

PROCLAMATION NO./2019
HIGHER EDUCATION PROCLAMATION

WHEREAS, to realize and sustain development, peace and democracy it has become necessary to have higher education legal frameworks and institutions; make efforts to expand public and private higher education;

WHEREAS, though higher education have been enrolling and graduating students there were weaknesses in terms of insuring quality and relevance and satisfying public demand in producing required human capital;

WHEREAS, it has become necessary to create an appropriate legal framework to guide higher education in achieving their missions expected of them by the government and public as the previous proclamation is found to have shortages in its contents;

WHEREAS, it has become necessary to create an appropriate legal framework to ensure quality and relevance of higher institutions, and ensure that they are center of excellence in learning, research and community service; and ensure that higher institutions give due attention and priority to nationally prioritized areas and lay governance system of transparency, equity and accountability;

WHEREAS, it is necessary to provide bylaw that enable higher education to be competent in their mission achievement; producing graduates with required knowledge, skill and ethics; and ensure that institutional and academic freedom is exercised within the legal frameworks it is necessary to amend the existing proclamation;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE

GENERAL PROVISIONS

1. Short Title

This Proclamation may be cited as the "Higher Education Proclamation No./2019"

2. Definitions

In this Proclamation, unless the context requires otherwise:

1/ "academic community" means all those persons studying, teaching and

- doing research as permanent or visiting members of an institution;
- 2) "Academic officer" means research and publication officer, registrar and other similar officers;
 - 3/ "academic staff" means members of an institution employed in the capacity of teaching and/or research, and any other professional of the institution who shall be recognized so by senate statutes;
 - 4/ "academic unit" means a college, faculty, school, an institute, a department or a centre established as a constituent unit of an institution;
 - 5/ "administrative support staff" means personnel of an institution employed to provide administrative, business management, accounting, catering, maintenance, safety, security and such other services;
 - 6/ "Agency" means Higher Education Relevance and Quality Agency established by regulation of the Council of Ministers;
 - 7/ "Centre" means Higher Education Strategy Centre established by regulation of the Council of Ministers;
 - 8/ "higher education" means education in the arts and sciences offered to undergraduates and graduate students who attend degree programs through any of the delivery modes stated under Article 19 of this Proclamation;
 - 9/ "institution" means a public or private higher education institution;
 - 10/ "public institution" means an institution whose budget is allocated by the Federal or State Government, as the case may be;
 - 11/ "private institution" means a non-public higher education institution established by one or more individual owners or by nonprofit making associations, founded as cooperative society or commercial association, or higher education institution established abroad and operating in Ethiopia;
 - 12/ "Teaching Hospital" means a hospital owned and operated by Higher Institution that accomplishes a joint Teaching, Service and Research Activities.
 - 13/ "technical staff" means nonacademic and non-administration personnel employed to support the teaching-learning and research processes and non-academic professional medical personnel employed in a teaching hospital;
 - 14/ "Ministry" or "Minister" means the Ministry or Minister of Science and

Higher Education;

- 15/ CEO Means Chief executive Officer entrusted with managing a Teaching hospital.
- 16/ "Internal Income" means any Income generated by an institution from sale or provision of service in allied activities of their mission.
- 17/ "person" means a natural or juridical person;
- 18/ "state" means any state specified in Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia and includes the Addis Ababa and Dire Dawa city administrations;
- 19/ any expression in the masculine gender includes the feminine.

3. Scope of Application

- 1/ This Proclamation shall apply to any institution operating in Ethiopia.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article, this Proclamation shall not apply to institutions under religious organizations and whose objectives and curricula are primarily religious and to those institutions that offer only diploma and certificate programs.

4. Objectives of Higher Education

The objectives of higher education are to:

- 1/ prepare sufficient knowledgeable, skilled, and attitudinally mature graduates in relevant disciplines with competence to support Peace, Democracy and National Development
- 2/ promote and enhance research focusing on knowledge and technology transfer consistent with the country's priority needs;
- 3/ Produce Graduates who acknowledge and respect diversity Promote national Harmony and Unity ,treasure nation's History and Culture; and are also globally Competent
- 4/ Establish a System to create and enhance Institutions who can be emulated as Centre of Excellence for Mission attainment and Good Governance.

PART TWO
INSTITUTIONS, STAFF AND STUDENTS OF INSTITUTIONS
SECTION ONE : INSTITUTIONS

5. Establishment

- 1/ A public institution financed by the federal government shall be established by regulation of the Council of Ministers.
- 2/ A public institution financed by a state government shall be established by law enacted by the state; provided however, that the state law shall comply with the requirements of this Proclamation and other federal minimum quality standards.
- 3/ Without prejudice to the provisions of this Proclamation, a private institution shall be established in accordance with the law governing associations, business organizations, cooperatives or any other relevant law.
- 4/ Any institution shall be established, changed or modified on the basis of a project which shall:
 - a) set socially acceptable aims for the proposed institution;
 - b) contain a description of the status and main academic units of the institution, and documentation on programs and curricula;
 - c) provide data on the research and teaching staff, the facilities, and the funding schemes;
 - d) provide for a management system which shall guarantee effective delivery of education and research;
 - e) undertake to comply with minimum national standards and requirements.
- 5/ The Ministry shall issue directives on application of the provisions of sub-article (4) of this Article.
- 6/ The requirements for the establishment, change or modification of an institution under this Article shall apply to the establishment of an

institution or a branch of an institution that originates in a foreign country.

6. Status of Institutions

- 1/ Any institution may be established as an entity having the status of:
 - a) University;
 - b) University College;
 - c) College;
 - d) Institute
- 2/ Public Higher Institutions can be termed as research or applied science and academic.

7. Guiding Values of Institutions

The guiding values that institutions shall promote and uphold in pursuance of their mission are:

- 1/ pursuit of truth and freedom of expression of truth;
- 2/ Promote freedom of expression based on reason and Rational Discourse
- 3/ competitiveness in scholarship and cooperation with other institutions;
- 4/ institutional reputability based on successful execution of mission;
- 5/ institutional autonomy with accountability;
- 6/ a culture of fighting corruption
- 7/ justice, fairness and Rule of Law
- 8/ economical use of resources and effective maintenance of assets
- 9/ quality and Efficient service delivery;
- 10/ Participation of Key Stakeholders
- 11/ democracy and multiculturalism.
- 12/ recognition of merit;

8. Duties and Responsibilities of Institutions

Without prejudice to other provisions of this Proclamation, every institution shall:

- 1/ uphold the objectives of higher education and the guiding values of the institution; and ensure that it is an institution of scholarship;
- 2/ develop programs of study and provide higher education; prepare and supply qualified graduates in knowledge, skills, and attitudes on the basis of needs of the country; and award academic qualifications in accordance with its programs;
- 3/ undertake and encourage relevant study, research, and community services in national and local priority areas and disseminate the findings as may be appropriate; undertake, as may be necessary, joint academic and research projects with national and foreign institutions or research centers;
- 4/ recruit and administer its personnel and manage its finance and property in accordance with this Proclamation and other applicable laws;
- 5/ as per this proclamations and relevant regulations institutions can conduct different internal income generation activities to support their missions;
- 6/ issue and implement internal regulations and directives in accordance with this Proclamation;
- 7/ prepare plans, budget and organizational structures and implement the same upon approval; and submit performance reports;
- 8/ establish cooperation relations with industries and other institutions in pursuit of its mission;
- 9/ give recognition or award prizes or honorary degrees to persons of outstanding achievements or contributions to society;
- 10/ provide support to primary and secondary education and provide support and cooperate with preparatory and technical and vocational schools as may be appropriate;
- 11/ publish annual and multi-year statistics on educational input-and-output and financial incomes and expenditures as stipulated in this Proclamation;
- 12/ Establish and Install a system for Student Conduct and Disciplinary Measures
- 13/ discharge other responsibilities provided for in this Proclamation and in its

instrument of establishment.

9. Levels of Curriculum and Education

Without prejudice to the provisions of this Proclamation on status of institutions and subject to senate decisions, curricula to be developed by any institution shall have programs, as may be appropriate, leading to the award of:

- 1/ Bachelor Degree
- 2/ Medical Doctor (MD) or Doctor of Veterinary Medicine (DVM) degree;
- 3/ Master's Degree (MA/MSc), L.L.m),
- 4/ Medical or other Professional Specialty;
- 5/ Higher diploma to be achieved after first degree
- 6/ M.Phil
- 7/ Doctorate (PhD) Degree or its equivalent; or
- 8/ Any other degree that may be determined by the academic senate.

10. Granting the Status of a University

- 1/ An institution shall be granted the name and status of a “university” by the Ministry where:
 - a) it has a minimum enrollment capacity of students in regular undergraduate and graduate programs in at least three academic units larger than departments, or it has a minimum enrollment capacity of students in regular undergraduate programs in at least four academic units larger than departments;
 - b) it has a record of at least four consecutive classes of graduates in a degree program if it has been rendering services of higher education after being accredited as a university college, college or institute;
 - c) it undertakes research in different appropriate fields, has published its research products and has facilitated means of dissemination of the research findings to end-users;
 - d) it has a curriculum that match the national standards set by the Ministry, the necessary academic staff, institutional governing

structures as provided for by this Proclamation, teaching materials, classrooms, libraries, laboratories, and other appropriate discipline-related facilities; and

- e) it fulfills other minimum national standards set by the ministry.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article and without prejudice to Article 5 of this Proclamation, public institution may be established with the name and the status of a university if it is conceived as such and its resource provisions as well as its institutional plans and vision are such that it can, in the judgment of the Ministry, fulfill the requirements set forth under sub-article (1) of this Article in an acceptable time.
 - 3/ The Ministry shall determine the university status of an institution that offers a combination of regular and distance or virtual education or only distance and/or virtual education on the basis of, as the case may be, its own study or in accordance with international good practice.

11. Granting the Status of a University College

- 1/ An institution that may be granted the name and status of a “university college” by the Ministry shall, in addition to the requirements stipulated under paragraphs (c), (d) and (e) of sub-article (1) of Article 10 of this Proclamation:
 - a) have a minimum enrollment capacity of undergraduate students in its regular degree programs in three academic units larger than departments; and
 - b) have a record of at least three consecutive classes of graduates in a degree program if it has been rendering services of higher education after being accredited as a college or an institute.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article and without prejudice to Article 5 of this Proclamation, an institution may be established with the name and status of a university college if its resource provisions as well as institutional plans and vision are such that it can, in the judgment of the Ministry, fulfill the requirements set forth under sub - article (1) of this Article within three years.
- 3/ The Ministry shall determine the university college status of an institution that offers a combination of regular and distance or virtual education or

only distance and/or virtual education on the basis of, as the case may be, its own study or in accordance with international good practice.

