

The Saeima has adopted
and the President of the State proclaims
the following law

LAW ON HIGHER EDUCATIONAL ESTABLISHMENTS

NB! Text as adopted in 1995. The amendments of 2000 are not included!

1. Section I General Provisions

1. Terms applied in the law

The following terms have been applied in the law:

- 1) higher education - a degree of education after completion of general secondary education through which one's personality is developed in the field of sciences or arts or both in sciences and in arts in the chosen direction of academic or professional studies or in the direction of academic and professional studies, preparation for activity in research and professional activity.
- 2) licensing of higher educational establishments - the process through which educational establishments gain the rights to start the implementation of study programmes and to award certificates of education after completion of the programme of studies.
- 3) accreditation of higher educational establishments - an examination of the organisation of work and the quality of resources in an educational establishment as a result of which an establishment is awarded the status of higher educational establishment recognised by the state.
- 4) matriculation - writing of a person's name into the matricul, i.e. the list of the students of a higher educational establishment.
- 5) promotion - awarding of doctor's degree;
- 6) habilitation - awarding of the degree of habilitated doctor for investment in science and in the work of raising scientific qualifications;

2. Application of the Law

- (1) The Law on Higher Educational Establishments applies to all the higher educational establishments in Latvia regardless of the procedure for their establishment and financing and specialization. It regulates the legal basis of activities of higher educational establishments, states and protects the autonomy of higher educational establishments.
- (2) The Law shall regulate the co-operation between higher educational establishments and state institutions in order to harmonize the functioning of autonomy of higher educational establishments with the general public and state interests.
- (3) The Ministry of Education and Science shall control the implementation of this law in higher educational establishments and implement the state policy in the field of higher education. The interests of higher educational establishments in the Saeima and the Cabinet of Ministers are represented by the Minister for Science and Education.

3. Higher Educational Establishments

- (1) Higher educational establishments shall be academic or professional or academic and professional establishments of higher education and research where persons have the right to study after completion of secondary education and the students of which shall be provided by a possibility to be engaged in research or artistic creativity alongside with studies. In order to acquire higher education, the duration of studies is planned for a programme of studies no shorter than four years.
- (2) Higher educational establishments implement study programmes which are linked either to scientific research or artistic creativity work. Mastering of the academic study programme is followed by awarding of an academic degree, a degree in research is awarded after completion of doctoral programme of studies. Upon mastering of a professional study programme professional qualifications

are awarded. A higher educational establishment can provide both academic and professional study programmemes.

(3) Higher educational establishments are divided into

-universities; studies and research work is carried out in the main branches of arts and sciences; the results of research are published in internationally recognized journals or other publications; several habilitation councils operate, doctoral studies are available; more than a half of the academic staff have degrees and titles in research; in the main branches of arts and sciences the universities form or involve in their structures research institutes (centres, observatories, etc.) which carry out research work of internationally recognised standard and participate in the implementation of the study programmemes in research projects, forums and conferences.

-higher educational establishments for professionals: in these studies are carried out through professionally oriented study programmemes, applied research is carried out; the task of higher educational establishments for professionals shall be to give the opportunity to obtain vast, professional, practically applicable, higher education grounded in science;

-other higher educational establishments; in those studies and research are carried out in separate branches of the sciences, business and economy or the arts or branches of the arts; the results of research are published in research journals or other kinds of publications; habilitation council(s) may exist and doctoral studies may be available, in the chief branches of sciences and arts it is allowed to establish and incorporate into their structure research institutes (centres, observatories, etc.)

(4) in the Republic of Latvia establishments who are involved in the work of education and training may include the words university, academy or higher educational establishment only after receiving credence confirmed by the Minister of Education and Science.

4. Autonomy of Higher Educational Establishments

(1) The autonomy of higher educational establishments is characterized by a distribution of power and responsibility between state institutions and the administration of higher educational establishments, as well as between the administration of higher educational establishments and the academic staff.

(2) The autonomy of higher educational establishments takes form in the rights:

1) to work out and to adopt a Satversme (constitution) of a higher educational establishment as well as to hire personnel

2) to state independently:

a) the content and the forms of studies;

b) supplementary conditions for admission of students;

c) the basic directions of the scientific and research work;

d) their organisational and administrative structure;

e) rates of payment no lower than those appointed by the Cabinet of Ministers of the Republic of Latvia;

f) other rights and obligations confirmed in accordance with this law.

5. Tasks of Higher Educational Establishments

(1) Higher educational establishments provide for the inseparability of studies and research, for a possibility to acquire knowledge, academic education and professional skills, academic degrees and professional qualifications in certain fields of public life, national economy, culture, health care, state administration and other fields of professional activity. They work in the field and on the development of arts and sciences.

(2) Higher educational establishments develop study programmemes, choose academic staff, equip their laboratories, workshops, libraries and other structures in a way to give to the students the possibility to obtain knowledge, academic education and professional skills on par with the level of development of science and according to the traditions of Latvian culture in a possibly concentrated and didactically valuable manner. They provide for such demands set by tests and examinations and such procedure of the above that the awarded degrees, titles, graduation certificates, professional qualifications and mastering of parts of study

programmeme could be recognized and approved among Latvian and foreign higher educational establishments.

(3) Higher educational establishments promote studies of further education and take part in projects of further education. They co-operate among themselves as well as with research establishments and other educational establishments. Higher educational establishments co-operate with higher educational establishments of other countries, promote this co-operation, as well as promote the exchange of students and academic staff between Latvia and foreign higher educational establishments.

(4) Higher educational establishments organise their work in the interests of the society and keep the society informed about their activities, about the directions and the possibilities of research thus promoting the choice of research work in accordance with the interests and the abilities of individuals. They present the conclusions in research as well as artistic and professional conclusions, methods and results of research to the society.

(5) Higher educational establishments provide for the making of new generations of research workers and provide them with the possibility to become integrated into the academic world.

(6) Higher educational establishments guarantee the academic freedom of their academic staff and students stipulating that in their satversmes (constitutions).

(7) The tasks and performance criteria for universities are:

1)The main task of an university is to offer wide general academic education;

2)Universities promote and implement integration of studies and research. Alongside with study programmemes an university shall be engaged in research on different projects in different laboratories and institutes;

3)The quality assessment of study programmemes of universities shall be carried out with the help of international experts; written and multiform final examinations of study programmemes shall be used for assessment of the achievements of students.

4)Universities shall support outstanding research workers, academic staff and students through special programmemes as well as financially. They shall promote the involvement of the students and the staff in the academic processes in the world.

6. Academic freedom

(1) Higher educational establishments shall secure the freedom of studies, research and artistic creativity on condition that the freedom does not infringe other persons' rights, contradict the Satversme of the higher educational establishment and the legal acts of the Republic of Latvia.

(2) The freedom of studies takes the form of students' rights:

1)to choose the higher educational establishment and the faculty (the department);

2)to change the study programmeme over the time of studies by choosing to undergo it in another department, faculty or higher educational establishment;

3)to attend lectures in other higher educational establishments, faculties or departments;

4)to draw an individual supplementary programmeme of studies;

(3) The freedom of research shall take the form of the right of the academic staff to choose the subjects and the directions of the academic activities.

(4) The academic staff have the right to choose the methods of teaching.

(5) The administration of higher educational establishments has the duty to guarantee and to respect the rights of students and the academic staff envisaged by this article on condition that they do not contradict the stipulations of para 1 of this article.

7. The Legal Status and the Attributes of Higher Educational Establishments

(1) Higher educational establishments shall have the status of a legal entity. Higher educational establishments founded by the state shall be self-governing institutions.

(2) Higher educational establishments shall have a seal with the full title of the higher educational establishment. Higher educational establishments shall also have the right to use their historical symbols in the seal.

(3) Higher educational establishments shall issue graduation certificates with the crest of the Republic of Latvia of a standard confirmed by the Cabinet of Ministers to graduates of nationally accredited study programmes

SECTION II

Foundation of Higher Educational Establishments, their Reorganization and the Legal Grounds for the above

8. The Procedure for Establishing Higher Educational Establishments

(1) Higher educational establishments can be founded by the state of Latvia and by legal entities.

(2) State higher educational establishments are founded on the basis of an application from the Minister of Education and Science by the Cabinet of Ministers of the Republic of Latvia.

(3) Universities' satversmes are approved by the Saeima. The satversmes of other higher educational establishments are approved by the Cabinet of Ministers.

(4) If a higher educational establishment is founded by a legal entity, it requires a license from the Ministry of Education and Science. The procedure of licensing shall be according to a set of regulations appointed by the Minister of Education and Science in accordance with the regulations of the Cabinet of Ministers.

9. Accreditation of Higher Educational Establishments

(1) Only those higher educational establishments who have received credence (been accredited) and which offer state accredited study programmes have the right to issue certificates of higher education recognized by the state to its graduates.

