

**Republic of Albania  
Parliament**

**Law**

**N0. 9741, date 21.05.2007**

**“On the Higher Education in the Republic of Albania”**

Pursuant to the Articles 78 and 83 point 1 of the Constitution, upon the proposal of the Council of Ministers.

THE PARLIAMENT OF THE REPUBLIC OF ALBANIA

Decided:

**CHAPTER I**

**GENERAL PROVISIONS**

**Article 1**

**Purpose of the Law**

This law provides for the mission, main goals of higher education and regulates aspects related to the establishment, organization, administration, management, financing, and quality assurance in Institutions of Higher Education of higher education in the Republic of Albania, in compliance with the European standards as well as determine the role of the state and the society regarding higher education.

**Article 2**

**The Mission of Higher Education**

The mission of the higher education is

- a. to establish, transmit, develop, and protect knowledge through instruction, scientific research and services; develop and further advance arts, physical fitness and sports; develop and prepare highly qualified specialists and young scientists;
- b. to offer possibilities to benefit from long - life learning in higher education;
- c. to sustain the economic development at national and regional level;
- ç. to contribute in increasing democracy standards and developing the society and its youth.

**Article 3**

**Fundamental Principles**

1. Institutions of Higher Education enjoy academic autonomy and freedom.

2. The autonomy of Institutions of Higher Education of Higher Education is expressed through

- a) their self-governance, the right to elect their governing and administrative bodies; the right to organize their internal structures and regulate their activities through statutes and regulations, developed pursuant to and as provided for in this Law; the right to recruit their academic and administrative staff and any other personnel member pursuant to the law;
- b) the right to independently develop and implement curricula and research projects;
- c) the right to determine student eligibility to various education programs;
- d) the right to raise funds pursuant to laws and regulations, and independently enter into agreements with the Government and other bodies for training, qualification or research purposes; the right to enter into agreements with institutions, business companies or other local or foreign organizations, public or private; the right to manage public funds or other income as provided for in this Law.

3. The academic freedom of Institutions of Higher Education is expressed in the freedom of instruction, freedom in scientific research and freedom of creation pursuant to the provisions of this law.

4. Higher Education in the Republic of Albania is conducted pursuant to the rules and principles of education within the European area.

5. There are public and private institutions of Higher Education. Higher Education is laic

6. The state guarantees the inviolability of institutions of higher education and their territories.

Public order bodies enter the academic settings only upon the request or explicit permission of the highest authority of the institution of higher education. Public order bodies shall enter such premises without prior authorization by the highest authority of the institution of higher education in case of a crime in progress or natural disasters.

Violating the immunity of institutions of higher education is punished according to relevant legal provisions .

## **CHAPTER II**

### **INSTITUTIONS OF HIGHER EDUCATION**

#### **Article 4**

##### **Institutions of Higher Education**

1. Higher Education is provided by Institutions of Higher Education established, administered and accredited pursuant to this law.

2. Institutions of Higher Education are public or private legal entities, with rights and obligations determined and provided for in their act of establishment.

3. Institutions of Higher Education offer accredited education programs. The organizational

structure of institutions of Higher Education is defined based on the type of education programs they offer.

4. The following are considered institutions of Higher Education: universities, academies, vocational colleges, higher education schools and interuniversity centers.

## **Article 5 Universities**

1. Universities are compounded and integrated structures offering higher education, furthering knowledge, science, and professionalism and transferring knowledge in scientific, artistic and professional fields and disciplines.

2. Universities provide education based on scientific knowledge and research and contemporary technology; they provide for continuous education, training and qualification, and development of young specialists and scientists.

3. Universities conduct applied and scientific researches, and creative activities, offer services in compliance with their mission, support and sustain the professional development of their academic staff.

Any university, depending on the mission and its main role identified in its statute, retains an appropriate ratio between education, research and other services.

4. Universities offer education programs in all three different cycles of education, as provided for in Article 26. A university is composed of at least two faculties.

5. For the purposes of education and research activities of common interest, universities may cooperate with other universities, research centers, domestic or foreign governmental bodies, with public and private scientific, cultural and economic institutions. Such cooperation might also be achieved in the framework of an interuniversity center.

## **Article 6 Academies and Higher Education Schools and Interuniversity Centers**

1. Academies provide professional education and education as well as creative activities in specific fields of arts, sports, security and defense and other fields of professional activities. They offer education programs at all three different cycles of education, and are composed of at least two academic schools offering opportunities for scientific research in their respective fields, depending on the cycle of education and their statute.

2. Schools of higher education offer higher education at the first or second cycle of education. Schools of higher education offer opportunities for applied scientific research and services in their respective field, pursuant to their statutes. Such schools operate with at least two faculties.

3. The Interuniversity Center develops and promotes programs and projects of scientific research and helps with advanced education upon completion of the first cycle of university studies. The structure of this center is similar to that of a faculty. The Interuniversity Center is

established upon a decision of the Council of Ministers, following a proposal by the Minister of Education and Science. The object of activity and its task are defined in the act of establishment. University centers are organized and function according to this law and in compliance with their statute.

## **Article 7**

### **Professional College**

1. Professional College offer education and training in various fields of university and/or non-university vocational education with the aim of developing hands-on specialists.
2. Professional College may also conduct applied researches, artistic or sports activities pursuant to the provisions of the Statutes and Regulations. They also offer services.
3. Professional College offer education in various fields at the level of the first cycle of education, in compliance with the procedures determined in the sub-normative acts.
4. Professional College are entitled to affixing their activities to Universities, Academies or other schools of higher education. In this case, their organizational structure is similar to the relevant faculties.

## **Article 8**

### **Units of Institutions of Higher Education**

1. Institutions of Higher Education have the right to organize themselves in the following organizational units: main, basic and support units.
2. Faculties, research institutes and Professional College identified in Article 11, letter “a”, point 2 as parts of institutions and affiliates, are considered as main units.
3. The Departments and research and development centers are considered to basic units.
4. Laboratories, experimental stations, didactical units, libraries and other units conducting research, implementing projects and offering services are considered support units.
5. Statutes and regulations developed by Institutions of Higher Education determine their organizational structure, as foreseen in this law and its sub-normative acts.

## **Article 9**

### **Faculties**

1. Faculties are main units that coordinate education, research and cultural development in the field of research and education, and other similar or cross- related fields. They offer various education programs at different levels, upon the successful completion of which students are

provided with diplomas.

2. Faculties are organized in basic units. Each faculty has at least three basic units, two of which are departments.

3. Repealed

4. Statutes of Institutions of Higher Education determine their structure, composition, operation and administration.

### **Article 10** **Research and Development Institutes and Centers**

1. Research and Development Institutes and Centers within the Institutions of Higher Education conduct research and developmental activities and serve complete the second and third cycle education programs.

2. The structure, composition, operation and administration of Research and Development Institutes or Centers is determined in the statutes and policies and procedures of Institutions of Higher Education, as foreseen by the provisions of this law and its sub-normative acts.

### **Article 11** **Branches of Institutions of Higher Education**

1. Institutions of Higher Education may open branches in regions beyond the one covered by its head office and provide education programs and scientific research as well as other services.

2. The Branches are

- a) a special unit within the structure of Institution of Higher Education (Main, basic or support unit);
- b) comprising part of the head office of the institution.

3. The criteria and procedures for the opening of the new branches are provided for in the Institution's Statute, pursuant to this law.

### **Article 12** **Departments**

1. The Department is a basic unit for education and research. It comprises homogenous research fields and groups the respective education disciplines.

2. The research and development centers have similar structures to those of departments, with which they share interests and fields of study.

3. The Department encourages, coordinates and administers education, artistic and scientific research, respecting the academic freedom of each member of the staff and their right of access to material or financial means and resources, of which the department avails of.

The department shall at least be composed of seven full-time academic staff, three of whom shall be holders of titles and awards. Operational Institutions of Higher Education which fail to meet such criteria have a five year period to meet them.

”4. The Department shall be organized in teaching and research groups. The group may also be only research group. The heads of groups shall at least have the scientific degree “Doctor” and shall be selected based on open competition, conducted by an ad hoc commission, set up by the Council of Professors. The procedures for establishing the ad hoc commission and that of competition shall be provided for in the statute of the higher education institution. The head of the basic unit shall propose to the presiding authority of the main unit the appointment of the selected candidate ranked first in the list of ad hoc commission for a 4-year period.

5. The faculties of the higher public education institutions, having university hospital centers, the subjects/clinical disciplines shall be organized in services. The service is the basic unit of the faculty and it is part of the university hospital structure. It accomplishes teaching and researching functions, as part of the university hospital, as well as fundamental training and diagnosing functions, at high scientific level, as part of the university hospital. The number of personnel and the capacities of the service unit are determined based on the criteria set out in the Decision of the Council of Ministers.

6. Responsible for the service at higher education public institutions having university hospital centers shall be the head of the service at the functions of the basic unit of the faculty, who is elected based on competition. He shall be a renowned personality in the field of services and have, at least, the scientific degree of “Doctor” and professional experience in the respective field, as well as having accomplished scientific research and publications, both in the country and abroad. The other criteria of qualification and way of organizing the selection competition shall be set out in the statute of the higher education institution and University Hospital Centre.

6.1 An evaluation commission shall be set up for the evaluation of the candidates competing for service head, which composition shall be proposed by the Council of Professors at the Faculty in question, approved by the University Hospital Centre Board and announced by the rector. The evaluation commission shall consist of five personalities, being foreign or local, renowned for their academic and scientific contribution in the field of the service in question or in the fields classified by the Council of Professors of the Faculty being approximate to it (service).

6.2 The evaluation commission shall select two of the best competing candidates and shall pass them over to the University Hospital Centre, where the latter shall select one of them and submit for approval to the rector of the higher education institution and to the Director General of the University Hospital Centre.

6.3 The Board and the Directorate General of the University Hospital Centre shall, every five years, evaluate the activity of the service unit and its head.

#### Article 12/1

##### University Hospital Centre

1. The university hospital centers are units of the education system and health care system. They shall assume teaching and research functions, being part of the university/faculty, as well as diagnosing and fundamental treatment functions, at high scientific level, being part of the health care system.
2. The university hospital centers shall be approved as such upon the Decision of Council of Ministers, upon the proposal of the Minister of Education and Science and Minister of Health.
3. The university hospital centre shall consist of the service units.
4. The activity of the university hospital centre shall be regulated in its statute, the latter being approved by the Minister of Education and Science and Minister of Health.
5. The faculties providing study curricula in the medical fields may enter into agreements or contracts with other non-university hospitals for the practical training of students and that of scientific research.

