

HIGHER EDUCATION, LAW

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LAW

No. 80/2015

ON HIGHER EDUCATION AND SCIENTIFIC RESEARCH IN HIGHER EDUCATION INSTITUTIONS IN THE REPUBLIC OF ALBANIA

Pursuant to articles 78 and 83, paragraph 1 of the Constitution, upon the proposal of the Council of Ministers,

THE ASSEMBLY

OF THE REPUBLIC OF ALBANIA

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Mission of Higher Education

Higher education is public good and responsibility and has as its mission:

- a) to create, develop, transmit and protect knowledge through teaching, scientific research, as well as to promote and develop the arts, physical education and sports;
- b) to form high-level specialists and prepare new scientists, in line with the priorities of the development of the country, contributing thus to the growth of the standards of democracy in the country;

- c) to provide equal opportunities to benefit from higher education and lifelong learning;
- ç) to contribute to the economic, social and cultural development at the national and regional level, as well as to strengthen the public and national security;
- d) to support the strategic priorities and the development interests of the country;
- dh) to integrate teaching with scientific research;
- e) to promote international cooperation in the field of higher education.

Article 2

Purpose of the law

This law has as its purpose:

- a) to determine the role of the state in higher education;
- b) to define the mission, the main objectives of higher education and scientific research, the rules of establishment, organization, governing, administration, financing and closure of higher education institutions;
- c) to create a unified system of higher education, scientific research in higher education institutions, contemporary and competitive innovation in the European area of higher education;
- ç) to establish sustainable quality assurance mechanisms in higher education institutions, in accordance with European standards;
- d) to establish higher education on a sustainable financial basis, by creating the possibility of utilizing legitimate sources of funding;
- dh) to provide equal opportunities, on the basis of merit, for all individuals who wish to attend higher education studies;
- e) to base the higher education system on the principle of free competition between higher education institutions, academic staff and students.

Article 3

Academic freedom and the autonomy of higher education institutions

1. Higher education institutions enjoy academic freedom, financial, organizational and staff selection autonomy, in accordance with the legislation in force.
2. Academic freedom is guaranteed by law:
 - a) to organize teaching, research, innovation, and creative activities;
 - b) to design and develop study programs and to define areas of research activity;

c) to organize the process of promotion of academic staff.

3. Financial autonomy is guaranteed through the right:

a) to create legitimate income from teaching activities, from research activities, from intellectual property, from trademarks and patents, from services, from artistic and sport activities, as well as from other economic activities that are used in accordance with the legislation in force;

b) to receive funds from the state and other bodies;

c) to determine internal rules on financing, distribution and use of revenues, according to the activity and needs of the institution;

ç) to determine study fees, in accordance with this law;

d) to administer the movable and immovable property that the institutions possess legally, in accordance with their mission.

4. The organizational and selection of personnel autonomy is guaranteed through the right:

a) to be self-governing, to select the governing bodies, to organize the structures and to regulate the means of exercising their activity through their internal acts, drafted in accordance with this law and other acts, legal and sub-legal, in force;

b) to determine criteria for admission of students to study programs, in accordance with this law;

c) to conclude agreements with public and private, domestic or foreign, legal persons for the development of teaching, research, qualification, innovation, and other legitimate activities;

ç) to independently determine the number of personnel, the criteria and procedures for its selection, as well as to determine the salaries of the staff, in accordance with the legal form of the institution.

Article 4

The right to education

1. The right to pursue higher education is available to all those individuals who have successfully completed secondary education and who meet the eligibility criteria, set out by the legal framework in force and by higher education institutions.

2. The state guarantees education also for individuals who meet the criteria for admission in a first cycle study program, in an integrated study program or in a vocational study program, but who do not have the financial means to pay them.

3. Education to these study programs is also guaranteed to individuals, whose right is recognized by special law.

4. The Council of Ministers shall issue sub-legal acts for determining the categories of individuals benefiting from this right, as per paragraph 2 of this article.

Article 5

The role of the state in higher education

1. The state exercises regulatory functions and in the establishment of public higher education institutions, as well as in financing higher education and research.

2. The state, through its responsible bodies and structures, has the following responsibilities and obligations:

a) guarantees the autonomy and academic freedom of higher education institutions;

b) is responsible for defining and monitoring the standards in higher education for the establishment and accreditation of institutions and of the study programs they provide;

c) assesses the quality and functioning of higher education institutions, through its own agencies, or independent or foreign ones, by making public the process and its outcomes;

ç) makes available public funds for the support of study programs or certain areas of scientific research, in line with the country's development priorities and strategic interests;

d) makes available public funds to guarantee access to higher education, based on the merits, regardless of the financial capabilities of individuals;

dh) guarantees the inviolability of higher education institutions and of their territory. The intervention of the public order bodies in the academic environment shall be done with the request or permission of the head of the higher education institution. Only in cases of commission of a flagrant criminal offense, in cases of natural disasters and force majeure, the public order bodies shall have the right to interfere without the permission of the head of the higher education institution. The violation of the inviolability of higher education institutions shall be punished in accordance to the legislation in force;

e) guarantees the secularity of public higher education institutions and the non-use of religious symbols from them. The non-secular higher education and the specifics of the functioning of its institutions are regulated by a decision of the Council of Ministers.

3. Higher education institutions shall maintain political neutrality.

Article 6

Definitions

In this law, the following terms have these meanings:

1. “*Accreditation*” is the independent external quality evaluation process that determines whether the higher education institution and/or the study programs that it offers, meet certain quality standards, in accordance with the legal and sub legal acts in force.
2. “*Higher education*” is the education that is offered after secondary education by higher education institutions, according to the provisions of this law and other sub-legal acts.
3. “*Bursary*” is the monetary funding provided to support the education of a student, on the basis of his academic achievements or other criteria, in accordance with the legal and sub-legal acts in force.
4. “*Double or multiple diploma*” is the diploma issued separately by two or more higher education institutions, by agreement, which proves the successful completion of a joint study program.
5. “*Joint diploma*” is the diploma issued jointly by agreements of at least two higher education institutions, which proves the successful completion of a joint study program.
6. “*Priorities document*” is the document that defines the structure of spending of the public funds for higher education and scientific research, in line with country priorities.
7. “*ECTS - European Credit Transfer System*” is the definition of a credit, according to the European Credit Transfer System for Higher Education.
8. “*Student tracking*” is the process of following the student, in terms of his further qualifications and employment, according to the program pursued.
9. “*Higher education institutions*” are legal entities that provide higher education or vocational training after secondary education and, according to the type of the institution, also scientific research, as part of the higher education system, having been established and exercising activity in compliance with the legal and sub-legal acts in force.
10. “*Academic career*” is the teaching and research activity of the academic staff of the higher education institution.
11. “*Basic scientific research*” is the research activity that aims at expanding, deepening, re-conceiving and reintegrating scientific knowledge on the studied phenomena and the theoretical understanding of the interaction between the different actors and the said process where they affect.
12. “*Applied scientific research*” is the research activity that aims to find practical and specific solutions with the primary objective of utilizing theoretical knowledge, in order to implement them in practice.
13. “*Code of quality*” is a summary of the standards and guidelines for the internal and external quality assurance in higher education.
14. “*Licence for establishment*” is the decision of the Council of Ministers for the establishment of a higher education institution, when the latter meets the criteria and standards provided for

in this law and in sub-legal acts, which entitles a subject of the right to establish a higher education institution.

15. "*Licence for starting academic activity*" is contained in the order of the minister responsible for education for the start of the activity of a higher education institution.

16. "*Closure of the activity of the institution*" is the removal of the right to exercise the activity on the basis of the permits granted, in cases where the HEI does not meet the requirements and does not satisfy the criteria for exercising the activity of the higher education institution.

17. In the category "*Professors*" are included the academic titles: "*Professor*", "*Associate Professor*", "*Professor Emeritus*", as well as "*Associate Academic*" and "*Academic*", as recognized under the legal framework in force.

18. "*Medium-Term Budget Plan*" is the specified projection of the financial activity of a higher education institution, expected to be carried out over a three-year period.

19. "*One-Year Budget Plan*" is the specified projection of the financial activity of a higher education institution, expected to be carried out over a one-year period.

20. "*Institutional development strategic plan*" is the document defining the objectives of the institution of higher education or of its constituent units, as well as the tools and means of their realization.

21. "*Suspension of the activity of the institution*" is the removal of the right to enrol students for a maximum of two years, until the fulfilment of the conditions set by the ministry responsible for education for completing the criteria for the exercise of the activity of the higher education institution.

22. "*Study program*" is an ensemble of academic and/or scientific research activities, the successful completion of which entitles the student to obtain a certificate, diploma or scientific degree from the higher education institution that provides it, depending on the type of study program.

23. "*Reorganization of the higher education institution*" is the change of the structure and the mode of functioning of the higher education institution.

24. "*Internal quality assurance*" is the continuous process of monitoring, evaluating, guaranteeing, maintaining and improving the quality of the activity of higher education institutions, developed by the institutions themselves.

25. "*Full-time study system*" includes the organization of study programs with a normal academic workload of 60 ECTS credits per academic year.

26. "*Prolonged-term study system*" includes the organization of study programs with the same total academic workload of full-time study programs, but with a longer duration and which in no case can exceed double the normal duration.

27. "*Application fee*" is the monetary value that the student pays for application in a study program.

28. “*Competition fee*” is the monetary value that the student pays for competing at a higher education institution to be admitted to a study program, in those cases where the institution requires the contemplates the occurrence of the competition.

29. “*Registration fee*” is the monetary value that the student pays to be registered in a study program.

30. “*Tuition fee*” is the monetary value that the student pays for attending a study program at a higher education institution.

31. “*Study fee*” includes the registration fee and the tuition fee.

32. “*Lifelong learning*” is the pursuit of educational activities and/or programmes at different stages of life, with the aim of the expansion of knowledge for the enhancement of study and/or professional skills.

33. “*Comparative evaluation*” is the formal process of analysing the results achieved by higher education institutions, on the basis of which their ranking is performed.

CHAPTER II

ORGANIZATION OF HIGHER EDUCATION AND SCIENTIFIC RESEARCH

Article 7

Ministry responsible for education

1. The ministry responsible for education is the institution that implements the governmental program in the field of higher education and scientific research.

2. The ministry responsible for education has the following competencies:

a) drafts policies in the field of higher education and research, as well as approves the strategic plan in this field;

b) drafts and proposes the legal basis in the field of higher education and scientific research;

c) proposes to the Council of Ministers the model for the financing of the budget of higher education and scientific research, according to the provisions of this law and other acts, legal and sub-legal, in force;

ç) proposes to the Council of Ministers the taking of a decision for the opening, merger of a higher education institution with another institution and the closing of higher education institutions;

d) allows the initiation of the activity of higher education institutions;

dh) approves the opening of new study programs, the reorganization, the suspension of academic activities and their closure;

- e) controls the compliance of the activities of higher education institutions with the legal and sub-legal acts in force;
- ë) audits, at least once every three years, the use of public funds in higher education institutions;
- f) proposes to the Council of Ministers the maximum threshold for tuition fees for first cycle of studies programs in public higher education institutions;
- g) administers the state register of scientific degrees and academic titles;
- gj) supports scientific research activities with the necessary infrastructure only for the public higher education institutions;
- h) supports the innovation and advancement activity;
- i) establishes the official date of commencement and termination of the academic year for all higher education institutions;
- j) verifies the legality of the conduct of the elections in the public higher education institutions and conveys the winning candidate of elections for rector at public universities to the President of the Republic;
- k) imposes conditions for the higher education institution and/or suspends its activity, based on control reports of legality, accreditation or auditing;
- l) proposes to the Council of Ministers the closure of the activity of the higher education institution, based on the control reports of legality, accreditation or audit.

Article 8

Higher Education and Scientific Research Council

1. The Higher Education and Scientific Research Council (HESRC) is an advisory body for policymaking on higher education and scientific research, attached to the minister responsible for education.
2. Members of HESRC are renowned personalities of academic fields and are appointed by the minister responsible for education.
3. The organization, functioning and duration of the mandate and the remuneration of members of HESRC are determined by the decision of the Council of Ministers.

Article 9

Educational Services Centre

1. The Education Services Centre (ESC) is a public institution, subordinate to the ministry responsible for education, whose mission is to provide services in the field of higher education and to ensure public access to higher education data.

2. The ESC has as its scope of activity the provision of services to citizens, HEIs, other institutions and third parties. Provision of services to third parties is done by the ESC upon approval by the ministry responsible for education, against the payment of fees determined by decision of the Council of Ministers.

3. The ESC is funded by the State Budget and its own revenues, as well as it is entitled to administer the incomes generated, at the amount of 90 percent of the budget year. Unused revenues pass to the next budget year.

