the Council is obliged to make a decision on the same session on announcing vacancy for the position of a new Dean / Director according to the procedure from Article 133 of the Law.

(8) In case of the relief of duty of the Dean prior to the expiry of his/her term of office, the term of office of the Vice-deans is terminated at the appointment of new Vice-deans at the proposal of the newly appointed Dean.

## **PART TEN – FINANCING**

### Article 128

(Financing of the institution of higher education as a public institution)

(1) The institution of higher education which is founded or co-founded by the Canton is financed or co-financed from the budget according to the criteria on financing institutions of higher education as public institutions set by the Government on the Ministry's proposal.

(2) The funds referred to in paragraph (1) are allocated to ensure:

a. partial payment of salaries and fees for academic staff and other employees of the institution of higher education;

b. partial payment of material costs;

c. basic technical equipment of the institution of higher education;

d. work and living conditions of students.

(3) If the Canton is the co-founder of the institution of higher education, co-financing is regulated by a separate agreement.

(4) The funds provided by the Canton are determined in accordance with the criteria referred to in paragraph (1) of this Article, depending on the nature, significance and financial requirements of the curricula implemented in the institution of higher education, general pre-conditions for institutions of higher education to generate income from their own sources, structure of the students' and academic staff status and other parameters.

(5) In order to promote the efficiency of the organizational unit, the Statute of the institution of higher education as a public institution specifies the nature and extent of the academic and financial powers of the organizational units within the institution of higher education. The Statute regulates in more detail the work of the organizational unit, the manner and viability of the organizational unit entering the market within the bounds of its registered activities and in accordance with the current law.

Article 129  
(Sources of Revenue)

In addition to the income referred to in Article 135, the institution of higher education can also raise revenues by:

- a. performing scientific-research and artistic activities;
- b. providing intellectual, scientific, expert and artistic services;
- c. publishing activities;
- d. carrying out the procedure of validation and equivalence of public documents;
- e. author's rights and patents;
- f. donations of legal and physical persons;
- g. endowments, gifts and bequests;
- h. fees paid by students in all study cycles for any educational, administrative and other services in accordance with the law, the Statute and other acts of the institution of higher education;
- i. tuition fees in all study cycles;
- j. activities of its laboratories, centers, institutes, subordinate units and other organizational structures of the institution of higher education;
- k. diagnostic and other expert services regarding human and animal health care;
- l. other sources in accordance with the law and the registered activity of the institution of higher education.

Article 130  
(Tuition fees)

(1) On proposal by the Senate of the institution of higher education as a public institution, the Government determines tuition fees as a type of participation

towards the cost of studies that students are required to pay to the institution of higher education.

(2) Tuition fees referred to in paragraph (1) of this Article may be determined in different amounts for different organizational units of institutions of higher education as public institutions, and also within the units for different study programs, depending on the cost of their realization.

Article 131  
(Decision on participation)

(1) Decision on the type of services that are offered to students by a institution of higher education is determined by the Government on the proposal of the institution of higher education.

(2) Decision on the cost for the services referred to in paragraph (1) of this Article for institutions of higher education as public institutions is made by the Government, and the decision for the institution of higher education as an institution is made by the founder.

(3) The institution of higher education as an institution is obliged to deliver the decision referred to in paragraph (2) of this Article to the Ministry.

Article 132  
(Utilization of resources)

(1) Funds referred to in Articles 135 and 136 of the Law are used in accordance with the purposes for which they have been acquired.

(2) Apart from the budgetary financing, the institution of higher education can be financed only from the sources that do not jeopardize its institutional autonomy and do not limit its academic autonomy, nor restrict its academic freedom. Revenues from own sources can be realized only by activities the type and amounts of which do not impair the basic activities of the institution of higher education.

(3) Payments effected to the academic staff and other employees at an institution of higher education as a public institution are conducted in accordance with the



Book of rules on terms of wages, adopted by the Board of Governors of the institution of higher education on the proposal of the Senate.

(4) Approximate workload of the academic staff at an institution of higher education is proscribed by Standards and Norms and is uniform at the level of institution of higher education. It cannot be defined by organizational units of the university outside the proscribed normative framework.

#### Article 133

(Defining criteria for allocation of budgetary funds)

Based on the Standards and Norms, the Government determines the criteria and stipulates the methodology for allocation of budgetary funds for teaching, scientific-teaching, artistic, art-teaching, and scientific research work, starting from the set quality of the educational criteria and certain particularities of the curricula that are implemented by institution of higher educations.

#### Article 134

(Determining the number of students who are financed from the Cantonal budget)

The Government, in accordance with the criteria proscribed by the Law, determines the number of students who shall be financed from the Cantonal budget for a particular study program within the first and second cycles of studies.

#### Article 135

(Self-financed students)

(1) Besides students referred to in Article 141 of the Law, the Government also determines the number of students as well as the study cost for students who fund their own studies or who receive financial support by other entities, taking into account that this number, combined with the number of students referred to in paragraph (1) of Article 141, cannot be greater than the number of students for whom the institution of higher education has been licensed.

(2) A special act, which is brought by the Government at the proposal by the Ministry, regulates the issue of providing students with study loans as one of the

aspects of financing studies, which shall occur within six months from the date of enactment of the Law.

#### Article 136

##### (Co-financing of scientific-research activities)

(1) For the institution of higher education as a public institution, the founder needs to provide a portion of funds for co-financing the development of scientific and research work in accordance with the Law on scientific-research activity of Sarajevo Canton.