### **CHAPTER III**

#### **MANAGEMENT AND ADMINISTRATION OF INSTITUTIONS OF HIGHER EDUCATION**

##### **Article 13**

##### **Management and administrative Bodies of Public Institutions of Higher Education**

1. Management and administration bodies of public Institutions Higher Education are: the Academic Senate, the Rectorate, the Administration Council and the Council of Ethics and the Council of the Faculty or Institute.
2. Public institutions of higher education have the right of establishing other bodies responsible for specific tasks, in compliance with the activities of the Institution.

##### **Article 14**

##### **The Academic Senate**

1. The Academic Senate is a collegial decision-taking body of Institution of Higher Education which determines the university policies, to program, coordinate govern and supervise the education and research activities in Higher Education Institutions, also assessing their performance. It convenes periodically and is headed by the rector.
2. The Academic Senate has the following tasks:

- a) to guarantee the principles of autonomy, the academic and research freedom of the academic staff and the rights of students;
- b) to approve the long-term plans for the development of the institution as well as the annual plan of activities;
- c) to approve the draft budget by majority of votes, following the approval from the Administration Council;
- d) to approve the allocation of financial resources;
- e) to approve the statute with two thirds of the votes;
- f) to approve regulations under its authority;
- g) to assess and approve new education, research and development programs of parts of them, as well as the necessary structural changes to achieve such programs and the development of plans for introducing or shutting down educational and research units;
- h) to assess, to guarantee and hold responsibility for the quality assurance of the institution, pursuant to the state standards;
- i) to evaluate the education and research performance of the academic staff;
- j) to ensure that the exams are conducted and evaluated pursuant to the institution's standards, providing for the adequate quality and transparency;
- k) to approve the annual report of the teaching and research activity, as well as the financial one, in an open meeting for the entire academic and administrative personnel as well as for students.

3. The Academic Senate requests the assessment of the Administration Council for aspects covered by this Council, pursuant to the Statute and Regulations.

4.. Institution of Higher Education Statutes provide for the other tasks and authorities, as well as the functioning of the Academic Senate, pursuant to this Law

## **Article 15 The Rectorate**

1. The Rectorate is a collegial executive body consisting of

- a) the Rector;
- b) the Vice/Rector(s)
- c) The Dean/Principal for each Faculty or other main units;
- ç) The Chancellor of the Institution.

The Rectorate is headed by the Rector.

2. The main responsibilities of the Rectorate are:

- a) to prepare the long-term plan for the development of the institution;
- b) to draft a annual program of activities and monitor its implementation upon its approval by the Academic Senate;
- c) to determine criteria for the distribution of the financial, human and material resources;
- d) to develop and submit for approval its draft budget to the Academic Senate;
- e) to prepare a capital investment plan, sign contracts and agreements under its authority;



- f) to recommend projects on education and research programs, as well as make the necessary changes to the structures in order to achieve for the purposes in view of such realization;
- g) to monitor and publish results of the assessment of the activity of the institution;
- h) to prepare agreements between Institution of Higher Education and the Ministry of Education and Science on financing rules;
- i) to propose the overall organizational structure and number of the staff of the institution at levels;
- j) to prepare its own regulation, which shall be approved by the academic senate.

3. The Rectorate seeks the views and the judgment of the Academic Senate and the Administration Council on aspects under their authority.

4. The Rectorate reports to the Academic Senate and the Administration Council each semester.

5. The Rectorate prepares the annual annual report on the education-research and financial activity, and submits it for approval to the Academic Senate and the Administration Council no later than December 20<sup>th</sup> each year.

6. The Rectorate may delegate its authorities to other bodies or staff, pursuant to its regulation.

7. The public institution of higher education statutes provide pursuant to this law, provide for other tasks as well as the functioning of the Rectorate.

## **Article 16**

### **The Administration Council**

1. The Administration Council is established at Institutions of Higher Education. The Administration Council is a collegial decision taking body that convenes periodically and supervises the activity of the Higher Education Institution, concerning the administrative, financial, economic management and administration of the its assets.

2. The main tasks and rights of the Administration Council are the following:

- a) to approve the criteria for the allocation of the financial sources;
- b) to approve by the two thirds of votes the draft budget as requested by the Senate;
- c) to assess the efficiency of the use of funds from the state budget and other lawful resources and to publish the assessment results;
- d) to approve the structure and the number of staff at all levels;
- e) to approve the annual financial report presented by the Rectorate;
- f) to give assessment for the plan of the development of Higher Education Institutions and the annual program of activities;
- g) to approve the internal regulation for the administration, finances and accounting;
- h) to prepare its operational regulation;

3. The Rector and the Chancellor may participate in its meetings without the right to vote when they consider or when the Council summons them.

4. The Administration Council consists of the following:
  - a) members from the Academic staff of the Higher Education Institution, at least with a scientific title, with experience in management, elected by the Academic Senate/the academic staff of every main unit of the institution;
  - b) members nominated by the Minister of Education and Science, representatives of science, economy, culture, central and local government fields;
  - c) a member, representative from the Council of Students.
5. The members as provided in letter b) of paragraph 4 of this Article, are nominated and dismissed by the Minister of Education and Science. The number of the nominated members is one person less than half of the administration council members. The Administration Council elects its own Chairman with two thirds of votes of all its members.
6. Membership in the Administration Council is in opposition to membership in the Academic Senate, the posts of the Vice Rector, the Dean/Principal or Deputy Dean/Deputy Principal.
7. The Higher Education Institution's Statutes, pursuant to this Law, provide for the authorities and tasks of the administrative council, as well as its composition, number of members, the requirements for election or nomination, extension of term, the specifications for nomination and dismissal of its members as provided in letter a), paragraph 4, as well as the functioning of the Administration Council.

#### **Article 17**

#### **The Council of Academic Ethics**

1. The council of Academic Ethics is established at Institutions of Higher Education and deals with problems related to university ethics and problems. The Council sends proposals related to this matter to the Rector.
2. The members of the Council of Ethics are selected by the academic senate. Similar Councils may be established in Faculties.
3. Institution of Higher Education Statute and Regulation provide for the composition, tasks, organization and functioning of the Council of Ethics.

#### **Article 18**

#### **The Council of the Faculty and other main units**

1. The Faculty Council is a collegial decision-taking body which programs and determines, based on the proposals from the department, the use of human resources and the material sources under the authority of the Faculty, so as to provide for the quality of the education programs. He shall make proposals for new study and scientific research programs, for opening or closing other departments or units; make decisions for the financial problems of the faculty, consider and approve, in an open meeting for the academic and administrative

personnel and students, the annual report of the dean for the teaching, research and financial activity of the faculty.

The Dean is the Chairman of the faculty Council

2. Institution of Higher Education Statutes provide for the other tasks or authorities as well as the functioning of the Faculty Council, pursuant to this Law.

3. The Councils of the other main units of Institutions of Higher Education are collegial, decision-making bodies with authorities similar to those of the Faculty Council. Their specific tasks and authorities are provided for in the Institution's Statute and regulations.

### **Article 19 The Council of Professors**

1. The Council of Professors shall be set up for the organization and management of the doctorate studies and scientific and pedagogical post-doctoral training at the main units of the higher education institutions, providing study curricula of the third cycle. The Council of Professors may be set up even at the level of the higher education institution, as long as the main units do not make up the necessary number of full time professors. Individuals having retired may not be members of the Council of Professors, even in cases where they are involved in teaching at a high education institution, in accordance with Articles 48 and 49 of this law.

2. The statute of the institution and other sub-normative acts provide for the composition, tasks and the functioning of the Council of Professors.

#### Article 19/1

#### **Managing authorities at university hospital centers of the higher education public institutions**

1. The university hospital centers high education public institutions shall be managed by the Board and Directorate General.

2. The Board is the highest managerial authority, being chaired by the Minister of Health or deputy minister delegated by him and is composed of four members:

- a) Rector of higher education institution;
- b) Dean of Faculty of Medicine;
- c) Head of Council of Professors of the Faculty of Medicine;
- ç) General Director of the Insurance and Health Care Institute (ISKSH).

3. The Board shall approve the development policies and strategies as well as draft and technical-financial programs of the activity of the centre, in accordance with the governing policies for health, higher education and scientific research, as well as the plan of strategic development of the university and faculties of the health field.

4. The main functions of the board are as follows:

- a) proposing two candidates to the Premier for appointment to the office of the Director General of the University Hospital Centre, selected based on competition;
- b) selecting, based on the conducted competition, the candidacies for deputy directors general and sending them for appointment to the director general and rector of higher education institution;
- c) selecting the head of the service at the University Hospital Centre, based on the candidacies selected by the ad hoc commission of the competition;
- ç) approving the draft-budget plan, structure and organization structure of the University Hospital Centre;
- d) approving the activity report of the University Hospital Centre;
- dh) approving the report of the financial activity and balance sheet of the University Hospital Centre;
- e) approving the University Hospital Center and the regulations for its functioning;
- ë) performing other functions, in accordance with this law and statute and regulations of the University hospital Center.

5. The Board shall convene not less than 4 times annually.

6. The Directorate General of the University Hospital Center is the sole executive authority that, under the supervision of the Board, manages and organizes the medical, financial, administrative and technical activity of this center.

7. The Director General is the managerial authority of the University Hospital Center.

8. Provided for in the University Hospital Center statute are, in accordance with this law, further rights and tasks, as well as the way of functioning of the Board and Directorate General.

## **Article 20**

### **The Governing Bodies of public institutions of higher education public institutions of higher education**

1. The Governing Bodies of public institutions of higher education public institutions of higher education are

- a) The Rector
- b) The Dean or Principal
- c) Head of the basic unit.

The Rector is the main authority of a Higher Education Institution, represents it and acts on its behalf.

The Dean is the main authority of a Faculty, and its legal representative.

The Principal is the main authority of a professional College, branch (in case it has not the status of a faculty or department) or research institute or center, directing it and acting on its behalf.

2. The Governing authorities at Institutions of Higher Education the rector and the dean shall be an “Associated Professor” or a , or “Doctor of Science” and a guest Professor of western universities and must have earned academic experience in these universities.

3. The governing authority of institutions of higher education under the authority of the Ministry of the Interior is the equivalent of the Rector or Dean and is entitled to be the Commander or Director.

4. Member of the academic staff of Institution of Higher Education or individuals outside it can run for the seat of the authorities defined in item 1 of this Article. If the candidate not coming from the academic staff wins the elections, he becomes a member of the academic staff of the institution.

5. Other criteria to be fulfilled by governing authorities or members of governing bodies and tasks of these authorities are provided for in this law and further detailed in the statues of the Institutions of Higher Education.

## **Article 21**

### **The election of the governing bodies and authorities at Institutions of Higher Education**

1. Public institutions of higher education Public institutions of higher education elect their governing bodies and authorities.