4. The organization, the functioning of the ESC and the registration procedures of students are regulated by instruction of the minister responsible for education.

Article 10

Functions of the Educational Services Centre

1. The ESC has the following functions:

a) coordinates the process of applying to higher education institutions for pursuing first cycle of studies programs, integrated programs and vocational programs;

b) establishes and manages the national student registry for all cycles and a database for higher education institutions regarding the study programs, diplomas or certificates they issue;

c) provides any student enrolled in a higher education institution with a unique matriculation number, that accompanies them until the conferral of the diploma for the relevant study program, as determined in the instruction of the minister responsible for education;

ç) organizes and administers the state exam for regulated professions, in cooperation with the relevant competent bodies;

d) provides any other service charged by the minister responsible for education.

2. Every higher education institution reports to the ESC for all applicants enrolled in the second and third cycle of higher education, as well as for the list of graduates, according to the cycles, within the time limits set by the ministry responsible for education.

Article 11

National Agency for Higher Education Financing

1. The National Agency for Higher Education Financing (NAHEF) is a public institution subordinated to the ministry responsible for education, which has as its main task the allocation of public funds for:

a) supporting the activity of public higher education institutions, including teaching, scientific research and participation in issues of academic and administrative management;

b) supporting through bursaries for excellent students with the maximum average grade from the higher middle education system, students in study programs in priority fields and students from the social groups in need;

c) guaranteeing the student loan scheme.

2. The NAHEF proposes criteria for allocating public funds.

3. The Ministry responsible for education adopts the criteria and formula for the distribution of public funds, as defined in paragraph 1 of this article.

4. The ministry responsible for education approves and annually publishes the document of priorities, according to the main directions.

5. The organization and functioning of the NAHEF are regulated by a decision of the Council of Ministers.

Article 12

National Agency for Scientific Research and Innovation

1. The National Agency for Scientific Research and Innovation (NASRI) is a public institution subordinate to the ministry responsible for education and science, which has as its main task the allocation of funds for scientific research programs, on the basis of projects submitted by higher education institutions and scientific research institutions in the fields of natural sciences, engineering and technology, medical, agricultural, social and human sciences.

2. The NASRI identifies the priority areas of scientific research, technology and innovation, as well as evaluates at the national level the programs and projects in the abovementioned fields.

3. The NASRI is responsible for the dissemination of information and for coordinating application processes in international research projects in higher education.

4. The NASRI organizes every four years the evaluation process of the research activity of the core units of the higher education institutions, as well as rank them based on this assessment. The NASRI communicates the evaluation to the National Agency for Higher Education Financing. The methodology of the evaluation process is regulated by decision of the Council of Ministers.

5. The NASRI approves, on the basis of free competition among applicants, funds for doctoral study projects.

6. The Agency also manages other funds for scientific research and innovation, in the framework of national, international and bilateral research programs, which it distributes based on the applications of the institutions.

7. The NASRI submits to the ministry responsible for education and science the annual report of its activity. The results of its work are evaluated by the ministry responsible for education

and science, based also on the funds obtained at national level from international scientific research programs.

8. The composition, organization and functioning of the NASRI, of the Board of Administration, as well as the remuneration of the members of this board are determined by decision of the Council of Ministers.

Article 13

National database of scientific research

1. The national database for scientific research in the higher education system is administered and updated by the NASRI and includes:

a) the list of doctoral dissertations and their respective abstracts in one of the five European Union languages: English, French, German, Spanish, Italian;

b) a list of second and third cycle diploma dissertations and related abstracts in one of the five European Union languages: English, French, German, Spanish, Italian;

c) updated list of the scientific contribution of academic and research staff of higher education institutions and scientific research and of the research personnel of other research and development institutes.

2. The NASRI administers and makes public the database with all funded projects, in the framework of national and international research and development programs.

Article 14

Higher Education Quality Assurance Agency

1. The Higher Education Quality Assurance Agency (ASCAL) is a public legal person. It is responsible for quality assurance in higher education. ASCAL, through quality assurance mechanisms, accreditation and other processes, monitors and evaluates the quality of the institution and of the programs offered. ASCAL supports its activity on its guidelines, on the Code of Quality in Higher Education, which is updated with the European quality standards and guidelines in the European Higher Education Area.

2. ASCAL carries out the evaluation process for the accreditation of higher education institutions and the study programs they offer, as well as the ongoing monitoring of their quality.

3. ASCAL cooperates with the higher education institutions for the establishment and functioning of the internal quality assurance system.

4. ASCAL enjoys independence in the drafting and approval of its procedures, the criteria and formats of evaluation, the selection of experts and special evaluation committees, as well as the content and results of academic quality evaluation reports.

5. ASCAL operates also through elected and independent commissions, according to the major fields of higher education in natural, engineering, technology, medical, agricultural, social and human sciences. These commissions have a temporary character and consist of experts with academic qualifications, with experience in higher education and scientific research and knowledgeable of quality processes.
6. The appointment of the Director of ASCAL is done by order of the Prime Minister, based on the proposal of the minister responsible for education.
7. In the framework of external quality assurance, ASCAL cooperates and coordinates its activities with counterpart agencies, part of the European Quality Assurance Network (ENQA) and/or the European Quality Assurance Register (EQAR).
8. ASCAL publishes its annual activity report and final evaluation reports of higher education institutions and study programs.
9. ASCAL is funded in a balanced manner by the State Budget and the revenues generated by its activity. It has the right to use 90 percent of these revenues. Unused revenue over a financial year passes in the following year.
10. The organization and functioning of ASCAL are regulated by decision of the Council of Ministers.

Article 15

Accreditation Board

1. For the process of accreditation of higher education institutions and of study programs, the Accreditation Board is established at ASCAL, which is a collegial decision-making body and independent in its activity.
2. The Board makes the final decision on the accreditation of higher education institutions and the programs they offer.
3. The Board approves, at the request of the higher education institution, the conduct of external evaluations from one of the ENQA member agencies.
4. The Accreditation Board consists of foreign and domestic experts, renowned in the field of higher education and quality assurance.
5. The mandate of the members of the Accreditation Board is 4 years.
6. The appointment and dismissal of the Chairman and members of the Accreditation Board shall be made by order of the Prime Minister, upon the proposal of the ministry responsible for education.
7. The organization and functioning of the Accreditation Board, as well as the remuneration of the chairman and its members are determined by decision of the Council of Ministers.

Article 16

Conference of Rectors

1. The Conference of Rectors is a collegial, independent body composed of the heads of higher education institutions.
2. The Conference of Rectors performs activities of coordination and development of higher education and scientific research, as well as other functions defined by specific laws.
3. The Conference of Rectors gives recommendations on issues of higher education of national interest.
4. The Conference of Rectors maintains links with homologous associations to promote university exchanges that promote the advancement of higher education and scientific research.
5. The Conference of Rectors functions on the basis of the statute approved by two-thirds of its members.

CHAPTER III

HIGHER EDUCATION INSTITUTIONS

Section 1

Organization and types of higher education institutions

Article 17

Organization of higher education institutions

1. Higher education institutions are organized in public, non-public and independent public institutions, as defined by this law. Higher education institutions are established, opened, organized, financed, accredited, evaluated, suspended and closed in accordance with this law and the sublegal acts issued in its effectuation. They offer licensed study programs, for which they issue diplomas after accreditation of the institution and the study program.
2. Public higher education institutions are public legal persons that are self-financed, financed by the State Budget or by other legitimate sources.
3. Non-public higher education institutions are private legal persons. The activity they carry out may be for-profit or non-for-profit.
4. Independent public higher education institutions are public legal persons that are established by decision of the Council of Ministers, according to the provisions of this law.
5. Higher education institutions, offering study programs in fields with specific academic activities, with regard to the organization and progress of the teaching process, shall enjoy

special status. This status is awarded to the higher education institution by decision of the Council of Ministers, upon the proposal of the ministry responsible for higher education.

6. Higher education providers enjoying special status, in instances when not being subject to the regulations determined by the decision of the Council of Ministers and the respective instruction of the minister responsible for education, shall function and be administered according to the principles and provisions of this law for higher education institutions.

7. Higher education institutions of the type university college or academy, which for at least three academic years have no more than, respectively, six hundred and three hundred students, and who meet the requirements of the quality code of the teaching process, may not fulfil the conditions of paragraph 4 of Article 25, in agreement with the ministry responsible for higher education.

8. The types of higher education institutions are: universities, university colleges, academies and higher professional colleges.

Article 18

University

1. The University is an higher education institution that operates in the field of education, scientific research, creative and professional activities.

2. The University represents an integrated structure and consists of main units, core units and other units, according to the provisions of the statute of the institution. It is composed of at least three faculties.

3. The University offers higher education, development of knowledge, science, innovation and occupations.

4. The University carries out basic and applied scientific research, creative activities, provides services and performs other activities, in accordance with the fields of the study programs, with this law and with its statute, and supports the training of academic staff in function of its mission.

5. The University offers study programs in all cycles of higher education studies, as well as study programs of a vocational character.

Article 19

Academy

1. The Academy is a specialised higher education institution, that operates in the field of higher education and scientific research, creative and professional activities.

2. The Academy represents a structure composed of at least one faculty. In line with the relevant field of competence, the Academy may offer study programs in all study cycles, as well as study programs of a vocational character.
3. The Academy may carry out basic and applied scientific research, services, and shall perform other activities, based on this law and its statute.

Article 20

University College

1. The university College is an institution of higher education that operates in the field of education, scientific research, creative and professional activities.
2. The university College represents an integrated structure consisting of a main unit, core unit and other units, according to the provisions of the statute of the institution. It has in its composition at least two faculties.
3. The College offers higher education, development of knowledge, science, innovation and occupations.
4. The College may carry out scientific research, creative activities, provides services, and conducts other activities in accordance with the fields of the study programs, with this law and with its statute, and supports the training of academic staff in function of its mission.
5. The university College offers study programs in the first and/or second cycle of studies and study programs of a vocational character.

Article 21

Higher professional college

1. The Higher professional college is a vocationally-oriented higher education institution, that prepares professionals with practical skills.
2. The Higher professional college represents a structure composed of at least two departments.
3. The Higher professional college offers teaching and training activities, which last one or two academic years with a workload of 60 or 120 ECTS credits and which are finalized with the conferral of a certificate or a professional diploma, respectively.
4. A Higher professional college may be established also within higher education institutions, which have the status of university and university college. In these cases, it is considered as a main unit of the institution. In all other cases, the Higher professional college is considered a special unit of higher education.
5. The manner of its organization and functioning is regulated by decision of the Council of Ministers.

Section 2

Structure of Higher Education Institutions

Article 22

Component Units of Higher Education Institutions

1. Higher education institutions consist of main units, core units and other units, as defined in the statute of the higher education institution.
2. The main units are faculties, scientific–research institutes and higher professional colleges, in cases when they are established at higher education institutions that have the status of university and university college.
3. Core units are departments and scientific–research centres.

Article 23

Faculty

1. The Faculty is a main unit that co-ordinates teaching and scientific research in related or interrelated fields. The Faculty offers study programs at different cycles, in accordance with the type of higher education institution.
2. The Faculty is organized in at least three core units, at least two of which are departments.
3. The structure of the faculty, its composition, functioning, as well as its steering are defined in the statute and other acts of the higher education institution, in accordance with the provisions of this law.
4. The Faculty adopts the admission criteria for each study program, based on the proposals of the core units, in accordance with the provisions of this law and sub-legal acts.

Article 24

Scientific–Research Institute

1. Higher education institutions may establish scientific–research institutes, as their constituent parts. The Institute carries out scientific–research, development and innovation activities. It is a main unit of the institution and can support the realization of second and third cycle programs, when the programs are provided by other main units of the institution.
2. The structure of the scientific-research institute, its composition, functioning, steering are defined in the statute and other acts of the higher education institution.

Article 25

Department

1. The Department is a core unit of the teaching and scientific–research work of the Faculty, which includes related research areas and groups the respective teaching disciplines. It is responsible for the study programs that it offers.
2. The Department can also be established by various Faculties of an HEI for the organization and implementation of interdisciplinary study programs. In these cases, the function and dependence of this department are defined in the statute of the higher education institution. This department is not taken into consideration for the purpose of fulfilling the standards of the institution.
3. The Department promotes, programs, co-ordinates, develops, organizes and manages the teaching and scientific–research activities, depending on the type of institution.
4. The Department is composed of at least seven full time employees as academic staff, of whom at least three possessing academic degrees or academic titles. The department may be also comprised of academic support staff.
5. The Department may be organized into teaching groups and permanent or temporary groups of scientific-research character, according to the type and mission of the institution.
6. In the public higher education institutions, which have undergraduate healthcare structures, the Departments consist of services, which are formed on the basis of the specialty.
7. The Department proposes the study programs, as well as the number of students for each program, in accordance with its academic and infrastructural capacities, according to the quality standards.
8. The Department proposes student admission criteria for each study program, in accordance with the provisions of this law and sub-legal acts. The department selects the winning students, who are approved by the Head of the main unit, according to the procedures set out in the statute and regulations of the higher education institution.
9. The Department may provide services to third parties, as well as to develop other activities, in accordance with the legislation in force and the rules set out in the statute and other acts of the higher education institution.
10. The Department manages the core scientific–research funds or other funds generated from legitimate, public or non-public sources, national or international, sources.
- 11 Other rules on the structure and functioning of the Department are defined in the statute and regulations of the higher education institution.