(2) Portion of funds allocated exclusively for research and development activities will be ensured by a institution of higher education as a public institution through the allocation of funds in the amount of 10% of the total revenues incurred by all organizational units, and these funds shall be deposited at the university's unique account.

(3) Upon the initiative and proposal by the Senate of the University, Board of Governors of a higher institution as a public institution shall make their decision on the method of allocation and use of funds from the preceding paragraph, which shall be regulated by a separate Book of Rules within six months after enactment of the Law. Implementation of the Book of Rules shall commence from the date of integration of universities.

#### Article 137

##### (Budgetary resources and off-budget resources)

(1) Budgetary resources provided by the founder are to be used in accordance with the purpose for which they have been allocated and in accordance with the financial plan, which is adopted by the Board of Governors of a institution of higher education as a public institution, as proposed by the Senate.

(2) Off-budget resources are utilized in accordance with the Off-Budget Book of Rules, which is adopted by the Ministry in cooperation with the Ministry of Finances of Sarajevo Canton as proposed by the Board of Governors of a institution of higher education in accordance with the financial plan referred to in paragraph (1) of this Article.

(3) The rector is obliged to submit to the Board of Governors of the institution of higher education six-monthly and annual reports about expenditures from budgetary resources or off-budget resources.

(4) In accordance with their rights and responsibilities, the Board of Governors through the Ministry submits to the Government six-monthly and annual reports concerning the functioning of the institution of higher education, along with the report regarding its financial operations.

#### Article 138

(Acquiring status of the associate member and financial options for a institution of higher education as an institution)

(1) Faculties, academies and centers as institutions can be part of the university as a public institution in capacity of the associate member, under condition that the Senate provides its support and that the founders of the University as a public institution provide their consent.

(2) The complete procedure of acquiring the status referred to in paragraph (1) of this Article is to be regulated by the University Statute in more detail.

(3) Should there be public interest and an expressed need for education of scientists, artists and other professionals of a certain profile who may be represented in limited numbers, and should a public institution confirm that it is not capable to provide adequate education to professionals of needed profiles referred to in this Article, then in accordance with Article 50 of the Law, and should circumstances allow for such engagement, the Canton can provide portion of funds required for education of referred professionals to institutions of higher education as institutions, which shall be regulated by a special contract.

(4) The existence of the public interest referred to in paragraph (3) of this Article is established in a special decision by the Assembly.

## **CHAPTER ELEVEN: DOCUMENTATION, KEEPING RECORDS AND OFFICIAL DOCUMENTS**

#### Article 139

(Documentation and keeping records)

(1) A institution of higher education is required to keep registration books of:

a. students and persons who acquired post-secondary or university qualifications, or the professional degree of a specialist, and the scientific degree of Master or Doctor;

b. students who completed first, second and third study cycle according to Bologna study programs.

(2) Besides documentation referred to in paragraph (1) of this Article, a institution of higher education is required to keep records on students' examination results, students' achievements, and other documents defined by the law, the Statute and other general acts of the institution of higher education.

(3) Registration books and documentation regarding issuing of awards or certificates are permanently kept.

(4) Regulations regarding the keeping of registration books and documents concerning issued awards or certificates are brought by the Ministry.

(5) Regulations which proscribe in more detail the procedures and manner of keeping and saving the records and documents are brought by the institution of higher education.

#### Article 140 (Official documents)

(1) Public documents, in terms of the Law are: Diploma of acquired scientific degree of the Doctor of Science or Master's Degree; Diploma of acquired high education level and professional title, and a Diploma Supplement; Student's Record Booklet; Withdrawal Certificate; Graduation Certificate; Certificate on Passed Examinations; Certificate on Study Achievements; Certificate on participation in various forms of professional development and continuous education; and other public documents in compliance with the law.

(2) University awards of Bachelor's Degree, Master's Degree and PhD Degree are exclusively issued by the institution of higher education.

(3) The Book of Rules concerning the content of an official document, with exception of the Degree and Supplement to the Degree, the content and form of

which will be determined by the Agency in accordance with Article 50 of the Law Framework and this Law, is brought by the Ministry.

(4) Official documents in respect to the Law, which are issued by institutions of higher education for students who have graduated in accordance with the rules of Bologna study programs are: Diploma; Diploma Supplement; Certificate of the Completed Level of the Study Cycle; Transcript of Grades; Student Registration Concerning Mobility; and other official documents in accordance with the Law, Statute and other by-laws of the institution of higher education.

#### Article 141

(The recognition of the foreign higher education qualifications / validation and equivalence)

(1) Recognition of foreign higher education qualifications is a formal acknowledgement of the validity of qualifications acquired at a foreign institution of higher education, or of periods of study, issued by a competent authority for the purpose of ensuring access to education or employment.

(2) Professional recognition is the recognition of the foreign higher educational qualifications for the purpose of employment.

(3) Academic recognition is the recognition of the foreign higher educational qualifications for the purpose of continuing education.

(4) In the process of recognition for the employment purposes, the holder of the foreign qualification is assessed according to the level and the type of study, as well as the professional, academic or scientific title, without comparing the curricula.

(5) In the process of the academic recognition, an assessment of validity of foreign study programs is conducted and thus entitlements to continue education at institutions of higher education in the area of Sarajevo Canton are determined.

(6) In the process of the academic recognition, the assessment of validity and comparison is conducted based on the documentation and procedures stipulated by the Statute of the institution of higher education in more detail.