2. The governing bodies of public institutions of higher education public institutions of higher education are elected as follows:

- a) The Academic Senate is composed of the members from the academic staff, the non-academic staff and students, elected by the respective groups of the institutions.
- b) The Faculty Council consists of the members from the academic staff, the non-academic staff and students, elected by the respective groups of the faculty.
- c) The Council of the research institutes or centers, at the main units, consists of members from the academic staff and the non-academic staff, elected by the respective groups of the institute.
- d) The Council of the Professional College consists in its majority of members from the academic staff, the non-academic staff and students, elected by the respective groups of the college. Representatives of the business community, related to the kind of education programs as provided at the professional college are part of this Council.
- e) At least 15% of the Academic Senate and the Faculty Councils are represented by the respective Students’ Council, 5% from non-academic persons and the remaining part from the academic staff.

3. The governing authorities of public institutions of higher education public institutions of higher education are elected as follows:

- a) The public institution of higher education Rector is elected by free secret votes of all the academic staff, non-academic staff and students.
- b) The Dean/Principal is elected by free secret votes of all the academic staff, the non-academic staff and the students of the faculty/research center or the research institute/professional college.

c) The Head of the Department is elected by free secret votes of all the academic staff of the Department.

4. In the elections of leading authorities, the votes of the non-academic staff and the votes of the students are calculated with a coefficient – calculated at 20% of the total votes for the students and 5% of the total votes for the non-academic staff.

5. The Director of the Interuniversity Center shall be selected based on open competition. The winning candidate shall be proposed by the Minister of Education and Science and appointed by the President of the Republic. The directors of the constituent units of the Interuniversity Center shall be selected upon open competition and appointed by the Director of the Interuniversity Center. The criteria and procedures for conducting the competition shall be determined in the Interuniversity Center statute.

6. Repealed.

7. Repealed.

8. The President of the Republic decrees the elected Rector; the Rector nominates the elected Dean/Principal; the Dean/Principal nominates the elected Head of the Department.

9. The Minister of Education and Science announces the beginning date for the election process in the Higher education schools. The election is conducted as provided in the election regulation approved by the Higher Education Institution. The Election Regulation provides for election process in the Higher education schools, the procedure and the criteria for the organization and participation in the election at all levels of the governing bodies in the public institutions of higher education .

## **Article 22**

### **Other Authorities at Institutions of Higher Education**

1. Other authorities of Institutions of Higher Education are:

a) Chancellor of the Institution

b) Vice Rector(s)

c) Deputy Dean(s)/Principal(s)

ç) Chancellor of the faculty or other main units.

2. The Chancellor of the Institution is the responsible for the daily management of financial and administrative issues, assists in the preparation of the budgets and the allocation of the financial, material and staff resources, ensures the supervision of the financial activities and compliance with the law. He shall not assume any other academic or administrative function at the higher education institution.

3. The candidate for Chancellor of a Higher Education Institution is selected by the Administration Council. The Rector proposes the selected candidate to the Minister of Education and Science for approval. The chancellor of Institution of Higher Education must

have a degree in law or economics and no less than 5 years of experience. The procedure of the selection and nomination of the Chancellor is provided in a special act.

4. The Vice Rector is nominated and dismissed by the Rector, after getting the consent of the Academic Senate for his/her selected candidate.

5. The Deputy Dean/Deputy Principal is nominated and dismissed by the Dean/Principal, after getting the consent of the Faculty Council for his/her selected candidate.

6. The chancellor of the faculty or other main units is responsible for the daily administrative and financial management of the faculty, the implementation of the budget, the supervision of the financial activities as well as pursuance to the laws. He shall not assume any other academic or administrative function in the main unit or at the higher education institution.

7. The chancellor of the faculty or other main units must have a degree in law or economics and no less than 5 years of experience. The chancellor of the faculty is nominated by the Rector, among three candidates as proposed by the Institution's Administration Council.

8. The public institution of higher education statutes provide for other tasks and responsibilities of the above authorities as well as the requirements for their respective qualifications.

### **Article 23**

#### **Terms in office for the Governing Bodies and Authorities**

1. The Governing Bodies and Authorities in public institutions of higher education public institutions of higher education stay in office for a period of 4 years, for no more than two consecutive periods. The authorities described in letter "c" Article 21, can be elected without any restrictions.

2. The Rector of a new public institution of higher education is nominated by the Minister of Education and Science for a period of 1 year, which can be repeated for no more than two terms.

3. The appointed Rector, according to Article 2 of this Article, appoints the Dean/Principal. The appointed Dean/Principal appoints the Head of the Department/research center.

4. The criteria and requirements as well as the procedures for selection of the governing authorities described in paragraphs 2 and 3 of this Article, are made public.

5. The senate, the council of the faculty, institute, and center of a new public institution of higher education are composed of the entire staff of the institution that at least has the "Doctor" degree. They stay in this office until the election of steering bodies, as stipulated in this law. During this period, functions of the administration council are carried out by the academic senate.

6. The mandate of the other steering and administration bodies and authorities of a new public education institution is the same as that of the rector

## **CHAPTER IV**

### **ORGANIZATION OF STUDIES IN HIGHER EDUCATION SCHOOLS**

#### **Article 24 The forms of Study**

1. The forms of study in higher education institutions are:
  - a) Full-time studies
  - b) Part-time studies
  - c) Distance learning
2. Application and implementation of each of the study forms provided in this article is made upon an approval by the Minister of Education and Science.

#### **Article 25 Education programs**

1. Institutions of Higher Education offer accredited education programs organized in modules, evaluated in credits, after the ECTS (European Credits Transfer System). The average number of credits for a year for a full-time student is 60 credits.
2. The education programs are compiled by the institutions themselves and are approved by their Academic Senates.
3. Institutions of Higher Education make public the accredited education programs they offer prior to the applications for admissions.

#### **Article 26 Cycles and titles of university studies**

1. The Higher education school education programs are organized in three successive cycles: the first cycle, the second cycle and the third cycle.
  - 1.1. The first cycle education:
    - a) The first cycle education programs intend to provide basic knowledge on general scientific methods and principles and specific skills in a wide range of professions and specialities;
    - b) The first cycle education programs shall be completed with 180 European credits (ECTS) (hereunder: credits) and their normal duration is 3 academic years;
    - c) upon the completion of the first cycle education programs, the university degree “Bachelor” in the field of performed education shall be issued.
  - 1.2. The second cycle education:
    - 1.2.1 Education programs “Master of sciences” or “Master of fine arts”:



- a) the second cycle education programs provide the graduates being in possession of the university diploma “Bachelor” with profound, theoretical and practical knowledge, as well as with training for scientific research in a field, within a speciality;
- b) the second cycle education programs shall be completed with 120 credits, hereunder including 30-40 credits for the research project and thesis, and the normal duration is 2 academic years;
- c) the students of this education program shall sit, upon its completion, for the English language exam, based on the internationally recognised tests;
- ç) upon the completion of the second cycle education programs, a university diploma “Master of sciences” or “Master of fine arts” in the field of performed education shall be issued.

#### 1.2.2 Integrated education programs of Second Cycle:

- a) Institutions of Higher Education offer in the fields of medicine, dentistry, pharmacy, veterinary and architecture provide integrated education programs of the first and second cycle together;
- b) second cycle education integrated programs shall be completed with not less than 300 credits and their normal duration is not less than 5 academic years;
- c) the students of this education program shall sit, upon its completion, for the English language exam, based on the internationally recognised tests;
- ç) upon the completion of the integrated education programs, a university diploma “Master of sciences” or “Master of fine arts” in the field of performed education shall be issued.

#### 1.2.3 Education programs “Professional master”:

- a) the education programs “Professional master” shall provide to the graduates a university diploma at least “Bachelor”, strictly professional education and training;
- b) the education programs “Professional master” shall be completed with 60-90 credits and their normal duration is 1,5 (one and a half) academic years;
- c) the students of this education program shall sit, upon its completion, for the English language exam, based on the internationally recognised tests;
- ç) upon the completion of this education program, a university diploma “Professional master” in the field of the performed professional education and training shall be issued.
- d) the higher education institutions shall be entitled to admit candidates having obtained the diploma “Professional master” in the second cycle education for the university diploma “Master of sciences” or “Master of fine arts” and establish criteria for the recognition/transfer of the valid credits obtained during the master education and referring to the second cycle education program.

### 1.3. The third cycle education:

#### 1.3.1 The doctorate education programs:

- a) The doctorate education programs are third cycle education programs of completely academic nature, based on independent research and creative activity.
- b) admitted to the doctorate education shall be the candidates having obtained the university diploma “Master of sciences” or “Master of fine arts”;
- c) these education programs last at least 3 academic years and include 60 credits for the organised theoretical education. The higher education institutions shall, based on the performance achieved during the organised theoretical education, establish classification criteria for the candidates being entitled to conduct the research project and prepare the doctorate thesis. The higher education institutions determine qualifying criteria and standards for the recognition of the English language, based on the internationally recognised tests, as well as methods for the evaluation of the general theoretical level of the candidates.

The candidates failing to meet the established criteria shall not be classified to continue further with the doctorate education and they shall be provided with a certificate contained the conducted modules along with their collected credits and evaluation.

ç) upon the completion of the doctorate education programs, the diploma for the scientific degree of “Doctor” (Dr) shall be issued.

1.3.2. Long-term specialised education programs:

a) The long-term specialised education programs are professional training programs, providing knowledge for separate professions in the field of medicine, dentistry, pharmacy, engineering, veterinary, justice etc. The education programs encompass theoretical studies, combined with practical applications and professional training. The specialised education programs in justice shall be conducted in the context of the School of Magistrates, being regulated by a separate law;

b) for performing the long-term specialised education programs, the student shall collect not less than 120 credits and the normal duration of these education programs shall be not less than 2 academic years, in accordance with the law of regulated professions;

c) the students of this education program shall sit, upon its completion, for the English language exam, based on the internationally recognised tests;

ç) upon the completion of the long term specialised education programs, a specialised university diploma shall be issued with its title in the respective field.

1.3.3. The doctoral education programs in the field of medicine may be provided integrated with the long term specialised education, in accordance with the teaching program and syllabus, approved by the respective faculty and university.

2. Institutions of Higher Education offer second and third cycle education programs only in those fields where they meet the requirements and the state standards, pursuant to this law.

3. The first, second and third cycle education programs are university education programs.

4. Institutions of Higher Education shall also be entitled to provide non-university, professional education programs, subsequent to the high education, with not less than 120 credits. The normal duration of these programs shall be not less than 2 academic years and, upon their completion, “Professional diploma” in the field of performed education shall be issued. The accumulated credits in the course of the education subsequent to the high education may be transferred to the first cycle university education, in accordance with the criteria being set out by the higher education institutions.