The accreditation proceeds in accordance with the regulations on accreditation approved by the Cabinet of Ministers and is organised by the Ministry of Education and Science. Study programmes are accredited no less often than once in six years.

(2) Certificates of higher educational establishments established by legal entities are recognised by the state and they receive the right to use the state crest of the Republic of Latvia on the certificates after the respective higher educational establishment and the programme of studies has been accredited and its satversme has been approved by the Cabinet of Ministers.

(3) After receiving a pronouncement on accreditation from the Council of Higher Education, the Minister of Education and Science shall issue the respective document of credence.

(4) The Ministry of Education and Science shall annually publish in the newspaper Latvijas Vestnesis the list of higher educational establishments with the right to issue nationally recognized certificates testifying to completion of higher education as well as the titles of the accredited study programmes read in these higher educational establishments.

10. The Legal Basis for the Operation of Higher Educational Establishments

(1) Higher educational establishments operate on the basis of the Satversme of the Republic of Latvia, the Law on Education of the Republic of Latvia, the law "On Research Activities", this law, other regulatory acts and the satversme of the respective higher educational establishment.

(2) Each higher educational establishment shall work out its own Satversme which shall contain:

1) the name of the higher educational establishment, its address and its legal status;

2) the main directions of its activity and its objectives;

3) the procedure for adopting the Satversme and amendments to it;

4) representation of higher educational establishment, and the rights, duties and objectives of this and other administrative and decision-making institutions, the rights, duties and obligations of other institutions of joint administration, the procedure for their formation, election or appointment, time periods of their being in office and the procedure for dismissal or recalling of the above;

5) the procedure for foundation, reorganisation and liquidation of structural units of higher educational establishments, regulations which appoint the rights, the obligations, and the administrative system of these structural units, as well as how their governing bodies shall be appointed and the procedure for their approval;

- 6) the procedure for adoption of the documents regulating the internal order of a higher educational establishment;
 - 7) the rights of the rector in such scope that would enable him to fulfill the obligations prescribed by para 4 of Article 17 of this law;
 - 8) other essential regulations with due respect to the regulatory acts in effect.
- (3) The satversme of higher educational establishments and amendments to that shall be adopted by an institution of its collegial administration and approved by the Cabinet of Ministers following a recommendation from the Ministry of Education and Science.
- (4) The budget management activities of higher educational establishments shall be audited by an independent commission of auditors no less often than once in two years. The audit expenses shall be covered from the revenues generated by the profit-making activities of the higher educational establishment.
- (5) Should the Minister of Education and Science find the satversme of a higher educational establishment contradict the regulatory acts in effect or other shortcomings, he may propose to the Cabinet of Ministers or accordingly to the saeima to halt the being in effect of that satversme (but not the higher educational establishment), until the introduction of appropriate amendments within the time limits appointed by the Minister.

11. Reorganisation or Closing of Higher Educational Establishments

- (1) The decision to reorganize or close a state higher educational establishment shall be adopted by the Cabinet of Ministers following a recommendation of the Minister of Education and Science. Conclusions by the Council of Higher Educational Establishments shall be attached to the recommendation.
- (2) The decision to cancel a license to a non-state higher educational establishment shall be taken by the Minister of Education and Science. A licence shall be cancelled if:
 - 1) the higher educational establishment fails to meet the stipulations of the legislation of the Republic of Latvia;
 - 2) fails to meet the standards required for accreditation.
- (3) In case of cancellation of a license a higher educational establishment shall be closed or transformed into an educational establishment without the status of a higher educational establishment.
- (4) The decision to reorganise or to close a higher educational establishment founded by a legal entity shall belong to its founder.

SECTION THREE

Self-government of higher educational establishments and their structural units

12. Representational and Administration Institutions in Higher Educational Establishments and Decision Making Institutions

- (1) The representational, management and the main decision making institutions of higher educational establishments are :
 - 1) the Satversme meeting of a higher educational establishment;
 - 2) the Senate;
 - 3) Rector;
 - 4) audit commission;
 - 5) court of arbitration
- (2) The procedure for election the representational and administration institutions of higher educational establishments, their rights and functions as well as the procedure for appeal on the adopted decisions shall be determined by the satversme of the higher educational establishment.

13. The Satversme Meeting

- (1) The Satversme meeting shall be the highest collegial institution of representation and administration and the highest decision making body authorised by the higher educational establishment. The satversme meeting shall be elected by secret ballot from:
 - 1) professors and the rest of the academic staff;
 - 2) students;
 - 3) from other groups of employees.

(2) The procedure for the election of representatives, their number and the period of their being in authority shall be appointed by the satversme of the higher educational establishment.

(3) The percentage of representatives of the academic staff in the collegial administration institution shall be no less than 60% and the percentage of students shall be no less than 10%.

(4) Following the traditions of some higher educational establishments such names as Convent, the Academic meeting, etc. may be used instead of Satversme meeting.

(5) The Satversme meeting shall elect a chairman, his or her deputy (ies) and a secretary.

(6) The Rector or the Senate are entitled to summon the Satversme meeting. In a newly founded higher educational establishment it shall be summoned by the acting rector.

14. The Competence of the Satversme meeting

(1) The Satversme meeting:

1) shall adopt and amend the Satversme of the higher educational establishment;

2) shall elect and dismiss the Rector;

3) shall listen to the Rector's report;

4) shall elect the Senate or shall confirm that its election is in accordance with the satversme of the higher educational establishment;

5) shall elect an Audit commission and a court of arbitration;

6) shall confirm the regulations of the Senate, the Audit commission and the court of arbitration;

(2) The other objectives of the Satversme meeting shall be appointed in the Satversme.

15. Senate

(1) The Senate is a collegial administrative institution of the staff of a higher educational establishment and a decision making institution who approves of the procedure and the regulations which regulate all the fields of activity of a higher educational establishment (examines and approves study programmes, establishes and liquidates structural units, etc.)

(2) Senators shall be elected according to a procedure laid out by the satversme of the higher educational establishment for a time period no longer than three years.

(3) The Senate of universities shall be made up by no less than 75 % of academic staff including 50% of professors and associate professors. The percentage of students shall not be smaller than 10%. Representatives of students are elected to the Senate from the students' self-government body.

(4) The activities and the competence of the Senate shall be regulated by a set of regulations approved and issued by the Satversme meeting.

(5) The Senate of a higher educational establishment shall have the right to set up councils and commissions for co-ordination and solution of certain issues. The procedure of activity of councils and commissions shall be according to a set of regulations approved by the Senate.

16. Convent of Advisers of a Higher Educational Establishment

(1) A higher educational establishment may form a Convent of Advisers. The convent of Advisers shall consult the Senate and the Rector on the issues of the development strategy for the higher educational establishment. The convent of Advisers shall have the right to raise issues for examination by the Senate and by the Satversme meeting.

(2) The Convent of Advisers shall be founded on the initiative of the Senate of the higher educational establishment or on demand from the Minister of Education and Science. Its regulations shall be approved and members shall be elected by the Senate of the higher educational establishment.

(3) The Convent of Advisers shall be summoned on proposal of its chairman or following a proposal from no less than one third of convent members.

(4) The Minister of Education and Science may demand to form a Convent of Advisers after listening to the opinions of the Rector and representatives of the Senate. If it is the Minister who demands to set up a Convent of Advisers, he/she

shall have the right to appoint the chairman of the Convent and up to 50% of the convent membership.

17. Rector

(1) Rector shall implement the general administration of a higher educational establishment and represent the higher educational establishment without special authorisation. The Rector shall be elected by the Satversme meeting of the higher educational establishment for a term not exceeding five years but no more than two times in succession.

(2) Rector elected by the higher educational establishment shall be approved in the office by the Cabinet of Ministers following a proposal by the Minister of Education and Science.

(3) Dismissal of a Rector can be proposed by the Senate or by the Convent of Advisers. More than 50 per cent of votes of the members of the Satversme meeting of a higher educational establishment shall be needed to dismiss a rector. The decision shall be carried out by the Cabinet of Ministers after listening to the conclusion by the Minister of Education and Science.

(4) Rectors of higher educational establishments shall be personally liable to the government of Latvia for:

- 1) the implementation of this law and other legislative acts;
- 2) the financial activities of the higher educational establishment;
- 3) that the quality of education would be adequate to the standards of the certificates issued by the higher educational establishment;
- 4) the functioning of the higher educational establishment in accordance with its satversme

18. Audit Commission

(1) An Audit commission shall have the right to examine how all the fields of activities of the higher educational establishment comply with the existing legislative norms, the satversme of the higher educational establishment and the resolutions of the administrative institutions.

(2) An Audit commission shall be elected by the Satversme meeting and representatives of the administration of the higher educational establishment must not be on the commission.