(7) Should the positive evaluation of a particular foreign study program be completed, it is valid for all future cases.

#### Article 142

(Authorities in the process of recognition of the foreign higher education qualifications)

(1) Professional recognition of the foreign higher education qualifications is performed by the university and the higher school.

(2) The academic recognition is performed by the university through faculties and academies, and by the higher school.

(3) The applicants who want to have their qualifications recognized are required to state in their application whether it refers to employment, or to continuation of education purposes.

(4) In processing and considering the application to have the qualifications recognized, as well as in the process of making the relevant decision, bodies of the university and the higher school, faculties or academies, are required to comply with the regulations stipulated by the Administrative Procedures Law (published in the "Official Gazette of the Federation of Bosnia and Herzegovina", issues 2/98 and 48/99).

(5) The process of recognition of the foreign higher education qualifications is stipulated in more detail by the Book of Rules brought by the Senate of the institution of higher education, to which the consent has been provided by the Ministry.

(6) The institution of higher education can perform recognition of the foreign higher education qualification after the enactment of the Book of Rules referred to in paragraph (5) of this Article.

#### Article 143

(Processing the application for recognition of academic qualifications)

(1) An application to have the academic qualifications recognized is submitted to the organizational unit or faculty or academy which awards the same or similar higher education qualifications in respect to the foreign higher education qualification.

(2) Should in the process of academic recognition be established that it is the case of interdisciplinary/multidisciplinary study programs, the recognition procedure is carried out by the faculty/academy in co-operation with the university, or the higher school.

(3) An application referred to in paragraphs (1) and (2) of this Article must contain the information stipulated by the rules for recognition of the foreign higher education qualifications, and in particular a note regarding the faculty/academy where the studies would be continued.

(4) An appeal against the decision referred to in paragraph (2) of this Article can be lodged with the Senate of the institution of higher education within 15 days from the date of receipt of the decision.

(5) The appeal is submitted to the organizational unit or the faculty or academy referred to in paragraph (1) of this Article which considered the application in the first instance. Within three days from the date of receipt of the appeal, the head of the organizational unit, or the dean of the faculty or the academy, is obliged to forward the whole file together with the appeal to the Senate for consideration.

(6) The Senate of the institution of higher education is required to make a decision upon the appeal within 60 days from the date of receipt of the appeal.

(7) An appeal against the decision of the Senate is not allowed, however the administrative proceedings can be initiated at the competent court in Sarajevo within 30 days from the date of receipt of the decision.

#### Article 144

(Procedure for recognition of the professional qualifications and the recognition in case of multidisciplinary/interdisciplinary study programs)

(1) In respect to the application on recognition of professional qualifications acquired at a foreign institution of higher education, or when in the processing the application it has been established that the qualifications pertain to a multidisciplinary/interdisciplinary study program for which there is no relevant organizational unit, or faculty, or academy, then the procedure of recognition of such qualifications is performed by the university or the higher school.

(2) For the procedure referred to in paragraph (1) of this Article, the Senate of the institution of higher education nominates a special committee consisting of

members from the relevant scientific/artistic fields or disciplines which are included in the aforementioned study program.

(3) The committee referred to in paragraph (2) of this Article makes a report and submits it to the Senate of the institution of higher education for further consideration and decision-making.

(4) The Senate of the institution of higher education makes a decision upon which the rector issues a decision.

(5) An appeal against the decision by the Senate is not allowed, however the administrative proceedings can be initiated at the competent court in Sarajevo within 30 days from the date of receipt of the decision.

(6) The University and the higher school, as well as academies and faculties, are required to keep the Register of the incoming and finalized applications for recognition of the foreign higher education qualifications.

(7) Decision on the processing fees for the procedure of recognition of the foreign higher education qualifications in area of the Canton is brought by the Government upon proposal by the institution of higher education.

(8) In the process of assessing the foreign higher education qualifications, only the elements based on which the qualifications which is sought to be recognized are acquired can be assessed, which is stipulated in more detail by the Book of Rules referred to in paragraph (5) of Article 149.

(9) The organizational unit or the faculty or the academy which is to perform the academic recognition of the foreign higher education qualifications procedure can charge the applicant only for the amount which represents the difference between the cost established for the academic recognition of the qualifications and the cost for the professional recognition of the qualifications according to the decision referred to in paragraph (7) of this Article.

## **PART TWELVE - SUPERVISION**



Article 145  
(Supervision over the implementation of the Law)

(1) Supervision over the implementation of the Law and regulations adopted for the purpose of its implementation at institutions of higher education is carried out by the Ministry in the manner stipulated by the law.

(2) In providing supervision and in order to establish any relevant facts and circumstances in each particular case, the Ministry is entitled to require a competent inspection to carry out activities stipulated by the law and provide information on the established situation and the measures taken by the inspection.

(3) In the last week of September, the competent inspection for educational matters is required to submit to the Ministry the information related to the previous academic year about the performed inspection and supervision, about the established situation, issues and problems arising, as well as about any measures taken, with the proposal of measures and activities to be taken for prevention or bringing to end any established irregular activities.

Article 146  
(Supervision over regularity of work)

(1) Supervision over regularity of work at institutions of higher education is carried out by the Ministry, in accordance with the law.

(2) The Ministry is obliged to cancel or suspend the implementation of any decision of the higher education bodies should it be against the law, by-laws or any other implementation acts stipulated by the law.