12. Granting the Status of a College

An institution that may be granted the name and status of a “college” by the Ministry shall, in addition to the requirements stipulated under paragraphs (d) and (e) of sub-article (1) of Article 10 of this Proclamation, offer higher education in degree programs at least in one academic unit larger than departments.

13. Granting the Status of an Institute

An institution that may be granted the name and status of an institute by the Ministry shall, in addition to the requirements stipulated under paragraphs (d) and (e) of sub-article (1) of Article 10 of this Proclamation:

- 1/ be able to give education and training at least in one field or discipline; and
- 2/ have a capacity in the discipline to offer education in a degree program

14. Establishment of New Public Institution Under Special Case

- 1/ Notwithstanding the provisions of Articles 10 and 11 of this Proclamation and without prejudice to other provisions of this Proclamation, a new public institution may be established as a university or a university college on the basis of decision by the Council of Ministers.
- 2/ The Ministry shall ensure that the new public institution meets all the requirements expected of its level.

15. Academic Freedom

- 1/ Academic freedom shall be guaranteed for every institution in pursuit of its mission and consistent with international good practice.
- 2/ Every institution shall cultivate the culture of social responsibility in its academic community in the exercise of academic freedom.
- 3/ Every institution shall regulate the exercise of academic freedom in accordance with this Proclamation and international good practice.

16. Autonomy of Public Institutions

- 1/ Every public institution is hereby granted the necessary autonomy in pursuit of its mission.
- 2/ Subject to the responsibilities of the Board and the Ministry as stipulated in this Proclamation, autonomy of public institutions shall also include to:
 - a) develop and implement relevant curricula and research programs; create new or close existing programs; set up its organizational structure and enact and implement its internal rules and procedures;
 - b) consistent with other provisions of this Proclamation, select, through a transparent system of competition, academic and other staff to be employed by the institution and designate or determine their responsibilities based on institutional requirements and expectations concerning performance and quality of work;
 - c) administer its personnel based on the provisions of this Proclamation and the principles of other applicable laws;
 - d) nominate the president, vice presidents and select and appoint leaders of academic units and departments as provided for by this Proclamation;
 - e) manage its funds and property on the basis of this Proclamation and other applicable laws and regulations.
 - f) Generate and utilize other incomes to support its mission through this proclamation and other relevant laws and regulations.
- 3/ Every public institution shall exercise its autonomy in ways that, at the same time, ensure lawfulness, efficiency and effectiveness, transparency, fairness, and accountability.

17. Autonomy of Academic Units of Public Institutions

- 1/ Every institution shall have academic units with the minimum necessary hierarchical governance structures and with appropriate nomenclature that shall be based on reasonable and justifiably clustered disciplines or fields or branches of a discipline.
- 2/ Subject to rules, standards and procedures established by the institution, consistent with this Proclamation, academic units of a public institution

shall have the necessary autonomy in administration and finance as well as in academic affairs.

- 3/ Presidents shall ensure that academic units are provided institutionally with the necessary support and enabling systems and resources to fulfill their responsibilities as autonomous units.

18. Education Programs

- 1/ Subject to demonstrable competence, any institution may offer education and training through regular programs, continuing education, distance or virtual education.
- 2/ The Minister decides and legislate programs to be offered in continuing education, distance or virtual education programs.
- 3/ Subject to demonstrable competence, any institution may also give short-term trainings for capacity building, or for imparting knowledge and skills in specific fields, and award appropriate certificates.

19. Language of Instruction

- 1/ The medium of instruction in any institution, except possibly in language studies other than the English language, shall be English.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article, short-term trainings and preparation of teachers for primary schools and grades may be given in any appropriate languages.
- 3/ Education for students with complete hearing impairment shall be given in or supplemented by appropriate sign language.

20. Curriculum

- 1/ Curricular design, delivery, and assessment of learning outcomes in any institution shall aim at enabling the learner to acquire pertinent scientific knowledge, independent thinking skills, communication skills and professional values that together prepare him to become a competent professional.
- 2/ Every institution shall guide curricular development by its academic units through appropriate learning outcomes.

- 3/ Institutions shall have suitable framework that provide for purposeful curricular development; and shall ensure its implementation by academic units.
- 4/ Curricula common to any number of public institutions may be developed jointly through the participation of the public institutions responsible for their implementation; and such curricula shall serve as the minimum requirements applicable to any of the institutions.
- 5/ Without prejudice to national interests and relevance, every institution shall enjoy the liberty of developing curricula for all of its academic programs, including concerning programs for which nationally applicable curricula may be developed through joint efforts of institutions.
- 6/ Curriculum delivery shall be research and study-based and up-to-date and the teaching learning process shall be continuously updated in its design, delivery methods, and instruments of assessment.
- 7/ The Ministry may, without prejudice to the legitimate authority of the individual institutions, coordinate curricula development common to public institutions and issue directives as may be necessary to bring the provisions of this Article into operation.
- 8/ The Ministry may establish, whenever necessary, national panels or councils or a body to coordinate and monitor curricula review, development and implementation.
- 9/ Applied science universities may develop joint curriculum and may offer dual degrees.

21. Institutional Quality Enhancement

- 1/ Without prejudice to other provisions of this Proclamation and the relevant regulations and directives, every institution shall have a reliable internal system for quality enhancement that shall be continuously improved.
- 2/ The internal system of quality enhancement of every institution shall provide for clear and comprehensive measures of quality covering professional development of academic staff, course contents, teaching-learning processes, student evaluation, assessment and grading systems, which shall also include student evaluation of course contents together with the methods and systems of delivery, assessment, examinations and grading.

- 3/ The quality enhancement system shall be applied to all processes of importance to the quality of study programs, beginning with the information provided to potential applicants and ending with student evaluation upon completion of the course.
- 4/ Institutions shall develop quality standards, undertake academic audit on a periodic basis, follow-up and rectify the deficiencies revealed by the audit, and maintain appropriate documentation of the audit, activities undertaken and of the ensuing results, and submit such documentations regularly to the Agency.
- 5/ Institutions shall be responsible to give practical effect to appropriate recommendations by the Agency on quality enhancement measures that have to be taken.
- 6/ Details on institutional systems of quality enhancement shall be included in the internal regulations of institutions.
- 7/ The Ministry, the Centre, and the Agency shall also guide institutional quality enhancement efforts as well as curricula development through a national qualifications' framework that shall, as the case may be, determine or indicate core learning outcomes or graduate competencies.

22. Academic Guidance, and Counseling

- 1/ Every institution, through its relevant units and academic staff, shall officially and properly inform students and applicants of the courses of study available, the content, structure, and requirements of each course.
- 2/ Every institution shall assist students throughout the duration of their courses of study by providing them with specialized academic advice and counseling relating to their studies.
- 3/ Academic units shall take remedial actions where academic advice and counseling reveal the need for special academic support and follow up.
- 4/ Institutions shall explore and establish as necessary a system of pre-admission counseling of students on study choice.

23. Research and Research Directions

- 1/ The focus of research in any institution shall be on promoting the relevance

and quality of education and on the country's development issues focusing on transfer of technology.

- 2/ Every institution shall define its core research areas and themes on the basis of the priority needs of the country, the institution's comparative advantages, and in consultation with the key stakeholders.
- 3/ More specifically, every institution shall undertake research that shall:
 - a) take into account the priority needs of the country and enable the country to solve its challenges and build its capacity through technology transfer;
 - b) equip students with basic knowledge and skills that enable them to undertake further and relevant studies and research.
- 4/ Every institution shall have an institutionalized system that enables it to carry out planned research and conduct joint research projects with other national and international institutions, research centers, and industries.
- 5/ Particulars on the organization, management, responsibilities, and procedures required to conduct research shall be determined by each institution.
- 6/ Every institution shall have a transparent system of research that deploys purposefully its academic staff as primarily teachers, researchers, or combinations thereof on the basis of its research agenda and plan, demonstrable merit, and practicality, and with stipulations clarifying debated areas.
- 7/ Any institution may enter into joint research and receive research funds from external and foreign sources if the research falls within the research standard, code of professional ethics, and norms of the institution
- 8/ Without prejudice to sub-article (6) of this Article, every institution shall ensure that all and everyone of its academic staff are engaged in study activities based on literature or research focusing on developmental issues.
- 9/ Every institution shall issue rules and procedures on research and consultancy standards, code of professional ethics, norms, responsibilities that shall govern its operations and the activities of its academic staff within 300 days from the effective date of this Proclamation, and in case of a new institution, within a year from the date of its establishment.

24. Research and Innovation Fund

- 1/ Every institution can establish research and innovation fund.
- 2/ The source of the research and innovation fund can be from government or non public bodies'
- 3 /Public institution may conduct research in the priority areas using incomes from non-public sources.
4. Every institution shall ensure that all such funds as well as public funds allocated specifically for research are utilized with efficiency and efficacy.
- 5/ Every institution shall have a transparent system of research fund management and utilization.

25. Consultancy and other Supplementary Activities

- 1/ Institutions may perform consultancy or other supplementary activities in areas that they are accredited and related to their competence.
- 2/ Public institutions shall ensure that undertaking of consultancy or other supplementary activities by shall not in any way compromise the quality, extent, and availability of activities for the implementation of which the public institutions are established.
- 3/ Public institutions shall ensure that undertaking of consultancy and supplementary activities by academic or other staff does not erode their mission, or their legal and ethical standards and foundations.
- 4/ Every institution shall have the responsibility to forge relations with industries for mutual benefits and on the basis of principled and transparent negotiations and agreements.
- 5/ Without prejudice to individual intellectual property rights and agreements on confidentiality, every institution shall have the responsibility to put at the service of the wider community the knowledge and skills that have hitherto been utilized only for academic purposes.
- 6/ Institutions shall use the results of the consultancy services as one source to deliver informed academic services and to enrich teaching and learning.
- 7/ Any immediate supervisor or any other pertinent official who is aware of any violation of the provisions of this Article shall have the responsibility

to stop it through due process;

26. Access to Information and Publications

- 1/ Every institutions shall establish efficient systems for statistical data collection and information exchange among themselves, their units, and with the Ministry.
- 2/ Every institutions shall publish accurate, detailed, and comprehensive annual educational and financial statistical data. The statistical data shall be published and distributed, except in circumstances of force majeure, within 120 days after the end of an academic year.
- 3/ Without prejudice to legal restrictions, governmental and non-governmental organizations shall have the responsibility, upon request, to cooperate in providing the necessary information to academic staff or students who undertake research.