(3) The Audit commission shall have the right to be familiarised with all the documentation related to the financial and economic activities of the higher educational establishment.

(4) The Audit commission shall report the results of its work to the Senate no less often than once a year.

19. Court of Arbitration

(1) The court of arbitration shall examine

- 1) applications from students and academic staff reporting infringements or violations of the academic freedoms and rights appointed by the satversme of the higher educational establishment,
- 2) disputes between officials of the higher educational establishment as well as between institutions administrating structural units which are in a subordinate relation;

(2) Judgements by the court of arbitration approved by the Senate shall be implemented by the administration.

(3) Court of arbitration shall be elected by secret ballot by the Satversme meeting from among the academic staff. Representatives of the administration of the higher educational establishment shall not be elected to the court.

(4) Representatives of the court of arbitration shall be liable for their activities to the Satversme meeting, and they can be dismissed on the initiative of the employer only with agreement of the Satversme meeting.

20. Structural Units of Higher Educational Establishments

(1) The structure of higher educational establishments shall be appointed by the Satversme of the higher educational establishment. The main structural units for carrying out educational and research activities in higher educational

establishments of the Republic of Latvia may be departments, professors' groups, scientific laboratories, institutes, faculties.

In order to carry out organisational, management and service activities each higher educational establishment is entitled to set up other structural units.

(2) Structural units of higher educational establishments shall be established and closed as well as their tasks and functions shall be set in accordance with the satversme of the higher educational establishment.

21. Autonomy of Structural Units of Higher Educational Establishments

(1) Structural units of higher educational establishments can be with or without the status of legal entity.

(2) The rights of structural units of higher educational establishments without the status of legal entity shall be appointed by a set of regulations approved by the Senate. They have the right to open subaccounts. Opening of subaccounts and use of funds on this account shall be regulated by a set of rules approved by the Senate of the higher educational establishment and by the regulatory acts in effect. The subaccounts of structural units shall be formed in a manner to allow structural units to be independent in use of funds and earmarked financing; use of these funds in the higher educational establishment without permission from the head of the structural unit is not allowed.

(3) The activities of structural units of higher educational establishments with the rights of legal entity shall be regulated by legal acts in effect and a set of provisions which shall be approved by the Minister of Education and Science after approval received from the Senate of the higher educational establishment and assessment by the Board of Higher Education.

22. State non-profit research or study enterprise with the rights of a legal entity

(1) It is possible to incorporate in a higher educational establishment or to establish state non-profit research or study enterprises (institutes, centres, clinics, experiment stations, observatories, etc.) with the rights of legal entity or research establishments with rights of legal entity if they take part in the implementation of study programmes and some of the structural units of a higher educational establishment - departments, professors' groups, research and study laboratories operate on their basis. The activities of these structural units of higher educational establishments in state non-profit research or study enterprises with rights of legal entity shall proceed on the basis of agreement.

(2) A resolution regarding the incorporation of a state non-profit research or study enterprise with rights of legal entity into a higher educational establishment or the establishment of such within the establishment shall be adopted by the Senate of the higher educational establishment following a proposal from the Council of this establishment. Simultaneously a decision shall be adopted on the academic co-operation - on which study programmes and with which faculties it will take place. The decision shall be taken after its harmonisation with the Minister of Education and Science as well as the minister of the respective branch and the Council of Science of Latvia.

(3) Research activities of state non-profit research or study enterprises with rights of legal entity or of research establishments with rights of legal entity shall proceed within the framework of the law of the Republic of Latvia "On Research Activity". The Statutes of this enterprise and its elected or appointed director (head) shall be approved by the Senate of the higher educational establishment. The representation of the enterprise in the elected administrative institutions of the higher educational establishment shall be appointed by the satversme of the higher educational establishment.

(4) The director (the head) of a state non-profit research or study enterprise with rights of legal entity or of a research establishment with rights of legal entity shall have the right of credit executive within the limits of the budget of the institution or the enterprise.

(5) Such enterprises or research establishments with rights of legal entity may become permanent structural units of higher educational establishments on the basis of agreement approved by the Minister of Education and Science.

23. Institute

(1) An institute shall be formed by integration of the basic structural units of one or several branches of sciences (departments, professors' groups, scientific laboratories) with a purpose to integrate the research potential for rational achievement of mutual research objectives as well as changing the existing subordination of institutes in Latvia.

(2) An institute working in a branch of science can only be founded if the formative basic structural units contain the research potential which corresponds to the demands the promotion council in this branch of sciences.

(3) Depending on the qualifications of an institute the Senate shall appoint what kind of academic staff may be elected by the council of the institute.

(4) Directors of legally independent institutes have credit executive rights within the limits of their budgets.

24. Faculty

(1) A faculty shall be formed by integration of structural units to organise studies and research activities towards one or several directions in research, the arts or in a profession. Dean is the head of a faculty. The dean is elected by the council of the faculty for a term not exceeding five years but not more often than two times in succession.

(2) A faculty can be established if the total of its research potential meets at least the demands of the Promotion Council in the given field or branch of science.

(3) Should it not be possible to fulfill the requirements regarding the qualifications of the research potential when initiating a new direction in higher education, the structural unit corresponding to a faculty shall be called a division. Divisions have no right to elect docents.

25. Colleges in Higher Educational Establishments

To give professional education, under the supervision of higher educational establishments, it is possible to set up structural units - colleges with time of studies less than 4 years. Their study programmes provide for persons with secondary education to acquire specific professional education. The education obtained as a result of these studies shall be harmonised with the Classifier of Professions of the Republic of Latvia. It can not be equalled to higher education and the professional qualifications indicated in Article 59 of this law can not be awarded. The establishment of colleges in higher educational establishments and their activities shall be regulated by provisions of the Cabinet of Ministers

SECTION IV

Staff of higher educational establishments

26. Staff of Higher Educational Establishments, their Rights and Obligations

(1) The staff of higher educational establishments shall be made up by:

1) academic staff for whom the respective higher educational establishment is the place of basic employment;

2) general staff of a higher educational establishment for whom the respective higher educational establishment is the place of basic employment;

3) full time students, including magistrants, doctorants and residents.

(2) The rights and the obligation of the staff of a higher educational establishment shall be to foster the freedom of studies, learning and research, to promote transparency in the administration of the higher educational establishment and in arranging of its affairs. The staff of a higher educational establishment shall fulfill their professional duties in a way to enable the higher educational establishment to implement its tasks and to avoid infringement of the rights of any third party or disturbances for someone in the implementation of their official or professional duties.

(3) The staff of a higher educational establishment shall have the right to participate in working out the resolutions of administration and self-government as well as of the internal regulations of the higher educational establishment following certain procedure in accordance with the satversme of the higher educational establishment, as well as to participate when decisions concerning staff interests are

adopted, to participate in the meetings of collegial institutions of the higher educational establishment as well as have the right to be listened to.

(4) The staff of a higher educational establishment has the right to take part into the elections of self-government institutions and to be elected.

(5) The duty of the administration of a higher educational establishment shall be to care for the standards of work conditions of their staff as well as to provide them with the opportunity to raise their qualifications or to requalify.

(6) The staff of a higher educational establishment shall be held responsible for fulfillment of their duties. The procedure for qualifying breaches and assigning punitive sanctions for non-performance regarding duties shall be appointed by the Senate on the basis of the existing legislative acts.

27. Academic staff

(1) The staff of a higher educational establishment shall be made up by:

- 1) professors and associate professors;
- 2) docents and senior research workers;
- 3) lecturers and research workers;
- 4) assistants.

(2) The academic staff of a higher educational establishment shall carry out research and participate in the education of students. The scope of tasks for each of the basic kinds of activity shall be appointed by the higher educational establishment.

(3) The principles of distribution of employment remuneration in higher educational establishments shall be appointed by the Senate, but the rates of remuneration must be no less than those appointed by the Cabinet of Ministers.

(4) One can take the positions of elected professor, associate professor, docent or administrative ones at higher educational establishments up to the age of 65. Rectors may conclude individual agreements with retired academic staff, including agreements on performing research projects in accordance with financing awarded by the state or from other sources, envisaging a fixed remuneration for certain volume of work depending on the employee's qualifications.

Higher educational establishments may award the title of professor emeritus to professors and associate professors on reaching the age of retirement.

28. Professors

(1) A professor shall be a specialist who is internationally acclaimed in his/her branch, is engaged in research or artistic creative work meeting the modern standards and provides high quality research in the respective branch of sciences or arts. A person with the degree of habilitated doctor may be elected to take a professor's position on staff. In arts persons whose artistic standards correspond to the Regulations on academic positions adopted by the Senate of the respective higher educational establishment have the right to be elected to a professor's position.

(2) In accordance with Article 33 of this law a professor shall be elected in an open competition for term of 6 years, and rector shall conclude an employment agreement with him/her either for the whole term of election or for the time before he/she would reach the age of 65. The agreement shall be approved by the Minister of Education and Science.