(3) After the procedure performed by the Ministry referred to in paragraph (2) of this Article, all other procedures shall be performed in accordance with the law.

(4) Competent authorities of the institution of higher education are required to provide on the Ministry's request and by the due date any information or documents required for performing of the Ministry's duties.

Article 147  
(Inspection control)

(1) Inspection control over the implementation of the Law, implementation acts as well as other acts and decisions made by authorities / bodies of institutions of higher education, brought with the purpose of fulfilling their obligations in respect to the Law, are carried out by a competent authority, in accordance with the law.

(2) In case that, during performing their activities of inspection control, the competent inspection in charge of the educational matters establishes that the institution of higher education does not comply with the requirements for work stipulated by the Law and Standards and Norms, it will set a deadline with sufficient time to rectify the irregularities and will inform the founder of the institution of higher education as an institution, or the Ministry, should the matter refer to the institution of higher education as a public institution, thereof.

(3) In circumstances referred to in paragraph (2) of this Article, the competent inspection has the authority to ban the institution of higher education from enrolling new students, as well as from undertaking or doing other activities which could not be done in accordance with the law unless the established deficiencies or irregularities have been rectified.

(4) Should the institution of higher education fail to rectify the established irregularities by the deadline referred to in paragraph (2) of this Article, the competent inspection is required to inform the Ministry thereof, in order to make a decision on the ban on any further operations and removal of the institution of higher education from the Register of accredited and licensed institution of higher educations.

(5) Having received the opinion of the Agency in regards to the established irregularities, as well as the information about the activities performed by the institution of higher education during the period of time set for rectifying the deficiencies and irregularities referred to in paragraph (2) of this Article, the Ministry is required to make a decision to ban any further operations and to request an official removal of the institution of higher education from the Register of accredited and licensed institution of higher educations.

(6) When the control inspection for educational matters establishes irregularities in work of a institution of higher education which do not disqualify the institution of higher education from performing their activities, or when it establishes that the

institution of higher education does not comply with the requirements, or partially or incorrectly fulfills its obligations stipulated by the law, then the control inspection is required to impose adequate administrative measures, in accordance with the established situation, as follows:

a. to request that the established deficiencies and irregularities be rectified in the manner and by the deadline stipulated by the Law, or should such a deadline not be proscribed, then to set a suitable deadline in accordance with the law;

b. to demand that appropriate administrative actions and measures be taken in order to rectify the established deficiencies or irregularities, which the institution of higher education is obliged to undertake in the required manner and within the set deadlines;

c. to demand by imposing appropriate administrative measures that the institution of higher education take appropriate actions and completely and properly apply the Law, other regulations and acts based on the Law;

d. to prohibit any actions which they believe are contrary to the Law, implementation regulations and acts brought for the purpose of implementation of the Law;

e. to issue an order for court proceedings;

f. to submit a request for initiating the court proceedings;

g. to submit a report to the competent authority about the offence / criminal act;

h. to take other measures and activities for which it has been authorized in compliance with the law and other regulations.

(7) Inspection control for the educational matters imposes the administrative measures by issuing a relevant decision. An appeal against the decision made by the inspection control can be submitted to the Ministry.

(7) An appeal to the decision referred to in paragraph (7) of this Article does not postpone the execution of the order made by the decision.

## **PART THIRTEEN - PENAL PROVISIONS**

### Article 148

(Penal provisions for offences caused by an institution of higher education)

(1) A institution of higher education shall be fined between KM 1,000 and KM 5,000 for any of the following offences:

1. Failing to take actions referred to in paragraph (4) of Article 7;
2. Establishing and carrying out activities contrary to regulations referred to in Article 18;
3. Commencing work contrary to regulations referred to in paragraph (1) of Article 25;
4. Establishing organizational and sub-organizational units or changing their names or implementing changes in status contrary to Articles 27 or Article 35;
5. Enrolling students and performing other banned activities during the period set for rectifying deficiencies and irregularities according to paragraph (6) of Article 28;
6. Making changes in the status, or opening new departments contrary to paragraph (8) of Article 28;
7. Not providing financial means and not ensuring permanent safe keeping of public documents, documentation and records, archived materials and other documentation in accordance with paragraphs (7) and (8) of Article 35;
8. Acquiring, managing or using the assets contrary to Article 42;
9. Organizing studies in cooperation with a domestic or foreign institution of higher education, or establishing tuition fees for the aforementioned studies contrary to Article 44;
10. Delivering courses, selecting study subjects and adopting curricula contrary to Articles 45 and 46;
11. Establishing tuition fees for the third study cycle contrary to Article 44;

12. Making amendments to the curricula contrary to Article 51;
13. Failing to establish the system of quality assurance and failing to submit the report to the Ministry in accordance with Articles 52 and 53;
14. Determining cost of studies referred to in paragraph (5) of Article 59 contrary to provisions set out in paragraph (6) of Article 59;
15. Failing to make a decision referred to in paragraph (3) of Article 56, or making amendments to the decision contrary to paragraph (4) of Article 56;
16. Issuing certificates on completion of non-cyclic forms of education contrary to Article 78;
17. Announcing or publishing a competition for enrollment of students contrary to Article 83;
18. Conducting assessments of candidates applying to enroll in the first year of study contrary to Article 83;
19. Awarding academic titles or selecting academic staff who do not meet the requirements for selection proscribed in Articles 96 to 98;
20. Failing to conclude an employment contract with the academic staff member, or concluding an employment contract with the academic staff member which is contrary to paragraph (4) of Article 95;
21. Failing to establish the Program or failing to submit the report in accordance with paragraphs (6) and (7) of Article 95;
22. Failing to define meaning of the terms referred to in paragraph (3) of Article 100;
23. In the process of selection of academic staff, accepting published scientific works contrary to Article 101;
24. Advertising a vacancy for selection of the academic staff, or establishing the need as the grounds for announcing the public competition contrary to Article 103;