27. Academic Calendar and Fiscal Year

- 1/ The minimum standard of an academic year of regular programs in institutions shall be at least 300 calendar days, divided equally into appropriate semesters.
- 2/ The senate of every institution shall determine the actual academic year in accordance with the provisions of sub-article (1) of this Article.
- 3/ The fiscal year of every public institution shall be the fiscal year of the Government.

SECTION TWO
STAFF OF INSTITUTIONS

28. Category of Staff

Any institution shall have:

- 1/ academic staff;
- 2/ technical support staff;
- 3/ administrative support staff;
- 4/ professionals in teaching hospitals, as may be appropriate

29. Academic Staff

- 1/ Any institution may have the following academic staff:
 - a) professors, associate professors, assistant professors, lecturers, assistant lecturers and graduate assistants employed for teaching and/or research;
 - b) other employees of the institution considered academic staff by decision of the senate following international good practice and the provisions of the institution's internal regulations.
- 2/ Every institution shall institute rules and procedures on employment and promotion of its academic staff, consistent with international good practices.
- 3/ Every institution shall ensure adequate supply of academic staff and the size of academic staff in an institution shall be based on staff-to-student ratios and additional research requirements that shall be determined by the institution.
- 4/ There shall be national standards for teaching and research loads applicable in all public institutions. The standard loads shall be formulated by the forum of public universities and be implemented upon recommendation by the respective Boards and approval by the Ministry. The Ministry may decide to apply the standards on private institutions.
- 5/ The Ministry shall issue, from time to time, minimum academic staff ratios with regard to educational qualifications and professional ranks, which shall be complied with by every institution.
- 6/ Any public institution endowed with better postgraduate program resources shall assist, free of tuition charges and as a matter of national priority, in the academic staff development of less so endowed public institutions.

30. Academic Staff Employment

- 1/ Without prejudice to other pertinent laws, any applicant to an academic position in an institution shall be considered for employment only if he produces a letter of release from his last employer.
- 2/ Without prejudice to other applicable laws, any academic staff who has been dismissed for disciplinary reasons may be employed in another institution only after a proper review and scrutiny of his prior history, the nature of the disciplinary offence that caused his dismissal and his situation after the dismissal, and upon the prior approval by the senate

- 3/ Without prejudice to this proclamation and relevant laws and regulations public university academic employment would be on contractual basis and one contractual term would be two years.

31. Rights of Academic Staff

- 1/ Every academic staff shall have the right to:
- a) exercise academic freedom based on the national laws; institution's mission, values rules and regulations;
 - b) take sabbatical and research leaves, be entitled to further education and training for professional development, be promoted and assume new academic rank on the basis of merit subject to rules drawn by the ministry and internal rules and regulations of the institution;
 - c) enjoy transparent, fair, and equitable administration and system of remuneration and benefits that shall be instituted by government;
 - d) participate, as feasible, in formulations of institutional direction, plans, regulations, and in curricula development and make comments on the quality and appropriateness of the teaching-learning process;
 - e) Participate on his performance evaluations and be informed on his results and of any records kept in his personal file without his prior knowledge as well as enjoy confidential maintenance of information in his personal file except for the official business of the institution or the provisions of pertinent laws require otherwise;
 - f) enjoy campus security for himself and for his personal property ;
 - g) be informed on the plan, development, direction, condition and performance of the institution;
 - h) elect and be elected where election of academic staff is the norm;
 - i) know disciplinary proceedings against him, provide evidences to support its case, be heard ,get a copy of decisions , appeal and seek justice .

32. Responsibilities of Academic Staff

- 1/ Every academic staff member of an institution shall have the responsibilities to:
 - a) teach, render academic guidance or counseling and community services as per national laws; institutional missions, values and procedures;
 - b) undertake problem-solving studies and researches and transfer knowledge and skills, in the specific area of self-competence and professional position, that are beneficial to the country; or at least ensure that own teaching is research and study-based and continuously updated;
 - c) participate in curriculum development, review, and enhancement; and the required professional standard in curriculum delivery;
 - d) counsel, assist and support students in acquainting themselves with the mission and guiding values of the institution as well as with the objectives of higher education; student assessment, grading, and management of student complaints and grievances, and in professional ethical standards in general;
 - e) uphold, respect and practice the objectives of higher education and the guiding values of the institution; and exercise academic freedom with professionalism and consistent with the applicable provisions of this Proclamation;
 - f) assisting students in need of special support;
 - g) devote his full working time to the institution;
 - h) refrain from imposing his political views and religious beliefs on his students during teaching-learning process;
 - i) treat and interact with members of the institution's community by refraining from acts that are contrary to rights enshrined in the Constitution;
 - j) perform other additional responsibilities that may be provided for by the senate statutes, establishing legislation, or memorandum of association of the institution;
- 2/ Academic staff who are medical and health professionals shall have also the responsibility to render health services in the institution's teaching hospital.

- 3/ Institutions shall draw up, through participation of the academic staff, and implement rules and procedures of discipline of academic staff which shall be consistent with the provisions of this Article and other relevant provisions of this Proclamation.

33. Employment Tenure and Extension of Retirement Age of Academic Staff

- 1/ Tenured employment of academic staff shall constitute a privilege to be attained through meritorious continuous service of not less than ten years and outstanding scholarly teaching and/or research or institutional leadership achievements as an incentive to encourage academics to continue to excel in their professions.
- 2/ Academic staff shall have job security, and may not be dismissed from his position unless he has committed a serious breach of discipline as stipulated by the senate statutes of the public institution.
- 3/ Public institutions can ask for extension of retirement age of an academic staff . The retirement age of an academic staff of a public institution may be extended by the Ministry, for two consecutive sets of terms of three years each, where:
 - a) the institution reasonably justified, on the basis of actual and projected demand the need to extend the retirement age where by the request be presented and approved by the ministry before there months of retirement age;
 - b) the staff holds a Master’s Degree or above, remains in good health and has a meritorious continuous service;
 - c) the staff has freely consented to extension of the retirement age.

34. Joint Appointment of Academic Staff

- 1/ Joint appointment of academic staff shall apply in circumstances when it shall prove an efficacious solution for an institution's challenge to ensure the relevance and quality of education as well as to meet demand of academic staff; and it shall be restricted in application to an institution's professionals with Master's degree and above;
- 2/ While joint employment is conducted with the consent of the two intuitions professionals with high degree of relevant expertise from industry,

business, research establishments and other organizations can be considered in joint appointment.

- 3/ Without prejudice to other provisions of this Proclamation and other applicable laws, an academic staff or a government employee, may be employed, with his consent and the consent of his institution or organization, on a joint appointment basis if he has the required capability to do so. Where there is scarcity of qualified experts in some fields, institutions and organizations shall cooperate with one another for the joint employment of an academic staff or a government employee.
- 4/ The provisions of this Article shall not be construed to entitle an academic staff of a public institution or a government employee to be jointly appointed in a private institution.
- 5/ Without prejudice to the provisions of sub article (3) of this Article, the Ministry shall, based on the principles laid down under the civil service law, issue a standard guideline to assist institutions develop their own rules and procedures.

35. Technical Support Staff

- 1/ Technical support staff of public institutions employment, governance and benefits be determined by regulations of the council of ministers;
- 2/ Without prejudice to the provisions of sub article (1) of this Article, technical support staff professional carrier, rights and responsibilities and work load shall be determined by the ministry's rules and regulations;
- 3/ Public institutions shall ensure that their technical support staff meet the required level of competence and that they are not in excess of the optimum number.
- 4/ The Centre together with the public institutions shall, within one year from the effective date of this Proclamation, establish standard ratios that shall be applicable in determining the optimum number of administrative and technical support staff of a public institution.
- 5/ Every public institution shall ensure slim organization and frugal employment of support staff to conduce for the application of the provisions of sub-articles (3) and (4) of this Article.

36. Rights and Responsibilities of Support Staff

- 1/ Support staff of public institutions shall be entitled to good governance in accordance with the applicable principles provided for by civil service law.
- 2/ Every institution shall formulate rules and procedures on all matters of importance to its support staff and have them validated through participatory processes before adoption.
- 3/ Based on the principles of the applicable civil service law, the Board of a public institution may issue detail rules regulating the administration of the institution's support staff.
- 4/ Any support staff of an institution shall have the responsibility to respect applicable laws and institutional directives as well as conform in his practice to the objectives of higher education and the guiding values of the institution as applicable.

SECTION THREE

STUDENTS OF INSTITUTIONS

37. Rights of Students

- 1/ Without prejudice to other provisions of this Proclamation and other applicable laws, students of any institution shall have the right to:
 - a) free inquiry of truth and freedom of expression of ideas and thoughts in the process of learning and conducting research;
 - b) enjoy the freedom to learn with appropriate opportunities and conditions in classrooms, campuses and in the larger community;
 - c) protection of their constitutional human rights, personal safety, and security of their personal property on campus;
 - d) be free to express orderly their views on issues of institutional policy;
 - e) receive protection from any form of discrimination or harassment;
 - f) be entitled to equitable and fair treatment in all respects of the teacher-student relationship and to an environment conducive to stimulate learning;
 - g) be evaluated solely on academic basis consistent with norms

provided for by this Proclamation and the institution's academic standards, and receive redress against capricious evaluation;

- h) participate in a transparent system of performance evaluation of academic staff and academic programs;
 - i) enjoy the benefits of a carefully considered policy of confidentiality regarding the information that should be part of their educational record and as to the conditions of its disclosure;
 - j) join the institution's student union, which shall be founded on the principle of universality of membership in accordance with the pertinent laws so as to promote and protect lawfully their common interests;
 - k) obtain access to facilities of the institution through individually and/or through their union in accordance with the rules and procedures of the institution;
 - l) participate, through their union or representatives, in the sessions of the institution's governing bodies in accordance with this Proclamation and directives issued by the Board;
 - m) use, under the leadership and guidance of the student union and with the attendant responsibilities, communications media on campus to provide a forum for the free exchange of ideas and to present news, opinion and editorial comments
 - n) benefit from the cost-sharing system and receive guidance and counseling services in accordance with this Proclamation.
- 2/ Every institution shall have the responsibility to develop and implement rules and procedures that shall safeguard the rights of students stipulated under this Article. The rules and procedures shall be developed in accordance with this Proclamation and on the basis of consensus built through the participation of the academic community.

