

Higher Education Act (ZVis)¹

I. GENERAL PROVISIONS

Article 1 (contents of the Act)

This Act regulates status issues of higher-education institutions and conditions for the performance of higher education activities, defines public service in higher education, and regulates the financing method thereof.

This Act also regulates status issues of libraries and institutes, as well as other institutions, the activities of which are required for the realisation of higher education activities, provided that they have been established as part of universities (hereinafter: other institutions, members of universities), and of student halls of residence.

Article 2 (higher-education institutions)

Higher-education institutions shall be universities, faculties, academies of art and higher professional colleges.

Article 3 (universities)

Universities shall ensure the development of science, professions and the arts, and through faculties, academies of art or higher professional colleges, shall in the education process transfer knowledge from multiple scientific or artistic fields and disciplines.

Universities may directly organise the provision of scientific-research and study interdisciplinary programmes.

Article 4 (faculties and academies of art)

Faculties shall predominantly perform scientific-research and educational activities in the areas of one or more related or interconnected scientific disciplines, and shall foster the development thereof.

Academies of art shall predominantly perform artistic and educational activities in the areas of one or more related or interconnected artistic disciplines, and shall foster the development thereof.

¹ The consolidated text of the Higher Education Act comprises: the officially consolidated text of the Higher Education Act (*Uradni List* RS 134/03) and the Act amending and supplementing the Higher Education Act (ZVIS-D) (*Uradni List* RS 63/04), which applies from 11 June 2004.

Article 5
(higher professional colleges)

Higher professional colleges shall perform educational activities in the areas of one or more related or interconnected professions, and shall foster the development thereof.

Higher professional colleges may also perform research or artistic work, if so stipulated by their founding acts.

Article 6
(autonomy of higher-education institutions)

Universities shall be autonomous, scientific-research, artistic and educational higher-education institutions with special status.

Universities and independent higher-education institutions established by the Republic of Slovenia shall operate according to the principles of autonomy, which primarily ensures them:

- Freedom of research, artistic creativity and transfer of knowledge,
- Independent arrangement of internal organisation and operation by statute in accordance with the law,
- The adoption of criteria for election to titles of higher-education teachers, scientific workers and higher-education staff,
- Election to titles of higher-education teachers, scientific workers and higher-education staff,
- Selection of higher-education teachers, scientific workers and higher-education staff to occupy posts,
- Preparation and adoption of study and scientific-research programmes, determination of study regimes and determination of the forms and periods of testing of knowledge of students,
- The granting of professional and scientific titles in accordance with the law, and the award of honorary doctorates and the title of professor emeritus,
- The election, appointment and closure of bodies in accordance with statutes and other acts,
- Decisions on the forms of cooperation with other organisations,
- Asset management in accordance with the purpose for which they were acquired.

Article 7
(education under equal conditions)

Citizens of the Republic of Slovenia shall have the right to education in higher-education institutions in the Republic of Slovenia under equal conditions.

Slovenians without Slovenian citizenship may receive education at higher-education institutions in the Republic of Slovenia under the same conditions as citizens of the Republic of Slovenia.

Slovenians without Slovenian citizenship under this Act shall be descendants of persons of Slovenian nationality up to the third generation.

Citizens of member states of the European Union shall have the right to education at higher-education institutions in the Republic of Slovenia under the same conditions as citizens of the Republic of Slovenia.

Foreign citizens may – on condition of the application of the principle of reciprocity – receive education at higher-education institutions in the Republic of Slovenia under the same conditions as citizens of the Republic of Slovenia.

Detailed conditions relating to the number of available places, the payment of tuition fees, accommodation in student halls of residence and other rights and responsibilities of students in accordance with this Act for the education of persons from the second and fourth paragraphs of this Article and for foreign citizens shall be determined by the minister responsible for higher education. More favourable entrance conditions may be determined by the statutes of public higher-education institutions for Slovenians without Slovenian citizenship.

Article 7a

(grants to foreign citizens and Slovenians without Slovenian citizenship)

The Republic of Slovenia may provide to Slovenians without Slovenian citizenship, and also to foreign citizens with respect to international treaties and agreements or pursuant to reciprocity, grants or study assistance for study under study programmes for education or additional training.

Selection of candidates for grants or study assistance shall take account of the conditions laid down in international treaties or agreements, or where such treaties or agreements contain no such conditions, shall take account of candidates' success in their studies.

Detailed conditions and the method of awarding grants or study assistance to Slovenians without Slovenian citizenship and foreign citizens shall be determined by the minister responsible for higher education.

Article 8

(language of instruction)

The language of instruction shall be Slovenian.

Higher-education institutions may provide study programmes or parts thereof in a foreign language under the conditions laid down by their statutes.

If a higher-education institution provides a public service, the following may be provided in a foreign language:

- Foreign-language study programmes,
- Parts of study programmes, if visiting higher-education teachers from other countries participate in the provision thereof or if significant numbers of foreign students are enrolled therein,
- Study programmes if such programmes are also provided in the Slovenian language at the higher-education institution.

Higher-education institutions shall ensure the development of Slovenian as a professional and scientific language.

Foreign citizens and Slovenians without Slovenian citizenship shall be enabled to learn Slovenian.

The minister responsible for higher education shall define the detailed method of ensuring the development and learning of Slovenian.

II. DEFINITION OF THE STATUS OF HIGHER-EDUCATION INSTITUTIONS, OTHER INSTITUTIONS – MEMBERS OF UNIVERSITIES, AND STUDENT HALLS OF RESIDENCE

Article 9 (establishing an Institution)

Higher-education institutions and another institutions (members of a university), and student halls of residence may be established by Slovenian or foreign natural or legal persons.

In order to provide a public service in higher education, the Republic of Slovenia shall establish public higher-education institutions and other public institutions – members of universities, and student halls of residence.

Article 10 (legal subjectivity of universities and members thereof)

Universities shall be legal entities. Faculties and academies of art and possibly also higher professional colleges and other institutions - members of the university (hereinafter: members of the university), shall be established within a university.

Members of a university shall have the rights and obligations stipulated by this Act, the university charter and the university statute.

In implementing the National Programme of Higher Education, which shall be funded by the Republic of Slovenia, members of universities shall participate in legal transactions with the authorisations laid down by the university charter and statute for and on behalf of the university.

In other cases, members of the university shall participate in legal transactions for and on behalf of themselves in accordance with the university charter and statute.

Members of a university may have giro accounts.

Article 11 (independent higher-education institutions)

Faculties and academies of art which are not public higher-education institutions and higher professional colleges may be established as independent higher-education institutions and shall be legal entities.

Article 12 (associate university members)

Independent higher-education institutions and other institutions may join a university as associate members.

Conditions of association and the rights and obligations of associate members shall be regulated by the university statute.

Article 13 (assets)

A university or an independent higher-education institution established by the Republic of Slovenia shall be the owner of the assets acquired from public and other sources.

Higher-education institutions shall manage and freely dispose of the assets used in the performance of their activities in accordance with their charter and statutes unless otherwise stipulated by this Act.

A university or an independent higher-education institution from the first paragraph of this Article may only alienate or burden real estate or high-value equipment obtained from public funds in agreement with the founder.

Funds raised from the sale of assets from the previous paragraph of this Article may be used for investments, investment maintenance and equipment.

Article 14
(conditions for establishing an institution)

A higher-education institution may be established provided that:

- the areas of study and research and art disciplines for which the higher-education institution is being established are defined, wherein the Isced classification shall apply to the definition of areas of study and the international Frascati classification shall apply to the definition of research fields,
- suitable premises and equipment required for the programme are secured,
- higher-education teaching staff, scientific staff and higher-education staff required for the programme have been secured.

For the establishment of a university, the conditions for the provision of study programmes at all three levels must be met, while for independent higher-education institutions – faculties and academies or arts – the conditions for at least two levels must be met, and for independent higher-education institutions – higher professional colleges – the conditions for the first level must be met.

Prior to adopting a charter, the founder shall seek and obtain the expert opinion of the Council for Higher Education of the Republic of Slovenia on compliance with the conditions for establishment or transformation of the higher-education institution (accreditation of the higher-education institution).

The Council for Higher Education of the Republic of Slovenia shall at least every seven years *ex officio* reassess compliance with the conditions for the performance of the activities for which the higher-education institution was established (reaccreditation of a higher-education institution).

The provisions of the previous paragraphs shall apply *mutatis mutandis* to the establishment of other institutions - members of the university.

Article 15
(adopting the charter of a public higher-education institution)

The charter of a public higher-education institution and other institution – member of a university shall be adopted by the National Assembly of the Republic of Slovenia.

Article 16
(determining conditions for commencing work and performing activities)

A higher-education institution may commence performing its activities on inscription in the register of higher-education institutions.

The register shall be maintained by the ministry responsible for higher education.