25. Failing to hire academic staff from a domestic or foreign institution of higher education contrary to Article 104;
26. The Council, or the head of the organizational unit, or the Senate of the institution of higher education, failing to comply with deadlines referred to in Article 109 or Article 110;
27. Allowing Professor Emeritus to participate in the teaching process or doing activities for which he/she is not legally authorized, which is contrary to Article 117;
28. Allowing the academic staff who have not undergone medical examination in accordance with Article 118 to participate in the teaching process;
29. Not complying with obligations referred to in paragraphs (5) and (6) of Article 121;
30. Electing the dean or the director contrary to the conditions or the procedure referred to in Article 133;
31. Charging tuition fees, or establishing the tuition fees, or deciding on the amount of fees charged for providing services to students contrary to Articles 137 and 138;
32. Establishing a number of students, or enrolling students contrary to Articles 141 and 142;
33. Not keeping in the proscribed manner proper and complete records of documentation and other records referred to in Article 146;
34. In the process of recognition of foreign higher education qualifications, failing to perform certain or all activities stipulated by the procedure, within set deadlines, or failing to follow the stipulated procedure, or parts of it, according to Articles 148, 149; or 150;
35. Establishing the cost of processing the application for recognition of foreign higher education qualifications contrary to Article 151;
36. Failing to comply with the administrative measure and in the manner ordered by the decision of the competent inspection for the educational matters.

## Article 149

### (Penalties for offences caused by responsible persons)

The responsible person at the institution of higher education shall be fined between KM 500 and KM 3,000 for any of the following offences:

- a) failing to make, or amend, or announce the decision referred to in paragraphs (3) and (4) of Article 56;
- b) failing to carry out the procedure for establishing responsibility and failing to sanction a member of the academic staff who acts contrary to paragraph (5) of Article 56;
- c) failing to ensure that the academic staff, by their own presence and personal engagement, completely realize the established syllabus and curriculum according to paragraph (1) of Article 61, or failing to ensure that the obligations referred to in paragraph (8) of Article 62 are fulfilled;
- d) failing to determine methods referred to in paragraph (3) of Article 61;
- e) failing to carry out the procedure for establishing responsibilities and failing to sanction a member of the academic staff for whom it has been established that he/she has not determined, or has not carried out consultations according to paragraph (5) of Article 62;
- f) failing to take any necessary actions to prevent assessment of students from occurring, which should be contrary to paragraph (8) of Article 64; or failing to make a decision referred to in paragraph (9) of Article 64;
- g) allowing realization of, or conducting of the final examinations or teaching activities contrary to paragraph (8) of Article 65;
- h) allowing students to enroll in the next study year contrary to paragraph (1) of Article 68;
- i) accepting and enrolling students contrary to paragraph (2) of Article 80;

j) enabling acquiring the student status contrary to paragraphs (6) and (7) of Article 84;

k) nominating a committee for making proposals for selection contrary to Article 105;

l) failing to comply with the stipulated procedures in the process of selecting the academic staff within deadlines set by Articles 106, 107, 108, and 109;

m) failing to carry out the procedure for establishing the responsibility in accordance with paragraphs (3) and (4) of Article 112;

n) failing to take actions and failing to ensure that the academic staff comply with teaching and other requirements referred to in paragraph (1) of Article 115;

o) allowing and making possible the engagement of a member of the academic staff within the institution of higher education, or at another organizational unit, or at another institution of higher education, which will be contrary to conditions stipulated in Article 115;

p) failing to determine the procedure for monitoring and recording the proper and regular fulfilling the obligations in accordance with paragraph (9) of Article 115;

r) permitting a member of the academic staff and making possible the engagement and participation of a member of the academic staff in the teaching process which will be contrary to paragraph (1) of Article 116.

#### Article 150

(Fines for offences caused by the responsible persons)

For offences referred to in Articles 155 and 156 of the Law, the managing authority and the responsible person at the institution of higher education, or at the organizational unit, shall be fined between KM 500 and KM 1,500.

## **PART FOURTEEN - TRANSITIONAL AND FINAL PROVISIONS**

#### Article 151

(Implementation measures)

(1) For the purpose of promotion and ensuring the integration of the academic, financial, and physical development of the higher education activities, Sarajevo



Canton and University of Sarajevo shall take any necessary measures and activities for the commencement of work of Sarajevo University (hereinafter referred to as: the University) as an integrated institution of higher education.

(2) Within 30 days from enactment of this Law, the University is obliged to submit to the Ministry the Statute in order to have the decision on harmonization of the Statute with this Law made, and the Ministry is obliged to make a decision within 30 days from the receipt of the Statute on its harmonization with the Law.

(3) The University Statute must contain provisions defining and elaborating the procedure of electing members of the Board of Governors of the integrated university, appointed by the Senate of the University. Within seven days from the date of the decision on harmonization of the Statute with the Law, the University is obliged to announce a public competition for the election of members of the Board of Governors of the integrated University, appointed by the Senate of the University.