38. Responsibilities of Students

- 1/ Without prejudice to other provisions of this Proclamation and other applicable laws, any student of an institution shall have the responsibilities to:

- a) attend classes properly and respect the indivisible authority of any academic staff in the leadership and management of the teaching-learning process;
 - b) maintain standards of academic performance established for each course in which he is enrolled;
 - c) know and uphold the objectives of higher education and the guiding values of the institution;
 - d) observe scrupulously the applicable provisions of this Proclamation and the rules of the institution which are consistent with this Proclamation;
 - e) interact with academic and other staff and any other student of the institution with due respect to their constitutional rights;
 - f) remonstrate and seek redress peacefully and through legal avenues in the event student interests, be it individual or collective, are at stake, and exhaust all institutional avenues of redress;
 - g) use and handle the properties of the institution with due care and be held accountable for any damage caused to the property of the institution due to intentional or negligent misuse or destruction;
 - h) effect payment of fees applicable in accordance with the provisions of this Proclamation for services that has been provided by the institution.
- 2/ Every student has to be governed by the institutional code and disciplinary procedures;

39. Admissions of Students

- 1/ Admissions to undergraduate programs of any institution shall be based on completion of secondary education program and obtaining the necessary pass marks in the university entrance examination. Admissions may also be granted to students completed their secondary school in foreign countries on the basis of equivalent academic achievements that shall be determined by the Ministry.
- 2/ technical and vocational education and training graduates with level 4 qualifications and those who have two years of work experience after

having passed entrance qualifications assessment set by the institution may be enrolled to the post graduate education,

- 3/ The Ministry shall administer the university entrance examination and decide on eligibility for admissions to any institution.
- 4/ Without prejudice to other provisions of this Article, other provisions of this Proclamation and other applicable laws, every institution shall, with respect to student admissions, have the rights and responsibilities to admit:
 - a) for undergraduate studies, only those who satisfy conditions set here in above under sub article 1 and 2
 - b) for second degree-level graduate studies, candidates who have completed their undergraduate studies with the academic results required by the institution; and only those who passed entrance exams given by the institution;
 - c) for PhD level degree graduate studies, candidates who have completed their M.Phil or second degree studies with the academic results required by the institution
- 5/ Notwithstanding the provisions of sub article s (1) and (3)(a) of this Article there shall be special admissions procedures for disadvantaged citizens to be determined by regulation of the Council of Ministers and to be implemented by directive of the Ministry issued hereunder.
- 6/ A public institution may admit adults under special admissions procedures to be issued pursuant to the establishment regulations of the institution and as the institution's senate may determine; and the Ministry may extend the applicability of this provision to private institutions as circumstances may permit.
- 7/ The Ministry shall consult the public institutions concerning student placement so long as the current centralized placement of students in public institutions shall continue. As and when direct selection of students for admission by public institutions becomes feasible and desirable, the Ministry shall limit itself to administering the entrance exam, deciding on pass marks and eligibility for admission, including entitlement to affirmative action, monitoring the admission process and ensuring compliance by institutions to its directives.

40. Physically Challenged and Students with Learning Disabilities

- 1/ Institutions shall make, to the extent possible, their facilities and programs amicable to use with relative ease by physically challenged students.
- 2/ Institutions shall, to the extent that situations and resources permit, relocate classes, develop alternative testing procedures, and provide different educational auxiliary aids in the interest of students with physical challenges and learning disabilities.
- 3/ Building designs, campus physical landscape, computers and other infrastructures of institutions shall take into account the interests of physically challenged students.
- 4/ Institutions shall ensure that students with physical challenges get to the extent necessary and feasible academic assistance, including tutorial sessions, exam time extensions and deadline extensions.

41. Quality of Teaching-Learning and Assessment of Students

- 1/ The teaching and learning process in any institution shall be, whatever the methods of delivery employed, interactively student- centered that shall promote active learning.
- 2/ The teaching and learning conditions in any institution shall, as far as practicable, create in-class and on-campus enabling environment and encouraging atmosphere for students to learn.
- 3/ The designing of courses and their delivery shall be such that the courses shall add to the knowledge and skills students already have, cultivate constructive professional values, and bring about attitudinal changes and development in students at the end of the courses.
- 4/ Students shall be assessed properly and fairly on the basis of their learning experience; the marking system shall be reflective of the competences achieved by students.
- 5/ There shall be institutionally recognized and well-defined student assessment and examination methods and systems at academic unit levels to which any academic staff shall adhere, and have been made known to students.

- 6/ There shall be adequate structures, at the necessary levels of the pertinent academic units, which shall constitute leading authorities at any of the levels on student assessments, examinations and grading of results.
- 7/ Student complaints against assessment methods, examinations, grading systems or results thereof shall be handled, at institutional level, with due care and expeditiously.
- 8/ Academic staff shall receive on-job and tailor-made professional training on student assessment theories and skills; and mastery and successful application of assessment skills as well as teaching shall constitute critical prerequisites for continuity of employment and promotions.
- 9/ While conducting assignments or research works or during exams if they utilize works of other people they have to acknowledge them;
- 10/ During administration of examinations, correction of examinations and assignments, and in determining grades academic staff has to respect academic disciplines;
- 11/ Rules and procedures governing teaching methods and assessment, grading and academic status of students shall be provided in the senate statutes of each institution and shall be further elaborated in guidelines issued by the appropriate academic units.

PART THREE
PUBLIC INSTITUTIONS

SECTION ONE

GOVERNANCE AND INTERNAL STRUCTURES

42. Organization of Public Institutions

- 1/ Without prejudice to other provisions of this Proclamation, any public institution shall have:
 - a) governing and advisory bodies.
 - b) academic units;
 - c) governing body of teaching hospital, as may be relevant;
 - d) administrative and technical support units;
 - e) Joint academic and administration offices;

- 2/ The establishment of academic units in accordance with this Proclamation shall be determined on the basis of relevance and quality of education and research as well as on cooperative, efficient and effective use of resources.
- 3/ Academic unit of an institution shall have a system of governance; system of governance would be devised by the president, debated by the managing council, the university council and the senate, and approved by the Board. Such system shall consist of governing and managing bodies, their responsibilities, and rules and procedures of leadership and management.
- 4/ Notwithstanding other provisions of this Proclamation, a public institution may reorganize itself in accordance with international good practice, with the sole purpose of more effective performance in the fulfillment of its mission and subject to approval by the Board and endorsement by the Ministry.
- 5/ Except as may be directed otherwise by the Ministry, in the event any public institution finds it necessary to reorganize itself as provided in sub-article (4) of this Article, the president shall submit to the Board an exhaustive proposal discussed by the managing council, the university council, the senate, and by unions of students and teachers of the institution.

43. Governing and Advisory Bodies

- 1/ Governing and advisory bodies of a public institution shall consist of:
 - a) board;
 - b) president;
 - c) senate;
 - d) managing council;
 - e) university council;
 - f) academic unit council;
 - g) academic unit managing council;
 - h) department council;
 - i) advisory or specialized committees or councils that may be established by the board, senate or university council.
- 2/ The composition, constitution, responsibilities, and decision-making

process of governing bodies of academic units under paragraphs (f) to (h) of sub-article (1) of this Article shall be determined by the board following the request of the president.

44. Accountability, Duties and Responsibilities of the Board

- 1/ The board of public institution shall be accountable to the Ministry or, in case of an institution under a state, to the appropriate organ of the state government.
- 2/ The board of a public institution shall be the supreme governing body of the institution and it shall have the responsibilities to:
 - a) supervise and ensure that the institution implements the provisions of this Proclamation and other laws and that good governance prevails in the institution;
 - b) without prejudice to other provisions of this Proclamation, review and submit strategic plans of institution; examine, approve and follow up the implementation of proposals of institutional reorganization, organizational annual plans, policies, administration and academic programs, performance reports and financial statements and internal regulations of the institution;
 - c) based on the rules drawn by the ministry nominate the president on merits for appointment as may be appropriate by the Ministry or the state body;
 - d) based on the rules drawn by the ministry nominate and appoint the vice president on merits;
 - e) issue directives, upon the advice of the president, regarding qualification requirements and procedures of nomination and appointment procedures and terms of office academic officers as well as members of the senate; and monitor the propriety of its implementation;
 - f) take, without prejudice to the applicability of other relevant laws, any disciplinary action, including removal from office, against any vice president in the event of serious failure to discharge his responsibility; in the case of the president, consult with the Ministry for measures to be taken;
 - g) take remedial measures within its own competence and report

promptly to the Ministry in the event of serious breaches of the law by the institution's other governing bodies or in the event the danger of serious financial loss is suspected or has actually happened;

- h) request and obtain information on matters concerning the institution and report the same if particularly important to the Ministry;
 - i) submit proposal as may be necessary to the Ministry for the amendment of the law establishing the public institution as well as advise it on all matters of importance to higher education and research generally and for institution governance particularly as perceived from its position as board of an institution;
 - j) make sure that the institution has an adequate institutional system to expeditiously receive and redress grievances; examine and give final decision on grievances against decision by the public institution;
 - k) rescind decisions made by the president or the senate when the decisions compromise institutional mission or contravene government policy, this Proclamation, or the Constitution;
 - l) issue its own rules of procedure and internal regulations, as well as rules of discipline applicable to its members;
 - m) approve promotions to the rank of professorship;
 - n) determine upon advice by the president the type and amount of different payments relating to education charged by the public institution.
 - o) oversee the proper constitution and functioning of the senate, university council, and the managing council; and establish, as it may consider necessary and upon the advice of the president, any particular advisory council accountable to the president or to the university council;
- 3/ The board's chairperson of a federal public institution shall be appointed by the Minister; and shall have the responsibility to ensure that the board discharges effectively its responsibilities.
- 4/ The term of tenure for board members shall be six years and it may be renewed for additional one term.
- 5/ Benefits due to the members of board of a federal public institution

shall be determined by the Ministry, with due regard to the ability of the institution, and covered by the institution

45. Composition and Quorum of the Board

- 1/ The board shall be composed of seven voting members, including the chairperson; and selection of members shall give due regard to merit-based gender balance. The president of the institution shall be a non-voting member and secretary of the board.
- 2/ The Ministry shall select and appoint the board chairperson and three additional members directly and the remaining three in consultation with the university.
- 3/ The members to be nominated shall be past or present holders of responsible positions and notable personalities especially in teaching or research and in integrity, or be representatives of the customers of the products and services of the institution and whose exceptional knowledge, experience and commitment are such as to enable them to contribute to the attainment of the mission of the institution and the objectives of higher education generally.
- 4/ The board at its discretion may invite any resource persons to any of its sessions.
- 5/ The board shall have a quorum when five of the voting members attend; provided however, that in the event of urgency, the board shall conduct its sessions with a quorum of four voting members in which case the side with the chairperson will be taken as the decision of the board when there is equal votes of two. The board shall specify in its rules of procedures the circumstances under which this provision may apply.
- 6/ In the event the chairperson may not attend a scheduled session, the attending members shall choose a chairperson from among the attending members for that particular session and execute the session's agenda.
- 7/ The board shall resolve matters by simple majority votes.