A higher-education institution shall be inscribed in the register if:

- it was established in accordance with this Act and it is inscribed in the court register,
- it has an accredited study programme,
- it has secured higher-education teachers, scientific staff and higher-education staff required for the implementation of the study programme,
- it has secured suitable premises and equipment, and the conditions regarding technical equipment, safety at work and other prescribed conditions have been met.

Higher-education institutions established by the Republic of Slovenia shall be inscribed in the register *ex officio*, and private higher-education institutions at the suggestion of the founder.

The findings of the Council for Higher Education of the Republic of Slovenia in the reaccreditation of the higher-education institution and the study programme shall also be inscribed in the register of higher-education institutions.

If deficiencies were found in the reaccreditation of a higher-education institution and a study programme, and if such are not eliminated within a specific interval, a procedure may be initiated to remove such from the register of higher-education institutions.

The content and form of the register shall be determined by the minister responsible for higher education.

Article 17

(conditions for the provision of uncertified programmes)

A higher-education institution not providing certified study programmes may commence work after the study programme has been adopted in accordance with its statute and on compliance with the conditions regarding technical equipment, safety at work and other prescribed requirements.

Article 18

(protection of the names of higher-education institutions)

The names: university, faculty, academy of art and higher professional college may be used in legal transactions only by higher-education institutions established in accordance with this Act that comply with the conditions for the performance of higher-education activities from Articles 16 and 17 of this Act.

Article 19

(statute)

Higher-education institutions which are legal entities shall have a statute regulating their organization and operation.

Article 20

(bodies)

The bodies of a university shall be: rector, senate, administrative board and student council.

The bodies of a university member shall be: dean, senate, academic assembly and student council.

The body of another institution – member of a university shall be a director and possibly a professional council.

The bodies of a higher-education institution which is not a university member shall be: senate, academic assembly, administrative board, student council and dean.

Higher-education institutions and other institutions – members of a university may have other bodies in accordance with their charter or statute.

Article 21
(senate)

A senate shall be the professional body of a higher-education institution.

The senate of the university shall be elected by the senates of the university members such that all scientific, artistic and professional disciplines are equally represented.

The senate of a faculty, academy of art or higher professional college shall comprise higher-education teachers and, if so stipulated by the statute, also scientific staff. It must be composed such that all scientific, artistic and professional disciplines of the higher-education institution are equally represented. The number of senate members shall be determined by the statute.

The rector of the university shall *ex officio* be a member of the university senate, while the dean shall *ex officio* be a member of the senate of a university member or independent higher-education institution.

Representatives of the university student council shall *ex officio* be members of the university senate; while representatives of the student councils of faculties, academies or art and professional colleges shall *ex officio* be members of the senates of the respective higher-education institutions. Students shall form at least one-fifth of the senate membership.

The professional council shall be the professional body of other institutions – members of a university. The composition thereof shall be determined by the university statute in accordance with the university charter.

Article 21(a)
(academic assembly)

The academic assembly of a university member or an independent higher-education institution shall comprise all higher-education teachers, scientific workers and higher-education staff. Student representatives shall also participate in its work, such that they shall comprise at least one-fifth of the members of the academic assembly. The method of their participation shall be determined by the statute.

The academic assembly shall:

- elect the senate;
- propose candidates for the dean to the senate;
- discuss the working reports of the higher-education institution and submit proposals and initiatives to the senate;
- perform other tasks determined by the statute.

The academic assembly shall elect a president from among its members. The president shall convene and chair meetings.

If an academic assembly formed in compliance with the first paragraph of this Article has more than 200 members, it shall be formed such that individual groups have a proportionate

number of representatives, wherein the academic assembly shall not have fewer than 100 members.

The method of forming the academic assembly from the previous paragraph shall be determined by the statute.

Article 22 (administrative board)

The administrative board shall be the administrative body of a higher-education institution.

In addition to tasks laid down by law, the administrative board shall decide upon matters of a material nature and shall ensure the undisturbed material operations of the higher-education institution.

The administrative board of a higher-education institution established by the Republic of Slovenia shall comprise representatives of the founder, representatives of workers engaged in higher-education activities, representatives of students, a representative of other workers and representatives of employers.

The composition of the administrative board of a private higher-education institution shall be determined by the charter and the statute.

Article 23 (rector)

The rector shall manage, represent and act on behalf of the university, and shall perform the following tasks:

- convene and, as a rule, chair senate meetings,
- coordinate the educational, scientific-research and artistic and other work of the university,
- ensure and be responsible for the lawfulness of the work of the university, for fulfilment of its obligations laid down by statute, other regulation and general acts of the university,
- with the consent of the senate, adopt criteria on the quality of the university, study programmes, scientific-research, artistic and professional work, and be responsible for the monitoring, determination and assurance of quality (university self-evaluation),
- report to the senate, administrative board and the founder of the university at least once a year,
- award doctorates,
- confer university awards,
- perform other tasks in compliance with the law, other regulations and general acts of the university.

The rector shall be elected by all higher-education teachers, scientific staff and higher-education staff employed by the university. Students shall also have the right to vote in the amount of one-fifth of the votes of all higher-education teachers, scientific staff and higher-education staff employed by the university.

Article 24 (dean and director)

The dean and/or director of a university member shall have powers and responsibilities in accordance with the charter, shall be the professional head of the university member and shall perform the following tasks:

- coordinate education, scientific-research, artistic and other work,
- ensure and be responsible for the lawfulness of work,
- be responsible for the monitoring, assessment and assurance of the quality of the university member, study programmes, scientific-research, artistic and professional work, and prepare an annual report on quality (self-evaluation of the member),
- report on work to the senate of the member institution and the rector at least once a year,
- other tasks in accordance with the law, other regulations and university general acts.

Any individual employed as a higher-education teacher of a university member or an independent higher-education institution may be appointed as its dean.

Any individual with at least higher education may be appointed director.

The dean and the director of a university member shall be appointed by the rector at the suggestion of the senate or the professional council of the university member.

The dean of a higher-education institution which is not a university member shall be the management body and the professional head of the institution.

Article 25 (separation of functions)

With regard to the nature of activities and scope of the work of a higher education or other institution, the statute may stipulate that management of professional work and management functions be separated. In such instances, the statute shall determine the competences of the professional head and the competences of the management body.

Article 26 (student council)

The student council shall be composed of student representatives.

The student council shall discuss and give opinions to the competent body on the status of the higher-education institution, on all issues pertaining to the rights and responsibilities of students, and may also give opinions on candidates for rector and dean, and shall adopt and implement a programme of extracurricular activities for students of the higher-education institution in cooperation with the student community.

If the opinion from the previous paragraph is not taken into account, the student council may demand that the competent body again discuss and decide upon the individual matter in the manner and procedure defined by the statute.

Article 27 (secretariat of a higher-education institution)

Higher-education institutions shall have a secretariat run by a secretary to perform administrative and professional-technical tasks.

Article 28 (organization of bodies)

The tasks, competences, number of members, method of election, durations of mandates and the methods of decision-making of bodies of higher-education institutions and other

university members shall be regulated in detail by their statute in accordance with the law and the charter.

Article 29
(conference of rectors)

In order to discuss and coordinate matters of common importance, universities shall establish a conference of rectors.

Article 30
(seal)

Public higher-education institutions and other institutions within such institutions shall have a round seal with the name and official address of the higher-education institution and the coat of arms of the Republic of Slovenia. Such seals shall also be used by higher-education institutions when providing a public service pursuant to a concession.

Article 31
(student halls of residence)

The activities of student halls of residence shall be a public service. They may be provided by universities, other institutions, companies, sole traders and other legal entities. They shall ensure that students' interests are represented in their management of the provision of services.

Student halls of residence may be established within a university as a member thereof.

The bodies of student halls of residence, members of a university, shall be director and a student residents' council.

Students who are members of the student residents' council shall represent the interests of students in management in accordance with the law, charter and statute.

III. TEACHING, SCIENTIFIC-RESEARCH AND ARTISTIC ACTIVITIES

Article 32
(accreditation of study programmes)

Education and training study programmes shall be adopted by the senate of the university at the suggestion of the senate of a university member or the senate of an independent higher-education institution.

The senate of a university or the senate of an independent higher-education institution must obtain consent for the study programme from the Council for Higher Education of the Republic of Slovenia. The Council for Higher Education of the Republic of Slovenia shall at least every seven years *ex officio* decide on extending or revoking consent for a study programme.

With the consent of the Council for Higher Education of the Republic of Slovenia, study programmes shall become certified. Higher-education institutions shall publish them no later than the publication of the enrolment tender.

Compulsory elements of study programmes shall be amended under the same procedure under which they are adopted.

Article 32a
(certified education and documents)

Anyone completing all obligations under an educational study programme shall obtain a certified education and shall receive a diploma which shall be a public document. The contents and form of diplomas shall be determined by the competent body of the higher-education institution and shall be published in the *Uradni List* of the Republic of Slovenia.