(4) Within 15 days from the enactment of the Law, the Ministry is obliged to submit to the Cantonal Government the bill which more defines in more detail the issues regarding the appointment of members of the Board of Governors of the University, as well as the commencement and manner of work, rights and obligations, the procedure for relief of duty, and other issues relevant for the legal work and efficient functioning of the Board of Governors of the integrated University.

(5) After the Board of Governors of the University will have been appointed in accordance with the Law, the finances coming from the Sarajevo Canton budget which have been previously allocated for financing the work of administrative and supervisory committees of the University, faculties, and academies within the University, scientific-research institutes, and the Student Centre of the University, will be directed towards the implementation of the further integration of the University, in accordance with the Plan which will be adopted by the Cantonal Government upon the proposal made by the Board of Governors of the University within 30 days from the appointment of the Board of Governors of the University.

(6) Having the Statute of the University been adopted, the funds from the Cantonal budget will be directly deposited on a unique account of the University, which until the criteria for financing institutions of higher education as referred to in paragraph (1) of Article 135 of the Law will be set out, will transfer the funds to

the organizational units in proportions which applied in the previous periods when the Sarajevo Canton effected payments through the Ministry.

(7) Upon the enactment of the Statute of the University, physical facilities and equipment which faculties and academies, as well as scientific-research institutes have been entitled to use, and which have been solely used for carrying out scientific-teaching, artistic, art-teaching, scientific-research and research-development work, shall be used as a unique space and equipment of the University.

(8) Prior to commencement of each academic year, and in co-operation with heads of organizational units, the rector of the University is obliged to propose the manner of using or having access to use facilities and equipment of the University for the purpose referred to in paragraph (7) of this Article, and to submit the proposal to the Board of Governors of the University for its adoption. The procedure of accordance, the manner of use and access to facilities and equipment referred to in paragraph (7) of this Article, as well as any other issues relevant for having the facilities and equipment at one's disposal shall be defined by the Statute of the University in more detail.

(9) Until the process of integration of the University is completed, faculties, academies and scientific institutes have the status of a legal entity and keep that status in the manner and under conditions stipulated by the law and by the University Statute.

(10) Provisions of the Law stipulating the authorities of the organizational units within the integrated University shall consequently apply to the authorities of faculties and academies holding the legal status of a legal entity.

(11) Until the complete integration of the University is achieved, and in view of initiating and implementing the procedure for selection of academic staff, bodies of the institution of higher education, and enrollment of students, provisions of by-laws of the University, or by-laws of faculties/academies, or institutes with the legal status of a legal entity, shall apply.

(12) Provisions of the Law in respect to compliance with the conditions for selection referred to in paragraph (11) of this Article shall apply concomitantly with the provisions of the by-laws of the University, faculties/academies, or institutes with the legal status of a legal entity.

(13) With the enactment of the University Statute, any other provisions and by-laws of faculties, academies and institutes – members of the University – shall cease to apply.

#### Article 152

(Recognition of accreditation and license of the institution of higher education)

(1) Institutions of higher education which have been recognized as accredited and licensed, in accordance with the Law, are obliged to ensure licensing and institutional and program accreditation, in compliance with provisions referred to in Articles 29 and 30 of the Law, until the commencement of the 2013/2014 academic year at latest.

(2) Institutions of higher education which have received the program accreditation through the external quality assurance assessment for all three cycles of study, hold the accreditation until the expiry of the term referred to in paragraph (1) of this Article.

#### Article 153

(Status of institutions of higher education as public institutions within the University)

(1) Existing institutions of higher education as public institutions, which are a constitutive part of the University of Sarajevo, for which the Canton has undertaken the founding rights by Law on Higher Education (published in the “Official Gazette of Sarajevo Canton”, issue 9/07 – Updated version) shall retain their status of legal entities until the deadline set in Article 158 of this Law, in the manner and under conditions stipulated by the University Statute.

University of Sarajevo as a public institution, integrates functions of all its constituent members in the manner and under conditions stipulated by the Law, the statute, and other by-laws brought based on the law and the statute, and academies and faculties operate under the following names:

1. University of Sarajevo – Academy of Fine Arts
2. University of Sarajevo - Academy of Performing Arts
3. University of Sarajevo – Faculty of Architecture
4. University of Sarajevo - Faculty of Economy

5. University of Sarajevo – Faculty of Electrical Engineering
6. University of Sarajevo - Faculty of Sports and Physical Education
7. University of Sarajevo - Faculty of Police Studies, Criminology and Security Studies
8. University of Sarajevo - Faculty of Political Sciences
9. University of Sarajevo - Faculty of Pharmaceutical Studies
10. University of Sarajevo - Faculty of Transportation and Communications
11. University of Sarajevo - Faculty of Health Studies
12. University of Sarajevo - Faculty of Philosophy
13. University of Sarajevo - Faculty of Civil Engineering
14. University of Sarajevo - Faculty of Mechanical Engineering
15. University of Sarajevo - Faculty of Medicine
16. University of Sarajevo – Academy of Music
17. University of Sarajevo – Faculty of Agriculture and Food Technology
18. University of Sarajevo – Faculty of Law
19. University of Sarajevo – Faculty of Mathematics and Natural Sciences
20. University of Sarajevo – Faculty of Education
21. University of Sarajevo - Faculty of Dental Medicine with clinics
22. University of Sarajevo - Faculty of Forestry
23. University of Sarajevo - Veterinary Faculty

Article 154  
(Continuation of work of research institutes)

On the date of enactment of the Law, the research institutes as public institutions, for which Sarajevo Canton has undertaken the founders' rights vested by the Law on Higher Education (published in the "Official Gazette of Sarajevo Canton", issue 9/07 – Updated version), retain the status of legal entities until the deadline set out in Article 158 of the Law and under conditions stipulated by the Statute of the University, and shall operate under the following names:

- 1) Institute of History
- 2) Oriental Institute
- 3) Language Institute
- 4) Institute of Genetic Engineering and Biotechnology
- 5) Institute of Criminal Investigations against Humanity and International Law.