(3) Alongside with being elected, professors in accordance with the title of professor on staff gain the right to lead research and educational activities as well as to implement the process of artistic creation.

(4) The main tasks of professors shall be:

- 1) high quality lecturing, supervision of studies, classes and tests on his/her course of studies;
- 2) leading of research activities in some branch of science or in a branch of artistic creation which would correlate with the staff title of a professor;
- 3) leading of doctoral studies and research in a branch of science or leading of artistic creation in a branch which would correlate with the staff title of a professor;
- 4) participation in assessment of the quality of study programmes as well as in the evaluation of the study programmes, higher educational establishments and the work of their structural units;

5) raising of a generation of research workers, artists and academic staff.

29. Professors on staff

(1) The number and the list of professors' vacancies on the staff roll in the respective branches of sciences or arts in a higher educational establishment shall be appointed by the Minister of Education and Science with consideration of proposals from the Council of Higher Educational Establishments and higher educational establishments. The number of professors shall correspond to the number of branches of sciences and arts represented in a higher educational establishment.

(2) Should there be an unfilled professor's vacancy on staff of a higher educational establishment, the Senate of the higher educational establishment after harmonisation of the decision with the Minister of Education and Science shall make the decision to the effect whether or not to retain the branch of sciences or arts or change it and announce a competition to fill the vacant position of a professor in the given branch of sciences or arts.

30. Associate professors

(1) Persons who hold the degree of habilitated doctor or for the first time - a doctor's degree, can be elected to fill the vacancy of an associate professor. In the arts the position of an associate professor can also be taken by a person whose results in artistic creation correspond to the regulations adopted by the Senate of the respective higher educational establishment. A repeated election to the position of an associate professor is possible if over the first term the associate professor has acquired the degree of a habilitated doctor or if the person's qualifications corresponds to the regulations adopted by the Senate in a higher educational establishment of arts. In professional higher educational establishments the position of an associate professor can be taken by a person who has the scientific degree of a doctor and at least five years of practical experience in the specific branch.

(2) In accordance with stipulations of Article 33 of this law associate professors shall be elected through an open competition for a term of 6 years by enlarged habilitation council of the respective branch and it is on the basis of its resolution that the rector concludes an employment agreement.

(3) Alongside with election into office associate professors gain the rights to lead scientific research or to implement the process of artistic creation and carry out educational work on the level of the staff title of an associate professor.

(4) The main tasks of associate professors are:

- 1) active research work in a branch of science or implementation of artistic creation in the respective branch on the level of the staff title of an associate professor;
- 2) leading of research for doctor's and/or masters' degrees;
- 3) education work, especially in the classes for senior students and leading of examinations/tests on the specific course, lecturing;
- 4) education of a new generation of scientists, artists and docents and support to them;

31. Associate Professors on Staff

(1) The staff positions of associate professors are appointed by the higher educational establishment itself following the necessity and financial possibilities.

(2) If an associate professors' position on staff in a higher educational establishment is vacant, the Senate of the higher educational establishment shall adopt the decision on whether, when and in which branch of sciences or arts a competition shall be announced to fill the staff vacancy of an associate professor's position and to what category of remuneration with regard to its tasks and functions the respective staff position would belong.

32. Docents

(1) The number of docents' staff positions shall be appointed by higher educational establishments themselves.

(2) Habilitated doctors or doctors can be elected to the staff position of docent. In specialities of arts such persons can be elected to the position of docent the results of whose activities in artistic creation correspond to the regulations on academic positions adopted by the Senate of the respective higher educational establishment.

(3) Docents shall be elected for a time period of 6 years by faculty council or institute council if the qualifications of the persons in these institutions correspond to the demands of promotion councils. Should this condition not be satisfied, the procedure for election of docents shall be appointed in the statute of the higher educational establishment.

(4) Alongside with election to the position docents acquire the rights to lead research activities or to implement the process of artistic creation and to carry out educational work on a level which corresponds to the staff position of a docent.

(5) The main tasks of docents are:

1) to carry out research activities in a branch of sciences or to implement the process of artistic creation corresponding to the staff position of a docent;

2) lecturing, leading of classes, organisation of tests and examinations on the respective study programmes (on a course or a branch), especially in the basic courses of the branch.

33. Procedure for Election of Professors and Associate Professors

(1) An open competition shall be announced for the vacant staff positions of professors or associate professors.

(2) The candidate professors and associate professors shall be elected by an enlarged habilitation council of the respective branch. After familiarization with documents and interviews with all the candidates for the respective position, the council makes its decision by voting.

(3) Each candidate for the staff position of a professor shall receive independent international evaluation organised by the enlarged habilitation council of the respective branch. The regulations and the procedure for such assessment shall be worked out by the Council of Higher Educational Establishments.

(4) The final decision of the council regarding the election of a professor or an associate professor shall be submitted to the rector of the higher educational establishment. The minutes of the debates of the council and a full list of candidates containing the assessment and characteristics given by the council shall be attached to the decision. If voting has been carried out with less than three nominees, a special motivation shall be given.

(5) In specialities of arts such persons can also be elected to the positions of professors and associate professors, whose activities' results in artistic creation comply with the regulations on academic positions adopted by the Senate of the respective higher educational establishment.

(6) On election of associated professors in a newly founded higher educational establishment the list of professors' staff positions shall be appointed by the Ministry of Education and Science for six years.

34. Assessment of the Scientific Qualifications and Teaching Qualifications

(1) In order to fill the staff position of a professor or an associate professor, the applicant's scientific and teaching qualifications shall be assessed by the enlarged habilitation council.

(1) In order to fill the staff position of a docent, a lecturer or an assistant, the applicant's scientific and lecturing qualifications shall be assessed by the council of the faculty or the institute.

35. The Enlarged Council of Habilitation

(1) When carrying out competitions in order to fill the staff positions of professors or associate professors, the respective habilitation council shall be enlarged so that in the enlarged council at least a third of the members would be habilitated doctors of the respective branch or representatives of professional associations the direction of whose activities is similar to the ones designated for the position in question; both categories should work outside the respective higher educational establishment. The opinion of students in the council shall be made known through students' self-government which has the right of vote.

(2) Should a higher educational establishment lack a habilitation council in the respective branch of science, a council of nomination shall be set up by several higher educational establishments together and the council shall be approved by the Minister of Education and Science.

(3) If foreign professors are included in the enlarged council, they have the right to participate in the work of the council by proxy, to be familiarised with the documents and give a written opinion on all the applicants as well as make known for which candidate they give their vote.

(4) The members to the enlarged council of habilitation shall be approved by the Senate of the higher educational establishment following the proposal of its chairman.

36. Lecturers

(1) Persons carrying the degree of habilitated doctor, doctor or a master can take the position of a lecturer. In specialities dealing with the arts and in professional subjects the rules of appointment are following regulations confirmed by the Senate. Lecturers shall be elected by the faculty council or by the council of an institute for a time of six years.

(2) The tasks of lecturers shall be appointed by the satversme of the higher educational establishment.

37. Leading researchers and researchers

(1) Persons with the degree of a doctor or master can be elected to the position of assistant. Assistants shall be elected by the council of the faculty or the institute for a time period up to six years, and, failing them to acquire the degree of a doctor, no more than two times in succession.

(2) The tasks of assistants shall be appointed by the satversme of the higher educational establishment.

38. Senior Researchers and Researchers

Senior researchers and researchers can be elected in positions for carrying out scientific research work in faculties and in institutes in accordance with the law of the Republic of Latvia "On Research Activities" and in accordance with the satversme of the higher educational establishments or institute (its statutes).

39. Academic Staff for Programmmemes of Professional Studies

Taking into account the necessity to acquire practical skills and knowledge in the subjects of professional studies' programmmemes, the positions of docents, lecturers and assistants can be taken by persons with higher education without an academic degree on condition if they have sufficient practical experience in practical work connected to the subject to be taught. In order to be elected to a docent's position without an academic degree a person must have experience in practical work of at least ten years. Each higher educational establishment shall confirm its demands for applicants to such docent's positions by a decision of its Senate. At least five years' experience of practical work related to the taught subject shall be required from lecturers and assistants without research or academic degrees.

40. Guest Professors, Guest Docents and Guest Lecturers

(1) Should a higher educational establishment have a fully or temporarily vacant staff position of the respective kind, once for a time period of up to two years, following a proposal from the council of the faculty, the Senate may decide not to announce a competition but to employ respectively a guest professor, a guest docent or a guest lecturer (each for once).

(2) Guest professors, docents and lecturers shall have the same rights, obligations and remuneration as professors, associate professors, docents and lecturers, but they may not participate in the work of elected administrative institutions.