The "Appendix to the diploma" shall form a constituent part of the diploma. Higher-education institutions shall issue them in Slovenian and one of the official languages of the European Union. Elements of the form shall be determined by the minister responsible for higher education at the suggestion of the Council for Higher Education of the Republic of Slovenia.

Diplomas and "Appendices to diplomas" shall be free of charge.

Anyone completing all obligations under a training study programme or under part of an educational study programme shall obtain a certificate, which shall be a public document.

Article 33
(educational study programmes)

Educational study programmes shall be classified into three levels:

- a) first level
 - professional higher education study programmes
 - university study programmes
- b) second level
 - master's study programmes
- c) third level
 - doctorate study programmes

First-level study programmes shall be undergraduate study programmes, while study programmes of the second and third levels shall be postgraduate study programmes.

Professional higher-education study programmes enable students to acquire professional knowledge and skills in the application of scientific methods to solve challenging professional and work problems, the development of communication skills within and among professions, professional critical thinking and responsibility, initiative and independence in decision-making and management. Practical education in a working environment shall form a mandatory component of such study programmes.

University study programmes enable students to acquire professional knowledge through the study of theoretical and methodological concepts, skills in the transfer and use of theoretical knowledge to practice and to solve professional and work programmes, particularly through the search for new sources of knowledge and the use of scientific methods, the development of communication skills within and among professions, professional critical thinking and responsibility, initiative and independence in decision-making and management of the most challenging work. Practical education in a working environment or participation in research work shall form a mandatory component of such programmes.

Master's study programmes enable students to deepen their knowledge in broader professional areas, to train to find new sources of knowledge in professional and scientific fields, to use scientific-research methods in a broad spectrum of problems and in new or modified circumstances, to accept responsibility for the management of the most challenging work systems and to develop critical reflection, social and communications abilities to

manage group work. Projects in a working environment or basic, applied or development research tasks shall form a mandatory component of such programmes.

Doctorate study programmes enable students to acquire a deeper understanding of theoretical and methodological concepts and skills to independently develop new knowledge and to solve the most challenging problems through testing and improving knowledge and the discovery of new solutions, to manage the most challenging work systems and scientific-research projects across broad professional or scientific fields and to develop critical reflection. Basic or applied research tasks shall also form mandatory components of such programmes.

The objectives and starting points for the design of study programmes shall be determined in detail in the national framework of higher-education qualifications adopted by the Council for Higher Education of the Republic of Slovenia.

Article 33a (training study programmes)

Training study programmes are a form of lifelong learning and are intended primarily for training, supplementing, deepening and updating knowledge.

In addition to programmes from the previous paragraph, higher-education institutions may also organise various forms of informal learning, such as courses, summer schools, training programmes and the like, provided so doing does not affect the provision of educational study programmes.

Article 33b (joint study programmes)

Joint study programmes shall be educational study programmes adopted and provided by a higher-education institution in conjunction with one or more higher-education institutions from the Republic of Slovenia or from abroad.

In addition to the provisions of this Act, higher-education institutions shall also take account of the criteria for the design and adoption of joint study programmes adopted by the Council for Higher Education of the Republic of Slovenia.

Anyone completing all obligations under a joint educational study programme shall obtain a joint diploma citing all the higher-education institutions participating in the provision of the study programme. A joint diploma shall be a public document. The contents and form of joint diplomas and appendices to diplomas shall be determined by the participating higher-education institutions.

Article 34 (providers of study programmes)

Study programmes from Articles 33, 33a and 33b of this Act shall be organised and provided by universities, faculties and academies of art.

Higher professional colleges shall organise and provide professional higher-education study programmes and training study programmes. If so stipulated by the charter, and if it is determined in the accreditation procedure that they have secured suitable higher-education teachers, scientific staff and higher-education staff, and that they comply with the conditions for the performance of scientific-research or artistic work, they may also provide master's

study programmes, otherwise they may only do so in cooperation with a higher-education institution from the previous paragraph.

Article 35
(components of educational study programmes)

Educational study programmes shall be designed according to the principles on the establishment of a European education space such that they are comparable with the programmes of other higher-education institutions in this space.

Educational study programmes of the first and second levels shall have the following compulsory components:

- general data on the programme (name, level, type, duration),
- definition of the basic objectives of the programme or of the general and subject-specific competences acquired from the programme,
- data on the international comparability of the programme,
- data on international cooperation of the higher-education institution,
- syllabus with credit assessment of study obligations under the European Credit Transfer System (hereinafter: ECTS) and a definition of the share of selection in the programme,
- enrolment conditions and selection criteria in the event of restricted enrolment,
- criteria for recognising knowledge and skills acquired prior to enrolment in the programme,
- assessment methods,
- conditions for advancement under the programme,
- conditions for transferring among programmes,
- method of provision of the study,
- conditions for completing study,
- conditions for completing individual parts of the programme, if the programme contains such,
- professional title, formed in accordance with the law.

Doctorate study programmes form the basis for the preparation of study and research programmes of an individual student. Doctorate study programmes shall appropriately define the compulsory components from the previous paragraph, except for the components from the eighth, eleventh, thirteenth and fourteenth indents. These latter shall be defined in the programme if so stipulated by the statute of the higher-education institution. The syllabus shall determine the content areas and credit assessment of the obligations, which may be allocated in the study and research programme of an individual student (group forms of study work, group or individual research work). Organised forms of study under a doctorate study programme shall comprise at least 60 credits. The doctorate study programme shall also determine the scientific title formed in accordance with the law.

Educational study programmes may also have other components determined by the statute of the higher-education institution.

Article 35a
(components of training study programmes)

Compulsory components of training study programmes shall be:

- general data on the programme (name, type, duration),
- definition of the basic objectives of the programme or of the general and subject-specific competences acquired from the programme,
- syllabus with credit assessment of study obligations under ECTS and definition of the share of selection in the programme,

- enrolment conditions and selection criteria in the event of restricted enrolment,
- criteria for recognising knowledge and skills acquired prior to enrolment in the programme,
- assessment methods,
- conditions for advancement under the programme,
- method of provision of the study,
- conditions for completing study,

Training study programmes may also have other components determined by the statute of the higher-education institution.

Article 36 (study obligations and duration of studies)

Study obligations shall be assessed in study programmes with credits under ECTS. Individual years of a study programme shall cover 60 credits.

Professional higher-education study programmes and university study programmes shall comprise 180-240 credits and shall last three to four years.

Master's study programmes shall comprise 60-120 credits and shall last from one to two years, such that in the same professional field together with the first-level study programme they last five years. Master's study programmes comprising 60 credits shall enable students who completed study valued at 180 credits to obtain an additional year, so that they obtain a total of 120 credits, required for completion of a master's study programme.

The duration of study under study programmes receiving education for occupations regulated by European Union directives must be harmonised by such directives.

Doctorate study programmes shall comprise 180 credits and shall last three years.

Study under study programmes of the first and second levels may also be provided in parts determined by the programme.

Training study programmes shall comprise no less than 10 and no more than 60 credits.

Article 37 (academic year and course load)

The academic year shall last from October 1 to September 30.

Undergraduate study programmes shall comprise at least 20 and at most 30 hours of lectures, seminars and exercises per week and 30 weeks per year. If a study programme contains practical training, the total load on the student may not exceed 40 hours per week and 42 weeks per year.

Notwithstanding the provisions of the first and second paragraphs of this Article and if compatible with the nature of study, the organization and schedule of lectures, seminars and exercises may be adapted to the possibilities of students (part-time studies). This shall be done in the manner and under the procedure determined by the statute.

In the manner and under the procedure determined by the statute, the organization and schedule of lectures, seminars and exercises at academies of art may be adapted by the study programme.

Article 38
(entrance requirements)

Anyone who has passed a *matura* examination may enter a first-level higher-education programme.

Individuals having passed a vocational *matura* after having completed a secondary technical education programme in a specific discipline and an examination in one of the *matura* subjects may also be admitted to the undergraduate university study programme in the same discipline.

The appropriate secondary technical education programme and *matura* subject from the previous paragraph shall be stipulated by the study programme.

Individuals having passed a vocational *matura* or a final examination under an appropriate secondary technical education defined by the study programme may also be admitted to a higher professional study programme.

Study programmes may also define special talents or mental and physical skills as an entrance requirement.

An academy of art may stipulate in its study programme that those who do not meet the requirements from the first, second and fourth paragraphs of this Article but who possess outstanding artistic talent may nevertheless be admitted to its study programme.

Article 38a
(entrance requirements for master's and doctorate study programmes)

Anyone who has completed the following may enrol in master's study programmes:

- first-level study programme in appropriate professional fields,
- first-level study programme from other professional areas, provided that he or she has prior to enrolment completed study obligations essential for continued study, where such obligations shall be determined by the specifics of the professional field and shall comprise from 10 to at most 60 credits, and which candidates may complete during their first-level study, in training programmes or by passing examinations prior to enrolling in the master's study programme.

Professional fields from the first indent and study obligations from the second indent of the previous paragraph shall be determined by the master's study programme.