5. Contained in the statutes of the higher education institutions shall be detailed rules for the education programs.

## **Article 27**

### **Elements of the education programs**

1. The first and second education programs as well as the training education programs contain among others the following elements:

a) General data on the program, type, main goals, education plan together with the obligatory number of credits;

b) The classification of the education programs to be implemented in the national

- framework qualifications;
- c) The rules for admission requirements specifying the necessary knowledge and skills as required prior to the admission as well as selection criteria in the cases of limited admission ;
  - d) The evaluation methods and the conditions to make progress through the program;
  - e) The conditions for transfer of programs and the conditions for partial completion of the program if so provided by the law;
  - f) The academic and professional titles to be awarded as provided by the law, etc.
2. The third cycle (doctoral) education programs provide for the preparation basis towards proficiency for independent scientific research. They are designed as individual programs which determine the field of study, the content and the research activity.
3. The Higher Education statutes and regulations provide for more details of the various education programs.

#### **Article 28** **Interdisciplinary education programs**

1. Different Faculties at one Higher Education Institution may organize joint interdisciplinary education programs. Such programs may be undertaken by faculties of different Higher Education Institutions.
2. At the termination of the interdisciplinary education programs a diploma is issued by the two Higher Education Institutions.

#### **Article 29** **Joint education programs**

1. The joint education programs are conducted at a Higher Education Institutions, in cooperation with one or more other national or foreign Higher Education Institutions, public or private ones.
2. The joint education programs are organised by Institutions of Higher Education . A joint or double diploma is issued at the termination of such study program.

#### **Article 30** **The training education programs**

1. In addition to the above education programs, Institutions of Higher Education offer training education programs. Such programs are a form of life-long learning, aiming at training, qualification, completion, updating and intensification of knowledge. They may also be advanced research training. The life-long training education programs help the individuals to enhance their qualifications and to develop their professional skills.
2. In the framework of the training education programs, Institutions of Higher Education organize a variety of forms of informal education such as courses, summer schools, training

programs and other similar programs.

3. The structure of the training education programs as provided in paragraph 1 and 2 of this article, is independently determined by the Higher Education Institution.

4. At the termination of the life-long training education programs, Institutions of Higher Education issue the respective diploma or certificate.

### **Article 31** **Diplomas, certificates and other documents**

1. The individuals who fulfil all the obligations of the program study of a Higher Education Institution are issued the respective diploma, which is an official document.

2. The diplomas being awarded upon the completion of the first cycle, second cycle or integrated cycle programs shall be supported with the supplement/attachment to the diploma.

3. The Diploma Supplement is compiled in compliance with the requirements of the Higher Education European Zone. It describes the nature, the level, the content, the scores of the studies accomplished and successfully terminated by its holder.

4. The Diploma and Diploma Supplement content and form are determined by the Academic Senates, in compliance with the instructions of the Ministry of Education and Science.

5. The individuals who have fulfilled the obligations of a training program or part of study program are issued the respective certificate which is an official document.

6. Any form of diplomas, prior to its issuance is registered in the State Register of Diplomas and Certificates held in the Ministry of Education and Science

### **Article 32** **The academic year and the education load**

1. The studies in Institutions of Higher Education are conducted on the basis of the academic year. The Minister of Education and Science declares the start of the academic year.

2. The academic year is organized in semesters with no less than 20 classes of lectures, seminars and lab work per week.

3. Organization of the education of continues education programs will be provided in the statutes of the institution of higher education.

### **Article 33** **The first cycle admission criteria**

1. All Albanian nationals who have successfully terminated the State Mature (Higher education school) exam are entitled to apply for admission in the first cycle studies.

2. The admission quotas in the first cycle studies in public institutions of higher education

public institutions of higher education are approved by the Council of Ministers on the basis of the proposals from the Ministry of Education and Science. The Ministry is based on its proposals on Institutions of Higher Education, in consultation with the Council of Higher Education and Science.

3. Repealed.

4. The admission quotas of the foreign students in the first cycle at Institutions of Higher Education of the Republic of Albania are determined as provided in the paragraph 2 and 3 of this article. The bilateral or multi-lateral state agreements are considered in such cases.

5. The higher education institutions shall be entitled to propose specific criteria for the selection of candidates, having obtained the school-leaving certificate, to be admitted to the first education cycle. These criteria shall be examined and evaluated by the Ministry of Education and Science, consulting the Conference of Rectors and Council of Higher Education and Science and, based on this, the Minister shall, by instruction, approve the criteria and procedures of admission into the first education cycle.

#### **Article 34**

##### **The admission criteria for the second and third cycle**

1. The individuals who have successfully completed the first cycle university education programs and meet the academic requirements as established by the Higher Education Institution, are entitled to be admitted in the second cycle of studies.

2. Entitled to apply for registration with the third cycle of education shall be candidates having obtained the university diploma “Master of sciences”/”master of fine arts” or an equivalent diploma to them, as well as meeting the admission criteria, set out by the respective institution.

3. The admission criteria for the second or third cycle are provided for by Institution of Higher Education Statutes in compliance with the recommendation from the Council of Higher Education and Science.

4. The admission quotas for public institutions of higher education public institutions of higher education in the second and third cycle are approved by the Council of Ministers, on the proposal by the Ministry of Education and Science. The Ministry of Education and Science prepares its proposal after consulting public institutions of higher education public institutions of higher education and after the recommendations of the Council of Higher Education and Science.

5. The admission quotas in the second and third cycles in the public institutions of the higher education under the authority of the Ministry of the Interior are proposed by the incumbent minister and approved by the Council of Ministers.

#### **Article 35**

##### **Transfer**

1. Institutions of Higher Education provide for opportunities of transfer among education programs at the same cycle, within the same institutions or different institutions of the higher education, as well as transfer from previous education programs to first cycle education programs.

2. The decision for the full or the partial recognition of the credits completed by the students,

in view of advancing the academic studies, is taken by the main unit of the higher education institution admitting the student, pursuant to the criteria provided in the statute or regulations.

### **Article 36** **Attendance of a second study program**

The persons who have completed a study program, may attend a second study program. The candidates cover in such cases, the full cost of the study program. The excellent students make an exception to such rule.

Institution of Higher Education statutes provide for the criteria to be met in order to be admitted in a second study program.

### **Article 37** **Recognition of foreign diplomas, certificates, grades and titles**

1. Through the recognition procedure, a foreign diploma is recognized within the Albanian system of diplomas so as to provide for the right to employment or further advance academic studies. The same is provided for the recognition of the foreign titles, grades or certificates.

2. The responsible authority in the Republic of Albania for the official recognition of the diplomas, certificates, grades and titles awarded by foreign Higher Education Institutions is the Ministry of Education and Science, through the unit for the Recognition of Diplomas functioning as the National Center for Information and Recognition of foreign qualifications. The Ministry of Education and Science may authorize Institutions of Higher Education to conduct such procedure in the framework of the recognition of foreign qualification to advance the academic studies. The provisions are defined in the regulation issued by the Minister of Education and Science.

3. The responsible body for the official recognition of the scientific grades and titles awarded by a foreign Institution is the Commission of Academic Evaluation.

4. The regulations issued by the Minister of Education and Science pursuant to this law provide for the procedures, criteria and requirements for the evaluation and recognition of the diplomas, certificates, grades and titles awarded by foreign Higher Education Institutions, in compliance with the international agreements.

### **Article 38** **Recognition of diplomas and study period**

1. Through the recognition, full or partial education programs or diplomas awarded by foreign institutions or other institutions in the country, are recognized and their holders are entitled to the right to continue the same or similar education programs.

2. The recognition is carried out by Institution of Higher Education at which the application has been delivered.

3. The Higher education school statutes provide for the procedures and the requirements to recognize them, pursuant to this law and its sub-normative acts.

## **CHAPTER V OPENING, CHANGE AND CLOSURE OF THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION**

### **Article 39 Higher Education Institution Statutes and Regulations**

1. Institution of Higher Education Statute is a legal act to provide for the activity of the Higher Education Institution.
2. The statute is prepared by Institution of Higher Education pursuant to this law and the regulations pursuant to this Law and the regulations pursuant to this law. The Academic Senate approves the statute by its two third of votes and is then sent to the Minister of Education and Science, for compliance with the legal framework within two months from the forward date. In case of violations, The Minister of Education and Science returns the statute to Institution of Higher Education for further elaboration. When the Minister of Education and Science has no objections with regard to compliance with the law, or does not declare his/her attitude within the provided period, the Rector decrees the statute as approved. The amendments to the statute follow the same procedure.
3. The activities conducted by Institution of Higher Education are provided for in Institution of Higher Education regulations, prepared by Institution of Higher Education pursuant to this Law and the statute. The regulations are approved as provided in the statute of the Higher Education Institution.
4. Institution of Higher Education Statute, pursuant to this Law and the foundation act, provides for the Higher Education Institution's organization, the activities and the tasks of the constituting structures, the governing bodies and executive authorities, their election or nomination, the delegation of authorities, the procedures and the frequency of the internal evaluation of structures and education programs, the responsibilities and rights of the academic, non-academic staff and students, as well as other responsibilities that regulate the activity of Institutions of Higher Education .

### **Article 40 Name and emblem of Higher Education Institutions**

Every Higher Education Institution has its official name and emblem as determined at the Foundation Act. Every Higher Education Institution may require changing its name and emblem. The proposal for the change of name or emblem is made by the Head of the institution, based on the decision of the Academic Senate.

### **Article 41**

## **Opening and closing of Higher Education Institutions**

1. All Institutions of Higher Education are opened, closed, merged or change name, by the decision of the Council of Ministers, on the basis of the proposal from the Minister of Education and Science.
2. The opening of a new public institution of higher education becomes a possibility after the material and other requirements have been met, as provided in this law and the regulations pursuant to it, necessary to provide for the quality of the planned programs and other activities of the institution.
3. The respective Academic Senate is requested to express their opinion prior to the decision to close, or merge the institution with another one.
4. The standards, the criteria and the procedures for closing or merging Institutions of Higher Education are determined by the Council of Ministers, on the proposal of the Ministry of Education and Science.
5. The opening of the main units of the institutions of the higher education, as well as their re-organisation or closure shall be done upon the order of the Minister of Education and Science, based on the proposal of the higher education institution.
6. Prior to its decision for the provisions in the points 2, 3 and 5 of this article, the Ministry of Education and Science requests the assessment of the Council of the National Accreditation Agency.
7. Public institutions of higher education Public institutions of higher education which are not under the authority of the Ministry of Education and Science are under the authority of the respective ministries with regard to the provision in this article.