46. Sessions of the Board

- 1/ The board shall conduct at least four regular sessions in a year.
- 2/ Without prejudice to sub-article (1) of this Article, the board may hold

extra-ordinary sessions at the request of its chairperson or one-third of its voting members.

- 3/ The president may cause through the chairperson extraordinary sessions to be held ;
- 4/ The board conducts its performance evaluation quarterly and:-
 - a) the performance evaluation of the board shall be conducted in a closed meeting of the voting members, with the president of the institution attending and contributing to the evaluations.
 - b) The board chairperson shall submit regularly the results of the evaluation to the Ministry.
 - c) The board shall determine when and how to conduct its performance evaluations; provided however, that it shall have annually at least one monitoring evaluation and one summative evaluation.
- 5/ The Ministry and board chairpersons shall hold biannual joint forums.
- 6/ The board chair shall generally ensure that all board sessions are well-prepared for, regularly held, properly documented, and that the documentation is kept in order, and the results are effectively communicated as directed by the board.

47. Termination of Board Membership

Membership of the board may be terminated by:

- 1/ expiry of the term of office, as may be determined in the directive to be issued by the Ministry;
- 2/ resignation;
- 3/ illness, death or conviction of serious criminal offence;
- 4/ severe misconduct, incompetence, or serious failure or inability to attend three consecutive board sessions with out permission;
- 5/ decision by the Ministry to reform the board in whole or in part.

48. The Senate

The senate, being the leading body of the institution for academic matters and

without prejudice to the responsibilities of the board, shall have the responsibilities to:

- 1/ determine the academic calendar of the institution;
- 2/ accredit academic programs with the consensus of the board and the ministry; accredit curricula and supervise academic units to ensure the relevance and quality of education and research;
- 3/ legislate and ensure proper implementation of the institution's statutes related to all academic and research matters in accordance with this Proclamation;
- 4/ determine conditions on which degrees are awarded or revoked;
- 5/ examine and approve recommendations by the president in respect of opening, closure or merger of academic units under the public institution
- 6/ determine an institution-wide framework for quality enhancement and student assessment;
- 7/ recommend to the board promotions of academic staff to the rank of professor
- 8/ approve and promote academic staff to the rank of assistant and associate professor;
- 9/ decide on the type, number, membership, and responsibilities of its specialized committees;
- 10/ award honorary degrees and other academic prizes to persons with outstanding achievements meriting recognition by the institution, upon request by the president;
- 11/ perform other responsibilities which may be given to it in the establishing law of the institution or may be referred to it by the president.

49. Members of the Senate

- 1/ Membership and the number of members of the senate and their terms of office shall be determined by the establishing law of the public institution.
- 2/ notwithstanding the provisions of sub-article (1) of this Article, at least the majority of the members of the senate shall be meritorious and senior members of the academic staff appointed by the president.

- 3/ The president shall chair the senate and ensure that the institution's academic community is appropriately represented in its membership.
- 4/ The Board of a public institution may, upon advice by the president, change or modify senate membership and terms of office, as necessary and consistent with good practice, but solely to ensure that it shall be fit for purpose.

50. Sessions of the Senate

- 1/ The senate shall determine its regular and extraordinary sessions in its own rules of procedure and internal regulations, which shall also include disciplinary rules of its members.
- 2/ The senate may hold extraordinary sessions upon the request of the president, the board or one-third of its members.
- 3/ The senate shall have a quorum when more than half of its members attend and shall make decisions by simple majority votes, and in case of a tie, the chairperson shall have a casting vote.
- 4/ The senate, consistent with its mandate, shall devote some of its sessions to evaluations of the academic performance of the academic units, of its committees, and its own performance; and the results of the evaluations shall be duly communicated by the president to the board.
- 5/ The senate at its discretion may invite resource persons it deems necessary to any of its sessions.

51. Appointment and Performance Evaluation of President and Vice Presidents of a Public Institution

- 1/ The president shall be appointed by the Minister or by the head of the appropriate state organ, as the case may be, from a short list of nominees provided by the board in accordance with sub-article (1)(d) of Article 44 of this Proclamation.
- 2/ The position of the president shall be publicly advertised by a body

designated by the board.

- 3/ The vice presidents of a public institution shall be appointed based on merit and through competition by the board in accordance with sub-article (1)(c) and (d) of Article 44 of this Proclamation.
- 4/ The candidate president and vice president of a public institution shall have, among others, commendable academic leadership and managerial ability as well as demonstrable commitment to institutional change and development and to the Constitution and government policies.
- 5/ Without prejudice to the provisions of sub article (4) of this Article, further particulars of requirements and procedures of competition and selection shall be determined by the law establishing the institution and by the board.
- 6/ The terms of office of the president of a public institution shall be six years and of the vice president four years; provided however, that and without prejudice to other provisions of this Proclamation, they may be reappointed.
- 7/ The board shall make monitoring reviews on the performance of the president and vice presidents bi-annually and comprehensive in depth reviews every three years in the presence and with the participation of the president and the vice presidents.
- 8/ No person shall hold the position of acting president or acting vice-president for a period of more than 180 days. Unless otherwise he holds the position as permanent.

52. Responsibilities of the President of a Public Institution

- 1/ The president of a public institution shall be the chief executive officer of the institution and, without prejudice to the responsibilities of the board, shall have the responsibilities to:
 - a) direct and administer the public institution with the aim of ensuring the achievement of its mission;
 - b) ensure that organs of the institution and its community uphold the objectives of higher education and guiding values of the institution;
 - c) ensure that the provisions of this Proclamation and of other laws applicable to the institution are respected;
 - d) ensure that the institution prepares high quality graduates in as

many numbers and fields consistent with the needs of the country;

- e) create and continuously build a conducive institutional environment stimulating learning, research and community services;
- f) ensure that the institution's research and consultancy activities focus on national priorities;
- g) ensure that the institution in the pursuit of its mission is perpetually connected internationally as well as with federal and state institutions, relevant agencies and business and industry, and associations;
- h) ensure that the institution always keeps abreast national and international developments and positions itself to respond effectively to the country's needs in education, training, research, consultancy and community services;
- i) ensure that the institution has a capable system of internal leadership and management in its human resource, organization and performance;
- j) determine and implement, upon the consent of the senate and approval by the board, academic unit-and- department level governing bodies and structures guided by the principles of relevance and quality of education and research, autonomy, efficacy and efficiency of service delivery;
- k) ensure that employment and official positions are achieved through competition and that removal from office is based on performance evaluation, disciplinary matters and end of tenure of office alone;
- l) ensure that policies, directives and procedures of the institution are designed in conformity with the provisions of this Proclamation, pertinent laws and government policies;
- m) develop and implement institutional standard measures and ensure that the academic and administrative operations of the institution are on the basis of the standards;
- n) ensure that the institution maintains a healthy balance of income and expenditure and proper books of accounts of all incomes and expenditures;

- o) ensure that senate sessions as well as of those other leadership bodies such as the managing council and the university council are well-prepared for and held regularly; properly documented and the documentation kept in order, and are exhaustive in the discussion of issues; and that senate decisions are properly communicated and implemented.
 - p) resolve by peaceful and legal means all intra-institutional disputes and disputes with third parties, in pursuit of the institution's mission and best interests;
 - q) ensure that all fundamental operations and substantive transactions of the institution are appropriately documented in text and data form as appropriate and that the information is, without prejudice to institutional interests, appropriately and readily accessible to board, government, the public and other end- users;
 - r) prepare institutional plans and budget, and ensure their implementation upon approval;
 - s) build and maintain a reliable safety and security system that protects life and property in the premises of the institution;
 - t) represent the institution in all its dealings with third parties
 - u) open and operate bank accounts in the name of the institution;
 - v) control that payable allowances, overload rates and other similar sundry rates are paid as per the directive issued by the Ministry of Finance in consultation with stake holders.
 - w) delegate, as may be necessary, his powers and responsibilities to the vice presidents and appropriate heads of academic units;
 - x) ensure that his foreign travels are of value to the institution and planned;
 - y) discharge such other responsibilities as may be given to him by the establishing law of the institution and by the board.
- 2/ The president shall devote full time to the requirements of his office; and shall be remunerated appropriately for his services in the form of basic salary and other benefits.
- 3/ In the case of absence from duty, the president shall delegate, as a standard

practice, the academic vice president on his behalf and, in the case of simultaneous absence of the said vice president, any of the other vice presidents.

53. Responsibilities of Vice President of a Public Institution

- 1/ The vice-president of a public institution, without prejudice to those responsibilities given to him under the establishing law of the institution, shall have the responsibilities to:
 - a) advise, assist and support the president in the exercise of his responsibilities;
 - b) exercise the responsibilities the president may entrust to him.
- 2/ Any public institution may have as many vice presidents as the board determines in consultation with, as the case may be, the Ministry or the state organ.
- 3/ Vice presidents shall devote most of the time to the requirements of their offices and shall be remunerated appropriately for their services in the form of basic salary and other benefits.
- 4/ There shall not be associate vice presidents in any public institution.

54. Termination of Service of the President and Vice President

- 1/ The president or vice president of a public institution may be relieved of his responsibilities by:
 - a) resignation;
 - b) release on grounds of incompetence, severe misconduct, illness or upon death;
 - c) absence from duty for more than 180 consecutive days with official acquiescence;
 - d) absence from duty for more than 45 days without official acquiescence;
 - e) expiry of terms of office.
- 2/ The Minister or the head of the concerned state organ, as the case may be,

may relieve the president of his post pursuant to the provisions of sub-article (1) of this Article and upon advice by the board, or without such advice if the Minister or the head of the concerned state organ is convinced that it is the right action to take.

- 3/ The board may relieve any vice president of his post, pursuant to the provisions of sub article (1) of this Article.
- 4/ Without prejudice to the provisions of sub article (1) of this Article, the board may, as the case may be, cause the removal or remove the president or any vice president if it determines, through three consecutive monitoring reviews or one in-depth review, his continuity in office would be injurious to the institution.

55. Managing Council

- 1/ Without prejudice to the power of the president to include other pertinent officers, the president, the vice presidents, and the officer in charge of institution-wide student affairs shall constitute the core members of the managing council; and the president shall chair the managing council.
- 2/ The managing council shall advise the president on strategic issues and on other cases that the president believes require collective examination as well as serve as a forum for monitoring, coordination, and evaluation of institutional operations.
- 3/ The managing council shall meet regularly at least twice a month on a regular day and time.
- 4/ The managing council shall hold and conduct its sessions with a majority of its core members present.
- 5/ Minutes of sessions of the managing council shall be taken by a secretary designated by the president.
- 6/ The president shall ensure free and open expression of views in managing council sessions. The president may order votes in case substantially competing opinions emerge to ascertain the weight of the competing opinions.
- 7/ No member other than the president or a person instructed by the president shall communicate to third parties the council's deliberations on

controversial issues and the results thereof.