Master's study programmes may also define special talents or mental and physical skills, or relevant work experience as an entrance requirement.

Anyone who has completed the following may enrol in doctorate study programmes:

- second-level study programme,
- study programme from the fourth paragraph of Article 36 of this Act if assessed with 300 credits,
- at least four-year undergraduate study programme in a relevant professional field, and demonstrates evident success in research or professional work that can be assessed with 60 credits.

Article 38b
(equivalence of foreign education)

The conditions from Articles 38 and 38a of this Act shall also be met by anyone who has completed equivalent education abroad.

Article 39
(transfers)

Study programmes shall in accordance with the criteria defined by the Council for Higher Education of the Republic of Slovenia determine the conditions for transfers between study programmes of the same level and the conditions for transfers from further-education study programmes to first-level study programmes.

Article 40
(tender)

Enrolment in certified study programmes provided by public and concessionary higher-education institutions shall be carried out pursuant to a public tender.

There shall be a single tender for undergraduate programmes that shall be published at least six months prior to the start of the academic year.

The tender for postgraduate study programmes shall be published at least four months prior to the start of the academic year.

The tender shall comprise:

- name and address of the higher-education institution,
- name of the study programme,
- location of provision of the study programme,
- duration of study,
- entrance requirements,
- anticipated number of study places available,
- procedures and deadlines for applications to and implementation of the tender.

The higher-education institution shall be obliged to obtain consent for contents of the tender from the Government of the Republic of Slovenia prior to publication.

Procedures and deadlines from the last indent of the fourth paragraph of this Article and the method of publication of the tender shall be determined by the minister responsible for higher education.

Article 41
(restricted admission)

A higher-education institution may restrict admission to study programmes offered as a public service, if the number of applications substantially exceeds the number of places available or its capacities (personnel, facilities, equipment, etc.).

In selecting candidates for professional and university higher-education study programmes, the general result in the *matura*, vocational *matura* or secondary school final examination and the general results achieved in years 3 and 4 of secondary school shall be taken into account; while results in individual subjects of the *matura*, vocational *matura* or secondary school final examination stipulated by the study programme, and of individual subjects taken in years 3 and 4 of secondary school, may also be taken into account.

In selecting candidates for admission to master's study programmes, the results of first-level study (average grades, grade for dissertation) shall be taken into account, while results in

individual first-level subjects or subject areas defined by the study programme or in optional examinations defined by the study programme may also be taken into account.

In selecting candidates for admission to doctorate study programmes, the results of study at the second level (average grade, grade for master's dissertation) shall be taken into account, while the results in optional examinations defined by the study programme or from the test of artistic talent or mental and physical abilities, may also be taken into account.

A higher-education institution shall be obliged to obtain consent for the restricted admission from the Government of the Republic of Slovenia, which shall be made public.

Article 42
(scientific-research and artistic work)

Higher-education institutions shall organize and provide scientific-research and artistic work, and shall foster the development of professions.

Higher-education institutions providing public services shall provide scientific-research and artistic work in accordance with the programme adopted and published by the senate of the higher-education institution under the procedure determined for adoption and publication of study programmes.

Higher-education institutions shall carry out basic and applied research, development and other projects in accordance with the act regulating research activities, and shall provide consulting and other services.

IV. NATIONAL PROGRAMME OF HIGHER EDUCATION

Article 43
(national programme)

Public services in higher education shall be defined by the National Programme of Higher Education.

Article 44
(content of the national programme)

The National Programme of Higher Education shall:

- define the objectives of higher education,
- determine the areas of study, research and arts of national importance,
- define the activities required for development and effective work in higher education,
- define standards for the provision of higher education activities,
- define the framework funding required for implementation of the national programme.

The National Programme of Higher Education and the National Programme for Research shall be coordinated in the definition of research fields.

Article 45
(preparation of the national programme)

The National Programme of Higher Education shall be adopted by the National Assembly.

A draft national programme shall be designed by the Government of the Republic of Slovenia on the basis of professional starting points prepared by the Council for Higher Education of

the Republic of Slovenia in cooperation with the Council for Science and Technology of the Republic of Slovenia.

Funding required for implementation of the National Programme of Higher Education shall be defined in the budget of the Republic of Slovenia.

Article 46
(implementation of the national programme)

The National Programme of Higher Education shall be implemented by public higher-education institutions, other institutions – members of universities, the student community and student halls of residence.

The National Programme of Higher Education shall also be implemented by higher-education institutions, other institutions – members of universities, and student halls of residence pursuant to a concession.

Research organizations may also cooperate with higher-education institutions in implementing the national programme.

The Government of the Republic of Slovenia shall decide upon the distribution of study programmes through which the National Programme of Higher Education is to be implemented.

Article 47
(awarding concessions)

A concession for the provision of public services in higher education shall be awarded by a decision of the Government of the Republic of Slovenia pursuant to a public tender.

A concession for the provision of public services of the activities of student halls of residence shall be awarded by a decision of the ministry responsible for higher education pursuant to a public tender.

The public tender shall state in particular: the subject of the concession, requirements for providing public services, the period for which the concession is awarded, the deadline for accepting bids, and the deadline within which bidders shall be notified of the selection.

The relation between the employer and the concessionaire shall be regulated by a concession contract concluded in writing.

The contract shall in particular regulate:

- the scope of provision of the public service,
- the start of provision of the public service,
- the deadline for cancelling the concession, which may not be shorter than the deadline required for the completion of studies extended by two years,
- the funds to be provided by the employer for the public service,
- the management and use of assets obtained from public funds.

V. COUNCIL FOR HIGHER EDUCATION OF THE REPUBLIC OF SLOVENIA

Article 48
(establishment of the Council)

The Council for Higher Education shall be established by the Government of the Republic of Slovenia.

Article 49
(tasks of the Council)

The Council for Higher Education shall perform the following tasks:

- in cooperation with higher-education institutions and the ministry responsible for higher education, prepare professional starting points for the design of the national programme of higher education,
- advise the Government of the Republic of Slovenia in the preparation and adoption of higher-education legislation,
- advise the Government of the Republic of Slovenia in the planning of the development of higher education,
- determine the criteria for accreditation and re-accreditation of higher-education institutions and study programmes,
- determine the criteria for the design and accreditation of joint study programmes, wherein it shall apply the principles on establishing a European higher education space and other international principles and recommendations for the design of such programmes,
- determine the criteria for credit assessment of study programmes under ECTS and define minimum proportion of selection in study programmes,
- determine criteria for transfers between study programmes,
- determine criteria for recognising knowledge and skills acquired prior to enrolment in the programme,
- provide professional opinions on compliance with conditions for the establishment or transformation of a higher-education institution,
- give consent for study programmes,
- give repeat consent for study programmes at least every seven years, wherein it shall primarily respect the findings from self-evaluation and external evaluation reports,
- give opinions regarding the criteria of higher-education institutions for appointment to titles of higher-education teachers and scientific workers,
- issue to independent higher-education institutions consent to the appointment to titles of higher-education teachers, scientific staff and higher-education staff,
- cooperate with foreign accreditation institutions and their experts,
- give opinions regarding regulations from Article 75 of this Act,
- perform other tasks in accordance with the law and its charter.

The Council for Higher Education of the Republic of Slovenia shall cooperate in its work with professional councils for individual areas of education, science and technology and the public agency for higher education.

Article 50
(composition of the Council)

The Council for Higher Education of the Republic of Slovenia shall comprise experts in the field of higher education, science and technology, industry and the non-commercial sector and representatives of students and the Government of the Republic of Slovenia, while the rectors of universities, the chairman of the Slovenian Academy of Science and Art and the president of the Council for the Evaluation of Higher Education shall *ex officio* also be members.

The Council for Higher Education of the Republic of Slovenia must be composed such that all study and scientific-research fields are represented therein.

The president and at most fifteen members shall be appointed by the Government of the Republic of Slovenia, of whom seven shall be higher-education teachers and scientific workers proposed by higher-education institutions; three shall be representatives of industry and the non-commercial sector proposed by chambers and other employers' associations, three student representatives proposed by the Student Organisation of Slovenia in cooperation with the student councils of universities and independent higher-education institutions, and three representatives of the Government of Slovenia.

The president and members of the Council for Higher Education of the Republic of Slovenia shall be appointed for six years, and student representatives for three years.

The Council for Higher Education of the Republic of Slovenia shall regulate its working methods by standing orders.

If a member of the Council for Higher Education of the Republic of Slovenia participated in the accreditation procedure at a higher-education institution, he or she shall have no voting rights in procedures before the Council.

Article 51 (expert committees)

The Council for Higher Education of the Republic of Slovenia may form committees and expert groups to manage accreditation procedures and also for other areas of its operation.

The public agency for higher education shall undertake professional tasks for the Council for Higher Education of the Republic of Slovenia.