Article 26

Scientific–Research Centre

1. The scientific–research Centre of the Faculty or Institute is a core unit that conducts scientific–research and development activities.
2. The Centre may support the realization of “Master of Science” and “Doctorate” study programs, offered by Departments of the respective Faculty or Departments of other Faculties.
3. The structure of the Centre, its composition, functioning and steering are defined in the statute and other acts of the higher education institution.
4. When the Centre does not meet the standards of a core unit, it does not count for the purpose of fulfilling institutional standards, as a core unit of the main unit.

Article 27

Interdisciplinary study Centres

1. For common academic, research and development interests, the main constituent units of a higher education institution may establish in collaboration the interdisciplinary study centres.
2. The structure of the interdisciplinary study centre, its composition, functioning, steering are defined in the statute and other acts of the higher education institution.
3. The centre is not included in the criteria for fulfilling institutional standards.

Article 28

University Healthcare Structures

1. Undergraduate healthcare structures are units of the education system and the healthcare system that provide tertiary services, diagnostic and treatment functions, as well as teaching and scientific–research functions, as part of the higher education institution.
2. University healthcare structures are approved and function as such by decision of the Council of Ministers, after fulfilling the specific standards and on the basis of defined criteria, upon the proposal of the minister responsible for education at the request of the minister responsible for healthcare.
3. In public higher education institutions, which have university healthcare structures, the departments consist of services, which are formed on the basis of the specialty. In these institutions there may also be departments, that do not have in their composition services, depending on the areas of teaching and scientific–research, that they include.
4. The Council of Ministers defines the criteria and procedures for the establishment and organization of university healthcare services and structures, as well as additional specific criteria and procedures for the selection and appointment of the heads of their services. The Minister responsible for education and the Ministry responsible for health send the respective

proposal to the Council of Ministers following the specifications made by the higher education institution.

5. Higher education institutions in the field of healthcare may conclude agreements with, public or private, healthcare centres/institutions. The type of these, public or private, healthcare centres/institutions, as well as the criteria they must meet, are determined by decision of the Council of Ministers.

6. In cases of establishment of a new service or new HEIs, which have university healthcare structures, the Head of the service is appointed by the minister responsible for healthcare and the minister responsible for education for a term of up to 1 year, to which the lead of the main unit is held, or the service leader is selected.

Article 29

Branches of Higher Education Institutions

1. An higher education institution, local or foreign, has the right to open branches in the Republic of Albania to provide study programs, in compliance with the competences and scope of its activity. Depending on the type of institution, it can also develop scientific research, training activities, services and other activities.

2. The branch of the local higher education institution is:

- a) a specific unit in the structure of the higher education institution as a main unit or core unit;
- b) a constituent part of the units of the headquarters of the institution.

3. The criteria and procedures for the establishment of branches of higher education institutions, local and foreign, accredited in the country of origin, are determined by decision of the Council of Ministers.

4. The branches of higher education institutions and study programs, offered therein, are subject to the criteria and procedures of assessment and accreditation, as defined by this law.

CHAPTER IV

ESTABLISHMENT, REORGANIZATION AND CLOSURE OF HIGHER EDUCATION INSTITUTIONS

Article 30

Establishment, closure, reorganization of a higher education institution

1. The establishment of a higher education institution, the closure and division or merger of an institution with another higher education institution are made by decision of the Council of Ministers, upon the proposal of the Minister responsible for education.

2. For public higher education institutions, which are established with joint proposal of at least two ministries, the reorganization and closure, as well as the merger with another higher education institution, is made on the proposal of those same ministries.

3. The establishment of a higher education institution is done by fulfilling the academic standards, ensuring the necessary financial means for completion of studies started by each registered student and the fulfilment of the other criteria, set forth in this law or other sub-legal acts, necessary to ensure the quality of the planned study programs as well as the other activities of the institution. The standards, criteria and procedures for establishing, reorganizing, division, merger or closure of higher education institutions are approved by decision of the Council of Ministers.

The documentation that should contain the project submitted by the institution for its establishment, as well as for the start of activity is determined by instruction of the minister responsible for education.

In case of refusal of a submitted project, the ministry responsible for education shall inform the applicant of the decision and of the reasons for taking it, within a ninety-day period from the date of application.

4. For the closure, reorganization, division or merger with any other higher education institution, the proposal of the Academic Senate and the approval of the Board of Administration are preliminarily required. In cases when the initiative for the closure of the institution is undertaken by the minister responsible for education, the Academic Senate and the Board of Administration shall express their opinion within one month.

5. The establishment of the main units of higher education institutions, their reorganization or closure is done by the order of the minister responsible for education, on the basis of the proposal of the higher education institution, after the approval of the Academic Senate and the Board of Administration.

6. The establishment, reorganization or closure of the core units of higher education institutions is done by decision of the Academic Senate, at the end of the academic year, after the approval of the Board of Administration. The institution shall notify its decision, within thirty days, to the ministry responsible for education.

7. The procedures, that are followed for the establishment, closure, reorganization and start of activity of a higher education institution are set out in the respective instruction of the minister responsible for education.

Article 31

The establishment and start of activity of the higher education institution

1. The establishment of a higher education institution is done by decision of the Council of Ministers, upon the proposal of the minister responsible for education, according to the provisions of Article 30 of this law.

2. The permission for establishing a higher education institution includes also the obligation that, in case when the institution interrupts its activity, to provide the necessary financial means and opportunities for completion of the initial studies by all students who are enrolled in that institution.
3. The foreign higher education institution, accredited in another country, is obliged to submit to the ministry responsible for education the official document certifying the accreditation in the request for permission for establishment.
4. Following the decision of the Council of Ministers for establishing the institution, the later starts its activity only after issuance of the order of the minister responsible for education for the start of activity.
5. The permission granted for the establishment becomes invalid in cases where the higher education institution does not start its activity within twenty-four months of its receipt.
6. An higher education institution concludes its academic activity, defined in its mission, only at the end of the academic year.

Article 32

Reporting

1. Higher education institutions submit, for each academic year, to the responsible ministry, annual reports on the activity performed, the financial condition of the institution, the forecast for the engagement of academic staff, the tuition fees for the following year, information on the traceability of students who have completed studies for each study program they provide, as well as other elements defined by instruction of the responsible minister.
2. The time-limits for reporting are set by instruction of the minister responsible for education.

Article 33

Statute and Regulation of higher education institutions

1. The statute of a higher education institution contains the core norms that regulate its activity.
2. The Statute is drafted and amended in accordance with the provisions of this law, as well as the sub-legal acts in force. It is approved by the Academic Senate of the higher education institution and the Board of Administration. The Statute is sent to the minister responsible for education who, within two months, exercises the control of its legality. When it finds its discrepancy with the law, the minister returns the statute for re-elaboration to the higher education institution. When the Minister has no objection to the legality of the Statute or does not express any within the above deadline, the Statute is deemed approved. Amendments to the statute are approved through the same procedures.

3. The higher education institutions and their constituent units regulate their activity in their internal Regulations, drafted and approved in accordance with this law and in the manner stipulated in the Statute of the higher education institution.

4. The statute, in accordance with this law and the decision of establishing the higher education institution, shall specify in detail: the organization, its constituent structures, the activities of the authorities and governing bodies, their selection or appointment, the levels of delegation of competences by the governing and administrative authorities, the periods of conduct of internal evaluation of the structures or study programs, the duties and rights of academic, academic-support, administrative staff and of students, as well as other issues that govern the activity of the institution.

Article 34

Name and emblem of higher education institutions

1. Higher education institutions have the official name and coat of arms, which are defined in the decision of establishment of institution.

2. The denominations of the type of higher education institution “university”, “university college”, “academy” and “higher professional college” shall not be used and shall not be part of the singular name of the higher education institution.

3. The higher education institution notifies the ministry of changes to the name or to the emblem of the institution. The abovementioned changes are approved by decision of the Academic Senate.

4. If the name and emblem of the institution is the same as that of another institution or are contrary to public morality or the provisions of this law, the minister requests their amendment. The ministry responsible for education keeps the relevant register for this purpose.

Article 35

Opening, closing and reorganizing of study programs at higher education institutions

1. The opening of study programs, closure, as well as their reorganization to the extent of 20 percent of their content, expressed in credits, after a complete cycle of study, is approved by the minister responsible for education, on the basis of the request of the higher education institution, based on the assessment of necessities for skills in the labour market and in accordance with the provisions of this law.

2. The opening of a new study program in a public institution of higher education is done with the prior approval also of NAHEF, in all those cases when for its opening is required funding from the State Budget. In cases when the program is opened without the consent of the NAHEF, the higher education institution undertakes to cover themselves the expenses of the study program permanently.

3. The Minister responsible for education refuses the request in cases where the higher education institution fails to meet the conditions for opening the study program, or does not prove that it is able to provide the necessary financial guarantees and the relevant infrastructure for the requested activity.
4. The higher education institutions, before the beginning of the academic year, notify officially the ministry responsible for education on the changes to the study programs, after the permission for establishment and their accreditation, accompanied by the relevant argumentation, one year before the date of implementation of the study program.
5. Foreign higher education institutions of one of the states of the European Union, the United States, Canada and Australia may offer higher education study programs or professional trainings. These programs should be accredited in the country of origin and be offered at Albanian accredited higher education institutions, after their approval by the minister responsible for education. The implementation of the program is carried out with the same standards, modalities and academic staff as is done in the country of origin of the foreign institution. The Albanian higher education institution has the responsibilities for meeting the standards and realising the academic process. The opening of these programs is preliminary subject to the assessment and recognition process by ASCAL and the Accreditation Board, in accordance with the Quality Code, as well as other legal obligations.
6. The Minister responsible for education defines by instruction the criteria and documentation that should be contained in the request for the opening of new study programs, as well as the procedures followed for their opening.
7. The permission granted for the opening of a new study program becomes invalid in cases where the higher education institution does not initiate the program within twenty-four months of issuance of the order for the opening.
8. Based on non-compliance with the criteria of legality and/or accreditation of a study program, the minister responsible for education commands the closure of the respective program.
9. The higher education institution for accredited study programs may make profile changes up to 20 percent and reflect them on the diploma issued by it. The approval of changes is made by the Academic Senate and for them the ministry responsible for higher education is notified no later than six months before the beginning of the academic year.

CHAPTER V

ACADEMIC AND ADMINISTRATIVE ORGANIZATION OF HIGHER EDUCATION INSTITUTIONS

Article 36

Governing bodies and authorities in higher education institutions

1. The highest academic governing body is the Academic Senate. Other academic bodies are the assembly of academic staff and the permanent committees.
2. The governing academic authorities are the rector, the head of the main unit, the head of the core unit.
3. The highest administrative governing body is the Board of Administration.
4. The governing administrative authorities are: the administrator of the institution and the administrator of the main unit. The administrator of the core unit is an administrative authority.
5. Other collegial bodies are: the Rectorate, Deanery, Ethics Council.
6. Higher education institutions have the right to establish in their structure other authorities and bodies, in accordance with the mission and activities of the institution, as defined in their statute.
7. In public higher education institutions, the members of the Academic Senate and the governing academic authorities are elected through a general elections process, which takes place every four years. The members of the Board of Administration are elected according to the provisions of this law. The administrative authorities are selected in accordance with the provisions of this law.
8. In non-public higher education institutions, members of the Academic Senate, governing academic authorities, members of the Board of Administration and administrative authorities are selected/appointed and dismissed and dismissed according to the provisions of this law and the statute of the institution.

Section 1

Academic organization

Article 37

Academic Senate

1. The Senate is the highest collegial academic body of the higher education institution, responsible for fulfilling its mission.
2. The Senate is chaired by the Rector and is convened periodically.
3. Members of the Academic Senate of higher education institutions are selected from the assemblies of the academic staff of the main units, through a general vote, for a four-year term with the right of re-election, between full-time members of the academic staff that have made their candidacy.
4. Members of the Senate in the higher education institutions belong to the category of “Professor” or have a “Doctor ” (“PhD”) degree, obtained at universities in the member states

of the OECD or the EU, in the absence of governing authorities this title and, for the sake of representation, their category may be diminished, according to the definitions made in the statute of the institution. In the Academic Senate of public institutions also students are represented in the amount of ten percent, while in non-public institutions they are represented to the extent determined by the statute of the institution.