(3) Foreign academic staff invited by higher educational establishments pay taxes in Latvia, are exempt from state duties on visas, as well as receive residence and employment permissions Latvia for the time period envisaged by the employment agreement in accordance with the effective legislative acts and the international agreements adopted by the Saeima.

41. Substitution of Academic Staff in Cases of Temporary Absence

In the time of temporary absence of a professor, should that not exceed two years, an associate professor can be appointed to take a professor's position, a docent to

take an associate professor's positions, a lecturer or an assistant with a doctor's degree to take a docent's position. Replacement shall be according to a rector's resolution .

42. Leaves for Academic Staff

(1) The academic staff of higher educational establishments shall be entitled to an annual paid leave of eight weeks, and every six years - to a paid sabbatical leave of six calendar months for research or scientific work outside the regular place of employment.

(2) Members of academic staff are entitled to a one time paid study leave for completion of a doctor's thesis (3 months) or habilitation thesis (6 months).

(3) Professors, associate professors and docents at one time of election shall have the right to demand unpaid leave for up to 24 months to work as guest professors or lecturers in other higher educational establishments.

43. General Staff of Higher Educational Establishments

The procedure for hiring and dismissing general staff of higher educational establishments (administrative staff, supportive teaching staff, technical, management and other staff apart from academic staff) in higher educational establishments shall be appointed by the higher educational establishment in accordance with the legislative acts in effect.

SECTION FIVE

Students of higher educational establishments

44. Students of Higher Educational Establishments

Students of higher educational establishments shall be:

- 1) students for bachelor's degree
- 2) students in professional study programmes;
- 3) students for master's degree;
- 4) residents in the medical profession and in dentistry;
- 5) students for doctor's degree.

45. The Rights to Study in Higher Educational Establishments

(1) All citizens and persons entitled to a non-citizen's passport of the Republic of Latvia as well as persons in possession of permanent residence permits shall have the right to study in higher educational establishments. A document certifying general secondary education is required for studies in higher educational establishments

(2) Rights of foreigners without permanent residence permit to study in the higher educational establishments of Latvia are regulated by Article 83 of this law.

46. Admission and Matriculation

(1) Matriculation takes place in higher educational establishments in accordance with the regulations for acceptance which shall be announced no later than five months prior to the beginning of the respective studies.

(2) The regulations for admission shall be made up by two parts:

1) the regulations of the Ministry of Education and Science which apply to all the higher educational establishments in Latvia;

2) the regulations set up by Senate of a higher educational establishment which establish:

a) what subjects and in what scope shall be mastered in order to begin studies under each of the study programmes;

b) the knowledge required at entrance examinations and the procedure for examination of the knowledge and skills required for successful studies;

c) if necessary, additional requirements for prior specific education, special suitability or preparation or meeting of other prior conditions.

(3) In cases when the number of applicants exceeds the number of study places announced by the higher educational establishment, the selection of students shall be through competition.

(4) Higher educational establishments shall make it known three years in advance, newly founded higher educational establishments - at the time of foundation - what subjects have to be mastered by applicants from the curriculum of secondary education for admission into the specific higher educational establishment.

(5) Use of languages in acquisition of higher education shall be subject to Law on Languages of the Republic of Latvia.

47. Beginning of Studies at Later Stages of Studies

(1) Beginning of studies at later stages of studies is possible if the necessary examinations for the previous stages of the respective study programme have been settled in another higher educational establishment or if they are additionally settled in the same higher educational establishment. Should these conditions be met, and should it be possible for the higher educational establishment, it has no right to refuse to accept an applicant for later stages of studies.

(2) A natural person can make use of state budget funds for acquisition of a certain academic degree (master's, bachelor's), degree in research (doctor's) or complete higher education for his/her professional qualifications only once.

48. Students and the Mandatory State Service

(1) Academically successful students of government licensed higher educational establishments, including students enrolled in master's, residency and doctor's training programmes as well as graduates with master's degree are not subject to being drafted into the mandatory state service.

(2) The Department of Mandatory State Service can not prevent individuals subject to mandatory state service from entering any state licensed higher educational establishments in the first year after completion of their secondary education or prevent persons from resuming their studies at the following level of education (master's and doctor's) in the following year after successful completion of the previous level.

(3) The Ministry of Science and Education shall submit a list of licensed higher educational establishments to the Department of Mandatory State Service by September 1 of each year.

(4) Higher Educational Establishments of the Republic of Latvia shall submit a list of full time students in good standing to the Department of Mandatory State Service by October 1 of each year.

(5) A list of individuals studying abroad to whom Paragraphs (1) and (2) of this Article apply shall be submitted to the Department of Mandatory State Service by the Ministry of Education and Science at the time indicated in section (3).

(6) Students of higher educational establishments in good standing who have volunteered to enter State Service have the right to return to their previous level of study before the State Service.

49. Expulsion of a Person from the Student Body

(1) A student can be expelled from the student body, if:

1) he/she expresses such a wish;

2) it becomes clear that his/her admission has been influenced by deception, bribery or any other deed that violates the principles of equality among entrants;

3) he/she has not completed the required tests or other tasks related to studies;

4) he/she has violated the rules and regulations of the higher educational establishment.

(2) The expulsion of a person shall be performed by the rector or the dean. Appeals shall be examined by the Senate or the Department Council.

(3) On expulsion of a full time student the higher educational establishment shall concurrently inform the Department of Mandatory State Service.

50. Students' Rights

(1) Students shall have the right

1) to acquire higher academic or academic and professional education;

2) of access to the premises, libraries, equipment, laboratory apparatus, cultural, sports and medical facilities of the higher educational establishment according to the existing regulations;

- 3) to take a leave or resume studies according to the existing regulations;
 - 4) to execute the rights regarding the freedom of studies, research and artistic creativity in accordance with Article 56 of this law;
 - 5) to receive all information directly related to his/her studies;
 - 6) to freely express and defend his/her views and opinions in the higher educational establishment;
 - 7) to elect and to be elected in the students' self government body, take part in all self government institutions of a higher educational establishment;
 - 8) to attend lectures and educational events at other higher educational establishments and to sit for the necessary tests
 - 9) to establish societies, interest clubs and associations.
- (2) The interests of students of higher educational establishments in their relations with state institutions shall be represented by students' public organisations registered at the Ministry of Justice

51. Ascertaining of the Number of Students

The number of students financed from the state budget in each of the higher educational establishments shall be ascertained by the Council of Higher Education with approval from the Minister of Science and Education. The number of students in higher educational establishments founded by legal entities shall be determined by the founders of these establishments.

52. Tuition fees and grants

- (1) Tuition can be fully or partially covered by the state as well as by legal entities or individuals according to agreements signed between the students and the higher educational establishments.
- (2) Tuition of students who have been admitted through competition for the number of study places in the respective speciality as appointed by the state shall be financed from state budget.
- (3) The procedure of how the state shall refund the tuition fees and grants shall be according to the regulations by the Cabinet of Ministers.

53. Students' self-government

- (1) Students of higher educational establishments, students enrolled in master's programmes, residency programmes in medicine or doctor's programmes have self government. Self government shall act according to the rules prepared by the students and accepted by the Senate of the higher educational establishment. Senate can refuse to accept the rules only on legal grounds.
- (2) the self-government of a higher educational establishment can have the rights of a legal entity if it has been registered as a public organization or as a non-profit organization. Upon liquidation of a student organization which is a legal entity, the property of the organization shall be transferred to the higher educational establishment.
- (3) Students' self-government shall:
 - 1) protect and represent students' interests regarding academic, economic, cultural issues at the higher educational establishment and other organizations;
 - 2) represent the student body in Latvia and abroad;
 - 3) determine the procedure for election of students to collegial institutions of a higher educational establishment.
- (4) The function of the administrative institutions of higher educational establishments shall be to support and promote the self government of the student body.

54. The Rights of Students' Self-government

- (1) The students' self government has the right to request and receive information and explanations from the authorised representatives of any of the structural units of higher educational establishments on all issues touching with students' interests.
- (2) Students in the Senate of a higher educational establishment shall have the power of veto on issues regarding students' interests. After veto has been applied, the issue shall be further reviewed by the Conciliation committee formed by the Senate according to the principle of parity. The decision of the Conciliation

committee shall be accepted by the Senate with the majority of two thirds of the present votes.

(3) Members of students' self government shall have the right to participate in all decision making bodies of higher educational establishments, as well as to participate as observers during tests and examinations, if such right is envisaged in the regulations of the study process of the higher educational establishment.

(4) The decisions of the student self government after their confirmation by the Senate of the higher educational establishment shall be mandatory to all students.

Chapter 6

STUDIES IN A HIGHER EDUCATIONAL ESTABLISHMENT.