- 8/ The provisions of this Article shall also be applicable, as appropriate, with respect to private institutions.

56. University Council

- 1/ The president shall chair the university council, and its members shall consist of the core members of the managing council, all deans, directors, members of the senate standing committee, the chief librarian, the registrar, other key academic officers, service department heads, and, as it shall be determined by the board upon the advice of the president, an appropriate number of academic staff and student representatives with appropriate gender mix.
- 2/ The university council shall advise the president by expressing its views on institutional proposals regarding plans, budget, organizational structures, academic programs, agreements of cooperation, and on division, merger and closure of academic units as well as on performance.
- 3/ The university council shall meet at least once every six months on the day and time that shall be fixed.
- 4/ Attendance of university council sessions by members shall be mandatory. Membership shall not be delegated except in accordance with the permission of the president. Sessions may be held without a requirement for quorum.
- 5/ The president shall ensure a democratic atmosphere stimulating free expression of opinions and ideas in sessions of the university council. The president may order votes in case substantially competing opinions emerge to ascertain the weight of the competing opinions.
- 6/ The secretary of the managing council shall also serve as the non-voting and non consultative secretary of the university council.
- 7/ No member of the university council other than the president or a person nominated by the president shall serve as its official spokesperson.
- 8/ Without prejudice to the provisions of this article, the university council may adopt its own rules of procedures.
- 9/ The provisions of this Article shall also be applicable, as may be appropriate, with respect to private institutions.

57. Forum of Public Institutions

- 1/ Public institutions may establish a forum, in accordance with this Proclamation and with an appropriate name, to coordinate efforts, harmonize academic standards and approaches, share experience, and to advise the Ministry on national and international strategic issues, trends and conditions of higher education.
- 2/ The establishment of the forum shall be effective as of the date of its registration by the Ministry upon ascertaining the consistency of its statutes with the provisions of this Proclamation.
- 3/ The presidents, representing their respective institutions, shall be members of the forum.
- 4/ Without prejudice to the provisions of sub article (1) of this Article, the council of presidents may decide on nomenclature, aims, responsibilities, leadership architecture, procedures, and rules of the forum.
- 5/ The forum may establish its own office in accordance with the decision made by the council of presidents.
- 6/ The spokesperson of the forum shall be the incumbent leader of the forum, who shall be elected in accordance with its rules.
- 7/ The financial source of the forum shall be annual contributions by the member public institutions and grants and funds the forum may obtain from other legally permitted sources.
- 8/ The Ministry may, as may be necessary, consult the forum on issues of higher education.
- 9/ There may be, as may be necessary, consultative partnerships between the forum of public institutions and any legally established association of private institutions.
- 10/ Where the forum of public institutions contravenes the provisions of this Proclamation or any other applicable laws, it may be suspended by the order of the Ministry until it rectifies the irregularities.

SECTION TWO
DIVISION, MERGER, CHANGE OF NAME AND
CLOSURE OF PUBLIC INSTITUTIONS

58. Division, Merger or Change of Name of Public Institution

- 1/ A public institution may be divided into two or more public institutions or merged with another public institution or its name be changed by regulation of the Council of Ministers or in accordance with a state's law, as the case may be.
- 2/ Division, merger or change of names of public institutions shall take place without prejudice to the provisions of this Proclamation and other applicable laws.

59. Closure of Public Institutions

- 1/ A public institution may be closed down by decision of the Council of Ministers or the appropriate organ of a state, as the case may be.
- 2/ The closure of a public institution shall be made public through the appropriate media.

60. Transfer of Rights and Obligations

- 1/ Where a public institution is divided into two or more institutions pursuant to the provisions of this Proclamation, its rights and obligations shall be transferred to the newly formed institutions. The extent of rights and obligations to be transferred to each of the newly formed institutions shall be as prescribed by the Council of Ministers regulation or the state's law effecting the division.
- 2/ The rights and obligations of institutions merged in accordance with the provisions of this Proclamation shall be transferred to the new institution.
- 3/ The divided or merged public institution shall lose its former juridical personality from the date of the division or merger.
- 4/ The provisions of this Article shall, mutatis mutandis, apply with respect to an institution whose name has been changed.

SECTION THREE
BUDGET AND FINANCIAL MANAGEMENT
OF PUBLIC INSTITUTIONS

61. Budget

- 1/ Public institutions shall be funded by the federal government or states through block- grant system based on strategic plan agreements.
- 2/ Every public institution shall receive a block grant-budget, agreed upon in advance as indicative budget for a five-year period; provided however, that such block-grant budget shall be revised annually.
- 3/ Every public institution shall mobilize other income as provided for by Articles 65 and 66 of this Proclamation and other legally permitted sources.
- 4/ Depending on the state of its preparedness, every public institution may start operating under a block-grant system, depending on plans adopted by the board and the strategic plan agreement as well as on its general preparedness, after one year from the effective date of this Proclamation.
- 5/ Public institutions shall build their capacities in financial and educational data management to implement properly and efficiently block- grant funding within the period specified in sub-article (4) of this Article.
- 6/ The Ministry of Finance shall assist public institutions in implementing the provisions of this Article.

62. Budget Subsidy

- 1/ Any unutilized portion of allocated block- grant of any public institution may remain at the disposal of the institution as budget subsidy.
- 2/ The institution shall use the budget subsidy only as capital budget.
- 3/ The budget subsidy shall be budgeted together with the year's block grant and other institutional income for the year and approved by the board as the institution's total budget.

63. Financial Management

- 1/ The president of a public institution shall conduct the financial affairs of the institution in accordance with the law and with the principles of efficiency, efficacy, frugality and transparency.
- 2/ Without prejudice to other conditions provided by law and to the procedure of prior approval of the budget by the board, a public institution shall be free to use its income as it sees fit, in accordance with its approved business plan. The ministry and the Ministry of Finance will draw directives for its implementation.
- 3/ The board may authorize the president of a public institution to make necessary expenditures on the basis of the previous budget where the board may not be able to approve timely the budget for the current fiscal year.

64. Strategic Plan Agreement

- 1/ Every public institution shall conclude with the Ministry or the concerned state organ a strategic plan agreement for a period of five years.
- 2/ A strategic plan agreement shall, in particular, contain:
 - a) strategic objectives, academic priorities, learning outputs, and institutional and human resources development;
 - b) planned research projects and programs;
 - c) study and diversity of programs and continuing, distance and virtual education;
 - d) the number of students and the number and qualification of academic staff;
 - e) social goals such as measures to enhance equity and competence of its academic staff, increase the proportion of senior positions held by women, and assistance to disadvantaged sections of its students;
 - f) indicative block-grant budget commitments made by the government and the institution's commitment to make up, through other sources of income, the financing gap that may occur;
 - g) the indicative allocations of the block- grant budget and the funds to be mobilized by the institution for each year of the strategic plan period;

- h) contingency plan in the event of non fulfillment of the anticipated strategic- plan budget;
 - i) appropriate mechanisms of accounting, monitoring, evaluation and reporting.
- 3/ A strategic plan agreement may be amended in the event of significant changes in the circumstances or assumptions on which it has been based.
- 4/ Public institutions shall conclude the next strategic plan agreements, as the case may be, with the Ministry or the appropriate state organ within the current plan period.

65. Income Generation

- 1/ Without prejudice to the provisions of this Proclamation and other applicable laws, an income generating enterprise may be established by any public institution upon the request of the president and approval by the board.
- 2/ The enterprise shall have its own legal personality and operate, like any business organization, in compliance with all legal requirements.
- 3/ The initial capital required for the establishment of the enterprise may be a budget allocated by government.
- 4/ Without prejudice to sub-article (3) of this Article, the enterprise may have the following sources of income:
- a) income generated from the services it renders and the activities it carries out;
 - b) voluntary contributions made by the staff of the institution;
 - c) donations;
 - d) other lawful sources of income.
- 5/ The fund may be used for different capacity building activities of the institution, prizes and other activities as shall be approved by the board.
- 6/ Disbursement of the fund shall comply with its budgetary appropriations.
- 7/ The institution shall use the net profits of the enterprise in the pursuit of its mission and objectives in accordance with the provisions of this Proclamation.
- 8/ The financial statements and audit reports of the enterprise shall be

submitted to the board within six months from the end of the fiscal year.

66. Income Fund

- 1/ An income fund may be set up in a public institution by decision of the board and, as the case may be, approval by the Ministry or the appropriate state organ.
- 2/ Sources of income of the fund shall be:
 - a) contributions made by the income generating enterprise of the institution;
 - b) unutilized finance of the fund during the fiscal year;
 - c) donations;
 - d) other legally permitted sources of income.
- 3/ Any public institution may accept donations from third parties; provided however, that no such donation or subsidy may negatively influence the standing, mission and objectives of the institution.
- 4/ Any public institution shall report to the Ministry of Finance and Economic Development and the Ministry or the appropriate state organ receipt of funds from third-parties and its investment incomes.

67. Reporting and Supervision

- 1/ Any public institution shall:
 - a) submit to, as the case may be, the Ministry or the appropriate state organ duly evaluated and approved annual performance and audited financial reports based on the strategic plan agreement; and publish the educational and expenditure data for the fiscal year as provided for under Article 26 of this Proclamation;
 - b) furnish information to the Ministry or the concerned state organ whenever it is required to do so.
- 2/ Any public institution may be subject to supervision by the Ministry or the appropriate state organ to ensure its compliance with the law and strategic plan agreements.

68. Books of Accounts

- 1/ Every public institution shall install an accounting system, including income and expenditure accounting, and a reporting system, appropriate to its responsibilities, which shall fall under the responsibility and management of the president.
- 2/ Every public institution shall follow double entry bookkeeping, keep costs and revenues related to supplementary activities separate from other costs and revenues, and shall observe general regulations on accounting in all other areas.
- 3/ The Ministry may, in consultation with the Ministry of Finance, issue directives on accounting and reporting system enabling the use of simplified valuation methods and auditing of statements for measurement of an institution's assets and liabilities.