Article 155  
(Teaching bases)

University, or members of the University in the area of bio-medicine and health, shall carry out teaching activities in the manner and under conditions stipulated in the contracts concluded with health institutions which comply with legal requirements to perform teaching activities.

Article 156  
(National and University Library of Bosnia and Herzegovina)

(1) In order to assist the comprehensive development of higher education, and scientific-research work in particular, institutions of higher education shall include National and University Library of Bosnia and Herzegovina in their scientific-research processes.

(2) National and University Library of Bosnia and Herzegovina is a basis for teaching, scientific-teaching and research processes at institutions of higher education as public institutions.

(3) Financing teaching, scientific-teaching and scientific-research activities to be realized at National and University Library of Bosnia and Herzegovina shall be carried out based on particular contracts to be concluded between members of the University / the University, and National and University Library of Bosnia and Herzegovina.

Article 157  
(Students' Centre)

(1) The Students' Centre in Sarajevo (hereinafter referred to as: the Centre), is directly linked to the higher education activities in the part related to providing students' working and living conditions

(2) The position and function of the Centre shall be determined in more detail by the Statute of the University as a public institution.

(3) Activities of the Centre are financed by users of its services and partly from the Cantonal budget.

Article 158  
(Status of institutions of higher education for religious studies)

(1) Provisions of the Law also apply to theological faculties, theological higher schools and theological academies, except in the parts where the application of such provisions would infringe the specific character of the overall social function of these institutions.

(2) Upon enactment of the Law, theological faculties, the founders of which are churches and religious communities registered in the area of Sarajevo Canton, acquire equal status of members of the University of Sarajevo with full rights and obligations pertaining thereof.

(3) The position of theological faculties referred to in paragraph (2) of this Article shall be stipulated by a specific contract concluded between the Government of Sarajevo Canton and founders of theological faculties, upon a mutually agreed proposal made by the University of Sarajevo and theological faculties.

#### Article 159

(Termination of work of Board of Governors and Supervisory Boards of the University of Sarajevo and institutions of higher education within the University of Sarajevo)

The term of office of Board of Governors and Supervisory Boards of the University of Sarajevo and institutions of higher education that exist within the University of Sarajevo as a public institution, as well as of the scientific-research institutes performing their function at the time of the enactment of this Law, shall be extended to the date of appointing the Board of Governors of the integrated University of Sarajevo as a public institution.

#### Article 160

(Internal Revision)

Every institution of higher education that exists as a public institution is obliged to organize an internal revision of its operations within six months from the date of the enactment of this Law, with the purpose of setting prerequisites for a successful integration of the University of Sarajevo as a public institution.

#### Article 161

(Continuation of work)

The existing institutions of higher education as public institutions within the University, until the final integration of the University, shall continue with their operations according to their existing registration, in compliance with the Law and the Statute.

#### Article 162

(Foundation of Institutions of higher education)

(1) Institution of higher education are founded in compliance with the Law and the Strategy for the Development of Higher Education in the area of Sarajevo Canton.

(2) The acts of founding as well as other status changes of the institutions of higher education and departments commenced in accordance with the provisions

of the regulations valid before the enactment of this Law will be completed according to those regulations.

Article 163  
(Acquired Rights)

(1) Individuals who prior to the enactment of the Law acquired an academic title, or a scientific and professional title, retain the right to use their title in accordance with the regulations on the basis of which the titles have been acquired.

(2) Individuals referred to in paragraph (1) of this Article can request that the institution of higher education at which they obtained the academic title, or scientific and professional title, in a procedure and under conditions designated by the law and by-laws of the institution of higher education, issue a certificate confirming that the previously obtained academic title, or scientific and professional title, corresponds to one of the academic titles, or scientific and professional titles, in accordance with the Book of Rules on the use of academic titles, acquisition of scientific and professional titles referred to in paragraphs (1) and (2) of Article 74 of this Law.

(3) The Ministry appoints the institution of higher education which decides on the request referred to in paragraph (2) of this Article should the institution of higher education, at which the academic title, or scientific and professional title, has been obtained, or its legal successor, not exist any more.

(4) In case that the obtained academic title, or scientific and professional title, does not correspond to the title obtained according to the Book of Rules referred to in paragraphs (1) and (2) of Article 74 of this Law, due to the differences in the curricula, length of studies, or for any other reason, the institution of higher education can reject the request referred to in paragraph (2) of this Article, or stipulate additional exams to be taken and a graduation thesis to be written if it is designated by the current curriculum.

(5) Individuals who obtained an academic degree of a PhD in accordance with the regulations valid before the enactment of this Law have the same rights as the individuals who have obtained a doctoral degree in accordance with this Law.