### **Article 42**

#### **Opening, closing, reorganisation and adjustment of the education programs of all the cycles of public higher education**

1. Opening new education programs in all the cycles of the public higher education, their reorganisation and closure shall be done upon the order of the Minister of Education and Science, based on the request of the higher education institution. The Minister of Education and Science shall be entitled to request from the public institution of the higher education to open new education programs in priority fields.
2. The adjustment of the programs/profiles of studies approved under this law not impairing their objectives, shall be done upon the proposal of the basic unit and upon the approval of the council of the main unit, after obtaining the consent of the academic senate of the higher education institution.
3. The Minister of Education and Science shall make a decision under point 1 of this Article, relying on the evaluation of the Council of Accreditation for Higher Education.



**CHAPTER VI  
PRIVATE HIGHER EDUCATION**

**Article 43**

**The private Higher Education Institutions**

1. The private Higher Education Institutions are established and function pursuant to the provisions in this law and the regulations pursuant to it, except when provided solely for the public institutions of higher education.
2. A private Higher Education Institution may be established after the request of a local or foreign legal person. The founding legal person is responsible for all the activity, administration and the funding of the institution established at such request.
3. A private Higher Education Institution starts its activity only after being granted the licence. The licensing of a private Higher Education Institution takes place after meeting the state criteria and the requirements as defined by the Council of Ministers, on the proposals from the Ministry of Education and Science.
4. The licence model is determined by the Ministry of Education and Science.

**Article 44**

**Licensing of a private Higher Education Institution**

1. The legal person presents the project for the private Higher Education Institution to the Ministry of Education and Science.
2. Repealed.
3. The Minister of Education and Science defines the documentation required for licensing, concerning the mission, the long term goals, the education programs, the funding scheme, as well as the terms and procedures for the consideration of the projects, etc.
4. The Ministry of Education and Science expresses itself by grounded decision with regard to the submitted program, relying on the evaluation of the Council of Accreditation of the Higher Education for the education programs contained in the project.
5. A private Higher Education Institution, accredited abroad, has to present the foreign accreditation certificate to the Accreditation Council, which makes its evaluation of the education programs as requested.
6. After the Ministry of Education and Science finds that the presented project on the activity, education programs, the material, financial resources and the institution's statute are in compliance with this law and other regulations, it forwards it to the Council of Ministers for final approval.
7. The Ministry of Education and Science refuses a project proposal in the following cases:
  - a) the Council for Higher Education Accreditation gives a negative assessment for all the

education programs;

- b) Institution of Higher Education is not capable of offering the necessary financial and infrastructure guarantees for the requested activities;
- c) its statute violates the law;
- d) other cases grounded in accordance with the effective legislation. .

In case of refusal, the Ministry of Education and Science notifies the applicant about the decision and the reasons thereto. The Ministry's decision can be appealed at the Court.

8. The given licence becomes invalid in case the private institution does not start its education-research activity even until the following year.

9. The licence for the activity of the private institution includes the liability, that, in case it closes down, it has to offer the necessary financial resources to have all students registered in this institution complete their studies.

10. A private institution ends its activity only at the end of the academic year.

#### **Article 44/1**

##### **Opening, closing and reorganisation of education programs of the private higher education cycles**

1. The opening of new education programs in all the cycles of private higher education, their closure and reorganisation shall be done upon the order of the Minister of Education and Science, based on the request of the higher education institution.

2. The Minister of Education and Science shall set out the documentation to be contained in the project submitted for granting the permission for opening new programs and pertaining to the mission and long term objectives of the institution, education programs, financing scheme, as well as the time periods and procedures for examining the projects.

3. The Ministry of Education and Science shall require the Accreditation Council of Higher Education to submit its evaluation with regard to the education program submitted in the project.

4. The Minister of Education and Science shall reject a project as long as:

- a) the Accreditation Council of Higher Education shall provide a negative evaluation for the entire education programs;
- b) the respective institution of the higher education does not establish that it is capable of providing all the necessary financial assurances and infrastructure for the required activities.

In the event of the rejection of a submitted project, the Ministry of Education and Science shall inform the applicant about the decision as well as grounds for making it.

#### **Article 45**

##### **Organization of studies at private Higher Education Institutions**

1. The organisation of the education programs at the private Higher Education Institutions is

- a) as provided in the articles 25, 26, 28, 29 and 30 of this law;
- b) after another model, when it is offered by an institution issuing diplomas of a foreign institution or similar to them. In this case they must be associated with the evaluation in

credits (ECTS) so as to enable the recognition and transfer of studies.

2. A licensed private Higher Education Institution, with a study program different from the one described in paragraph 1, a) of this article, has to announce it publicly prior to the registration of students.

3. At the beginning of each academic year, the private Higher Education Institutions must present the financial situation of the institution, the composition of the academic staff, and the tuition fees for the following year, for each study program.

4. The private Higher Education Institutions which violate provisions of this law and the regulations pursuant to this law, the Council of Ministers, based on the proposal from the Ministry of Education and Science, can take concrete measures, even suspend the activity of the private institution for a period up to two years (ban admission of new students) or invalidate the licence.

## **CHAPTER VII**

### **INSTITUTION OF HIGHER EDUCATION PERSONNEL**

#### **Article 46**

##### **Institution of Higher Education Personnel**

1. Institution of Higher Education Personnel consists of the Academic staff, the assisting education-research staff and the administrative personnel.

2. The respective Higher Education Institution statutes and regulations, pursuant to the provisions in this law and the regulations based on this law provide for the duties and the rights of the Higher education school personnel.

#### **Article 47**

##### **Academic Staff and Academic titles**

1. The academic staff in Institutions of Higher Education conducts education, scientific or applied research, services in the framework of the institution's development, consultancy and advice to students and administrative tasks. The provisions for the balance among the various tasks are part of the job contract between parties.

2. The academic staff at Institutions of Higher Education is categorized after the roles and activities they conduct as a) Professors, b) Docents, c) Lecturers.

a) The "Professors are members of the academic staff, heads of subjects, leaders in research. Such academic staffs has the degree "Doctor" and the academic titles of "Associated Professor", "Professor", "Professor Emeritus", "Associated Academician" and "Academician".

b) The "Docents" are members of the academic staff who conduct mainly education. They have the grade "Doctor" or the academic title "Docent".

c) The category “Lecturers” are members of the academic staff conducting teaching and research activity. The lectures shall at least have the diploma “Master of sciences” or “Master of fine arts” or equivalent with it and meet the criteria set out upon the Decision of the Council of Ministers, upon the proposal of the Minister of Education and Science. The lecturers shall, in vocational colleges and non-university education programs, have the diploma “Professional master”, in accordance with the provision contained in Article 26 of this law.

3. The various levels within each category, the ranking as well as more detailed qualification criteria for each case are provided by the Decision of the Council of Ministers, referring to the job description.

4. The total number of staff at the public institution of higher education is approved by the Minister of Education and Science. The head of the institution approves the structure of the staff for all levels.

5. The salaries after the categories and job levels are determined by the Council of Ministers.

6. The Academic titles are awarded by Institutions of Higher Education as determined by the Council of Ministers, as well as the Commission for the Academic Title Evaluation. The title “Associated Professor”, “Professor Emeritus and “Docent” are awarded by Institutions of Higher Education. The title “Professor” is awarded by the Commission for the Academic Title Evaluation.

The titles “Associated Academician” and “Academician” shall be awarded by the Academy of Sciences, in accordance with the law on the Academy of Sciences.

The title “Docent” shall be awarded to the members of the academic personnel having the scientific degree “Doctor”. It shall be awarded to the members of the academic staff having at least the diploma “Master of sciences”/”Master of fine arts” or its equivalent in other countries, having obtained the evaluation “very good” or “excellent” and having a teaching and research activity in a higher education institution, not less than 5 years, excluding the equated diplomas in accordance with the fourth paragraph of Article 89 of this law.

7. The Council of Ministers, on the proposal of the Minister of Education and Science, issues the regulation with provisions for the award, the criteria and procedures of the academic titles of “Docent”, “Associated Professor”, “Professor”, “Professor Emeritus”.

## **Article 48**

### **Guest Lecturers**

1. In order to meet the needs of the education process, the councils of the main units of Institution of Higher Education can also hire Guest Lecturers, on the basis of terms (semester) or 1–year contracts which can be renewed.

2. Selection of the Guest Lecturers should rely on combining the education needs at Institution of Higher Education and their qualifications.

3. The provisions about the status and the financial treatment are specified in the regulations of the main respective unit.

## **Article 49**

### **Contracted Lecturers**

1. Institutions of Higher Education may hire, on the basis of contracts, distinguished professors, local or foreign, as professors for short periods. Falling under this category shall also be researches, artists and personalities with outstanding contribution abroad. The decision about the hiring is made by the Academic Senate, on the basis of proposals forwarded by the main units.

1.1 The managing authorities of the main units shall, upon the proposal of the heads of basic units and head of the teaching and research group, employ, to the effect of meeting the needs of the institution, full time academic personnel for teaching and research activities for recurring semester or annual periods, depending on the usefulness of the work place. The employment modalities shall be set out in the statute of the higher education institution.

2. Institutions of Higher Education may also hire on the basis of temporary contracts doctoral program students, while in the course of their studies or in the course of the dissertation preparation for the grade “Doctor”, in support of their leading professors in education. During this period the contracted doctoral students are treated as “Lecturers”.

3. The hiring criteria for the provisions in the paragraph 1 and 2 of this article are provided in the statute and the regulations of the Institutions, pursuant to this law and other laws.

4. The expenses for the academic staff, described in the articles 48, 49 are covered by the Institution’s income.

## **Article 50**

### **Recruitment criteria**

1. The requirements for all jobs in Institutions of Higher Education are provided in the statutes of Institutions of Higher Education. The staff can be hired full time or part time.

1.1 The full-time academic personnel employed at a public or private higher education institution shall, upon the approval of the head of the main unit and higher education institution, be entitled to be involved as a guest part-time academic personnel at another public or private high education institution, in the country or abroad.

The managing authorities, rectors, deans or those equated to them, shall not be entitled to be involved in full time teaching, research or other activities at other public or private higher education institutions in the country or abroad, other than on part-time basis, following the respective approval of the Minister of Education and Science or the rector.

2. The applications of the candidates for the jobs are subject to public competitions at the main units of IAL. Institution of Higher Education statutes provide for transparent process for the selection of the winning candidates, meeting the publicly announced requirements, and whose qualifications and skills best match the job descriptions.

3. For the purposes of appointing the academic personnel, the managing authority of the main unit shall submit to the managing authority of the higher ranking institution the candidate ranked first in the classification done by the ad hoc commission, established by the managing

authority of the main unit. The managing authority of the higher education institution shall enter into an employment contract with the selected candidate, relying on this law and on the Labour Code of the Republic of Albania. The contract shall contain the job description and the obligations of the academic personnel, in accordance with the provisions contained in point 1, Article 47, of this law.