Va PUBLIC AGENCY

Article 51a (public agency for higher education)

The Republic of Slovenia shall establish a public agency for higher education to undertake development and advisory work in higher education and for external evaluation of higher education. The founding charter shall be adopted by the Government of the Republic of Slovenia.

The public agency for higher education shall have the following tasks:

- participate in the planning of national higher-education policy,
- ensure the operation of a system for monitoring, assessing and assuring the quality of higher education and further professional education (external evaluation),
- manage external evaluation procedures, and prepare the professional basis thereof,
- at the proposal of the council for evaluation of higher education, appoint a committee to evaluate higher-education institutions, study programmes and scientific-research, artistic and professional work,
- cooperate with higher-education institutions and promote the implementation of self-evaluation,
- cooperate with institutions or bodies for the evaluation of higher education from other countries,
- organise training of external evaluation committees and self-evaluation groups of higher-education institutions,
- collect and analyse reports on self-evaluation of higher-education institutions and external evaluations,
- publish reports on external evaluations,

- prepare professional basis for decisions regarding matters within the competence of the Council for Higher Education of the Republic of Slovenia,
- undertake development tasks in the field of higher-education,
- prepare statistical and other analyses on higher-education activities,
- manage data sets defined by statute and other regulations,
- perform information activities for higher-education institutions, students, employers and employees,
- participate in the issuing of opinions regarding the recognition and assessment of education,
- undertake other tasks defined by the charter.

The public agency for higher education shall also manage external evaluation procedures in further professional education.

Article 51b
(bodies of the public agency)

The bodies of the public agency for higher education shall be: administrative board, director and council for evaluation of higher education.

Article 51c
(administrative board)

The members of the administrative board of the public agency for higher education shall be appointed by the Government of the Republic of Slovenia for five years with the possibility of reappointment.

Article 51d
(director)

Anyone meeting the following conditions may be appointed as director of the public agency for higher education:

- doctorate,
- at least ten years' work experience,
- management and organisational skills,
- not been finally convicted of an unconditional prison sentence longer than three months that has not yet been deleted.

Additional conditions for the appointment of the director and detailed procedure for the appointment shall be determined by the charter of the public agency.

Article 51e
(Council for the Evaluation of Higher Education)

The Council for the Evaluation of Higher Education shall undertake the following tasks:

- define the criteria for the monitoring, assessment and assurance of quality in higher-education institutions, study programmes and scientific-research, artistic and professional work,
- define the criteria for the monitoring, assessment and assurance of quality in further professional colleges, study programmes and professional work,
- issue opinions and prepare reports on external evaluation of higher-education institutions, their study programmes and scientific-research, artistic and professional work,
- issue opinions and prepare reports on external evaluations of further professional colleges, their study programmes and professional work,

- undertake other tasks in accordance with the law and the charter of the public agency.

The Council for the Evaluation of Higher Education must be composed such that all study and scientific-research fields are represented therein. It shall have 15 members, experts in the field of higher education and science and technology, industry and the non-commercial sector and representatives of students and the Government of the Republic of Slovenia, to wit:

- six representatives of higher-education institutions,
- one representative of further professional colleges,
- two representatives of employers,
- three representatives of students of higher-education institutions,
- one representative of students of further professional colleges,
- two representatives of the Government of the Republic of Slovenia.

Representatives of experts in the fields of higher education, science and technology shall be appointed by higher-education institutions, research organisations and the Slovenian Academy of Science and Art. Representatives of further professional colleges shall be appointed by the Community of Further Professional Colleges of the Republic of Slovenia. Representatives of employers shall be appointed by chambers and other associations of employers. Representatives of students of higher-education institutions and students of further professional colleges shall be appointed by the Students' Organisation of Slovenia in cooperation with student councils of universities and independent higher-education institutions.

Rectors and pro-rectors of universities, deans, pro-deans and directors of members of universities or independent higher-education institutions and principals or directors of further professional colleges may not be appointed to the Council for the Evaluation of Higher Education.

Members shall be appointed for six years, and student representatives for two years. The president shall be elected from among the members of the Council.

The Council for the Evaluation of Higher Education shall regulate its working methods by standing orders.

VI. HIGHER-EDUCATION TEACHERS, SCIENTIFIC STAFF AND HIGHER-EDUCATION STAFF

Article 52 (teachers)

Higher-education teachers shall be assistant professors, associate professors, full professors and lecturers.

Higher-education teachers in professional higher-education programmes shall also include lecturers and senior lecturers.

Higher-education teachers shall be responsible for education, artistic and research programmes. In their work they shall follow and contribute to the development of science, art and the profession in the field for which they are elected, they shall independently develop certain areas of science, art and their profession, and they shall ensure the transfer of such knowledge.

Article 53
(scientific staff)

Scientific staff shall be scientists, senior scientists and scientific advisers.

Scientific staff shall undertake scientific-research programmes.

Article 54
(higher-education staff)

Higher-education staff shall be assistants, librarians, expert advisers, senior professional staff, junior staff and instructors.

Higher-education staff shall participate in the provision of educational, scientific-research and artistic work.

Article 55
(conditions for election)

The title of assistant professor, associate professor and full professor may be awarded to a holder of a doctorate who has demonstrated educational skills.

A scientific-staff title may be awarded to a holder of a doctorate. Scientific staff may also be elected to the title of higher-education teacher if they have verified educational skills.

A higher-education teaching title for artistic disciplines may be awarded to a holder of a university degree with recognised artworks who has demonstrated educational skills.

A senior lecturer title may be awarded to anyone who has completed at least a second-level study programme and who has demonstrated educational skills.

The title of lecturer may be awarded to anyone who has completed at least a second-level study programme or a first-level study programme comprising at least 240 credits and who has demonstrated educational skills.

The title of higher-education staff may be awarded to anyone who has completed at least a first-level study programme.

In addition to the conditions from the first to sixth paragraphs of this Article, higher-education teachers, scientific staff and higher-education staff shall be obliged to comply with other conditions defined in accordance with the criteria for election to titles.

Criteria for election to titles of higher-education teachers, scientific staff and higher-education staff shall be defined by the senate of the higher-education institution in accordance with the law. The criteria for higher-education institutions which are members of universities shall be determined by the university senate.

The criteria from the previous paragraph must be internationally comparable and published.

Article 56
(procedure for election)

Assistant professors, associate professors, senior lecturers, lecturers, scientific staff and senior scientific staff shall be elected for five years by the senate of the faculty, academy of art or higher professional college.

Full professors and scientific advisers shall be elected by the senate of the university for an indefinite period.

Full professors and scientific advisers of a higher-education institution which is not a member of a university shall be elected by the senate of the higher-education institution. Prior to the election, the senate shall obtain the consent of the Council for Higher Education of the Republic of Slovenia.

Higher-education staff shall be elected by the senate of the faculty, academy of art or higher professional college for the period defined by the statute.

Prior to the initial election to a title or to election to a higher title, the senate of the university member shall be obliged to obtain the consent of the university senate. The senate of a higher-education institution which is not a member of a university shall be obliged to obtain consent for the election to a title from the Council for Higher Education of the Republic of Slovenia.

Retired higher-education teachers, scientific staff and higher-education staff shall retain the title which they held at the time of retirement.

Article 57
(detailed procedure for elections)

The procedure for election to a title of higher-education teachers, scientific staff and higher-education staff shall be regulated in greater detail in the statute of the higher-education institution in accordance with the law and the criteria for election.

Article 58
(withdrawal of title)

If a higher-education teacher, scientific staff or higher-education staff member fails to comply with the scientific and teaching obligations or to comply with certain conditions for election to a title, the senate responsible for election shall initiate a procedure for withdrawal of the title. The provisions of the procedure for election to a title shall apply as appropriate to the procedure for the withdrawal of a title. Higher-education teachers, scientific staff and higher-education staff must be allowed to explain their position.

Article 59
(judicial protection of rights)

An administrative dispute may be lodged against a decision issued in a procedure for election to or withdrawal of a title.

Article 60
(posts)

The posts of higher-education teachers, scientific staff and higher-education staff shall be publicly advertised and occupied within the intervals and in the manner defined by the statute of the higher-education institution.

Article 61
(private higher-education teachers)

A higher-education institution may entrust the provision of individual parts of a subject or subject area to a private higher education teacher.

A private higher education teacher is a person who has been elected to the title of higher-education teacher and is recorded in the register of private higher education teachers kept by the ministry responsible for higher education.

The minister responsible for higher education shall prescribe the procedure for inscription in and removal from the register.

Article 62
(visiting higher-education teachers)

Higher-education institutions may invite distinguished teachers, scientists, experts and artists to participate in the provision of individual parts of a subject or subject area for a fixed term, without regard to the conditions for election to a title.

Article 63
(work and teaching obligations)

Direct teaching obligations during an organised study process in higher education provided as a public service shall amount to:

- six hours per week for assistant, associate and full professors,
- nine hours per week for senior lecturers and lecturers,
- ten hours per week for assistants.