69. Audit

- 1/ An autonomous internal audit unit accountable to the president shall be established in any public institution.
- 2/ The internal audit unit shall conduct performance, financial, and property audit of the institution and report the findings to the president and the board.
- 3/ Without prejudice to the powers of the federal or state Auditor General, as the case may be, the accounts of a public institution shall be audited annually by an external auditor appointed by the board; and the audit findings shall be reported to the board and the Ministry or the appropriate state organ.

PART FOUR

PRIVATE INSTITUTIONS

70. Accountability

- 1/ A private institution shall be accountable to the appropriate body as provided for in its memorandum of association and its by-laws.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article, a private

institution shall also be accountable to the Ministry in respect of the propriety of its operations in the provision of education and conducting research.

71. Responsibilities of Private Institutions

- 1/ Every private institution shall have the responsibilities to:
 - a) ensure strict compliance with directives issued by the Ministry on admissions of students;
 - b) ensure the minimum curricula quality standards, including educational content, pedagogy, student assessment and examination system, and system of grading;
 - c) perform regular annual self-evaluation and evaluations by students and academic staff on its academic and research performance and make the results of the evaluations public to its community as well as report to the Agency;
 - d) maintain a readily accessible list of accredited study programs offered, including the specific fields within the programs in which the institution is authorized to offer degrees, and form of their delivery, enrollment capacity and the standard length of study, and the profiles of its academic staff and the modes of their employment; and give accurate information to its students and the public about the same;
 - e) ensure that its leadership and management structures, modus operandi of the structures, the leadership and management capabilities of the position occupants, its location, premises and facilities, and the campus environment generally are fit for the purposes of a higher education institution of its status, levels of studies, student and staff numbers, and the nature of the programs and fields in which it is engaged;
 - f) submit to the Agency its detailed plans on education, research and training on a five-yearly basis, and annual up-dates of the plans; and make the plans public;
 - g) submit detailed annual reports to the Agency on its activities in education, research, and training at the end of each academic year

- and publish its educational input and output data as required by this Proclamation;
- h) supply information required by the Ministry free of charge and in the form and within the time the Ministry may specify;
 - i) notify the Ministry immediately in case a bankruptcy proceeding is instituted against it;
 - j) conduct its operations in accordance with the provision of this Proclamation and other applicable laws.
- 2/ The annual report on the activities of a private institution shall include, among others:
- a) activities and results thereof performed within the particular academic year;
 - b) signed diagnostic statement of its state of general condition as an institution of higher education by its supreme governing body, following the end of the academic year.
- 3/ The annual report on activities, the long-term plans of the institution, and the results of evaluation of its activities shall be made public.
- 4/ Notwithstanding the other provisions of this Article and specifically provisions for academic audit, the Agency may conduct, as may be necessary, unscheduled reviews and investigations of any private institution and take corrective measures.

72. Internal Regulations of Private Institutions

- 1/ Internal regulations of a private institution shall stipulate the governing bodies of the institution, decision-making procedures of academic bodies, academic programs, rights and obligations of the academic community, and grievance handling procedures.
- 2/ Internal regulations of a private institution and their amendments shall not contravene the provisions of this Proclamation and provisions of any other applicable law.
- 3/ The Agency shall ensure that any private institution has an appropriate and functional internal regulation.

73. Requirement for Accreditation

- 1/ Any person who desires to establish, upgrade or modify a private institution shall be required to secure an accreditation from the Ministry in accordance with this Proclamation.
- 2/ Any institution which has received accreditation and offers accredited study programs shall have the right to issue valid qualifications of higher education to its graduates consistent with accredited study programs, specific disciplines in the programs, and its enrollment capacity in the accredited campus.

74. Application for Accreditation

- 1/ Any person who desires to establish, upgrade or modify a private institution shall submit an application for accreditation to the Agency.
- 2/ An application submitted pursuant to sub article (1) of this Article shall contain:
 - a) name and main address of the institution;
 - b) financial capacity of the institution;
 - c) the name and address of the body to which the institution is accountable;
 - d) the names and addresses of the owners of the institution;
 - e) programs of study and levels of education and training;
 - f) appropriate curriculum, the number and level of qualifications of academic staff and technical and administrative support staff recruited by the institution and soon to be recruited with recruitment plan;
 - g) details of the available and soon to be made available facilities and services required for conducting education or training such as libraries, laboratories, classrooms, educational and research facilities, and the manner in which they are maintained;
 - h) admission requirement for new students;
 - i) internal regulations of the institution providing for the status, rights and responsibilities of the academic community and grievance

- handling procedures;
 - j) system of governance and management by which the academic and administrative affairs of the institution shall be conducted;
 - k) investment and other necessary permits issued by the appropriate government organs.
- 3/ The project for the establishment of a private institution shall, in addition to the requirements under sub-article (2) of this Article, be accompanied by a memorandum of establishment specifying the institution's:
- a) scope of activities;
 - b) property and source of funding;
 - c) management bodies and agents.
 - d) Performance Guarantee Bond from a recognized Financial Institution
- 4/ The Agency shall, upon examining the application submitted to it: issue accreditation in one month time where it ascertains that the institution satisfies the requirements under this Proclamation and regulations and directives issued for the implementation of this Proclamation;

75. Issuance and Rejection of Accreditation

- 1/ Where the Agency, upon examining the application for accreditation submitted to it and ascertaining that the institution satisfies the requirements under this Proclamation and regulations and directives issued for the implementation of this Proclamation, issue the accreditation within a reasonable time period.
- 2/ The accreditation issued by the Agency shall indicate:
- a) the name and address of the institution;
 - b) the status, programs and curriculum of the institution;
 - c) the number and qualification mix of the academic staff;
 - d) enrollment capacity and location of the campus;
 - e) the date of issuance of the accreditation and its duration of validity;
 - f) the name and signature of the official issuing the accreditation with the seal of the Agency affixed.

- 3/ The Agency shall make public the issuance of the accreditation through appropriate media.
- 4/ The Agency reject the application for accreditation where it finds that the institution does not meet the requirements under this Proclamation and regulations and directives issued for the implementation of this Proclamation.
- 5/ Where the Agency rejects an application for accreditation pursuant to sub-article (3) of this Article, it shall notify the applicant in writing about the grounds for the rejection of the application.
- 6/ An applicant that is denied accreditation pursuant to sub-article (3)(b) of this Article, may reapply after fulfilling the requirements for accreditation within 90 days from the date of notification of the denial; provided however, that an applicant whose application is rejected twice may not reapply until after one year.
- 7/ The Agency shall make the decision on the rejection of accreditation public through appropriate media depending on the character of the decision.

76. Validity of Accreditation

- 1/ An accreditation issued to a private institution pursuant to Article 75 of this Proclamation shall be valid for the time required to a department to graduate one batch.
- 2/ An accreditation issued to a private institution shall be renewed upon the expiry of the period of its validity prescribed under sub-article (1) of this Article and, subsequently, every five years before the beginning of a new academic year and upon application for renewal.

77. Application for Renewal of Accreditation

An application submitted for renewal of accreditation pursuant to sub-article (2) of Article 76 of this Proclamation shall include the following:

- 1/ a report on the state of fact of the information and provisions submitted to the Agency during the application for accreditation or for a previous renewal;
- 2/ a self-assessment document prepared by the quality enhancement system of the institution;
- 3/ the list of permanent academic staff and technical and administrative

- support staff of the institution;
- 4/ the list of students that have been enrolled each year in each field of study offered by the institution;
- 5/ the list of facilities and teaching aids made available for educational and research activities as well as other related activities of the institution;
- 6/ audited financial reports of the institution for the last three years;
- 7/ other information required by the Agency in accordance with the directive to be issued by the Ministry.

78. Decision on Application for Renewal of Accreditation

- 1/ Upon receiving an application for the renewal of accreditation pursuant to Article 78 of this Proclamation, the Agency shall, through its assessment committee:
 - a) evaluate the self-assessment document and other reports and ascertain the veracity of the information and statistics contained therein;
 - b) taking into account the nature of the institution's programs, closely scrutinize:
 - (1) the academic and administrative infrastructure made available at the institution;
 - (2) the processes of teaching and learning which shall include the curricula, quality of teaching and learning, student support services, student involvement in the teaching-learning processes, and student evaluation on the quality of education, including on the quality of the academic staff;
 - (3) list and qualifications of support staff;
 - (4) scale and relevance of research activities.
- 2/ The Agency, based on the report of the assessment committee, shall:
 - a) issue renewal of the accreditation where it ascertains that the institution satisfies the requirements under this Proclamation and regulations and directives issued for the implementation of this Proclamation; or

- b) reject the application for the renewal of accreditation where it finds that the institution does not meet the requirements under this Proclamation and the regulations and directives issued for the implementation of this Proclamation.
- 3/ Where the Agency rejects an application for renewal of accreditation pursuant to sub article (2)(b) of this Article, it shall notify the applicant in writing, together with a detailed statement explaining about the institution's standing vis-a-vis the requirements and recommending the corrective measures to be taken by the institution within a definite period of time.
- 4/ An applicant that is denied renewal of accreditation under sub-article (2)(b) of this Article, may reapply after fulfilling the requirements for accreditation by taking the corrective measures suggested by the Agency within the specified time limit.
- 5/ The Agency shall make public, through appropriate media, its final decision on rejection of renewal of accreditation.
- 6/ Any institution denied of renewal of accreditation shall take appropriate measures in order that the students and trainees it has admitted shall be transferred to other appropriate institutions and complete their studies.

79. Renewal of Accreditation

- 1/ The renewed accreditation shall indicate:
 - a) name and address of the institution;
 - b) status of the institution and its programs and curricula;
 - c) number and qualifications of the academic staff;
 - d) enrollment capacity and location of the campus;
 - e) date of renewal of the accreditation and its duration of validity;
 - f) name and signature of the official renewing the accreditation with the seal of the Agency affixed.
- 2/ The Agency shall make public the renewal of the accreditation through appropriate media.

80. Revocation of Accreditation

- 1/ The Agency may revoke the accreditation of a private institution on any one of the following grounds:
 - a) where it is found that the accreditation has been given on the basis of false information;
 - b) where the institution fails to rectify defects within the time fixed in the warning given by the Agency for failure to satisfy the required standards or for contravening the provisions of this Proclamation, any other relevant law or regulations or directives issued for the implementation of this Proclamation.
 - c) where the institution is dissolved or ceases its operations.
- 2/ A revocation of accreditation pursuant to sub-article (1) (a) or (b) of this Article shall be made effective before the beginning of a new academic year.
- 3/ Any institution the accreditation of which has been revoked shall take appropriate measures that the students and the trainees continue their studies in other appropriate institutions.
- 4/ The Agency produces regulations governing exist strategies and procedures of enrolling students whose institution disrupted its provision of study program
- 5/ Any institution which gets accreditation shall deposit 500,000.00 (Five hundred thousands of Ethiopian Birr) or presents a bank guarantee.