4. Teaching shall, as a rule, be an obligation with at least 6 teaching classes per week in auditorium for the entire academic personnel and with at least 3 teaching classes per week in the auditorium for the academic personnel in the faculties of medicine, carrying out clinical activities in units of services of university hospitals in accordance with Article 12. The full workload of the academic personnel at the institutions of the higher education shall be determined upon the instruction of the Minister of Education and Science.

5. The academic staff holders of the academic title “Professor” can serve until the age of 68, except in cases of earlier retirement on his/her request.

6. The Academic staff may lose their job as provided by the laws as well as in cases of violation of rules, university ethics, the Higher education school statutes and regulations pursuant to this law. The termination of the employment relations of the academic personnel shall occur no earlier than obtaining the opinion of the head of the teaching and research group, as well as of the managing authorities of the basic unit and the main unit of the higher ranking institution, excluding the cases of flagrant violation of the Labour Code and academic ethics.

7. The academic personnel with the title “Professor” may temporarily seconded outside the higher education institution, for a maximum renewable period of 5 years, to be committed to important state and political offices. Hereunder fall also the managerial positions of the important agencies of the education and science system. These academic personnel may, during the secondment time, be replaced by academic personnel on temporary contract or by the guest academic personnel.

## **Article 51**

The Academic staff is entitled to special status. Besides the rights that are granted in this law, different aspects of the special treatment and other benefits are provided by the Decision of the Council of Ministers

## **Article 52**

### **The Sabbatical Academic year**

1. The Higher Education Institution’s academic staff is entitled to qualification, updating of knowledge or conducting academic-scientific research for a period up to 1 year, every 7 years following the approval by the faculty council of the main unit. The managing authorities of the higher education institution shall not be entitled to a Sabbatical year during the time of assuming the mandate as head, being elected or appointed.

2. The members of the staff so involved, are not required to take over any education load. The qualification and the academic development may also include courses up to 3 months outside the institution.

## **CHAPTER VIII**

### **STUDENTS**

#### **Article 53 Student status**

The Students acquire this status after registration at a Higher Education Institution and lose it after graduating or in other cases when their registration becomes invalid. The rights and duties of the students are provided for by this law, and the statutes of the Higher education school, which their Higher Education Institution is part of.

#### **Article 54 The rights and liabilities for students**

1. The students are entitled:
  - a) to attend lectures and seminars and all other education activities, organized and conducted in compliance with their status;
  - b) to make use of facilities like libraries, computer rooms and other services pursuant to this law and the institution;
  - c) to elect and be elected in the bodies of the institution as provided in this law and the institution's statute;
  - d) to express their opinions on the quality of education and the work done by the academic staff.
  
2. The students registered at a Higher Education Institution are liable to:
  - a) comply with the rules established by the institutions;
  - b) to be committed to their studies and participate in the academic activities;
  - c) pay the fees for their education and services provided by the institution;
  - d) comply with the Code of Ethics as provided for in the statutes and regulations of the respective Higher Education Institution;
  - e) to respect the rights of the staff and other students.
  
3. The Institution's statute has provisions for other rights and liabilities for student pursuant to the provisions in this law.

#### **Article 55 The Students' Councils**

1. The Students' Councils are independent structures which do not carry out activities of political or economic nature. They promote the participation of the students and coordinate

their representation in the governing bodies of Institutions of Higher Education, in the services or education and research structures.

2. The students councils shall be elected every second year by votes of students and rely on the effective legislation. Where an individual being elected to the councils of students completes the university studies, he shall be replaced by the candidate immediate in ranking in terms of number of votes obtained in the last elections.

3. The Students' Councils are established at faculty level (The Faculty's Students' Council), at institution level (Institution's Students' Council) and at national level (National Students' Council). The Students' Councils of the private institutions can be part of the National Students' Council provided they are willing to participate.

4. The Students' Councils can not be part of other political or non-political structures apart from the respective Higher Education Institutions. Institution of Higher Education statutes and regulations have further provisions and specifications for the foundation, organization and functioning of the Students' Councils, pursuant to this law and also considering the students' proposals.

5. The Students' Councils are entitled to freedom of expression and proposals regarding all problems of common interest of the Higher Education Institution, including the education programs and planning, the regulations about the study activities, the right to study, the quality of services, the setting of the fees, the preliminary balance sheet and financial planning, the expenses or the allocation of the financial resources, various cultural, artistic, sport or other activities etc.

6. Institutions of Higher Education support the Students' Councils and finance their activities.

#### **Article 56 Student Card**

1. The students of public institutions are issued the Student Card, which is a unique document. The card can be used to get discount on services.

2. The Ministry of Education and Science determines the criteria and the procedures for issuing the Student Card.

3. The benefits of the Student Card holders are covered by the allocated fund in the state budget found in the Ministry of Education and Science.

4. The provisions for the benefits or allowances for the Student Card holders to be provided by public institutions are determined by the Council of Ministers as well as in agreements with organizations which focus on students' interests; on the agreements with private organisations or companies providing various services.

#### **Article 57 Scholarships**

1. Institution of Higher Education students are entitled to apply for scholarships or special allowances for successful performance.



2. The scholarships, as provided in section 1, are covered by the state and other lawful donations. The Council of Ministers determines by order, the criteria and the procedure for granting scholarships.
3. Institutions of Higher Education ' Statutes provide for the criteria and the procedure for the special allowances that are provided the Institutions.
4. With the proposal of the Ministry of Education and Science, the Council of Ministers may also consider other circumstances or cases for granting scholarships; it may consider scholarships for excellent students and scientists.

### **Article 58** **Students' Register**

1. A Higher Education Institution should administer a students' register with their personal data, their scores all through the study program, the data on the diplomas awarded as well as the Diploma Supplement, filled out according to the state format.
2. The students' register is kept in written and electronic format and also held and secured by the institutions permanently.
3. Each student, at the moment of registration, is provided with his or her own enrolment number, which does not change through the whole period until he or she receives the diploma or the certificate. The Minister of Education and Science determines the rules for generating and issuing the enrolment numbers.

## **CHAPTER IX**

### **QUALITY ASSURANCE IN HIGHER EDUCATION – ACCREDITATION**

#### **Article 59** **Internal quality assurance**

1. Institutions of Higher Education are responsible for the internal quality assurance. They establish the responsible unit for the quality assurance, with a student representative and an external expert as members. They periodically evaluate their education, research, artistic activities and performance and efficiency, as well as the administrative and financial activity of the institution. The quality assurance unit has operational autonomy and access to all the data about the institution.
2. The criteria and the procedure for the establishment and functioning of the said system are compiled by the Higher Education Public Accreditation Agency, in cooperation with Institution of Higher Education and are determined in the institution's statutes.
3. Institutions of Higher Education make public the results of their evaluation process.

## **Article 60**

### **External quality assurance**

1. The external quality assurance is conducted through quality assurance processes and evaluation.
2. The external quality assurance is conducted by the Higher Education Public Accreditation Agency, or other Accreditation Agencies, local or foreign ones, part of the European Network for the Quality Assurance (ENQA). The Council of Ministers issues the regulation to provide for the organization and activity of these agencies.
3. The Accreditation Council is part of the Public Accreditation Agency. The Accreditation Council is a collegial body, which, relying on the evaluation of quality, recommends the accreditation of the education programs in public or private Higher Education Institutions. It functions independently. The Council's decisions are made public, expressing also its disagreements. The Ministry of Education and Science, The Council of Higher Education and Science, the Accreditation Agency and Institutions of Higher Education , experts in certain fields as well as a student representative are represented in balance in the Accreditation Council. The Minister of Education and Science nominates the members of the Council choosing from the candidates as proposed by the involved parties. The Chairman of the Accreditation Council is chosen among the candidates proposed by the Accreditation Council and is nominated or dismissed by the Council of Ministers, on the proposal from the Minister of Education and Science. Membership in the Accreditation Council is incompatible with the post of the Rector, Vice/Rector or Dean.
4. The members of the Accreditation Council stay in office for a period of 5 years.
5. To assist the quality assurance process, decision-making and the professional recommendations in the framework of accreditation process, the Council of Accreditation may set up commissions of experts in various fields of education programs. Such commissions are temporary and consist of local and foreign experts.
6. The Minister of Education and Science issues the regulations to provide for the field of activities, the functioning, and other authorities.
7. The Public Higher Education Accreditation Agency and the Higher Education Accreditation Council submit a annual report of their activity, which is made public.

## **Article 61**

### **Quality Assurance**

1. The quality assurance and accreditation may be at the level of institution and/or study program.
2. The quality assurance and accreditation is based on the national standards of quality. The standards are defined in the regulations issued by the Ministry of Education and Science. The proposal for national standards of quality is made by the Council of Higher Education and Science, in cooperation with the Public Higher Education Accreditation Agency, based on the directions of the Quality Assurance within the area of Higher Education in the EU.

## **Article 62**

### **Accreditation**

1. Relying on the assessment and recommendations of the Accreditation Council, the Minister of Education and Science makes the final decision about the accreditation of Institution of Higher Education and/or the recognition of the education programs both for public and private institutions. The Minister comments within a month from the date of the submission of the report, otherwise, the Accreditation Council announces its decision as final.
2. The decision for the accreditation may be positive, negative or conditional. In case of a negative decision, the institution or the education programs are not officially recognized in the Republic of Albania.
3. All public or private Higher Education Institutions and their education programs are subject to initial accreditation prior to issuance of diplomas. Institution of Higher Education which has been granted the first accreditation is entitled to issue diplomas recognized in the Republic of Albania.
4. All the public or private accredited Higher Education institutions are subject to periodical evaluation and accreditation. The periodical evaluation and accreditation is done every 6 years.
5. The Quality Assurance and Accreditation procedures, standards, criteria and requirements are the same for the public and private institutions. The evaluation and quality assurance for Institutions of Higher Education which offer joint diplomas with foreign Higher Education Institutions as well as branches of foreign Higher Education Institutions which operate in the Republic of Albania is carried out, also taking into account the accreditation and the quality assurance in the country of origin.
6. The costs of the external evaluation are covered by Institutions of Higher Education.
7. The accreditation and the external evaluation results are made public.

## **CHAPTER X**

### **THE RELATIONSHIP OF THE STATE WITH INSTITUTIONS OF HIGHER EDUCATION**

## **Article 63**

### **The responsibilities of the Ministry of Education and Science**

1. The Ministry of Education and Science is responsible for complying with the political agenda of the government on the field of Higher Education and Scientific Research. The Ministry of Education and Science approves the strategy and all other documents related to the policy in the Higher Education and Scientific Research.
2. It prepares all the necessary legal framework in Higher Education and Scientific Research.