5. The number of members, the manner of its functioning and the representation of the main units in the senate shall be defined in the statute of the higher education institution.

Article 38

Functions of the Academic Senate

1. The functions of the Academic Senate are:

a) guarantees the autonomy of the higher education institution, the academic freedom, and the rights of students;

b) proposes the strategic plan for the development of the higher education institution;

c) adopts the statute of the higher education institution by two-thirds of the votes of its members, after receiving the prior approval of the Board of Administration;

ç) drafts the general structure of the higher education institution and proposes to the Board of Administration the number of staff of the institution at all levels;

d) adopts the regulations of the institution and other acts, according to the definitions made in the statute;

dh) adopt new programs of study, of scientific research, their changes and their closure. The new study programs should be based on the annual draft budget of the institution;

e) proposes the closure and reorganization of the higher education institution, as well as the division or merger of the higher education institution with another higher education institution;

ë) approves the opening, reorganization or closure of units of the higher education institution on the basis of the proposals of the main units and core units. In these cases, it receives a preliminary assessment of the Board of Administration;

f) approves the annual plan of academic and research activities;

g) approves the detailed annual report of the institution's activity, drafted by the rectorate, and forwards it to the ministry responsible for education;

gj) elects its representatives to the Board of Administration;

h) approves in advance the annual and medium-term budget plan of the institution;

i) establishes the Permanent Committee for the Promotion of Academic Personnel, for the granting of academic titles of “Associate Professor” and “Professor”, when the institution meets the legal criteria, as well as the other committees defined in the statute of the institution;

- j) guarantees the internal quality assurance of the higher education institution;
 - k) establishes mechanisms for evaluating the teaching and research activities of academic staff;
 - l) organizes the joint meeting, in cooperation with the Board of Administration, at the end of each academic year, discussing the teaching, research and financial activities.
2. The powers to perform the functions provided for in paragraphs “b”, “ç”, “e”, “ë” and “h”, of paragraph 1, of this article, in non-public higher education institutions are set out in their statutes.
 3. Other functions of the Academic Senate shall be defined in the statute of the higher education institution.

Article 39

Rector

1. The Rector is the highest academic authority of the higher education institution, as well as its legal representative on academic and protocol matters, according to the provisions of this law.
2. In public higher education institutions, he/she is elected by the members of the assemblies of academic staff of main units and by students. The vote of student in the selection of the Rector shall be calculated at the amount at ten percent of total vote count. Candidates for rector shall make a self-candidacy.
3. The Rector in the higher education institution holds the title “Professor” and may come from within the academic staff of the higher education institution or from outside. The specific selection criteria of competing candidates shall be set out in the statute of the respective HEI.
4. The Rector steers the Academic Senate and reports to it.
5. The Rector signs the employment contracts for academic and academic support staff in higher education institutions.
6. The Rector submits to the senate the strategic plan of the development of the institution.
7. The term of office of the Rector lasts four years. He/she serves in that duty for one mandate, with the right of re-election only once. Upon termination of the mandate, he/she continues to be a member of the staff of the core unit where he performs his academic activity.
8. The President of the Republic decrees the Rectors of higher education institutions, according to the definitions of this law.
9. In case of establishment of a public university, the President of the Republic appoints its Rector for a one-year term of office, with the task of organizing and conducting the general elections of that institution within this term. In case of dismissal of the Rector for legal reasons or failure to fulfil the duty, the minister responsible for education commands to this role one of

the deputy Rectors for a term of up to six months, in order to organize the elections in the institution.

10. In cases of commission of flagrant criminal offenses or serious violations of the law, the inability to perform duties and the cases foreseen in the Code of Ethics of the higher education institution, the minister suspends the Rector and proposes to the President of the Republic his/her dismissal, who responds within one month. If the President of the Republic does not respond within this time-limit, the proposal of the Minister is deemed to be approved in silence. After the decree of dismissal, the minister announces early elections within six months from the date of dismissal.

11. The Rector proposes to the minister responsible for education the dismissal of the governing authority of the main body of the public institution, in cases of commitment of flagrant criminal offenses or serious violations of the law, the impossibility of performing the duty and the cases provided for in the Code of Ethics of the higher education institution. The Minister responds within one month. The Rector appoints one of the deputies of the authority until the election of the new authority, within two months from the date of dismissal. The Rector, shortly after the dismissal, announces early elections within six months from the date of dismissal.

12. Other functions of the Rector shall be defined in the statute of the institution.

Article 40

Rectorate

1. The rectorate in the higher education institutions is a collegial body that is steered by the Rector and consists of:

a) the Rector;

b) the deputy Rector(s);

c) the Administrator of the institution;

ç) the Heads of the main units;

d) other authorities, as defined in the statute of the higher education institution.

2. The higher education institutions determine in their statute the number of deputy Rectors, who belong to the “Professor” category or have the “Doctor” (“PhD”) degree, obtained at universities in member states of the OECD or the EU. They are full-time members of academic staff, who are appointed and dismissed by the Rector, after approval in the Academic Senate.

3. The rectorate drafts the strategic plan for the development of the institution, based on the proposals of the core and main units of the institution, as well as those of the administrators.

4. The functions of the rectorate shall be defined in the statute of the higher education institution.

Article 41

Assembly of academic staff

1. The assembly of academic staff consists of the full-time academic staff of the main units.
2. The assembly of academic staff of the main unit of higher education institutions has the following functions:
 - a) elects the Rector of the institution in public higher education institutions;
 - b) elects the members of the Academic Senate in public higher education institutions;
 - c) elects the Head of the main unit in public higher education institutions;
 - ç) establishes and elects the members of the permanent committees of the main unit.
3. The assembly of academic staff may exercise other competencies also, as defined in the statute of the higher education institution.

Article 42

Head of the main unit

1. The Head of the main unit is the Dean of the Faculty, the Director of the scientific–research institute, when the institute meets the standards as a main unit, and the Director of the higher professional college, in cases where the latter is established as part of higher education institutions of the kind of University or University College.
2. The Head is the highest academic authority of the main unit and its representative. He/she coordinates the activity of the core units and the collegial bodies of the main unit and settles disputes between them.
3. In public higher education institutions, he/she is elected by the assembly of the academic staff of the main unit and by the students. The vote of students in the selection of the Head shall be calculated to the amount of ten percent of the total vote count. The candidate for Head shall make a self-candidacy. He/she is academic staff member of the “Professor” category and may come from within ranks of the academic staff of the higher education institution or from outside. The specific selection criteria of competing candidates are set out in the statute of the respective HEI.
4. The term in office of the Head is four years. He/she serves on duty for one term, with the right of re-election only once. Upon termination of the mandate, he/she continues to be a member of staff of the core unit where he performs his academic activity.
5. In public higher education institutions, the Rector appoints Head of the main unit the winning candidate of the election.
6. In case of opening of a new main unit in public higher education institutions, or in case of establishment of a new higher education institution, its Head is appointed by the Rector for a

term of one year, with the task of organizing and conducting the elections for the Head of the main unit and constituent units, within the term of office.

7. The Head of the main unit submits to the Academic Senate the proposals of the core units, accompanied by his/her opinions.

8. Other functions of this governing body are defined in the statute and regulations of the higher education institutions.

9. The Head of the main unit proposes to the Rector the dismissal of the governing body of the core unit in public higher education institutions, in cases of commission of flagrant criminal offenses or serious violations of the law, the impossibility to perform the task and for the cases provided for in the Code of Ethics of the higher education institution. The Rector shall respond within one month. The substitute of the Head of the core unit is appointed by the Rector, upon the proposal of the Head of the main unit. The Rector announces early elections within six months from the date of dismissal.

10. The Head of the main unit proposes to the Administrator of the institution the dismissal of the administrator of the main unit.

Article 43

Deanery

1. The deanery in the higher education institutions is a collegial body that is steered by the Dean and consists of the:

a) the Dean;

b) the deputy Deans;

c) the Administrator of main unit;

ç) the Heads of core units;

d) other authorities defined in the statute of the higher education institution.

2. The deputy Deans are full-time members of the academic staff. They are appointed and dismissed by the Dean, as defined in the statute of the higher education institution.

3. The deanery drafts the strategic plan for the development of the main unit, based on the proposals of its core units, as well as those of the Administrator of the main unit.

4. The deanery coordinates the activity of the core unit.

5. The functions of the deanery shall be defined in the statute and regulations of the higher education institution.

Article 44

Council of Ethics of the institution

1. The Council of Ethics shall be established at higher education institutions. It promotes and examines issues related to ethics in the teaching and research process activity, as well as in other institutional activities.
2. The rules of organization and functioning of the Council of Ethics are set out in the statutes of higher education institutions, as well as in their internal regulations.

Article 45

Head of the core unit

1. The Head of the core unit is the Head of the Department or the scientific–research centre. He/she is the academic governing body of that unit and represents it. In public higher education institutions, he/she is elected by the assembly of the academic staff of the core unit. In non-public higher education institutions, he/she is elected or appointed according to the provisions in the statute of the institution.
2. In public higher education institutions, the Head of the main unit appoints Head of the core basic unit the winning candidate of the election. In case of the opening of a new core unit in public higher education institutions, or in case of establishment of a new higher education institution, its Head is appointed by the Dean for a term of office of up to the duration of the elections for the Heads of the core units.
3. The candidate for Head makes a self-candidacy and is a member of the academic staff of the “Professor” category or has a “Doctor” (“PhD”) degree, obtained at universities in member states of the OECD or the EU. In cases when there are no candidates for this category, a lecturer may also run for Head, when the latter holds the “Doctor” degree. Other selection criteria of competing candidates are set out in the statute of the respective HEI.
4. The Head may serve on a four-year term of office, with the right of re-election only once. Upon termination of the mandate, he/she continues being a member of staff of the core unit where he/she performs his/her academic activity. Exceptions are made to the case when, as a result of the application of the provision of this paragraph, the conditions set forth in paragraph 3 of this Article are not met.
5. The Head proposes to the Administrator of the institution the dismissal of the administrator of the core unit.
6. The functions of Head of the core unit shall be regulated in the statute and the regulations of the higher education institution.

Article 46

Permanent committees

1. Permanent committees are collegial bodies that perform functions in the fields defined in the statute, that are mainly related to scientific qualifications and academic promotion, the guarantee of quality standards of the institution and study programs, the proper conduct of its activity and of relations with the students, in line with the mission and policies of the institution.
2. Permanent committees are established at the institutional level and at the level of the main unit. They consist of not less than five members.
3. The members of the permanent committees of the higher education institution are candidate themselves for the positions and are elected by the Academic Senate for a two-year term of office, with the right of re-election. The members of the permanent committees of the main units in higher education institutions candidate themselves for the positions and are elected by the academic staff of the main unit between its members, for a two-year term of office, with the right of re-election.
4. In cases where the Higher Education Institution provides the granting of the scientific degree of “Doctor”, the assembly of the academic staff of the main unit selects from the academic staff of the respective unit the members of the permanent committee, who monitor the process of award of the scientific degree. They hold the title “Professor” or “Associate Professor”. The members of this committee have a two-year term of office, with the right to re-election.
5. In cases where the higher education institution meets the conditions for awarding the academic titles “Professor” and “Associate Professor”, the Academic Senate selects from the academic staff of the main units the members of the Committee for the Promotion of Academic Personnel. They hold the title “Professor”. The members of this commission have a two-year term of office, with the right to re-election.
6. In the composition of the permanent committees are represented also the students, according to the provisions of the statute of the higher education institution, with the exception of the Committee for the Award of the Scientific Degree of “Doctor” and the Committee for the Promotion of Academic Personnel. The maximum number of committee members and of the committees themselves, their functions and organization are defined in the statute and the regulations of the higher education institution.

Section 2

Administrative organization

Article 47

Board of Administration

The Board of Administration is the highest collegial administrative body, which guarantees the fulfilment of the mission of the higher education institution, its financial and administrative performance.

Article 48

Composition and establishment of the Board of Administration

1. The Board of Administration in public higher education institutions consists of seven members, employed on a part-time basis. Members, representing the HEI, are selected by the Academic Senate of the HEI for a five-year term, with the right of re-election, from the lists proposed by the higher education institution. In the list of candidates shall be given the data of individuals who made their self-candidacy or were proposed by the core units of the higher education institution or relevant institutions. Members representing the ministry responsible for education and the local government unit are renowned experts from the academic, managerial, economic and legal fields and are respectively appointed by the minister responsible for education and the head of the local government unit, according to the provisions of this law.