81. Appeal

- 1/ Any institution may appeal to the Ministry for a review of the Agency's decision on rejection of an application for accreditation or renewal of accreditation or on the revocation of accreditation, within 30 days of the receipt of the decision.
- 2/ The Ministry shall establish an appeal committee to review the decision of the Agency and to make recommendations.
- 3/ The Ministry shall grant the applicant the right to be heard before the final decision is given on the appeal.

82. Issuance of Substitute Accreditation Certificate

- 1/ Any private institution may apply to the Agency for a substitute accreditation certificate where its accreditation certificate is damaged or lost.
- 2/ The Agency shall issue a substitute accreditation certificate:
 - a) In case of damage, upon the return of the damaged certificate by the applicant;
 - b) in case of loss, having received legally acceptable evidence.

83. Returning Accreditation Certificate

- 1/ An institution whose accreditation is revoked in accordance with this Proclamation shall return the accreditation certificate to the Agency within two months days.
- 2/ An institution shall return the previous certificate to the Agency in order to get a new appropriate accreditation due to change of its grade, merger, division or change of its name.
- 3/ An institution that disrupts its education informs the agency within three months be for its closure and hands over students and their documents to the institution determined by the agency within six months;
- 4/ Three months prior notification to the agency is required if an institution changes its address

84. Accreditation Fee

Fees to be paid for accreditation shall be prescribed by regulation to be issued in accordance with this Proclamation.

85. Government Subsidy

- 1/ The government may give budget subsidy or capacity building support to non-profit making private institutions that strive to strengthen the developmental efforts of the country by preparing particularly good quality professionals.
- 2/ The Ministry shall specify, by directives, the procedure for non-profit making private institutions to apply for budgetary subsidy or capacity

building from government and the method of monitoring their use, taking into account:

- a) the number of full-time undergraduate and graduate students enrolled at the institution, and the number of students who do not pay tuition fees;
 - b) the number of academic staff for whom the institution is the place of primary employment;
 - c) quality of education in the institution;
 - d) past achievements of the institution in the area of teaching-learning and research; and
 - e) institution's own funds invested in the development of its facilities.
- 3/ Non-profit making private institutions may receive earmarked additional subsidy funds :to support degree programs offered in specific fields of study or interdisciplinary studies; or as incentive if the degree programs are of a particularly high quality as confirmed by an assessment of the Agency.

86. Applicability of the Provisions of this Part

The provisions of this Part shall, mutatis mutandis, be applicable with respect to the accreditation of public institutions as well.

PART FIVE

POWERS AND DUTIES OF EXECUTIVE ORGANS

87. Powers and Duties of the Ministry

Without prejudice to other responsibilities provided for by this Proclamation, the Ministry shall have the powers and duties to:

- 1/ ensure that preparation and delivery of curricula of higher education are in accordance with international developments and national demands and requirements;
- 2/ determine the requirements for Bachelor, Master, Medical Specialty, and Doctoral programs;
- 3/ ensure the implementation of the national policy and strategy on higher

- education;
- 4/ ensure that student placement to and within any public institution and procedures of admissions in general are consistently fair and just in accordance with this Proclamation, government policy, and with requirements it may stipulate from time to time as necessary;
 - 5/ issue minimum national educational quality standards, professional code of conduct and necessary standard guidelines to be followed by institutions;
 - 6/ determine criteria and standard procedures for government funding of institutions;
 - 7/ facilitate cooperation and information exchange among institutions;
 - 8/ provide technical support for internal quality assurance and enhancement systems of institutions;
 - 9/ approve and ensure the implementation of strategic plans of public institutions;
 - 10/ conduct studies to identify as well as to meet the professional and intellectual manpower needs of the country;
 - 11/ in co-operation with concerned organs, promote investments to be made in the higher-education sector;
 - 12/ encourage government organs, professional associations, business organizations, and other appropriate persons to work jointly on matters concerning education, training, research, practicum or apprenticeship and research and technology transfer;
 - 13/ Approve programs where they are found to be as per government development priorities;
 - 14/ The Ministry or the appropriate state organ may annul decisions of the board, the president or the senate which are contrary to the law, government policy or to the institution's mission and statute.

88. Powers and Duties of the Agency

Without prejudice to other responsibilities provided for by this Proclamation, the Agency shall have the powers and duties to:

- 1/ develop and implement clearly designed evaluation and accreditation

- criteria and procedures;
- 2/ evaluate projects for the opening or transforming of any institution or its units in accordance with this Proclamation and regulations and directives to be issued for the implementation of this Proclamation, and submit its recommendation to the Ministry;
 - 3/ evaluate the activities, relevance and quality of education and training of any institution on the basis of which accreditation and renewal of accreditation shall be given;
 - 4/ evaluate whether the relevance and quality enhancement system of institutions are capable of ensuring quality in higher education;
 - 5/ ensure that higher education and training offered at any institution are in line with economic, social and other relevant policies of the country;
 - 6/ organize assessment committees, and determine their operational procedures and code of conduct for their assessment activities;
 - 7/ examine and decide on applications submitted to it for accreditation and renewal of accreditation in accordance with the provisions of this Proclamation, and regulations and directives to be issued for the implementation of this Proclamation;
 - 8/ evaluate institutions to ensure their compliance with the standards of relevance and quality of education set forth in this Proclamation and regulations and directives to be issued for the implementation of this Proclamation, and present to the Ministry conclusions resulting from the assessment;
 - 9/ prepare and submit to the Ministry requirements and directives for the determination of status of institutions;
 - 10/ advise the Ministry in respect of merger, division, closure or change of name of institutions in accordance with the provisions of this Proclamation;
 - 11/ ensure that foreign institutions or their branches operating in Ethiopia are accredited in their country of origin and comply with the relevance and quality standards set by this Proclamation and regulations and directives to be issued for the implementation of this Proclamation;
 - 12/ collect and disseminate information about the status, standards, and programs of study offered by foreign institutions;

- 13/ develop guidelines on equivalence of higher education qualifications, and determine the equivalence of qualifications issued by foreign institutions;
- 14/ maintain up-to-date information on the accredited institutions and their status, main units and specialties, and periodically disseminate the same to the public through appropriate means of communication.

89. Powers and Duties of the Centre

Without prejudice to other responsibilities provided for by this Proclamation the Centre shall have the powers and duties to:

- 1/ prepare national strategy for the development of higher education and institutions;
- 2/ prepare long-term national plans for the development of education and research within the system of higher education;
- 3/ prepare national proposals to raise the quality of research activities of institutions, the qualifications of the academic staff, and the study programs of institutions;
- 4/ ensure that institution level planning and strategy are in line with the national higher education macro plan and strategy; and for this purpose, work closely with institutions; examine strategic plan agreements and, upon approval, follow up their implementation;
- 5/ develop proposals on block grant budget allocations to individual public institutions, and monitor the implementation of the same;
- 6/ collect, analyze and as appropriate publish and disseminate annual educational, research, financial and other statistical data of institutions;
- 7/ submit proposal to the Ministry on criteria and scheme of rewarding institutions through grant of differentiated developmental budget, and implement the same upon approval;
- 8/ ensure that higher education is in line with the overall socio-economic development needs of the country and abreast global trends in orientation and approaches;
- 9/ advise the Ministry on ways of ensuring efficient higher education governance, leadership and management;
- 10/ conduct research and studies on current policies, practices and results, and propose appropriate course of action, and serve as a resource centre for

reform, change and development;

- 11/ give opinion on higher education reform and development strategy and plan of the country;
- 12/ foster cooperation among national institutions in its areas of activity, and maintain contacts with institutions of other countries which are in charge of issues of higher education;
- 13/ discharge other responsibilities that may be entrusted to it by the establishing law.

PART SIX

MISCELLANEOUS PROVISIONS

90. Fees

- 1/ A public institution may charge tuition fees; however provided that the kind, amount and the manner of payment of the charge, without prejudice to other provisions of this Proclamation, shall be determined by the directive to be issued by the board.
- 2/ The rules for charging and the amount of fees in a private institution shall be determined by the body authorized by the statutes of its formation.

91. Cost-Sharing

- 1/ Any Ethiopian student studying in a public institution and who is not required to pay tuition fee pursuant to Article 90 of this Proclamation shall contribute, in cash or in service, to cover the cost of his education.
- 2/ The cost-sharing of higher education scheme referred to in sub-article (1) of this Article and the periodical review of the scheme shall be as prescribed by regulation of the Council of Ministers.

92. Outsourcing of Services

- 1/ Any public institution may outsource support services to other providers as appropriate and whenever feasible.
- 2/ In outsourcing services, any public institution shall ensure that beneficiaries get appropriate and effective services and that the costs of the services are fair and acceptable.

93. Access to Land

Government may make the necessary land available for use by institutions for the purposes of their education, research and community- services operations in accordance with applicable laws and policies.

94. Liability

- 1/ Any person who fails to comply with the provisions of this Proclamation or regulations or directives to be issued for the implementation of this Proclamation shall, in accordance with the law, be liable.
- 2/ Any person who, without having acquired accredited diploma, presents forged diplomas or any institution which issues diplomas for a program that is not accredited shall, in accordance with the law, be liable.

95. Transitory Provisions

- 1/ Pre-accreditation and accreditation certificates issued under Proclamation No. 650/2009 shall be deemed to have been issued in accordance with this Proclamation.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article, private institutions shall take adjustment measures to fully meet the requirements of this Proclamation within one year from its effective date.
- 3/ Cases pending prior to the coming into force of this Proclamation shall be decided in accordance with the provisions of this Proclamation.

96. Power to Issue Regulations and Directives

- 1/ The Council of Ministers may issue regulations necessary for the implementation of this Proclamation.

- 2/ The Ministry may issue directives necessary for the implementation of this Proclamation and regulations issued under sub-article (1) of this Article.

97. Repeal

- 1/ The Higher Education Proclamation No. 650/2009 and 861/2014 is hereby repealed; provided however, that regulations and directives issued pursuant to it shall, in so far as they are consistent with the provisions of this Proclamation, remain in force until replaced by regulations and directives to be issued in accordance with this Proclamation.
- 2/ No law, regulations, directives or practices shall, in so far as they are inconsistent with the provisions of this Proclamation, have effect with respect to matters provided for by this Proclamation.

98. Effective Date

This Proclamation shall enter into force up on the date of publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this ----the day of December 2019

SAHLEWORK ZEWDE
PRESIDENT OF THE FEDERAL
DEMOCRATIC REPUBLIC OF ETHIOPIA