55. Study programmes

(1) Study programme shall embrace all the requirements necessary to award an academic degree or professional qualifications through higher education. The functioning of a study programme shall be regulated by a document - the description of the content and the procedure of studies which shall

1) describe the requirements of previous education;

2) in accordance with the degree and kind of education, settle the goal for the realization of the specific programme of studies, its tasks and the planned results, the content of the offered education, the volume of parts of the programme, the time distribution for mastering of those, the criteria according to which the education to be obtained shall be evaluated, the forms and the procedure of tests;

3) list the academic personnel involved in the implementation of the programme, their qualifications and envisaged duties;

4) list the structural units involved in the implementation of the programme (the departments, professors' groups, laboratories, institutes, etc.), indicating their tasks in the implementation of the specific programme;

5) describe the required support personnel with indication of their tasks;

6) characterise the resources required for the implementation of the programme;

7) assess the costs.

(2) A study programme can be worked out and submitted for approval in accordance with the procedure stipulated by the Senate of the respective higher educational establishment by professors, departments, faculties, institutes and other academic and research structural units of higher educational establishments.

(3) Study programmes shall be approved by the Senate of a higher educational establishment. Independent expertise of programmes shall be acquired prior to their confirmation.

(4) On a decision by Senate on introduction of a new study programme a person responsible for the implementation of the respective programme shall also be appointed as well as the financial and technical procurement for the programme shall be set.

(5) In case a study programme is liquidated, a higher educational establishment shall provide finances for students to continue their education in a different study programme or another higher educational establishment.

56. Rules and Regulations of the Study Process

(1) Studies shall be conducted according to study programmes confirmed by the respective higher educational establishment, which are prepared for each field of study.

(3) This law does not regulate the differences in the study process (content, manner of teaching, amount of information, requirements for tests and examinations) which are characteristic to each specific establishment of higher education and its field of specialization (medicine, sports, art, police force, defence and other specialized higher educational establishments). Special requirements for the studies shall be prepared according to the needs of the respective government agencies and confirmed by the statutes of each individual higher educational establishment.

57. Duration of Studies

(1) Study programmes after completion of which a certificate of higher education is awarded, can not be shorter than four years in duration. The content and the

scope of studies as well as the examination requirements shall be the same for full time students and students of the extra-mural department.

(2) To receive bachelor's or master's degree, academic establishments of higher education shall offer study programmes for bachelor's and master's degrees in a specialty or subspecialty of science. Academic study programmes for a master's degree or its equivalent together with bachelor's degree require five to seven years for completion.

(3) Individuals with the master's degree or its academic equivalent can continue studies for doctor's degree which is envisaged for acquisition of the Doctor's degree and planned to be three years in duration.

(4) Higher professional education has applied science as its primary source and prepares for professional work. Certificates of higher professional education are awarded after at least four years of study.

(5) Persons who have acquired higher professional education and bachelor's degree, are entitled to continuation of studies for master's degree in an academic higher educational establishment.

58. Final and State Examinations upon Completion of Studies

(1) Accredited bachelor's and master's study programme shall end in final examinations, writing and defending of a bachelor's or magister's degree being part thereof.

(2) Higher professional training shall end by state exams, part of which may involve work on and defending of a graduation paper or project.

(3) Examinations shall proceed in a complex, mainly in written form. Higher educational establishments shall keep the material.

59. Degrees and Professional Qualifications Acquired through Studies

(1) In accordance with study programmes accredited by the state, higher educational establishments shall offer

1) academic education, and the following degrees in research:

1) Bachelor's degree, an academic degree;

2) Master's degree, an academic degree;

3) Doctor's degree, a research degree.

2) qualifications of higher professional education.

(2) The qualifications of higher professional education which can only be acquired by completion of a higher education programme accredited by state of at least four years in duration, shall be appointed by the regulations of the Cabinet of Ministers.

(3) Research qualifications in higher educational establishments shall be according to the law of the Republic of Latvia "On Scientific Research".

Chapter VII

RESEARCH.

60. The Goal and the Subject of Research

(1) Research is an essential function of higher educational establishments and, according to Article 26 of this law, all academic personnel of the higher educational establishment shall take part in research. The goal of research are new scientific findings, the provision of a scientific basis for learning and studies as well as their further development, and solution of practically important tasks with research methods.

(2) Scientific research in the higher educational establishments shall be conducted according to the law "On Scientific Research"

61. Co-ordination of Research Activities

(1) The persons in charge of scientific research shall independently determine the subject of research within the limits of financial resources available to higher educational establishments, according to the amount of financial resources assigned to research, The overall planning of the research work and the most important aspects of research shall be coordinated by the higher educational establishment.

(2) Higher educational establishments shall work together and with the respective research organizations, the Board of Science of Latvia and other interested

institutions, coordinate the directions of research, evaluate the importance of these fields, their scientific level and make decisions on financing.

(3) Higher educational establishments and government institutions influence the direction of scientific research by assigning financing to specific fields of study which are of interest to the state and society. Research can also be carried out with resources from other persons.

62. Publication of Research Results

(1) The academic personnel of higher educational establishments shall be obliged to publish the results of research.

(2) Higher educational establishments shall regularly publish information bulletins on the performed research indicating the respective structural units and the names of researchers. The information shall be at least annually sent to other higher educational establishments and research organizations where similar research is conducted. It shall also be sent to the Ministry of Education and Science, the Board of Science of Latvia and other interested government institutions.

63. AWARDING OF DOCTOR'S AND HABILITATED DOCTOR'S DEGREES

(1) Doctor's degree shall be awarded by the Council of Promotion or the Council of Habilitation after the completion of the doctor's study programme and defending of the doctor's thesis. Habilitated doctor's degree shall be awarded by the Council of Habilitation on the basis of defending the published research work completed after awarding the doctor's degree.

(2) The process of awarding doctor's and habilitated doctor's degrees, as well as all other issues related to scientific work not regulated by this law shall be regulated by the law "On Scientific Research".

Chapter VIII

COOPERATION OF HIGHER EDUCATIONAL ESTABLISHMENTS WITH STATE AND PUBLIC INSTITUTIONS.

64. Council of Rectors

(1) For coordination of cooperation of higher educational establishments as well as organization of common activities, the higher educational establishments shall set up an institution of colleagues -- Council of Rectors to include the rectors of all accredited higher educational establishments.

(2) the Council of Rectors shall:

1) prepare suggestions to the Minister of Education and Science on perspective development of higher education;

2) decide on forming joint study programmes, use of academic staff and material resources;

3) give its evaluation on the drafts of laws and normative regulations regarding issues of higher education;

4) recommend experts for accreditation of higher educational establishments and study programmes;

5) propose accreditation of higher educational establishments on the basis of the results of experts' work;

6) draft proposals on distribution of state budget resources among higher educational establishments;

7) represent higher educational establishments of Latvia abroad;

8) within its competence may also work on other issues related to activities of higher educational establishments.

(3) The membership of the Council of Rectors, the procedure of its work and its functioning shall be determined by the Regulations on the Council of Rectors approved by the Minister of Education and Science.

Chapter IX

COUNCIL OF HIGHER EDUCATIONAL ESTABLISHMENTS.

65. The Status of the Council of Higher Education

- (1) The Council of Higher Education shall be an independent institution which develops the national strategy in higher education, implement the cooperation between higher educational establishments, state institution and the general public in the development of higher education, oversee the quality of higher education, guarantee making of best decisions in issues related to higher education.
- (2) The Council of Higher Education shall be a legal entity. It shall have an independent balance sheet and a bank account. It shall also have a seal with its title.
- 66. The Procedure of Formation of the Council of Higher Education**
- (1) The Saeima shall confirm the Council of Higher Education of nine members following the proposal of Minister of Education and Science. The following will delegate a representative into the Council: Latvian Academy of Science, Council of Creative Unions, Association of Leaders of Education of Latvia, Latvia's Union of Doctors, Chamber of Commerce and Industry; the field of higher education in the council shall be represented by one delegated representative from the organizations of rectors, professors of higher educational establishments and students approved by the Ministry of Education and Science. The Minister of Education and Science shall represent the Council in cabinet meetings as follows his office (ex officio) as a member of the Council of Higher Education.
- (2) The Saeima can turn down the member candidates for the Council of Higher Education, submitting motivated objections from deputies (factions).
- (3) The institutions listed in para 1 of this Article are allowed to call back a member into the Council of Higher Education by submitting a motivated demand to that effect to Saeima.
- (2) The Chairman of the Council of Higher Education and his deputy shall be elected by the Council within 14 days after the termination of the authority of the previous Chairman and his deputy.
- (5) A representative of the Department of Science and Higher Education of the Ministry of Education and Science shall participate in the meetings of the Council of Higher Education with the right of standing advisor.
- 67. Members of the Council of Higher Education**
- (1) The members of the Council of Higher Education shall receive salary on the basis of an employment agreement.
- (2) The restrictions and prohibitions envisaged by the anti-corruption law for state officials shall also apply to members of the Council of Higher Education.
- (3) A person who has been punished for an intentional crime can not be a member of the Board of Higher Education, failing to be granted an appeal or having the punishment struck off the record.
- 68. Period in Office for Members of the Council of Higher Education**
- The term in office for members of the Council of Higher Education shall be four years.
- 69. Resolutions of the Council of Higher Education**
- (1) All the resolutions adopted by the Council of Higher Education shall be available for any person interested in them.
- (2) The Council of Higher Education shall have the power of decision making on issues related to higher education only as prescribed by this law. In accordance with this law the resolutions adopted by the Council of Higher Education shall be binding for state institutions and higher educational establishments.
- 70. The Basic Objectives, the Competence and the Functions of the Council of Higher Education**
- The Council of Higher Education shall:
- 1) work out the national concept for the development of higher education and higher educational establishments, envisaging the development of both state founded higher educational establishments and of those founded by legal entities, as well as promote equal and harmonised development of all kinds of higher educational establishments and of higher academic education and of higher professional education;