2. The composition of the Board of Administration is determined depending on the medium-term budget plan of the public institution of higher education, approved by the Board of Administration.

If the institution provides itself fifty percent or more of the mid-term budget, four of the members are representatives of HEIs and three are representatives of the ministry responsible for education.

In cases where the institution provides itself less than fifty percent of the mid-term budget, three of the members are representatives of HEIs and four are representatives of the ministry responsible for education.

In cases where the local government unit, in the territory of which the institution of higher education operates, contributes financially, at least to the extent of ten percent of the medium-term budget of the HEI, then one of the representatives belonging to the ministry responsible for education, is determined by the local government unit.

3. The level of financial contribution of the ministry, of the local government and of the institution itself is based on the medium-term budget plan of the institution, by agreement between them. This plan is updated annually, and at the end of the third financial year, the revaluation of the funding and determination of the participation of the contributors to the Board of Administration are made.

4. For higher education institutions, which enjoy special status, one of the members, representing the ministry responsible for education, is appointed by the line minister.

5. The Board of Administration in non-public higher education institutions is established and functions according to the provisions made in their statutes.

6. The Rector, the Heads of main units, the Heads of core units and the Administrators shall not be members of the Board of Administration, but may be invited to attend its meetings.

Article 49

Functions of the Board of Administration in Higher Education Institutions

1. The Board of Administration has the following main functions:
 - a) guarantees the financial sustainability of the higher education institution and the fulfilment of its mission;
 - b) upon proposal of the Academic Senate, approves the strategic plan for the development of the institution and supervises its implementation;
 - c) upon proposal of the Academic Senate, approves the annual and medium-term budget of the institution and supervises their implementation;
 - ç) upon proposal of the Academic Senate, approves the number of staff at all levels;
 - d) evaluates in advance the closure and reorganization of the higher education institution, as well as the division or merger of the higher education institution with another higher education institution;
 - dh) approves in advance the opening, reorganization or closure of the constituent units of the higher education institution;
 - e) gives opinion on the draft Regulation of the institution and approves its financial regulation;
 - ë) sets out the rules for the allocation of income that the institution provides from the exercise of its activities, and oversees the use of funding sources;
 - f) it is responsible for setting the criteria and procedures for the employment of administrators and administrative staff, based on the acts of the higher education institution;
 - g) appoints and dismisses the administrator of the institution;
 - gj) approves in advance the statute of the higher education institution, before it being forwarded to the Academic Senate;
 - h) approves the detailed annual report on the activity of the institution, drafted by the Rectorate.
2. In public higher education institutions, decisions of the Board of Administration, for the determination made in letter “gj”, of paragraph 1, of this article, shall be taken by not less than three-fifths of the votes of members.
3. The powers to exercise the functions provided for in paragraphs “b”, “c”, “ç”, “d” and “dh”, of paragraph 1, of this article, in non-public higher education institutions are defined in their statutes.
4. Other functions of the Board of Administration are defined in the statute of the higher education institution.

Article 50

Early termination of the term of governing authorities and of elected members of the governing bodies of the higher education public institution

1. The term of office of the authority or the elected member shall be prematurely terminated in the following cases:
 - a) when sentenced by a final court decision for the commission of a criminal offense;
 - b) when the member of the body or the authority resigns;
 - c) of inability to perform the task;
 - ç) of serious violations of the law;
 - d) other cases provided for in the statute of the higher education institution;
 - dh) of change to the representation ratio of the governing body.
2. The dismissal of the members of the Board of Administration shall be done by the minister responsible for education on the proposal of the body that elects or appoints them.
3. The dismissal for each authority or member shall be conducted in accordance with the procedures laid down in the statute of the higher education institution, in accordance with the provisions of this law.
4. In case of premature termination of the mandate of the authorities and elected members of bodies, the term of office of the new elected member of the governing body is complementary.

Article 51

Administrator of the higher education institution

1. The Administrator is the highest administrative authority and is responsible for the financial performance of the institution. He is the legal representative of the higher education institution on financial and administrative matters, according to the definitions of this law.
2. In public higher education institutions, he/she is selected by open competition, according to the criteria set out by the Board of Administration. The list of candidates that meet the criteria is approved by the Academic Senate. The appointment of the administrator is done by the Board of Administration. In non-public higher education institutions, the administrator is appointed and dismissed as defined in the statute of the institution.
3. The administrator of the public institution of higher education is dismissed by the Board of Administration with 2/3 of the votes of its members.
4. The administrator must have a higher education, at least at the level of “Master of Science” in the field of law or economics and work experience for at least seven years in these areas.
5. The administrator cannot exercise any other academic or administrative function.

6. The Administrator reports on his activity to the Board of Administration and the Academic Senate, as defined by the statute of the higher education institution.

Article 52

Functions of the Administrator

1. The Administrator performs these functions:

a) drafts the annual draft budget, based on the proposals of the main units and the core units, based on the strategic plan for the development of the institution and its medium-term budget plan;

b) proposes the criteria for the management of financial and material resources, which it submits for approval to the Board of Administration and oversees their dissemination and implementation;

c) follows and controls the implementation of the annual budget of the higher education institution at its subordinate structures;

ç) implements all decisions of the Board of Administration and the Academic Senate of a financial and administrative nature;

d) submits to the Board of Administration and the Academic Senate the report on the financial activity of the higher education institution at the end of the academic year;

dh) cooperates with the other structures and authorities of the higher education institution on issues of day-to-day management;

e) appoints and dismisses the administrators of the main units and core units after the approval of the Board of Administration;

ë) fulfils the requirements of the Rector in order to meet the academic, administrative and financial needs.

2. Other functions of the administrator shall be defined in the statute and the regulations of the institution.

Article 53

Administrator of the main unit

1. The Administrator of the main unit is responsible for its proper functioning financially and administratively.

2. In public higher education institutions, he/she is selected by competition, according to the procedures and criteria set out by the Board of Administration. In non-public higher education institutions, the Administrator is appointed according to the criteria set out in the statute of the institution.

3. The Administrator of the main unit should have a university degree, at least at the level of “Master of Science” in the field of law or economics and at least five years of work experience in these areas.

4. The Administrator of the main unit may not exercise any other academic or administrative function.

5. The Administrator of the main unit reports on his/her activity to the administrator of the higher education institution and informs the Head of the main unit, as specified in the acts of the higher education institution.

6. The Administrator of the main unit proposes the dismissal of the Administrators of the core units.

Article 54

Functions of the Administrator of the main unit in higher education institutions

1. The functions of the Administrator of the main unit are:

a) executes the daily financial management of the main unit;

b) supervises and controls the financial activity of the main unit;

c) fulfils the requirements of the Head of the main unit in order to meet the academic, administrative and financial needs;

ç) cooperates with the authorities and governing bodies of the core unit for its core issues of its administration.

2. Other functions of the administrator shall be defined in the statute and the regulations of the institution.

Article 55

Administrator of the core unit in higher education institutions

1. The Administrator of the core unit is responsible for its financial performance. He/she carries out support activities in the framework of accomplishing the mission of one or more core units. The Board of Administration, upon request of the core unit, proposes the inclusion or not of this authority in the structure of the institution. In cases where the existence of this authority is foreseen, the Board of Administration may determine, depending on the size and financial capacity of the institution, the number of units that may be administered by an administrator.

2. In public higher education institutions, he/she is selected by the Administrator of the institution, according to the procedures and criteria established by the Board of Administration. In non-public higher education institutions, the Administrator is appointed according to the criteria set out in the statute of the institution.

3. The Administrator of the core unit shall have a university degree, at least at the level of “Master of Science” in the field of law or economics and at least three years of work experience in these areas.
4. The Administrator of the core unit may not exercise any other academic or administrative function.
5. The Administrator of the core unit reports on his/her activity to the Administrator of the main unit and the Head of the core unit, as defined in the acts of the higher education institution.

Article 56

Functions of the Administrator of the core unit in higher education institutions

1. The functions of the Administrator of the core unit are:
 - a) administers the funds of the core unit(s);
 - b) implements the decisions of the Administrator of the main unit on the method of allocating the income generated by the core unit(s);
 - c) meets the requirements of the Head of the core unit in order to meet the academic, administrative and financial needs.
2. Other functions of the Administrator of the core shall be defined in the statute and the regulations of the higher education institution.

CHAPTER VI

PERSONNEL OF HIGHER EDUCATION INSTITUTIONS

Article 57

Personnel of higher education institutions

1. The personnel of higher education institutions consists of academic staff, academic support staff and administrative staff.
2. The personnel of higher education institutions may be employed by contract, of indefinite or fixed duration, as well as with full-time or part-time engagement.
3. The rights and obligations of the personnel of higher education institutions shall be defined in their statutes and internal acts, in accordance with applicable legal and sub-legal acts.

Article 58

Status of academic staff

1. Academic staff enjoy special status and treatment. The status and special treatment are proposed by the minister responsible for education, after having received the opinion from HESRC, and approved by the Council of Ministers.
2. Public higher education institutions may contribute to the special financial treatment of academic staff, in addition to the income from the State Budget.
3. Aspects of special treatment as well as other benefits of academic staff of higher education institutions are determined by the Board of Administration.

Article 59

Categories of academic staff

1. Academic staff in higher education institutions carries out teaching activities, scientific research, support and development services for the higher education institution, student counselling and other activities.
2. Academic staff may be teaching and/or research oriented. Academic staff in higher education institutions, according to their role and activity, are categorized in:
 - a) professors;
 - b) lecturers;
 - c) assistant lecturers.
3. In the category “Professors” are included members of the academic staff, Heads of subjects or modules and leaders of the scientific–research activity. The members of the academic staff of this category hold the academic titles of “Professor” or “Associate Professor”. This category is employed with a contract of indefinite duration.
4. In the category “Lecturers” are included members of academic staff who conduct teaching and scientific–research activities. This category includes members of the academic staff holding the “Doctor” degree, having at least three years of teaching experience before or after gaining this grade and meeting the criteria set out in the statute of the higher education institution. This category is employed with a contract of indefinite duration.
5. In the category “Assistant lecturers” are included members of academic staff who conduct teaching–research activities. Assistant lecturers shall have at least the “Master of Science” diploma and meet the criteria set out in the statute of the higher education institution. The Assistant lecturer is employed with a contract of fixed duration.
6. Academic staff engaged in teaching should have at least the qualification of the next cycle. In higher professional colleges, academic staff must have earned at least a “Professional Master” diploma.
7. The ratios between the various activities of academic staff, specified in paragraph 1, of this article, shall be determined by the higher education institution.

8. The full teaching workload for academic staff in public higher education institutions shall be determined by the institution, in accordance with the respective instruction of the minister responsible for education. In non-public institutions the minimum workload shall be determined by the institution itself.

Article 60

Academic titles

1. Academic titles of “Professor” and “Associate Professor” are awarded by higher education institutions of the “University” type, which:

a) conduct academic and scientific–research activities, on a continuous basis, for not less than ten years;

b) are accredited institutions;

c) have employed full-time as academic staff, with a contract of indefinite duration, not less than eighteen members of academic staff holding the title of “Professor”. In any case, the university shall have at least five full-time professors holding the title of Professor at each Faculty;

ç) offer doctoral studies or long-term specializations;

d) meet other additional criteria, determined by decision of the Council of Ministers.

2. The list of higher education institutions, that meet the criteria for awarding academic titles, is officially published every academic year by the responsible ministry.

3. The state standards for obtaining the titles of “Professor” and “Associate Professor” shall be determined by decision of the Council of Ministers.

4. Higher education institutions with special status, with activities in the field of arts, sports, law enforcement and defence, may provide other titles, other than those provided for in paragraph 1, of this article, equivalent to them, as provided for in the relevant decision of the Council of Ministers.

Article 61

Obtaining academic titles

1. May apply to obtain the title of “Associate Professor” the academic staff who have been awarded the “Doctor” degree, at least five years prior, is academic staff of the “Lecturer” category and meets the state standards for obtaining the title. May apply to obtain the title of “Professor” the academic staff who had been awarded the title of “Associate Professor” at least five years prior, and that fulfils the state standards for obtaining the title.