3. It brings proposals to the Council of Ministers about the draft budget for Higher Education and Scientific Research, pursuant to the laws and regulations. It approves the model for the funding of each Higher Education Institution.

4. The Ministry is responsible for the assurance of quality and achievement of standards in Institutions of Higher Education. The Ministry supervises the compliance with the laws and the use of the public funds in Institutions of Higher Education, both public and private as provided by this law.

5. In the course of exercising its authority, the Ministry acts in compliance with the academic, institutional and financial autonomy of Institutions of Higher Education as provided in this law.

6. The Ministry of Education and Science keeps the register of the Higher Education and Research Institutions, pursuant to the format provided in the regulations issued by this Ministry as well as the register of the accredited education programs.

## **Article 64**

### **The Control over the Legality**

1. The Ministry of Education and Science carries periodically, at least once every 3 years, the supervision for the compliance with the law provisions in the public or private Higher Education Institutions, and at least once a year it performs a financial assessment over the public institutions of higher education.

2. (nullified upon the decision of the Constitutional Court nr. 9, dated 19.02.2008 ).

3. In case of arbitrary or serious violations by the Rector of Institutions of Higher Education , of the laws and the regulations pursuant to the law, the Minister of Education and Science orders the Rector's suspension, sending the case to the President of the Republic, who shall respond and act within a month. The Minister of Education and Science appoints one of the vice/rectors to take office until the election of the new rector. Following the decree of the Rector's dismissal, the Minister of Education and Science announces the early election.

4. In similar cases of arbitrary or serious violations of the law and regulations by a head of a basic unit, the Rector orders the suspension of that authority and submits the case to the Minister of Education and Science for dismissal, with the Minister acting and responding within a month. The Rector appoints one of vices of the authority to be in the office until the election of the new authority, as provided by this law. The Rector announces the early election for the new authority.

5. In similar cases, the Dean/Principal orders the suspension of the head of a basic unit and proposes to the Rector his dismissal. The Rector responds within a month time. The Dean/Principal appoints one of the electors of the research groups that will substitute the suspended head authority until the election of a new authority, as provided by this law. The Dean/Principal organizes early elections.

6. In the case when the Ministry of Education and Science finds flagrant or heavy violations of the law and regulations by the head of a basic unit or central unit of an institution of higher

education, the Minister sends out the material to the corresponding organ for further action, as provided by this law.

7. Repealed.

## **CHAPTER XI**

### **INTERMEDIATE STRUCTURES IN THE HIGHER EDUCATION**

#### **Article 65**

##### **The Council of Higher Education and Science**

1. The Council of the Higher Education and Science is an advisory body to the Ministry of Education and Science and the Council of Ministers on the higher education and science development policies.
2. The Council of the Higher Education and Science is liable to counsel and suggest about:
  - a) The compilation of the national strategies and programs for the higher education and scientific research, the orientations of the respective policies and the preparation and drafting of the legal acts;
  - b) The priority fields and the scientific research and technological development programs;
  - c) The draft budget for higher education and research and the allocation principles;
  - d) The criteria and standards for the evaluation and accreditation of Institutions of Higher Education , the education programs,
  - e) the criteria for awarding academic titles and scientific degrees, together with the Commission of Evaluation and Academic Titles;
  - f) the development of particular policies as requested by the Minister of Education and Science and the ways for their funding;
  - g) any other problems as requested by the Minister of Education and Science, etc.
3. The Council of Ministers issues the regulation, which provides for the activities of the Council of Higher Education and Science

#### **Article 66**

##### **The Composition and selection of the members of the Council of Higher Education and Science**

1. The Council of Education and Science consists of 19 members as follows: The Minister of Education and Science, the Chairman of the Academy of Sciences, the Chairman of the Conference of Rectors, a representative of the Ministry of Finance, a representative of the Ministry of Education and Science and 15 other members, experts selected on the basis of public competition.

2. The expert members of the Council of Higher Education and Science are selected from various science fields, and by public competition; the selection is done by the Selection Commission, formed in the Ministry of Education and Science, which is composed of one representative from the Parliament, one representative from the Council of Ministers, one representative from the Ministry of Education and Science, and one representative from the Conference of the Rectors, appointed by the institutions themselves.

After verifying the professional criteria, as provided by this law The Selection Commission makes up a list of the candidates based on the points earned. The criteria to select the winning candidates are provided for in a special act of the Minister of Education and Science and are made public.

3. The representative of the Ministry of Finance must have professional qualification at the level similar to the rest of the expert members.

4. The Council of Ministers nominates the expert members of the Council of Higher Education and Science, fifteen of the classified candidates.

5. The Chairman of the Council of Higher Education and Science is the Minister of Education and Science.

6. The term of the expert members of the Council of Higher Education and Science is 7 years, with no right to reelection.

7. The salary of the members is determined by an act of the Council of Ministers.

8. The Council of Higher Education and Science is supported by the Technical Secretariat at the Ministry of Education and Science. The composition and the payment for the Secretariat is determined by the Order of the Minister of Education and Science.

## **Article 67**

### **The Academic Qualification Commission**

1. The Academic Qualification Commission is established at the Ministry of Education and Science.

2. The Academic Qualification Commission consists of 15 members. The Minister of Education and Science is the Chairman of the Academic Qualification Commission. The rest of 14 members are representatives with high qualification in various fields of science.

3. The nomination, dismissal, the responsibilities and the payment of the members of the Scientific Qualification Commission are provided for by a special act of the Council of Ministers.

4. The secretary of this Commission is an official of the Ministry of Higher Education and Science.

## **Article 68**

### **The Conference of Rectors**

1. The Conference of Rectors is an independent collegial body of the Governing of Institutions of Higher Education.
2. In full compliance with the autonomy of the Institutions, the Conference of the Rectors carries out activities related to the coordination and development of the higher education and research.
3. The Conference of the Rectors expresses their opinion about issues related to the overall development of Institutions of Higher Education, and cases as provided in the law. It expresses its view on each case it finds necessary.
4. The Conference of Rectors establishes contacts with partner associations, national or organizations to promote sharing and exchange of experience in view of the development of the higher education and scientific research.
5. The Conference of Rectors operates on the basis of its statute approved by two thirds of its members.

## **CHAPTER XII**

### **SCIENTIFIC RESEARCH AND THE SERVICES BY INSTITUTIONS OF HIGHER EDUCATION**

## **Article 69**

### **Scientific research at Higher Education Institutions**

1. Institutions of Higher Education conduct scientific research, basic or applied, development studies and projects, other creative activities, as determined by their statutes, and in correspondence with the institution's specific objectives.
2. Research and development activity that is conducted in Institutions of Higher Education aims mainly at the increase of the education quality. It provides the students with methodological skills for research, continual opportunities to complete education disciplines with advanced scientific and practical knowledge, improves the qualifications of the academic staff at Institutions of Higher Education and also provides for the necessary material means to develop and conduct activities at the institution.
3. The academic staff is free to carry out work for a third party, provided that:
  - a) they meet the liabilities of the institution as determined in the job contract;
  - b) they meet the liabilities of the Institution's constituting unit for research as described in section 1 of this article.

The Statute of the Institution determines in detail the conditions for pursuing the activity described in this section.

## **Article 70**

### **Research activities at Higher Education Institution**

1. The research and development activities at Higher Education Institutions must ensure the integration of research into education.
2. The subject and schedules of research, its direction and the volume of work are determined by Institutions of Higher Education themselves. They are determined in compliance with needs of the country's development, the importance of research with regard to the students' education, the scientific cooperation programs, the academic staff qualification as well as the available financial resources.
3. Institutions of Higher Education carry out other specialized services for third parties, such as expertise on various matters, analyses, counseling, supervision, advising, clinical services, information providing etc., as provided in their statutes and regulations. The activities are carried out with funds of the interested parties. The incomes from such activities are totally in favor of the Higher Education Institution. When the funds are provided by the research, study and recreational activity of the academic staff of the institution, part of the funds can be used also to reward and motivate the staff part of the activity, as provided by the articles and regulations in place.
4. Institutions of Higher Education may compile research programs and projects of cooperation with other institutions at home or abroad, public or private as well as associations, foundations etc.
5. Institutions of Higher Education have to present an annual report on the research activities or other creative work of any kind.

## **Article 71**

### **Research activity planning**

1. The research activities are conducted on the basis of plans, programs and projects approved pursuant to the specific regulations.
2. The Governing Authorities of Institutions of Higher Education evaluate the performance in scientific research of all kinds at all levels.
3. The third Cycle education programs and, at a lower extent, the second Cycle education programs are regarded as research work and are subject to planning.

## **CHAPTER XIII PROPERTIES AND FINANCING OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION**



## **Article 72**

### **General principles of the state policy on financing of the public institutions of higher education**

1. public institutions of higher education Public institutions of higher education function on the basis of the principle of financial autonomy.
2. Each public institution of higher education has full authority over its own incomes. In all the cases when such funds have not been fully exhausted during the current financial year, they are carried forward onto the following year.
3. The unconditional transfers from the state budget, to be allocated by the state in the coming year for the higher education institution, will be determined also taking into account the funds carried forward into the coming year.
4. The allocation of the financial resources and their use is done in compliance with the rules and standards of the budget programming and the public financial management.
5. With regard to the use of the financial resources, the institution's incomes have the priority, which will be spent pursuant to the medium-term budget procedures.
6. All transactions and payments of the public Higher Education Institution, including their incomes, are made through the Treasury System, pursuant to all the rules of financial control, provided by the laws.
7. The Council of Ministers, through the Ministry of Education and Science, and the public opinion, are entitled to requesting full transparency about the use of the incomes as well as the use of the state budget. Such information is to be included in the annual report of each higher education institution, submitted annual to the Ministry of Education and Science. This report is made public.

## **Article 73**

### **Sources of financing of the public institutions of higher education**

1. public institutions of higher education Public institutions of higher education are funded by :
  - a) transfer from the state budget;
  - b) incomes created by the institutions on their own
  - c) other resources with a destination.
2. The Council of Ministers, through the Ministry of Education and Science allocates funds to public institutions of higher education public institutions of higher education so that they can carry out their missions pursuant to the standards.
3. public institutions of higher education Public institutions of higher education are entitled to make their regulations with regard to the use of their own generated incomes and funds (paragraph 1 letter b of this article) pursuant to the financial provisions of the laws in force.