- 2) work out long term plans and proposals for development of education and research within the system of higher education;
 - 3) work out proposals to raise the quality of the research activities of higher educational establishments, the qualifications of the staff and of the study programmes;
 - 4) forecast the number of students necessary for the country in general and works out proposals regarding the number of students financed from the state budget in each branch;
 - 5) work out proposals regarding change of structure of higher educational establishments in the country;
 - 6) work out proposals regarding the number of professors in higher educational establishments and recommendations on other issues related to higher education;
 - 7) work out proposals on improvement of higher education and payment of tuition fees;
 - 8) submit to the Cabinet of Ministers an assessment on the prepared project of state budget for financing of higher educational establishments;
 - 9) adopt decisions on accreditation of higher educational establishments at large and submit them to the Ministry of Education and Science for approval;
 - 10) prepare programmes for integration of science and higher education and implement them within the limits of its competence;
 - 11) maintain contacts with institutions of other countries which are in charge of issues of higher education.
- 71. Rights of the Council of Higher Education**
The Council of Higher Education has the right:
- 1) to be familiarised with the assessment and accreditation documents of the study programme of any higher educational establishment;
 - 2) to require extraordinary accreditation for any higher educational establishment or for its programme of studies;
 - 3) to require the information necessary for its activities from higher educational establishments and state institutions.
- 72. Organisation of Work of the Council of Higher Education**
- (1) The work of the Council of Higher Education shall be subject to a set of regulations.
 - (2) The meetings of the Council of Higher Education shall take place as necessary. Extraordinary meetings shall be summoned within three days time since at least three members of the Council of Higher Education have demanded it.
 - (3) The secretariat shall give information about the agenda of meetings of the Council of Higher Education and about resolutions adopted at these meetings the newspaper 'Latvijas Vestnesis' and to public mass media. Copies of resolutions shall be submitted to higher educational establishments and to other institutions to which these regulations apply.
- 73. Financing of the Council of Higher Education**
- (1) The Council of Higher Education shall be financed from the state budget.
 - (2) The Council of Higher Education shall give an annual overview of its financial activities in the newspaper 'Latvijas Vestnesis'.
 - (3) Secretariat employing paid staff shall be established in order to procure the functioning of the Council of Higher Education.
- 74. Chairman of the Council of Higher Education**
- (1) The work of the Chairman of the Council of Higher Education in the Council of Higher Education shall be his/her main occupation. The Chairman of the Council of Higher Education is not allowed to take another office involving leadership.
 - (2) The Chairman of the Council of Higher Education shall be responsible for the work of the Council of Higher Education and for the implementation of its functions.
 - (3) The Chairman of the Council of Higher Education shall:
 - 1) represent the Council of Higher Education in state institutions as well as in relationships with natural persons and legal entities in Latvia and abroad,

participate in meetings of the Cabinet of Ministers with the rights of advisor at times when issues within the competence of the Council are examined;

2) shall be the financial executive of the Council of Higher Education;

3) shall employ and dismiss the staff of the secretariat of the Council of Higher Education;

4) shall conclude agreements with natural persons and legal entities in order to procure the functioning of the Council of Higher Education;

(4) The basic salary of the Chairman of the Council of Higher Education shall be equalled to the salary of grade 1 state civil servant.

75. Procurement of Information

(1) To promote cooperation between government institutions and higher educational establishments higher educational establishments shall regularly provide information on their work. The information provided shall include the following data:

1) the structure of the higher educational establishment;

2) the number and description (by categories) of students and other personnel;

3) offered studies, the number of students and description (by categories);

4) offered courses and study programmes;

5) distribution and use of funding from the state budget;

6) information on economic activities, other sources of income outside the budget funding and use of these funds;

7) information on foreign relations.

(2) The information shall be submitted to the Ministry of Education and Science. The way it should be prepared, the specific amount of information and frequency for submitting the above information shall be according to the requirements of the Minister of Education and Science.

Chapter X.

PROPERTY OF HIGHER EDUCATIONAL ESTABLISHMENTS, THEIR BUDGET AND ECONOMIC ACTIVITIES.

76. Property of Higher Educational Establishments

(1) The property of higher educational establishments may be land, real estate and other property, intellectual property as well as assets in money in Latvia and in foreign countries in accordance with the legislative acts in effect.

(2) The property of higher educational establishments consists of:

1) Limited amount of state property given to the higher educational establishments by a regulation of the Cabinet of Ministers;

2) Land, real estate and other property received in gift from individuals and legal entities or assets acquired using self-earned or budgetary resources;

3) Intellectual property is included in the possessions of the higher educational establishments according to the law "On Copyright and Other Rights";

4) property of higher educational establishments founded by legal entities as determined by the meeting of partners or founders.

(2) Higher educational establishments have the right to use their assets to reach the goals specified in their respective Satversme acts. Assets belonging to the higher educational establishments shall be managed separately from the state property assigned for use to the higher educational establishments.

(3) The management and usage of the state property assigned for usage or management to the higher educational establishments shall be controlled by the appropriate government institutions according to regulations confirmed by the Minister of Education and Science.

(4) In order to acquire real estate paying with resources from the budget, a higher educational establishment needs permission from the Cabinet of Ministers.

77. Financial Resources of Higher Educational Establishments

(1) A higher educational establishment shall be funded by its founders.

Financial resources of state higher educational establishments shall be funds from the basic state budget, special state budget and income from other sources from activities performed to fulfill the goals included in Satversme. Higher educational

establishments shall use this income according to the regulations on non-profit organizations. A higher educational establishment has the right to accept and use donations and gifts from banks, other credit organizations, gifts and donations from legal entities as well as individuals. Higher educational establishments shall have the right to receive credits from banks and other credit organizations. The structure of the financial resources of a higher educational establishment is determined by the Senate of the higher educational establishment but the execution of its budget shall be controlled by an Audit commission. Once a year the Rector shall report to the Senate, to the Minister of Education and Science and to the Minister of the respective field or to the founder of the respective establishment on the use of the budget.

(2) Financial resources given to higher educational establishments by legal entities and individuals for financing earmarked programmes and events shall be transferred directly to the structural unit, legal entity or individual who implements the respective programme or event.

(3) Financial resources of the structural units of the higher educational establishment are included in the overall budget of the higher educational establishment as an independent part.

78. State Financing

(1) Higher educational establishments founded by the state shall receive the following funding:

1) from the state education budget - basic financing for the optimum number of lists of study programmes and the number of students covering resources to pay for public utilities, taxes, infrastructure maintenance, purchase of equipment and inventory, research and artistic creativity as well as salaries for the staff;

2) from the specialized state budget as additional financing for preparation of certain specialists, conducting of certain research programmes, and fulfillment of other specified goals;

3) from tuition fees, paid by the state or received as repayable or free loans which either have to be paid back or need not to be paid back according to the regulations of the Cabinet of Ministers on financing studies;

4) From financing intended for use on specific goals.

(2) The state shall procure higher educational establishments financially and materially to an extent which would guarantee the reproduction of the potential of higher education and research in these establishments and promote raise of the level of culture and education in Latvia.

(3) Higher educational establishments can receive additional funding from other sources providing funds for science.

(4) The Ministry of Education and Science, other ministries and government agencies can sign agreements with state accredited higher educational establishments on preparing of certain specialists and conducting of special research projects, for which respective government funding is awarded. Any state or local government institution or private entity can independently sign agreements with higher educational establishments on education of certain specialists and conducting specific research projects, paying with the funds available to them, if there is no contradiction with the laws of the Republic of Latvia.

(5) As taxpayers higher educational establishments shall be regarded as non-profit organisations with the right to receive tax breaks in accordance with the legislative acts in effect.

(6) Higher educational establishments shall be exempt from customs duty and levies as well as from taxes for import of materials for reconstruction and equipment.