2. The academic staff of higher education institutions, which do not meet the criteria for awarding academic titles, as well as persons who are not academic staff at an institution but meet the standards for obtaining the titles, submit a request to an institution that meets the criteria for awarding titles.
3. The candidate for obtaining the title of “Associate Professor” or “Professor” presents the file to the Head of the main unit. The file of the candidate is forwarded to the Academic Senate, after submission and evaluation in the core unit. The Senate forwards the file to the Permanent Committee for the Promotion of Academic Personnel, which makes the final decision after the decision of the jury on fulfilment of standards. The title is registered in the state register of scientific degrees and academic titles at the ministry responsible for education. The academic title is issued by the institution and is signed by the Rector.
4. In the case of a negative evaluation of the application for obtaining the academic titles from the Permanent Committee for the Promotion of Academic Personnel, the candidate is granted the right to repeat the request after a period of not less than two years.
5. After retirement, the academic staff holding the title of “Professor”, in appreciation of his/her distinguished academic career, is awarded the title of “Professor Emeritus” upon the proposal of the core unit where he/she has developed his/her career and the decision of the Academic Senate.

Article 62

Visiting academic staff

1. Core units of higher education institutions have the right to request employment with contract for short periods of time of researchers, personalities, domestic or foreign artists.
2. For the selection of visiting academic staff shall be combined their qualifications with the need of the core unit for teaching or scientific–research activities.
3. Visiting staff shall be employed in accordance with the provisions of the statute and the regulations of the higher education institution.
4. Expenses for visiting academic staff are borne by the income of the institution.

Article 63

Sabbatical academic year

The academic staff of the “Lecturer” and “Professor” category, with the approval of the core unit where he/she conducts the academic activity, has the right to disengage from the engagements of the institution, once every seven years, for a period of up to one year, to work on his/her academic advancement. The manner of regulating the legal relations between the parties for this period shall be defined in the statute of the higher education institution.

Article 64

Employment of academic staff

1. The employment criteria of full-time academic staff are determined by the core unit, based on the needs of the latter, and approved by the Rector. The competition in public higher education institutions is steered by an *ad hoc* committee, composed in its majority by representatives of the respective core unit. The rules and procedures for selecting the members of the *ad hoc* committee, as well as for the selection of academic staff shall be set out in the statute of the HEI. In non-public institutions, the criteria, rules and procedures for employing academic staff shall be defined in the statute of the institution.
2. Full-time academic staff at an higher education institution cannot be employed as full-time academic staff at another higher education institution, within the country and abroad. He may only engage part-time at another higher education institution, with the approval of the Head of the core unit and the Rector, as well as in agreement between the institutions. The participation of academic staff in projects, consultancy, publications and services implemented at the higher education institution, where he/she is employed full-time, shall not be considered as a double-employment within the institution.

Article 65

Duration of academic staff employment

1. The academic staff, who holds the title of “Professor”, shall serve in that duty until the age of 68, except when, at his/her request, he leaves. Based on the needs of the higher education institution and with his/her consent, he/she may serve in that duty even after the aforementioned age, through contracts with a duration of up to one year, repeatable, as defined in the statute of the higher education institution.
2. The academic staff, which holds the title of “Associate Professor”, shall serve in that duty until the age of 65 years old. Based on the needs of the higher education institution and with his/her consent, he/she may serve in that duty even after the aforementioned age, through contracts with a duration of up to one year, repeatable, as defined in the statute of the higher education institution.
3. The academic staff of the “Professor” category may temporarily be disengaged from the higher education institution for a maximum period of five years, to engage in important state and political duties. For the disengagement period he/she may be replaced by academic staff employed with a fixed term contract. Upon the conclusion of his/her duty, upon his/her request, the member of the academic staff shall return to the previous place of work or to an equivalent place.

Article 66

Academic support staff

1. Academic support staff is divided into academic support staff of a teaching character and academic support staff of an administrative character.
2. Academic support staff of a teaching character helps in the realization and support of the teaching and/or scientific–research activities. He/she is part of the core unit and serves to support the activities of the latter. In this category are included the laboratory technicians and other technicians, as well as other personnel, as defined in the internal acts of the institution.
3. Academic support staff of an administrative character helps in the realization and support of teaching and/or scientific–research activities and/or the development of the higher education institution at the level of core unit, main unit or at the institutional level. In this category are included the personnel defined in the internal acts of the institution.
4. The employment criteria of full-time academic support staff shall be proposed by the unit to which this staff serves, based on the needs of the latter. The competition in higher education institutions shall be steered by an *ad hoc* commission, composed in its majority by representatives of the respective unit.

The rules and procedures for selection of *ad hoc* committee members, as well as for the selection of academic support staff shall be set out in the internal acts of the HEI.

Article 67

Administrative staff

1. The categories of administrative staff and the salary levels are approved by the Board of Administration of the Higher Education Institution, according to the legislation in force.
2. Higher education institutions set out in their statute and regulations the procedures for evaluating the work of the administrative staff, the motivation, remuneration, development and training policies, as well as the procedures for disciplinary measures.
3. The employment of administrative staff in public higher education institutions shall be done through public competition. Employment criteria shall be defined in the statutes and internal regulations of the institutions.

Article 68

Disciplinary measures for academic staff

1. Disciplinary measures shall be determined in accordance with the statute and other acts of the HEI.

2. The dismissal of the academic staff of the HEI is done by the Rector of the institution, upon the proposal of the Head of the core unit, where the academic staff performs his/her activity and after the approval of the *ad hoc* commission, established by the Academic Senate, in cases of serious and repeated violations of the law, as stipulated in the statute and other acts of the HEI.

CHAPTER VII

ORGANIZATION OF STUDIES IN HIGHER EDUCATION INSTITUTIONS

Article 69

Forms of study and admission to higher education institutions

1. Forms of studies in higher education institutions are:

a) full-time studies;

b) prolonged studies.

2. Prolonged studies may be offered in one-to-two-year professional-level study programs, “Professional Master” second-cycle programs and “Executive Master” third-cycle programs. Study programs, which entitle the exercise of a regulated profession, are organized only in the form of full-time studies.

3. Admission of students to higher education institutions in all study programs are made by decision of the institutions, in accordance with the state standards, the academic and the infrastructural capacities. These standards are verified and certified by the ministry responsible for education, before declaring the admission quotas for all higher education institutions.

Article 70

Cycles and study programs

1. Higher education institutions offer study programs, organized in modules and evaluated in credits, in accordance with the European Credit Transfer System (ECTS).

2. The normal amount of credits accumulated during one academic year by a student shall be 60 credits.

3. Study programs are drawn up by the core units of higher education institutions and are approved by their Academic Senates.

4. Study programs in higher education institutions are organized in three consecutive cycles: the first cycle, the second cycle and the third cycle, referring to levels 6–8 of the Albanian Qualifications Framework. Higher education institutions also offer professional diplomas, referring to level 5 of the Albanian Qualifications Framework.

5. Higher education institutions publicly announce the open and the accredited study programs, prior to the start of applications for admission of students.

Article 71

Study Programs at Higher Education Institutions

1. Higher education institutions offer study programs in different cycles depending on the type of institution, as well as programs with a high professional character and continuing training programs in areas where they meet the criteria and fulfil the state standards.
2. The elements, which should be contained by the study programs offered by the higher education institutions, are determined by decision of the Council of Ministers.
3. Higher education institutions shall set out in the statute and the regulation detailed elements for the study programs they offer.

Article 72

Study programs of a professional character

1. Higher education institutions may offer study programs of a professional character, after completion of secondary education, with 60 or 120 training credits, referring to level 5 of the Albanian Qualifications Framework. Their normal duration is one or two academic years and at the end is issued respectively the “Professional Certificate” or the “Professional Degree” in the field of education completed.
2. Credits accumulated during higher vocational studies may be transferred to first-cycle studies, referring to level 6 of the Albanian Qualifications Framework, according to the criteria set out by the higher education institutions.

Article 73

First cycle programs of study

1. The first cycle of studies programs, referring to level 6 of the Albanian Qualifications Framework, are organized with no less than 180 European credits (ECTS) and their normal duration is three academic years.
2. Students in the first cycle of studies programs graduate after a final examination or a diploma thesis. Higher education institutions set out in their regulation the average grade threshold, which entitles a first-cycle student to graduate by preparing and defending a diploma thesis.
3. At the end of the first-cycle programs shall be issued the diploma of “Bachelor” in the field of education completed.

Article 74

Admission to the first cycle of studies

1. Admission to the first cycle of studies program is possible for any candidate who has successfully completed the secondary education cycle and meets the average grade criterion determined each year by decision of the Council of Ministers.
2. Higher education institutions may also establish additional admission criteria for the selection of candidates, which are announced by the higher education institution and made available to the Education Services Centre and the ministry responsible for education.
3. At the beginning of the academic year, higher education institutions send to the Education Services Centre the list of registered students.

Article 75

Second cycle of studies programs

1. The second cycle of studies includes the “Master of Science”, “Master of Arts” and “Professional Master” study programs, referring to Level 7 of the Albanian Qualifications Framework.
2. All the criteria and modalities for obtaining the “Master of Arts” diplomas are the same as those for obtaining the “Master of Science” diploma, with the difference being that the “Master of Arts” diploma is issued by higher education institutions that provide training in the field of arts.
3. The “Master of Science” study programs provide the graduates with in-depth theoretical knowledge, as well as training for scientific research in a particular field. These programs are organized into:
 - a) programs realised with not less than 120 training credits, following the first cycle, and with a normal duration of two academic years;
 - b) integrated second cycle of studies programs, realised with 300 and 360 credits and with a normal duration of five and six academic years respectively. Integrated second cycle of studies programs are offered in the fields of justice, medicine, dentistry, pharmacy, veterinary and architecture. The Council of Ministers defines other areas, in which integrated second cycle of studies programs may be offered.
4. The “Master of Arts” study programs provide the graduates with in-depth, theoretical and practical knowledge in the field of arts. These programs are realized with no less than 120 training credits, following the first cycle, and with a normal duration of two academic years.
5. The “Master of Science” second cycle of studies are completed with a diploma thesis and at their end is awarded the diploma of “Master of Science” in the field of education completed.

6. The “Professional Master” study programs provide the graduates with in-depth professional knowledge in a given field. These programs are organized with 60 or 120 credits and their normal duration is one or two academic years. The “Professional Master” second cycle of studies are completed with a final examination or diploma thesis and at the end is awarded the diploma of “Professional Master” in the field of education completed.

Article 76

Admission to second cycle of studies programs

1. Admission to second cycle of studies programs is possible for candidates who have completed a first cycle of studies program and meet the admission criteria of the higher education institution where they apply.
2. Admission to integrated study programs is possible for candidates who meet the criteria set out in paragraph 1, of article 74, of this law.
3. The criteria for admission of candidates to the second cycle of studies programs are determined by the core unit offering the program. Exception to this rule is made for the integrated study programs. The criteria are made public by the main unit and the ESC and are approved according to the stipulations in the statute of the HEI.
4. An admission criterion in a “Master of Science” second cycle of studies program is the possession by the candidate of one of the five foreign languages of the European Union: English, French, German, Italian, Spanish. If the individual has obtained a degree in a study program conducted in one of these languages, the obtained diploma serves as proof of the fulfilment of this criterion. The level of knowledge of a foreign language shall be determined by a sub-legal act of the ministry responsible for higher education.
5. Higher education institutions may recognize credits obtained in “Professional Master” second cycle of studies programs, for the purpose of transferring to the “Master of Science” study programs.
6. At the beginning of the academic year, higher education institutions send to the ESC the list of registered students.

Article 77

Third cycle of studies programs

1. The third cycle of studies includes “Executive Master” programs, long-term specialised study programs, as well as doctoral studies, referring to level 8 of the Albanian Qualifications Framework.
2. The “Executive Master” study programs offer high-level scientific and professional education. They have a normal duration of one or two academic years and are organized respectively with 60 or 120 credits. They are concluded with a diploma thesis and at their end is awarded the diploma of “Master of Science” in the field of education completed.

3. Long-term specialised study programs are vocational training programs that provide knowledge for specific professions. They last no less than two academic years and are organized with no less than 120 credits. They are concluded with an examination of diploma thesis and at their end is awarded the “Diploma of Specialization” in the relevant field of the study program.

4. Doctoral studies are built on individual programs for independent training of candidates in scientific research in the fields determined by the core unit or the main unit. They have at their core the scientific research and creative activities. Doctoral studies last no less than three academic years and no more than five academic years. At the end of doctoral studies is awarded the diploma of the scientific degree of “Doctor”. Higher education institutions set criteria for the annual assessment of performance of candidates and the continuation of work for the development of the research project.

Article 78

Admission to third cycle of studies programs

1. Admission to third cycle of studies programs is possible for candidates who have obtained a “Master of Science” or “Master of Arts” diploma and fulfil the admission criteria set out by the higher education institution.

2. The admission criteria to third cycle programs shall be determined by the core units, in accordance with the state quality standards. These criteria are made public by the HEI and are forwarded to the ESC and the ministry responsible for education.