The form of direct weekly teaching obligations shall be determined by the rector of the university or the dean of an independent higher-education institution by special regulation, regarding which the consent of the minister responsible for higher education shall be obtained.

If the direct weekly teaching obligation defined in the previous paragraphs is insufficient to provide study programmes, the competent body of the higher-education institution may assign to higher-education teachers or staff an additional weekly teaching obligation amounting to no more than:

- two hours for assistant, associate and full professors,
- three hours for senior lecturers and lecturers,
- four hours for assistants.

The rector of the university or the dean of an independent higher-education institution shall determine by special regulation the direct weekly teaching obligations and no more than four hours of additional weekly teaching obligation for other higher-education staff.

The additional weekly teaching obligation shall be charged in the same manner as the direct teaching obligation.

With regard to the number of students in a subject group, the direct weekly teaching obligations of assistant, associate and full professors, senior lecturers and lecturers may be reduced by at most two hours.

Assistant, associate and full professors, senior lecturers and lecturers also engaged in research and development work for their employer may have their direct weekly teaching obligation from the previous paragraphs reduced proportionately.

The criteria for reducing direct teaching obligations shall be defined by the rectors of universities and the deans of independent higher-education institutions, who shall coordinate such among themselves and send them to the representative trade union, which may issue opinions regarding such within 15 days of receipt. Rectors of universities and deans of independent higher-education institutions shall be obliged to obtain the consent of the minister responsible for higher education regarding the criteria.

Assistant, associate and full professors, senior lecturers, lecturers, assistants and other higher-education staff may, if funding has been secured, exceptionally undertake teaching, scientific-research, artistic or professional work for the same employer for at most 20% of full working hours per week.

If all options to conclude employment contracts have been exploited and it is necessary to ensure uninterrupted provision of educational activities, a higher-education institution may conclude a work contract in accordance with this Act and the Act regulating obligations to a maximum extent of one-third of the teaching obligations defined by this Act and for at most 10 months in the academic year. Anyone having labour relations in the area of higher education in accordance with this Act shall be obliged prior to concluding a work contract to submit the consent of their employer.

Article 64 (sabbatical leave)

Within six years of work, higher-education teachers shall have the right to in-depth study in the area of research activities for a maximum total duration of 12 months.

In cases from the previous paragraph, the teaching obligation of the higher-education teacher shall be reassigned, but shall not be increased by more than one third.

VII. STUDENTS

Article 65 (students)

A student shall be a person enrolled at a higher-education institution on the basis of an enrolment tender and receiving an education under an undergraduate or postgraduate study programme.

Students shall prove their student status with a student identity card.

Article 66 (students' rights and obligations)

Students have the right to enrolment under equal conditions defined by law, the statute and study programmes. Thereby they:

- shall study at normal rates of progress and complete their studies under the conditions applicable on enrolment;
- may, due to non-compliance with obligations in their previous option or study programme, repeat a year or transfer to another study programme or option once during their studies;
- may study under multiple study programmes (parallel education), or under interdisciplinary or individual study programmes provided by one or more higher-education institutions;

- may advance and complete their studies in less time than envisaged by the study programme.

Rules and procedures shall be regulated in greater detail by the statutes of higher-education institutions, particularly regarding:

- academic calendar,
- enrolment procedures,
- examination regime,
- advancement, including conditions for faster advancement,
- completion of education,
- transfers among study programmes,
- repeating a year and conditional advancement,
- continuation of studies after interruption,
- parallel, interdisciplinary and individual study,
- recognition of examinations and other study obligations completed at other higher-education institutions.

The statute shall also define the following:

- types of documents issued to students on the basis of records from Article 81 of this Act,
- procedure to protect the rights of students,
- bodies responsible for managing procedures and decision-making,
- disciplinary responsibility and the rights and responsibilities of students in disciplinary procedures, and
- other rules pertaining to the rights and responsibilities of students.

Article 67 (student participation in management)

Students shall have the right to participate through their representatives in the work and administration of higher-education institutions in accordance with this Act and the statute.

Representatives of the student council shall be invited to the meetings of the bodies of a higher-education institution.

Article 68 (student organization)

Students shall have the autonomous right to form a student community. The method of exercising this right shall be defined by law.

Article 69 (other student rights and benefits)

Students, irrespective of whether the study is provided full-time or part-time, shall have the right to health care and other benefits and rights (e.g. food, transport, grants) in accordance with special regulations provided they are not in full-time employment or registered job seekers.

Students who are citizens of the Republic of Slovenia shall have the possibility of living in student halls of residence, other institutions and legal entities registered to provide the activities of student halls of residence, and through them also with private individuals renting out rooms; citizens of other countries shall have such rights under the conditions defined by special regulations.

Students who are citizens of the Republic of Slovenia and are in education away from their permanent residence shall have the right to subsidised transport by public means of transport.

Article 70
(cessation of student status)

Student status shall cease if a student:

- graduates,
- fails to graduate within twelve months of completion of the last semester,
- withdraws,
- fails to enrol in the next year or next semester,
- is expelled,
- completes postgraduate studies,
- fails to complete postgraduate studies within the intervals prescribed by the statute.

In instances from the second, fourth and seventh indents of the previous paragraph, a student may on justified grounds extend student status by no more than one year.

Student mothers who give birth during their studies shall have the right to extended student status by one year for each live-born child.

Article 71
(judicial protection of rights)

An administrative dispute may be lodged against the final decision of a body of a higher-education institution regarding the acquisition or loss of student status and other matters pertaining to studies.

VIII. FINANCING

Article 72
(sources of financing)

Higher-education institutions shall obtain funds from the budget of the Republic of Slovenia, tuition fees and other contributions for study, payments for services, grants, legacies, donations and other sources. Funds from the previous paragraph shall be used in accordance with the purposes for which they were obtained.

Article 73
(financing of public higher-education institutions)

Universities and independent higher-education institutions established by the Republic of Slovenia shall receive funding for:

- teaching and related scientific-research, artistic and professional activities, and library, information, organisational, administrative and other infrastructural activities (hereinafter: study activities);
- study-related interest activities of students, as defined in the annual programmes of the student council of a university or an independent higher-education institution, and university sports (hereinafter: extracurricular activities);
- investment and investment maintenance; and
- development and other important tasks defined in the Rules adopted by the minister responsible for higher education.

Funds for study activities shall be defined in the state budget as combined funds for the university or independent higher-education institution (integrated financing), taking account of the area of study and the number of students enrolled and graduates of full-time study at the first and second levels such as to enable the provision of study programmes providing education for occupations regulated by directives of the European Union and the provision of at least four years for other study programmes.

Irrespective of the provisions of the previous paragraph, the state budget shall provide funding for the provision of fifth-year study for at least one-third of students, wherein the social status of students, priority or deficit areas of study and equal representation of students by statistical regions shall be taken into account.

The minister responsible for higher education shall determine detailed criteria from the previous paragraph such that:

- determination of social criteria takes account of the ratio between income per family member and the average salary in the country;
- equal regional representation is determined from the ratio between the proportion of those enrolled in tertiary education in an individual municipality and the proportion enrolled in tertiary education on the national level;
- the criterion for priority or deficit areas shall be programmes that lead to education for a profession, that provide education for deficit occupations under higher-education programmes in which 80% or more of the registered demand for workers cannot be met by registered unemployed persons with the same subject and level of education.

The value of individual criteria from the previous paragraph shall be determined such that the ratio from the first, second and third indents shall be 70:20:10.

The state budget shall also define funding for the provision of a fifth year for all students with poor social status.

Study under third-level study programmes may also be co-financed from the state budget. Detailed provisions on the financing of higher education shall be defined in accordance with the standards from the national programme in the regulations from Article 75 of this Act.

Funds for extracurricular activities shall be determined taking account of the number of enrolled students and the value of points for an individual student, which shall each budget year be determined by resolution by the minister responsible for higher education.

During the state budget preparatory procedure, universities and independent higher-education institutions shall submit financially valued annual programmes to the ministry responsible for higher education.

Article 73a
(financing activities of private higher-education institutions)

The Republic of Slovenia shall allocate funding for study and extracurricular activities to independent higher-education institutions with concessions.

The Republic of Slovenia may allocate funding for development tasks to higher-education institutions from the previous paragraph and to private independent higher-education institutions providing certified study programmes via public tenders.

Article 73b
(subsidies for student accommodation)

The Republic of Slovenia shall subsidise student accommodation in public and private institutions and other legal entities registered for the activities of student halls of residence, and through such also private owners of rooms.

In subsidising the accommodation of students who are citizens of the Republic of Slovenia, their learning and study success, material status, distance between their permanent residence and place of study, and their social and health status shall be taken into account.

Detailed provisions regarding subsidies under the previous two paragraphs shall be prescribed by the minister responsible for higher education.

Article 73c
(subsidies for student transport)

The Republic of Slovenia shall subsidise transport for students studying five or more kilometres from their permanent residence to the extent of no more than 70% of the full price of monthly season tickets, depending on the social status and distance from the place of education.