(6) Individuals who obtained the academic degree of Master of Science/Arts, or who had commenced their studies to acquire such title/degree in accordance with regulations valid before the Bologna program commenced, are entitled to commence their study towards the academic degree of PhD at institutions of



higher education which have not introduced the third cycle of study in accordance with the previously valid regulations until 30.09.2013, under condition that the scientific title of the Doctor of Science/Arts can be obtained in this manner until 30.09.2016, and institutions of higher education which have not introduced the third cycle of study are obliged to introduce it until 30.09.2013 at latest.

(7) Individuals who commenced studies to obtain the academic degree of a Master of Science / Arts in accordance with the regulations valid prior to the enactment of this Law are entitled to complete their studies and obtain their Master's Degree by September 30, 2015.

(8) Individuals who obtained the academic degree of Master of Science/Arts in accordance with regulations valid before the enactment of the Law, are entitled to continue their studies in the third cycle of study based on the Bologna program at an institution of higher education in the Canton.

(9) For individuals referred to in paragraph (8) of this Article, 60 ECTS credits will be acknowledged by the institution of higher education, and their status, rights and obligations during further studies shall be defined by a special act adopted by the institution of higher education.

(10) Members of the academic staff who have been appointed to the titles of assistant or senior assistant for the first time in accordance with the provisions of the Law on Higher Education (published in the "Official Gazette of Sarajevo Canton", issue 9/07 – Updated version) are entitled to remain in the same title, after the expiry of their term of office, without following the public competition procedure, three or four years at most. After the expiry of the period of six years after their first appointment to the title of the assistant, or eight years after their first appointment to the title of the senior assistant, the status of such individuals shall be determined in compliance with the Law.

(11) Upon enactment of the Law, an institution of higher education cannot elect or appoint individuals to the title honorary assistant professor. Previously done appointment to the title of a honorary assistant professor is accepted as completed election and appointment into the academic title of an assistant professor. In respect to the opportunities for the appointment to the same or higher title upon the expiry of the appointment period, as well as in respect to the opportunities for the appointment to the higher title prior to the expiry of the appointment period, the status of individuals who had been appointed as

honorary assistant professors is equal to the status of individuals who had been appointed to the title of an assistant professor.

(12) Individuals who have been holding the title of a lecturer shall remain in the same title until 30.09.2012.

(13) In case of a change of the name of a course, or of a scientific/artistic area, and upon proposal by the Council of the faculty/academy, the Senate of the institution of higher education is obliged to make a decision on equivalence of the completed appointments to academic titles 30 days from the date of submission of the proposal. The equivalence is valid until the expiry of the appointment period proscribed by the Law for the relevant academic title.

In the process of equivalence, the selected course can be substituted with a scientific or artistic area, if the course belongs to the particular scientific/artistic area based on its content. In the process of equivalence, selected scientific area may include those courses which during the decision-making process of the selection did not belong to the subject scientific/artistic area for which the selection had been done.

(14) Faculties and academies are entitled to organize post-graduate studies for obtaining the scientific title of a Master prior to the commencement of the 2011/2012 academic year, and the enrolled students are entitled to obtain their scientific degree of a Master of Science by 31.12. 2016.

(15) A member of the academic staff who turned 65 years of age, and who had been appointed to be a mentor or a member of the committee for assessment and defense of the Master's or Doctoral thesis prior to his/her turning 65 years of age, may remain the mentor, or the committee member, until the candidate obtains the scientific title of Master or Doctor of Science.

(16) Students who completed their studies prior to the enactment of the Law at an institution of higher education which carries out integrated study programs of the first and second cycle of study with the duration of at least five years are entitled to continue their studies in accordance with the Bologna program based on the equivalence of the study which had been valid at the time of the student's enrolment.

(17) A member of the academic staff who prior to the enactment of the Law had been appointed to two or more academic titles retains the appointment to the

highest academic title, and is also eligible to participate in realization of the teaching process even in courses for which he/she holds the appointment to the title of a lower degree, but only until the expiry of the appointment period, after which he/she is entitled to be appointed to the higher title for those courses or scientific/artistic area, under condition that that title is the same academic title as the one which the member of the academic staff retains upon the enactment of the Law.

(18) To individuals who had been elected and appointed to scientific and research titles in accordance with the Law on scientific-research activities, the appointments to positions to work in the teaching process at a faculty or academy shall be equalized with academic titles acquired at an institution of higher education, in accordance with the Law on Higher Education.

(19) In view of the preceding paragraph, the scientific title of a scientific advisor is acknowledged as the title of a full professor; the scientific title of a senior scientific advisor as the title of an associate professor; the scientific title of a scientific assistant as the title of an assistant professor; the scientific title of a professional assistant as the title of an assistant; the title of the senior professional assistant as the title of a senior assistant; while the title of a professional assistant is deemed equal to the title of a senior assistant in the second appointment period, under condition that the individual obtained the degree of a Doctor of Science.

#### Article 164

(Introduction of the third cycle of study programs)

Institutions of higher education which until the enactment of the Law have not introduced the third cycle of study are obliged to introduce it until the commencement of the 2013/2014 academic year, in compliance with the Law.

#### Article 165

(Obligation of Legislative Commission)

Authorizes the Legislative Committee of the Assembly Sarajevo Canton that determine consolidated text of the Law on Higher education.

Article 166  
(Enactment of the Law)

This Law shall be enacted on the eighth day from the date of its publishing in the "Official Gazette of Sarajevo Canton".