3. A criteria for admission to a third cycle of studies program is knowledge by the candidate of one of the five foreign languages of the European Union: English, French, German, Italian, Spanish, certified by internationally recognized tests, in accordance with the relevant instruction of the minister responsible for education. If the individual has obtained a degree in a study program conducted in one of these languages, the obtained diploma serves as proof of the fulfilment of this criterion.

4. The list of winning students is sent to the ESC, in accordance with the provisions of this law.

5. The list of graduates in third cycle programs is forwarded by the higher education institution to the ministry responsible for reflection in the state register of scientific degrees and academic titles.

Article 79

Doctoral studies

1. Higher education institutions, that offer doctoral studies, compile scientific research and development projects for these studies. They apply for funding at NASRI or other funding institutions.

2. Doctoral studies are conducted full time at the core unit or for a prolonged time in those cases where the doctorate candidate is employed as an academic staff in another higher education institution or as research personnel at a basic or applied research institution.
3. When doctoral studies are undertaken through cooperation between higher education institutions, parts of the research process may be performed at the cooperating institutions.
4. The number of doctoral students shall be determined by the core unit and the research project of each doctorate candidate is determined depending on the research projects of the latter.
5. For the completion of doctoral studies, the student may also benefit from funding from other subjects or may finance them himself/herself.
6. The scientific supervisors of doctoral candidates should have the title of “Professor” or “Associate Professor” and may supervise, respectively, a number of doctoral candidates at the same time. This number includes all the supervision that the academic staff of the “Professor” category pursues in all higher education institutions where he/she is engaged, and is defined in the Code of Quality of Higher Education.

In cases where a part of the doctoral studies is conducted in a higher education institution of a member states of the European Union, the United States and Canada, the co-supervisor in the receiving institution may possess the scientific degree of “Doctor”.

7. The Council of Ministers shall approve the criteria to be fulfilled by the candidate for obtaining the scientific degree of “Doctor” in accordance with the provisions of this law, as well as the standards for obtaining the academic titles of “Professor” and “Associate Professor”.

Article 80

Joint study programs

1. Joint study programs are carried out by an institution of higher education or its main unit, in cooperation with one or several other higher education institutions, public or non-public, within or outside the country.
2. The process of implementing joint programs may be carried out at one or at the participating institutions, in accordance with the cooperation agreement.
3. At completion of studies, a joint diploma or dual or multiple diploma is issued by the participating institutions.
4. In terms of realization of joint study programs with foreign higher education institutions, standards other than those of the state may be applied.
5. The opening of joint study programs is done with the approval of the ministry responsible for education.

Article 81

Continuous training study programs

1. Higher education institutions may offer continuous training study programs as a form of lifelong learning. These programs serve to supplement, deepen and consolidate knowledge and can be offered as qualification and retraining courses, summer schools and similar activities. Continuous training study programs help individuals increase their qualifications and professional skills.
2. The structure of these programs, their duration and credits are determined independently from each responsible core unit, in cooperation with line ministries, if they have the competence, according to the legal framework for regulated professions, and are made public by the main unit.
3. At the conclusion of continuous training study programs, higher education institutions issue the relevant certificates, which are registered in accordance with this law.
4. Higher education institutions may also provide preparatory courses for the study programs they organize.

Article 82

Study programs in the legal field

1. Integrated second cycle of studies programs in the legal field are accomplished with 300 credits, for a duration of not less than 5 academic years.
2. Persons who have completed integrated studies in law or a second cycle of studies equivalent to them may compete to train as judges, prosecutors, lawyers, notaries, state advocates, private or state bailiffs, as well as lawyers in state administration, central and local, after having passed successfully the state exam in law.
3. The state exam shall be organized by the ministry responsible for education and the Ministry of Justice, according to the rules and procedures provided for in the legislation in force.

Article 83

Study programs in the teaching field

1. Study programs in the teaching field for preschool and primary education are organized in two cycles:
 - a) first cycle program, “Bachelor”, which trains preschool teachers;
 - b) second cycle program “Professional Master”, which trains primary education teachers.

2. Study programs for the training of teachers of lower and upper secondary education teachers are organized as second cycle programs of “Master” studies, with 120 credits, according to the respective fields of training.
3. Second cycle of studies programs in the teaching field should contain 25 percent of credits in the service of general psycho-pedagogical training.
4. Second cycle of studies programs, that train teachers of the same field of teaching, should have at least 80 percent of the curriculum with similar content.

Article 84

Study programs in higher education institutions with special status

The form of organization of studies, student admission and funding in higher education institutions of special status shall be carried out in accordance with this law and the relevant specifics, as set out in the instruction of the ministry responsible for education.

Article 85

Attendance of a second study program in public higher education institutions

1. Individuals, who have completed a study program, have the right to attend a second study program of the same cycle. In this case, candidates pay for the full cost of studies. Exception to this rule is made for excellent students.
2. The statutes of higher education institutions set out the criteria to be met for admission to a second study program.

Article 86

Codification of study programs

1. Study programs are organized and grouped into codes that identify similar study areas at the national level. The codification of study programs shall be done by the ministry responsible for education.
2. Study programs, that are offered in the same field of study, cycle, and with the same designation, should have similar content at the level of at least 70 percent.
3. The opening of a new study program is accompanied by the definition of the code, according to the field of study and classifications made public by the ministry responsible for education.
4. The specifications and content for the codification of the study programs are determined by decision of the Council of Ministers.

Article 87

Academic year and organization of teaching

1. Studies in higher education institutions take place in academic years. The official date of the beginning of the academic year is announced by the minister responsible for education.
2. The academic year is organized in semesters.
3. Attendance of the teaching process, according to the type of teaching activities in the auditorium, and the study cycle, is mandatory to a certain extent, which shall be determined on the basis of the Code of Quality and the instruction of the minister responsible for education.
4. The organization of studies in higher education institutions shall be done according to the provisions of this law or another model, when it is provided by an higher education institution, which issues a joint or double diploma with a foreign institution.

Article 88

Language of studies

1. Study programs in higher education institutions in the Republic of Albania are normally offered in the Albanian language. These programs may also be offered in one of the official languages of the European Union, approved in the relevant act of opening the study program. Exclusion from this rule is made for joint study programs offered together with foreign higher education institutions and study programs targeting the teaching of foreign languages.
2. In case of study programs offered in a foreign language, students must demonstrate the knowledge of the relevant foreign language at the level required to complete the studies, as determined by the higher education institution providing the study program.

Article 89

Transfer of studies

Recognition and convalidation of periods of study

1. Higher education institutions offer the opportunity for the recognition of credit and the transfer of studies, between programs of the same study cycle, within the same institution or between different higher education institutions.
2. The periods of study and the obligations of the study programs, completed at other domestic or foreign institutions, are recognized and convalidated, from the point of view of the right to continue education in the same or similar study program.
3. Recognition is carried out by the higher education institution, where the application for continuation of studies has been submitted.

4. Transfers are allowed within the same study cycle and in the same or similar study areas and only at the beginning of the academic year.
5. Criteria and procedures for recognition of credit and transfer of studies shall be set out in the regulation of the core unit, in accordance with this law and other sub-legal acts.
6. The decision on the full or partial recognition of the credits acquired by a student who being transferred, in order to continue his studies at the receiving higher education institution, belongs to the relevant committee, set up by the core unit of the higher education institution.

Article 90

Duration of studies

1. The maximum duration of studies in a study program shall not be more than double the normal duration of the studies envisaged for the program, without considering the period of time when the student suspended the studies.
2. The student, who fails to complete studies within the maximum duration of the program, has the right to apply to begin studies anew, in the same study program or in another program. He/she is subject to the criteria and procedures announced for enrolment in the study program of the receiving institution. Credits collected by the student during the previous period of studies may be transferred, by decision of the core unit of the institution that accepts the student, according to the criteria set out in its regulation.

Article 91

Issuance of diplomas, certificates and the diploma supplement

1. At the end of the study program, the student is provided with the relevant diploma or certificate. The constituent elements, the format of the diploma and the procedures for registration shall be determined by the ministry responsible for education.
2. Diplomas issued at the end of first cycle, second cycle, and third cycle “Executive Master” programs are accompanied by the diploma supplement.
3. Every form of diploma and certificate, before being issued by the higher education institution, is registered in the state register of diplomas and the state register of certificates for higher education and research, held at the Education Services Centre.
4. Higher education institutions may not issue a diploma duplicate, but may issue equivalent documents with the diploma in the form of a certification, which must contain the name of the institution that issued the diploma, the original diploma number, the date of its issuance, the cycle and the program of study.
5. The diploma supplement is drafted in accordance with the requirements of the European Higher Education Area. It describes, in particular, the nature, level, content and results of the

studies that have been carried out by the holder of the diploma, as well as the field of employment. The content and format of the diploma supplement shall be defined in the Statute of higher education institutions, in accordance with the instructions of the ministry responsible for education.

Article 92

Recognition of diplomas, certificates and degrees obtained at the end of studies conducted abroad and recognition of titles issued by a foreign institution of higher education

1. Diplomas, certificates and degrees obtained at the completion of studies carried out abroad, belonging to levels 5 to 8 of the Albanian Qualifications Framework are recognized and convalidated through the issuance of an official document, equivalent from the point of view for continuing education, employment or academic career in Albania, at the conclusion of the official recognition procedure.
2. A qualification or study program conducted abroad, for which a certificate, diploma or degree from a foreign institution, authorized in the respective country for their issue, has been issued certifying completion of the qualification or study program, is assessed, recognized and is convalidated on the basis of the European Qualifications Framework, the Qualification Framework of the country of origin and the Qualification Framework of the Republic of Albania, according to international recognition principles and standards set out in the international documents, agreements and conventions to which our country adheres.
3. The institution responsible for the official recognition and convalidation, in the Republic of Albania, of certificates, diplomas and scientific degrees is the ministry responsible for education. This process is carried out by the unit responsible for convalidation of diplomas.
4. Titles issued abroad by a foreign higher education institution are recognized in the Republic of Albania, equivalent in terms of the right to continue employment or academic careers in Albania, through the official recognition procedure.
5. The institution responsible for the official recognition in the Republic of Albania of academic titles issued abroad is the ministry responsible for education.
6. The procedures and criteria for the recognition and convalidation of diplomas, certificates and degrees obtained at the conclusion of studies conducted abroad, as well as the recognition of academic titles issued by foreign higher education institutions shall be determined by instruction of the minister responsible for education, respecting the international agreements signed by our country for this purpose. The ministry responsible for education may also determine the validity of the convalidated diploma, according to the field of employment.
7. The ministry responsible for education maintains the national database of diplomas, certificates, degrees and titles, convalidated or recognized in the Republic of Albania.

CHAPTER VIII

SCIENTIFIC RESEARCH IN HIGHER EDUCATION INSTITUTIONS

Article 93

Scientific-research activity

1. Higher education institutions carry out basic or applied scientific–research activities, studies, development projects and other creative activities, defined in their statute, according to the nature and specific objectives of the institution. They guarantee the integration of research activity into that of teaching.
2. The scientific–research activity carried out in the higher education institutions aims to support the development of the country and the enhancement of the quality of education.
3. Through the scientific–research activity, academic staff and students acquire independent research skills, in the function of sustainable professional development and academic careers.
4. Scientific-research and creative activity is regulated by this law, the legal and sub-legal acts in force, as well as the statute of higher education institutions.

Article 94

Structure of scientific research

1. Scientific–research activity is carried out, according to the provisions of this law, in:
 - a) higher education institutions;
 - b) institutes and inter-institutional research and development centres;
 - c) research and development institutes within the ministries.
2. The abovementioned scientific research structures develop their activities in accordance with the mission and areas of competence and are subject to funding criteria of their scientific research activity, in accordance to this law and the legal and sub-legal acts in force. They are obliged to publicize their activity, as well as the respective results, except for special cases, which are regulated by legal or sub-legal acts.
3. Scientific research is developed and organized in other institutions, whose activity is regulated by special law.

Article 95

Scientific research in higher education institutions

1. Scientific research activities in higher education institutions are realized on the basis of programs and projects approved by the competent bodies in these institutions, in accordance with the statute and the regulations of the institution.
2. Fields, directions, volume of work and deadlines of the scientific–research activity are determined by the higher education institutions themselves, based on the priority areas of national development and the programs offered.
3. The scientific–research activity of the academic staff at the HEI is assessed in accordance with the provisions in the statute or the other acts of the institution.
4. Higher education institutions have the right to develop research programs and projects in cooperation with other public or private institutions, local or foreign.
5. Higher education institutions, through scientific–research, development and creative activities, offer services to third parties. The proceeds from these activities are administered by the core or main unit carrying out the activity, according to the provisions of this law and other legal and sub-legal acts in force.