The minister responsible for higher education shall issue Rules defining the procedure and criteria for transport subsidies from the previous paragraph.

Article 74
(other financing)

Funding shall also be provided from the state budget for:

- investment and investment maintenance of public student halls of residence,
- operation of the Central Technical Library of the University of Ljubljana,
- operation of the Council for Higher Education of the Republic of Slovenia,
- operation of the public agency for higher education,
- grants or study assistance to foreign citizens and Slovenians without Slovenian citizenship,
- fostering the development and learning of the Slovenian language, and also for other purposes defined by law or other regulation.

Article 75
(special regulations)

Financing under Articles 73 and 73a of this Act shall be regulated in detail by a special regulation adopted by the Government of the Republic of Slovenia.

Article 76
(higher education funds)

Higher-education institutions which are legal entities may establish funds to manage their assets.

The operation of funds shall be managed by administrative boards.

The number of board members, the composition of the board, the duration of mandates of board members and the operation of the funds shall be regulated by statutes.

Article 77
(tuition fees and other contributions)

Tuition fees and other contributions for certified study programmes shall constitute income of the higher-education institution and shall be determined in accordance with the regulation of the minister responsible for higher education.

The regulation from the previous paragraph may also define other contributions for other individual services of a higher-education institution.

Tuition fees may not be charged to citizens of the Republic of Slovenia and citizens of the EU member states for education in certified undergraduate programmes provided as a public service unless their provision exceeds the standards defined by the National Programme of Higher Education.

Article 78
(allocation of surplus)

Any surplus of income over expenses shall be used for the performance and development of activities.

IX. SUPERVISION

Article 79
(supervision)

Supervision of the lawfulness of the work and compliance with the conditions for the performance of higher-education activities shall be undertaken by the ministry responsible for higher education, in accordance with special regulations.

Supervision of the appropriate use of funds for the provision of a public service shall be undertaken in accordance with special regulations.

Article 80
(quality assessment)

The quality of higher-education institutions, study programmes and scientific-research, artistic and professional work shall be assessed by higher-education institutions (self-evaluation) and the Council for the Evaluation of Higher Education (external evaluation).

The conclusions from self-evaluation reports and reports on external evaluations shall be taken into account in the re-accreditation of higher-education institutions and the study programmes thereof.

On the basis of the conclusions of the Council for the Evaluation of Higher Education, the ministry responsible for higher education shall determine an interval for a higher-education institution to eliminate any deficiencies. If the deficiencies are not eliminated within such interval, the procedure for re-accreditation shall begin irrespective of the interval from Articles 14 and 32 of this Act.

X. COLLECTION AND PROTECTION OF PERSONAL DATA

Article 81
(list of records with students' personal data)

Higher-education institutions shall keep the following records containing students' personal data:

- 1 records of students registered for enrolment and registered students,
- 2 personal file kept for each student from matriculation to completion of studies or withdrawal,
- 3 examination records, recording registration for the examination, examination procedure and grade achieved,
- 4 records of documents issued on completed undergraduate and postgraduate studies.

Records from clauses 1, 2 and 4 of the previous paragraph shall comprise: name and surname of the student (also maiden name for female students), sex, date, place and municipality of birth, country of birth, permanent and temporary residence, *EMŠO number, citizenship, previous education, method of study and other data under special regulations. Records from clause 2 shall also comprise data on examinations passed, advancement and completion of studies.

Records from clause 3 of the first paragraph of this Article shall comprise: name and surname of the student (also maiden name for female students), sex, *EMŠO number, method of study, year of study, academic year of first enrolment, examination date, whether the examination is taken for the first time or repeated, grade awarded.

Article 81a

(list of records with employees' personal data)

Higher-education institutions shall keep the following records with employees' personal data:

1. employee records,
2. salary records.

The employee record shall contain data for each employee in labour relations. It shall first be managed when a worker concludes labour relations, and shall cease on the date of cessation of labour relations. Workers shall be obliged to report to the employer any changes to the data recorded in the record on the basis of their statements or personal documents within 15 days of the onset of such changes, unless the employer was directly informed in some other manner.

Salary records shall first be managed for an individual worker on the date of conclusion of labour relations, and shall cease on the date of cessation of labour relations.

Records from clauses 1 and 2 of the first paragraph of this Article shall contain: name and surname of the worker (also maiden name for female workers), sex, date and municipality of birth, permanent and temporary residence and other places from which the worker travels to work, *EMŠO number, tax number of the worker, place of work, occupation, education, professional training for the performance of certain work or tasks, application for election to the title of higher-education teacher or higher-education staff, resolution of the senate on the appointment of the committee for election to titles, report of the committee, consent of the senate, resolution on election, period of election, habilitation area, work post, description of work and tasks and responsibilities, working time of the worker in hours per week, temporary/permanent employee, part-time employee, disabled or retired, name of other employer, date of conclusion of labour relations, employer consent, date of cessation of labour relations, reason for cessation of labour relations.

Records from clause 2 of the first paragraph of this Article shall also contain data on the worker's working hours and use thereof, the weekly teaching obligation, hours worked by months, annual leave and use thereof, absences due to professional education and training,

absences due to temporary incapacity or absence from work for which salary compensation is received, overtime hours, data on working and insurance period, previous consent for supplementary work, consent for concluding a labour contract, data on determination of salary or pay, on gross salary or pay, on paid salary (basic salary, performance bonus, other) or pay, on paid personal income by purpose (solidarity assistance, redundancy, anniversary bonus, annual leave bonus), on paid salary compensation by purpose at the expense of other organisations or bodies, date of last promotion, number of promotions.

Article 82
(use of records with students' personal data)

Students' personal data from the records from Article 81 of this Act shall be collected, processed, stored and supplied for the needs of higher-education activities of higher-education institutions, for the needs of state bodies, bodies of local communities, holders of public powers and student organisations relating to the exercise of the rights of students under special regulations.

The production of statistical analyses may use and publish personal data such that the identity of the student is not evident.

Article 82a
(use of records with employees' personal data)

Employees' personal data from the records from Article 81a of this Act shall be collected, processed, stored and supplied for the needs of the higher-education activities of higher-education institutions, for the needs of state bodies or for holders of public powers relating to implementing the salary system in the public sector and determining compliance with personnel conditions.

Article 83
(storing records)

Records from Articles 81 and 81a of this Act shall be permanently stored in accordance with special regulations, with the exception of records of students registered for enrolment, which shall be kept until registration is completed or a complaint procedure terminated.

Article 84
(documentation)

Provisions relating to the management, use and storage of personal data from records under this Act shall also apply to documentation on the basis of which personal data were collected. Documents on previous education shall be returned to students when enrolment is completed.

X. TRANSITIONAL AND FINAL PROVISIONS

Article 85
(change of founder)

On the date of entry into force of this Act, the Republic of Slovenia shall become the founder of the University of Ljubljana and the University of Maribor, which shall continue to function as public higher-education institutions.

On the date of entry into force of this Act, faculties, academies of art, further and higher colleges associated in the University of Ljubljana and the University of Maribor shall become members of the University of Ljubljana and the University of Maribor respectively.

Article 86
(act on transformation of universities)

The National Assembly shall adopt an act on the transformation of universities no later than within two years of the entry into force of this Act. On the date of entry into force of such act, the charters of the university members shall cease to apply, except where stipulated otherwise by the act on transformation.

Article 87
(bodies)

Until the election of new bodies of higher-education institutions pursuant to statutes adopted under this Act, the bodies defined by the current statutes shall continue to operate.

Article 88
(coordination of statutes and study programmes)

Until the adoption of university statutes in accordance with this Act, the valid statutes of universities and members thereof shall be used, provided they do not contravene this Act.

Higher-education institutions transformed in accordance with this Act shall harmonise their statutes to this Act and the act on transformation within six months of the adoption of the act on transformation.

The statutes from the previous paragraph shall be adopted by the council of a higher-education institution by a majority vote of all council members.

Higher-education institutions shall harmonise their study programmes with this Act no later than within two years of its entry into force.

Students registered in study programmes from the previous paragraph may complete their studies under the conditions valid on their enrolment, but not later than within the interval laid down for completion of the programme, extended by two years, or for further-education study programmes, until the end of the 2001/2002 academic year.

Article 89
(assets)

On the date of entry into force of this Act, universities shall take over the management of assets acquired to perform out higher education activities.

Inventories of the assets used by higher-education institutions for the performance of higher-education activities shall be made on the basis of the balance sheet as at 31 March 1991.

Article 90
(change of name)

Institutions and organizations using names from Article 18 of this Act which fail to comply with the conditions for the performance of higher education activities under this Act shall be obliged within one year of the entry into force thereof to adapt or change their names.

Article 91
(introduction of the *matura*)

The provisions of Article 38 of this Act shall enter into force for the generation completing secondary education programmes in the 1994-95 academic year.