79. Study Loans

(1) Students can receive special state loans from the Study Fund established by the Cabinet of Ministers.

(2) Awarding and paying back of state loans shall be regulated by an act issued by the Cabinet of Ministers.

80. Entrepreneurial Activities of Higher Educational Establishments and Other Business Activities

When working on their tasks, higher educational establishments shall have the right to perform the following activities in Latvia and abroad:

- 1) to open branches, divisions and representational offices;
- 2) to conclude agreements with natural persons and legal entities as well as perform other legal activities in accordance with this law and other laws;
- 3) to announce tenders, to sell and purchase real estate and other property, different objects and securities in accordance with the effective legislation and with the goal of activity of the higher educational establishment;
- 4) to engage in entrepreneurial activities which fall along the lines of specialisation of the higher educational establishment; the profits shall be transferred into the budget of the higher educational establishment for its further development as well as to invest in other enterprises in accordance with the goal of the higher educational establishment.

Chapter X

INTERNATIONAL COOPERATION OF HIGHER EDUCATIONAL ESTABLISHMENTS.

81. International Co-operation

- (1) The government of the Republic of Latvia and the higher educational establishments themselves shall promote international cooperation of higher educational establishments, exchange programmes between countries and higher educational establishments for students and academic personnel, as well as international cooperation of higher educational establishments on research projects.
- (2) Participation in European international cooperation programmes shall be taken into account when determining the amount of budgetary funding for higher educational establishments. Should part of educational or research goals of the university be funded from programmes of international cooperation of higher educational establishments, financing for the higher educational establishment from the budget of the Republic of Latvia is not reduced.
- (3) A treaty signed by the government regarding any of the higher educational establishments shall be binding for the higher educational establishment. When preparing a draft on such a project, the regulations for fulfillment of the agreement should be coordinated with the higher educational establishment.

82. Foreign Studies

- (1) Citizens of the Republic of Latvia, persons entitled to a non-citizens' passport issued by the Republic of Latvia and persons who have received permanent residence permits have the right to enter and study in higher educational establishments abroad according to the regulations issued by the Cabinet of Ministers. Individuals studying abroad may receive loans and scholarships appointed by the Cabinet of Ministers.
- (2) Individuals subject to mandatory state service of the Republic of Latvia studying outside Latvia are subject to para (1) and (2) of Article 48 of this law after the Ministry of Education and Science has provided a confirmation that the studies are conducted in the respective country at an accredited higher educational establishment. The process according to which a person studying abroad is included in the list mentioned in para (4) of Article 48 of this law shall be according a directive of the Minister of Education and Science.

83. Foreigners' Studies in Latvia

- (1) Foreign citizens without permanent residence permits in Latvia can be accepted as full time students in higher educational establishments of Latvia according to the law "On Education in Latvia" and this law, on the basis of general regulations. If international agreements do not provide otherwise, foreigners can be admitted in higher educational establishments of Latvia on meeting the following conditions:
 - 1) certificate on secondary education should be compatible with Latvian standards. Foreign student's secondary education documents shall be inspected according to the regulations provided by Article 85 of this law;

2) the level of knowledge of foreign students as stated by general check-up shall correspond to the level required by the admission committee of the respective higher educational establishment;

3) foreign students should demonstrate proficiency in languages of instruction;

4) tuition fees by foreigners are paid according to their individual agreements with the higher educational establishment, but the paid fees shall not be lower than the tuition costs incurred.

(2) Foreign citizens without permanent residence permits in Latvia can complete part of the study programme in higher educational establishments of Latvia according to exchange agreements between countries (or higher educational establishments) or international programmes of co-operation between higher educational establishments in accordance with the admission regulations. Should foreign citizens study in Latvia within the framework of an exchange programme, with an equivalent number of Latvian students studying abroad, the foreigners' studies in Latvia shall be financed from the budget resources of the Republic of Latvia allotted to the respective higher educational establishment.

84. Certification of the Part of Education Acquired Abroad

Certification of part of education that has been acquired abroad shall be carried out by the higher educational establishment where the student continues his/her education.

The higher educational establishment shall determine:

1) which part of the study programme corresponds to the part obtained abroad;

2) how the student can continue studies in the respective study programme;

3) if necessary, determine what additional requirements should be met in order to proceed with the studies in the respective programme in Latvia.

85. Acknowledgement of Academic Degrees and Certificates Acquired Abroad in Latvia

(1) Acknowledgement of academic degrees and certificates obtained in foreign countries, as well as certificates on secondary and general education shall be subject to evaluation by the Academic Information Centre.

(2) Upon inspection of the submitted documentation the Centre shall determine whether:

1) a certificate obtained abroad is compatible to the level of higher education in Latvia;

2) to which academic degree or certificate in Latvia it can be equalled;

3) what additional requirements should be met in order to make the certificate compatible with any of the academic degrees or certificates awarded in Latvia, should the case be that the academic degree or certificate acquired abroad does not satisfy any of standards advanced for academic degrees or certificates in Latvia.

(3) As the result of inspection of the certificate, the owner of the certificate shall receive a certificate stating to which academic degree or certificate in Latvia his/her certificate corresponds. Latvian education certificate shall not be issued upon acknowledgement of the certificate acquired abroad

(4) Expenses incurred during the acknowledgement process of a certificate, academic or scientific degree obtained abroad shall be covered by the owner of the certificate.

(5) If education is continued in Latvia, the respective higher educational establishment can perform additional evaluation and request that additional requirements are fulfilled.

(6) Evaluation of scientific degrees shall be performed by habilitation committees.

86. Foreign Higher Educational Establishments in Latvia

(1) Subsidiaries of foreign higher educational establishments in Latvia can be opened if:

1) the higher educational establishment is accredited in its own country;

2) The Minister of Education and Science has given the permission to open a subsidiary.

(2) Subsidiaries of foreign higher educational establishments acquire the right to award documents on higher education recognised in Latvia after they have been

accredited following the general procedure. A subsidiary of a foreign higher educational establishment, opened according to the regulations of this article may function in Latvia without being accredited but in that case certificates awarded by this subsidiary shall be equalled to those awarded by foreign higher educational establishments and the procedure for their acknowledgement in Latvia shall be according to the procedure stated by Article 85.

Chapter XI

INTEGRATION OF HIGHER EDUCATIONAL ESTABLISHMENTS AND SCIENTIFIC ORGANIZATIONS.

87. Integration of Higher Educational Establishments and Research Organisations

(1) Integration of higher education and research shall proceed according to the individually prepared projects. According to these projects research workers from structural units of research institutions shall contribute to procurement of study programmes for higher educational establishments, thus acquiring the status of permanent staff of the higher educational establishment in accordance to general procedure through competition.

(2) Integration of higher educational establishments and scientific research organizations shall proceed on the basis of agreements. The making of these agreements shall be following the regulations of the Cabinet of Ministers.

Regulations for the transition period.

(1) Within a period of three months after the law has been enacted, the higher educational establishments consolidate their satversme (statutes) with the requirements of this law and submit the statutes to the Ministry of Education and Science.

(2) Within a period of six months after the law has been enacted, higher educational establishments shall consolidate all the normative regulations (rules, regulations, legislative procedures) with their Satversme and this law.

(3) The time served at any of the posts or offices will not be affected unless the post is elected for a period of time that exceeds six years.

(4) Higher educational establishments which have satversme approved according to the procedure appointed by the law "On Education " shall have the right to issue education certificates in accordance with the stipulations of part two of Article 7 of this law as well as to participate in the work of the Council of Rectors pending accreditation.

(5) Within a period of one year after the law is enacted the Council of Higher Education in cooperation with the Council of Science and the Academy of Sciences shall prepare proposals to the Minister of Education and Science for the list of professors necessary at the higher educational establishments and a schedule for announcing competitions.

(6) Within a period of two months after the law is enacted the Minister of Education and Science shall submit his candidates for the membership of the Council of Higher Education to the Saeima.

(7) Within a period of three months the Council of Higher Education shall work out and submit to the Cabinet of Ministers for confirmation a programme of university reform which would envisage sequential integration of higher education and science (establishing of research institutes or incorporation of the existing institutes into the main directions of studies and research), raising of qualifications of the academic staff, attraction of a new generation of scientists, a new procedure for financing and remuneration of employment.

(8) The Cabinet of Ministers shall envisage additional annual financing for implementation of the university reform.

(9) Within a period of two months after this law is enacted the Cabinet of Ministers shall adopt regulations for licencing and accreditation of higher educational establishments compatible with the stipulations of this law.

(10) Licenced higher educational establishments shall renew their licences within a period of six months after this law is enacted.

Non official translation

**The law was adopted by the Saeima on 2 November 1995.
President of the State G. Ulmanis
Riga, November 17 1995**