**Article 74**  
**The incomes of the public institutions of higher education**

The incomes of public institutions of higher education public institutions of higher education include the following:

- a) The study fees, differentiated after the study cycles and forms, etc.;
- b) Incomes from training or qualification conducted for a third party on the basis of formal agreements;
- c) Incomes from services of public institutions of higher education public institutions of higher education in the fields of arts, sports and culture;
- d) Other incomes from research works as ordered by specialized services or from payments for services provided by the Higher Education Institution;
- e) Incomes from the purchase of assets and the lease of assets to third parties in the form of leasing contracts or other kinds of contracts;
- f) Grants, donations and public grants;
- g) Irreversible funding from foreign sources in the framework of bilateral or multi-lateral cooperation;
- h) Other legitimate financing from various sources.

2. The use of funds as specified in paragraph 1) of this article are deposited 100% in the institution's account, as provided by the rules.

**Article 75**  
**Fees**

1. The study fees include the registration and education fees.
2. The registration fees for all study courses are proposed by the respective Higher Education Institution and are approved by the Minister of Education and Science.
3. The education fees for the full-time first cycle study system are determined by the Council of Ministers, based on proposals from the Ministry of Education and Science. The Ministry seeks the advice of the Conference of Rectors and the Council of Higher Education and Science for the matter.
4. The education fees for the first cycle part-time, distance or other form study systems are proposed by Institutions of Higher Education and are approved by a special act of the Minister of Education and Science and the Minister of Finance.
5. The fees for any education programs do not go beyond the expenses for such programs.
6. The excellent students are exempt from payment of the study fee in the following the academic year.

**Article 76**

## **Financing from the state budget**

1. The funds allocated to public institutions of higher education public institutions of higher education by the state budget as grant, fall into two main categories:
  - a) Unconditional transfer;
  - b) Transfer on competition for investment.
2. The unconditional transfer serves to cover the expenses related to the functioning of Institution of Higher Education and the steady financing.

The transfer on competition for investment is used to finance investment for construction or other big projects as described in the procedures for the management of the public investments.

## **Article 77**

### **Allocation of funds from the State Budget**

1. The allocation of the unconditional transfer for each public institution of higher education is based on a formula which provides for equity, fairness and transparency. The criteria and the components of the formula are determined by the Minister of Education and Science, relying on the recommendations from the Council of Higher Education and Science and is passed in the annual law on the state budget.
2. The allocation of the competing grant for investment is on the basis of the projects submitted by Institutions of Higher Education , pursuant to the criteria provided in the annual law on the state budget.
3. The structure of the budget for each public institution of higher education is drafted on the basis of the state budget structure, as provided in the regulation of the Minister of Finance.

## **Article 78**

### **Drafting of the public institution of higher education budget**

The draft budget of a public institution of higher education is compiled by the Rectorate, relying on the 3-year medium-term budget planning, on the proposals from the constituting units and structures and is approved by the Academic Senate, after it has been passed by the Administration Council. The budget is drafted pursuant to the standards determined by the Ministry of Finance. The draft budget is then forwarded to the Minister of Education and Science, who, within 30 days, exercises his or her lawful control and has the authority to request review or elaboration.

Public institutions of Higher Education are entitled to elaborating and approving of their own annual budget as rectorate, faculties, departments, research centers and other entities equal to these, in compliance with their own statute and regulation. All these entities are autonomous in the administration of their budget in compliance with laws and sub-normative acts in force.

**Article 79**  
**Financial administration and reporting rules**

The financial administration rules for public institutions of higher education public institutions of higher education are the same as the rules for the other public institutions.

**Article 80**

**External Auditing**

1. public institutions of higher education Public institutions of higher education are subject to financial auditing carried out by institutions as provided in the law for this purpose.
2. In this process, the public authorities responsible for the financial auditing may invite even specialized private companies for the purpose.
3. The results of the financial auditing are made public.

**Article 81**

**Internal Auditing and Control**

1. The internal Auditing in public institutions of higher education public institutions of higher education and their constituting units is carried out by the Internal Auditing units at the Ministry of Education and Science and Institutions of Higher Education. The establishment and functioning of the internal auditing is pursuant to the provisions in the laws and by-laws.
2. The results of the financial auditing are made public.

**Article 82**

**Real estate of Higher Education Institutions**

1. Public real estates, necessary to exercise the activity of Institutions of Higher Education , are given away to be administered and managed by public institutions of higher education public institutions of higher education by order of the Council of Ministers on the proposal from the Ministry of Education and Science.
2. Public institutions of higher education Public institutions of higher education maintain and use for interests of the institution, pursuant to the laws, the public assets given away to them for administration. They are registered under the ownership of the state for use by universities.

## **CHAPTER XIV**

### **PROVISIONAL AND FINAL PROVISIONS**

#### **Article 83**

public institutions of higher education Public institutions of higher education established prior to this Law, must restructure and adjust the education programs in the cycles as provided in this Law within 1 year after this Law takes effect.

#### **Article 84**

The request to open a private Higher Education Institutions submitted prior to the entry into force of this Law, is considered conforming to the standards, procedures and deadlines provided in this Law and its sub-normative acts.

#### **Article 85**

Private Higher Education Institutions must restructure and adjust the education programs as provided in this Law within 3 years after this Law takes effect. The Minister of Education and Science issues instructions about the restructuring of the private Higher Education Institutions.

#### **Article 86**

The first election for the Students Councils at public institutions of higher education public institutions of higher education and their organization at national level, will take place at the end of the term of the current bodies, as provided in the previous law.

#### **Article 87**

Institutions of Higher Education must draft and approve their statutes and regulations pursuant to this Law, no later than 6 months after this law takes effect.

#### **Article 88**

Students enrolled in education programs before the enactment of this law, will graduate according to the type of this program. Students failing to complete their studies will be issued a diploma depending on the period of their education and curricula.

The graduate studies will continue after the system prior to this law until the graduation of the students registered prior to this Law.

#### **Article 89**

The university diplomas of 3-year periods (6 semesters) until the adaptation of the studies after Bologna System are equivalent with the first level diplomas.

The university diplomas of periods no less than 4 year academic years (8 semesters), until the adaptation of studies after Bologna System, are equivalent to the second level integrated diplomas.

The diplomas acquired in the framework of the “Post-university School of Advanced Studies” are equivalent to the second level Master.

#### **Article 90**

The Higher Education Accreditation Agency must, within 3 years after this Law takes effect, become part of ENQA. The Accreditation Council is re-structured pursuant to this law within two months from the date it takes effect.

#### **Article 91**

Institutions of Higher Education established prior to this law, must be subject to the Quality Assurance and Accreditation procedures pursuant to this law within 3 years after this Law takes effect. The Ministry of Education and Science will make public the list of the public and private accredited Higher Education Institutions.

#### **Article 92**

Institutions of Higher Education, in compliance with the result of their accreditation, will restructure the institution and the study cycles pursuant to this law.

#### **Article 93**

The employed academic staff at Institutions of Higher Education, who do not meet the required qualification level, should, within five years from the date this law takes effect, acquire the required qualifications or leave. The academic staff of public institutions of higher education public institutions of higher education will be restructured pursuant to this law at the beginning of the new academic year.

#### **Article 94**

The Minister of Education and Science announces within a month from the date this law takes effect, the election for the governing authorities of the institution. The election will be conducted pursuant to the provisions in this law and the election regulation. The election regulation for the first election for governing authorities will be prepared pursuant to this law by the Ministry of Education and Science, in cooperation with the Conference of Rectors. public institutions of higher education Public institutions of higher education prepare the necessary legal framework grounds for the conduct of the first elections.

### **Article 95**

Financing of the public higher institutions will start its application, as by this Law, but in an graded way, from the budget year 2008. The budget transfer on aggregate for 2008 will not be less than the level of the preceding year. Until the inclusion of these institutions into this financing scheme for them, the financing in compliance with the provisions of law 8461 date 25.2. 1999 “On higher education in the Republic of Albania” as amended.

### **Article 96**

The application of the financing scheme pursuant to this law in a graded way for the public institutions of higher education , is determined by the Minister of Finance, on the basis of the proposals from the Minister of Education and Science.

### **Article 97**

The Council of the Evaluation of Academic Titles will be restructured pursuant to this law within 6 months from the date this law takes effect.

The term of the actual members of the Council of Higher Education and Science comes to an end no earlier than as provided in the law no. 8461 date 25.2.1999 “On the Higher Education”, changed.

### **Article 98**

Sub-normative acts passed prior to the date this law takes effect but are not in violation to the provisions in this law, will not be revoked.

Within 6 months after this Law takes effect, the Council of Ministers and the Ministry of Education and Science must issue the acts and regulations for the implementation of this Law.

### **Article 99**

Repealed.

### **Article 99/1**

1. The students registered in an education program shall, prior to entry of this law into effect, pursue their studies with the same education program for its scheduled education and shall, upon its completion, be provided with a diploma, in accordance with the provisions of this law, depending on the program of performed studies.

2. The higher education institutions shall, within 6 months since the entry into effect of this law, adjust the denomination of diplomas belonging to the following education programs and deposit them for approval with the Ministry of Education and Science.

## **Article 99/2**

1. The first level diplomas (DNP) having been issued or equated to them prior to the entry into effect of this law shall be equivalent to the university diploma “Bachelor”.
2. The second level diplomas (DND) and integrated second level diplomas (DIND) having collected in the course of the university education at least 300 credits and issued prior to the entry into effect of this law shall be equivalent to the university diploma “Master of sciences” and “Master of fine arts”.
3. The university education diplomas having lasted at least 4 academic years (eight semesters) having been issued prior to the entry into effect of this law shall be equivalent to the university diploma “Master of sciences” and “Master of fine arts”.
4. The diplomas “Fist Level Master” (MNP) having been issued prior to the entry into effect of this law shall be equivalent to the university diploma “Professional master”.
5. The university studies in the context of the School of Magistrates as well as the current programs of the Post University School of Profound Studies (SHPU) and “Master of Second Level” (MND) shall be recognized as being equivalent to the university diplomas for specializations or post-master qualifications. These studies may be recognized, partially or fully, for the doctoral studies, in accordance with the provisions contained in the statutes of IALs.

## **Article 99/3**

1. The higher education institutions in the country shall reflect into their statutes and regulations the changes in accordance with this law, within six months since its entry into effect.
2. The higher education institutions shall, within six months, adjust the education programs in accordance with the requirements and provisions of this law.

## **Article 100**

The law no 8461, dated 25.02.1999 “On higher education in the Republic of Albania”, as amended, as well as every other provision connected to the higher education and running counter to this law shall be repealed.

## **Article 101**

This Law takes effect 15 days after its publication in the Official Journal.

Promulgated by Presidential Decree no.5352m dated 11.06.2007 issued by the President of Republic of Albania, Alfred Moisiu.

Promulgated by Presidential Decree no.5517 dated 15.11.2007 issued by the President of Republic of Albania, Bamir Topi

Promulgated by Decree no 6663, dated 13.08.2010, of the President of the Republic of Albania, Bamir Topi.