Notwithstanding the provisions of Article 38 of this Act, optional *matura* subjects may be defined by study programmes as entrance requirements for secondary school students passing the *matura* examination in 1995 - 1997.

Persons who have completed secondary education by 1 June 1995 may enrol in the first year of higher education studies under the conditions in force until the entry into force of this Act.

Article 92
(tender for enrolment)

Until the issue of the regulation from the sixth paragraph of Article 40 of this Act, the provisions of the Rules on the tender for enrolment and implementation of the tender in directed education (*Uradni List* of the Republic of Slovenia 9/91, 7/92 and 11/93) shall apply.

Article 93
(temporary financing of public service)

Deleted. (*Uradni List* RS 99-4695/1999)

Article 94
(interval for establishing the Council for Higher Education of the Republic of Slovenia and the Quality Committee)

The Council for Higher Education of the Republic of Slovenia shall be established no later than within six months of the entry into force of this Act.

The criteria from clauses 2, 4 and 5 of Article 49 of this Act shall be determined by the Council for Higher Education of the Republic of Slovenia no later than within six months of the establishment thereof.

The Committee for the Quality of Higher Education shall be established no later than one year after the entry into force of this Act.

Article 95
(validity of titles)

Higher-education teachers, scientific staff and staff who have acquired titles prior to the entry into force of this Act shall retain such titles until the election period expires.

Retired higher-education teachers, scientific staff and staff who have acquired titles prior to the entry into force of this Act shall also have the right to use their titles.

Article 96
(interval for adoption of standards)

Deleted. (*Uradni List* RS 99-4695/1999)

Article 97

(interval for adoption of implementing regulations)

The minister responsible for higher education shall issue regulations from Articles 7, 16, 40, 61, 69 and 77 of this Act within six months of the entry into force of this Act.

Article 98
(harmonisation of records)

Higher-education institutions shall be obliged to harmonise the management and protection of records with students' personal data with the provisions of this Act no later than six months after its entry into force.

Article 99
(termination of ZUI)

On the date of entry into force of this Act, the provisions of the Directed Education Act relating to higher education (*Uradni List SRS* 11/80, 6/83, 25/89 and 35/89) shall cease to apply.

Article 100
(entry into force of the Act)

This Act shall enter into force on the fifteenth day after its publication in the *Uradni List* of the Republic of Slovenia.

The Act amending and supplementing the Higher Education Act (ZViS-A) (*Uradni List* RS 99-4695/1999), published 9 December 1999, in force from 24 December 1999, also stipulates:

“TRANSITIONAL AND FINAL PROVISIONS

Article 31

Universities and independent higher-education institutions shall harmonise their statutes with the provisions of this Act no later than within six months after its entry into force.

Article 32

The National Assembly shall adopt the act on the transformation of universities no later than within three months after the entry into force of this Act.

Article 33

The minister responsible for higher education shall adopt the forms from Articles 12 and 26 and the regulation from the last paragraph of Article 25 of this Act no later than within six months of its entry into force.

Article 34

The provisions regarding the vocational *matura* from Articles 13 and 15 of this Act shall start to apply to the generation that will complete secondary professional education programmes in the 2001/2002 school year.

Article 35

The Government of the Republic of Slovenia shall adopt the special regulation from Article 27 of this Act no later than within six months of its entry into force.

Article 36

Until the entry into force of the regulations from the last paragraph of Article 25 and Article 27 of this Act, public service in higher education shall be financed in accordance with Article 64 of the Organisation and Financing of Education Act (*Uradni List* RS 12/91-I) and the Resolution on Criteria and Standards for the Performance of Educational Activities in Further and Higher Education (*Uradni List* RS 39/92).

Article 37

Until the entry into force of the regulation from Article 27 of this Act, higher-education institutions shall be obliged to obtain consent for their position classifications from the minister responsible for higher education.

Article 38

The transfer of ownership of assets from Article 4 of this Act and other property-law relations pertaining thereto, as well as the registration of ownership rights in the land register *ex officio* shall be regulated by a contract between the Republic of Slovenia and the universities and independent higher-education institutions within three years after entry into force of this Act according to the state as at 1 March 2000.

Article 39

On the date of entry into force of this Act, the Republic of Slovenia shall become the founder of student halls of residence that provide public services on that day.

The charter of a student hall of residence that is established as a university member shall be adopted by the National Assembly of the Republic of Slovenia, while if a student hall of residence is established as an independent public institution, its charter shall be adopted by the Government of the Republic of Slovenia within one year after entry into force of this Act.

Article 40

This Act shall enter into force on the fifteenth day after its publication in the *Uradni List* of the Republic of Slovenia, while the provisions of Articles 2 and 28 regarding the status of citizens of European Union member states shall enter into force on the date that the Republic of Slovenia becomes a full member of the European Union.

The Act amending and supplementing the Higher Education Act (ZViS-C) (*Uradni List* RS 100-4395/2003), published on 17 October 2003 and which applies from 1 November 2003, also stipulates:

"Article 9

Rectors of universities and deans of independent higher-education institutions shall obtain consent for the special regulation from the second paragraph of Article 63 of the Act from the minister responsible for higher education no later than 31 December 2003, and for the harmonised criteria from the eighth paragraph of Article 63 of the Act no later than within 60 days of the entry into force of this Act.

The minister responsible for higher education shall issue the Rules from Article 73c of the Act within 30 days of the entry into force of this Act."

The Act amending and supplementing the Higher Education Act (ZViS-D) (*Uradni List* RS 63-2875/2004), published 10 June 2004, in force from 11 June 2004, also stipulates:

"TRANSITIONAL AND FINAL PROVISIONS

Article 43

The regulations from Articles 7a, 8, 16, 32a and 73 of the Act shall be issued by the minister responsible for higher education within six months of the entry into force of this Act.

Article 44

The National Assembly shall adopt the acts on the transformation of universities no later than within three months of the entry into force of this Act.

Article 45

Higher-education institutions shall harmonise their statutes with this Act within six months of the entry into force of this Act.

Until the election of senates of universities and independent higher-education institutions pursuant to statutes harmonised with this Act, the senates elected in accordance with the valid statutes shall perform their tasks.

Article 46

The Government of the Republic of Slovenia shall appoint the Council for Higher Education of the Republic of Slovenia no later than by 31 December 2004. For the initial appointment, half of the members shall be appointed for three years.

Until the appointment of the Council for Higher Education of the Republic of Slovenia, the Council for Higher Education of the Republic of Slovenia shall perform its tasks.

The first criteria from the amended Article 49 of the Act shall be adopted by the Council for Higher Education of the Republic of Slovenia within three months of the entry into force of this Act.

Accreditation procedures initiated prior to the establishment of new criteria shall be continued and completed under the new criteria.

Article 47

The Act Establishing the Public Agency from Article 51a of the Act shall be adopted by the Government of the Republic of Slovenia no later than 31 December 2005.

Until the commencement of work of the public agency from the previous paragraph, the ministry responsible for higher education shall perform professional-technical tasks for the Council for Higher Education of the Republic of Slovenia.

The Council for the Evaluation of Higher Education must be formed within three months of the entry into force of the Act Establishing the Public Agency.

Until the formation of the Council for the Evaluation of Higher Education, the National Committee for the Quality of Higher Education shall perform its tasks. This Committee shall adopt the initial criteria for the monitoring, assessment and assurance of the quality of higher-education institutions, study programmes and scientific-research, artistic and professional work within three months of the entry into force of this Act.

Article 48

Higher-education institutions shall introduce study programmes for the acquisition of education and training study programmes under this Act in stages but no later than the 2009/10 academic year. On the introduction of study programmes under this Act, tenders for enrolment in current study programmes shall no longer be possible.

Students enrolling in higher education prior to the introduction of new educational study programmes shall receive and complete their education under the conditions in force prior to the entry into force of this Act but for no longer than until the end of the 2015/16 academic year.

Students from the previous paragraph with the right to repeat who due to the gradual introduction of new study programmes cannot repeat a year under the study programmes in which they enrolled shall continue and complete their studies under the new study programmes.

The amended provisions of the third paragraph of Article 40 of the Act shall start to apply to the tender for enrolment in the 2005/06 academic year.

Article 49

Graduates of current study programmes leading to a university education enrolling in new two-year master's study programmes in the same or a related professional field shall generally be recognised as having completed study obligations amounting to 60 credits. The number of recognised credits may not exceed 60. For graduates of current study programmes leading to a university education receiving education for occupations regulated by European Union directives and evaluated at 300 or more credits, the provisions of the second indent of the fourth paragraph of Article 38a of the Act shall apply on enrolment in doctorate study programmes.

For graduates of current study programmes leading to specialisation, if their total study has not lasted at least five years, the provisions of the third indent of the fourth paragraph of Article 38a of the Act shall apply on enrolment in third-level study programmes, or they shall be allocated additional study obligations amounting to 60 credits.

Graduates of current study programmes leading to master's degrees shall in doctorate study programmes be recognised study obligations amounting to 60 credits.