Article 96

Institutes and inter-institutional research and development centres

1. Institutes and inter-institutional research and development centres are created by two or more HEIs or between HEIs and scientific, cultural and economic institutions, public and private, by agreement between them.
2. The structure, organization, the fields of research and the scope of their activity shall be proposed by the founding institutions and are approved by decision of the Council of Ministers. Their functioning shall be defined in their regulation, in accordance with the statutes of the founding institutions.

CHAPTER IX

STUDENTS AND THE DATA ON STUDENTS

Article 97

Acquiring, suspension and loss of student status

1. Student status is obtained at the moment of his/her registration in a higher education institution. This status is lost when the relevant diploma or certificate is acquired, as well as in case of deregistration of the student from that institution.
2. The student may suspend studies and resume them, in accordance with the rules established by the higher education institution.

3. The student shall not be registered, at the same time, in more than one study program. Exception to this article is made for excellent pupils and students.

Article 98

Rights and obligations of students

1. Students are entitled:

a) to attend all teaching activities that take place within the framework of the study program where they are registered;

b) to use the infrastructure that the higher education institution makes available to the teaching process, as well as to benefit from the support services provided by that institution;

c) to participate in the decision-making processes of the higher education institution, in accordance with the provisions of this law and the statute of the institution;

ç) to express their evaluation for the quality of teaching and the work of staff of the higher education institution;

d) to sign a service contract, at the time of registration in non-public higher education institutions. The elements of the contract and its form shall be defined by instruction of the minister responsible for education;

dh) to be insured by the higher education institution, in one of the insurance companies, for all the anticipated duration of studies, for the risk of disruption of the activity or other risks, as defined in the instruction of the minister responsible for education and the Minister of Finance.

2. Students have the obligation:

a) to apply the rules established by the higher education institution;

b) to respect the rights of other staff and students;

c) to pay the fees set out in this law and the higher education institutions, as well as the service fees provided by the higher education institutions;

ç) to respect the Code of Ethics of the higher education institution.

3. To the repeater student is interrupted financial support by public funds, except for cases of *force majeure*.

4. In the statute of the institution may be determined other rights and duties of students.

Article 99

Student councils

1. Students have the right to be organized in student councils at the level of the main unit, the higher education institution as well as at the national level.
2. Student councils are independent student organizations in higher education institutions that do not carry out political and economic activities. These councils promote student participation and coordinate their representation in the governing bodies of higher education institutions.
3. Student councils are elected every two years from the votes of students and rely on the legislation in force. In cases where an individual selected on the student councils completes university studies, he is replaced by the next candidate in order of number of votes gathered in the last election, until the end of the ongoing mandate.
4. Student councils shall not be organized with other political and non-political structures, outside the relevant higher education institutions. Modalities and procedures for their establishment, organization and functioning are defined in the statutes and regulations of higher education institutions, in accordance with this law, also based on the proposals submitted by the students.
5. Student councils express opinions and proposals for all problems of general interest of higher education institutions, such as study plans and programs, regulations on teaching activities, the right to study, the quality of services, the setting of tuition fees and other financial contributions of students, annual preliminary expenditure balances or financial resources allocation, development of various cultural, artistic, sporting activities etc.
6. Higher education institutions support student councils and fund their activities.

Article 100

Student card

1. Students of public and private higher education institutions are equipped with a student card, which is a unique document. Through it, students receive services at reduced prices.
2. The Ministry responsible for education shall define the criteria and procedures for preparing and issuing the student card.
3. The benefits of students from using the student card are borne by the funds foreseen in the State Budget of the relevant ministry covering the institution of higher education or local government units covering the services offered to students.
4. The categories of services provided by the state institutions are made by decision of the Council of Ministers and by agreement with organizations that have as their scope student interests and with private legal persons providing different services.

Article 101

Documentation of the teaching process

1. Each higher education institution is obliged to keep in writing:
 - a) the base register of students;
 - b) the register of academic achievements;
 - c) the register of issuance of diplomas and certificates.
2. The registers are disseminated by the ministry responsible for education against the respective fee determined by decision of the Council of Ministers.
3. The base register of students is the document certifying enrolment of students in a higher education institution. Each student is provided with a unique matriculation number, which he/she retains up to award of the diploma or certificate, which is reflected in this register. The base register is deposited in the state archives, according to the legal framework in force for the archives, while the certified copy of the original is preserved for the entire period of existence of the institution of higher education. It is also filled in electronically.
4. The register of academic achievements is the document that verifying the results achieved by each student enrolled in the higher education institution, according to study programs. The register of academic achievements is deposited in the archives of the state, according to the legal framework in force for the archives, while the certified copy of the original is kept for the entire period of existence of the institution of higher education. It is also filled in electronically.
5. The register of issuance of diplomas and certificates is the document certifying their issuance by the higher education institution. Higher education institutions document the withdrawal of the diploma and diploma supplement from each student who has successfully completed the academic and other institutional obligations. The register of issuance diplomas and certificates is deposited in the archives of the state, according to the legal framework in force for the archives, while the certified copy of the original is preserved for the entire period of existence of the institution of higher education. It is also filled in electronically.
6. Each higher education institution shall complete the elements of the registers, as defined in paragraph 1 of this article, in accordance with the sub-legal acts of the ministry responsible for education. The documentation, after its final completion, shall be deposited in the archives of the state, according to the legal framework in force for the archives, while the certified copy of the original is stored in the archive of the higher education institution, in accordance with the legislation in force and the regulation of the institution. In case of closure of the activity of the higher education institution, its registers, according to the definitions in paragraph 1 of this article, and any other documents, shall be deposited in the archives of the state, according to the legal framework in force for the archives.

Article 102

Database of students in higher education institutions

1. Higher education institutions maintain the personal data of students.

2. All processes of storing and processing personal data of students from higher education institutions are carried out, based on the principle of confidentiality, and in compliance with the requirements of the legislation on personal data protection.

CHAPTER X

QUALITY ASSURANCE IN HIGHER EDUCATION

Article 103

Internal quality assurance

1. Higher education institutions are responsible for drafting policies and procedures for internal quality assurance. The structure and functioning of the internal quality assurance unit shall be defined in the statute of the institution of higher education.
2. The quality assurance unit evaluates, periodically, the results of teaching and scientific-research activities.
3. At the end of each semester or before the exam season, it organizes a student questionnaire on the quality of teaching for the subjects of each study program.
4. The quality assurance unit carries out tracking studies to assess the performance of student employment and the efficiency of the programs offered by the higher education institution.
5. Quality assurance standards shall be drafted by higher education institutions, in accordance with the Code of Quality.
6. Evaluation reports, conducted by the units for the internal quality assurance of higher education institutions, are used as sources for external evaluation and continuous improvement of quality.

Article 104

External quality assurance

1. External quality assurance in higher education is carried out through external accreditation assessment processes, analytical and comparative evaluations as well as other processes that promote and improve quality.
2. All higher education institutions and study programs that they offer are subject to the first assessment, periodic assessment and comparative assessment. The results of these assessments are made public by ASCAL.
3. The first institutional assessment and the program assessment shall be carried out before the first diplomas are issued by an institution of higher education. Institutional assessment precedes that of study programs.

4. The periodic assessment shall be carried out for the education institutions and study programs that have received the first accreditation, within the timeframe of its validity.
5. Higher education institutions shall be subject to the teaching assessment process every three years by ASCAL and are monitored on an ongoing basis through the National Student Survey.
6. The external quality assessment shall be carried out in accordance with the Code of Quality in Higher Education Code. The responsible ministry and ASCAL may cooperate with foreign quality assurance agencies, members of the ENQA network.

Article 105

Code of Quality in Higher Education

1. The Code of Quality in Higher Education is the main document for all processes and procedures of quality assurance in higher education. It sets out state quality standards, mandatory for implementation by higher education institutions.
2. The Code of Quality in Higher Education is drafted by ASCAL and the ministry responsible for education and is approved by a decision of the Council of Ministers.

Article 106

Accreditation

1. Institutional accreditation is the process of certification of the quality of the activity of higher education institutions, in accordance with the Code of Quality in Higher Education.
2. Accreditation of study programs is the process of certification of their quality, in accordance with state quality standards.
3. The first institutional and program accreditation shall be carried out before the first diplomas are issued by an institution of higher education. Institutional accreditation precedes that of the study programs.
4. The validity of any institutional accreditation and related study programs shall not last longer than 6 years.
5. The decision on accreditation is positive or negative. In case the higher education institution is not accredited institutionally or for a study program, it cannot issue diplomas for the respective study programs it offered.
6. The standards, on the basis of which accreditation has been granted, must be met for the entire period of validity of the accreditation. If the ministry responsible for education finds deviations from these standards, it sets the terms and conditions for their fulfilment.
7. For higher education institutions that develop joint study programs with foreign higher education institutions, as well as for branches of foreign higher education institutions operating

in the Republic of Albania, assessment and accreditation are carried out taking into account also assessment and accreditation in the country of origin.

8. Expenditures for external quality assessment and accreditation are borne by the higher education institutions, according to the tariffs defined by decision of the Council of Ministers.

CHAPTER XI

PROPERTY AND FINANCING OF HIGHER EDUCATION

Article 107

Fundamental principles of financing of higher education institutions from State Budget

The fundamental principles of funding of higher education institutions from State Budget are:

- a) free competition between institutions enjoying the same status, as defined in Article 17 of this Law;
- b) equal opportunities for higher education institutions, depending on their status;
- c) support to the priority and strategic interests of the country;
- ç) allocation of funds, based on quality indicators of teaching institutions, scientific research, creative activities and innovation and development.

Article 108

Financial autonomy of higher education institutions

1. Higher education institutions operate under the principle of financial autonomy.
2. The higher education institution prepares a medium-term budget plan, which is part of the institution's strategic development plan. This plan is updated annually.
3. All revenues generated by public higher education institutions are used by them and the unused portion of income is carried forward in the following year.
4. The use of public funds by the State Budget for higher education institutions is made in accordance with the terms and conditions of the grant awarded.

Article 109

Sources of financing of public higher education institutions

1. Public higher education institutions are funded by:
 - a) State Budget;

- b) student fees for education;
- c) income for services rendered;
- ç) income generated by relations with third parties;
- d) donations and other legitimate funding sources;
- dh) scientific research activities;

2. Revenue obtained from services, scientific-research activities, consultancy, as well as any income realized by the activity where the academic staff participates, are shared between the academic staff and the HEI, according to the regulation approved by the Board of Administration.

3. Public higher education institutions shall regulate in their internal acts the manner of use of the funds generated by the income determined in this article, with the exception of the revenues from the State Budget.

Article 110

Allocation of funds from the State Budget

1. Funds from the State Budget are distributed in the form of grants, according to the following categories:

- a) grant of development policies for higher education institutions;
- b) grant for teaching;
- c) grant of scientific–research work and creative activities.

2. The Council of Ministers shall approve by decision the budget funding model for higher education and research.

3. The implementation of the financing scheme, according to this law, for public higher education institutions, shall be carried out according to the joint instruction of the Minister of Finance and the minister responsible for education.

Article 111

Grant of development policies for higher education institutions

1. The grant of development policies for higher education institutions includes:

- a) the fund for the support of the institution and of academic infrastructure;
- b) the fund of competitive projects for development of higher education institutions.

2. The fund for the support of the institution and of academic infrastructure shall be disseminated on the basis of the ranking of public higher education institutions carried out by the National Agency for Scientific Research.

3. The fund of competitive projects for the development of higher education institutions shall be disseminated on the basis of the projects they submit, according to the criteria set out in the sectorial strategies and the annual budget law.

4. The ministry responsible for education shall approve through instruction the priorities, terms of distribution, the form of grant application, and approves the grant of policies for development of public higher education institutions on the basis of application or strategic development priorities of the country.

Article 112

Grant for teaching

1. The grant for teaching includes:

a) the fund for public higher education institutions;

b) the fund for student support.

2. The institutional fund shall be distributed to the public higher education institutions, according to a formula that guarantees equal opportunities, fairness and transparency.

3. The fund for student support includes three categories of funding:

a) bursaries for excellent students;

b) bursaries for students in study programs that constitute national priorities;

c) bursaries for students belonging to disadvantaged social groups.

4. Bursaries for excellent students shall be awarded to students with the maximum average entrance mark at the national level, independent of the study program and institution, in which they have chosen to attend studies. The student continues to benefit from this grant if his/her results, throughout the years of study, continue to be excellent.

5. Bursaries for students who have chosen to pursue study programs in public higher education institutions that constitute a national priority, shall be distributed to students studying in fields designated as such by decision of the Council of Ministers.

6. Bursaries for students belonging to disadvantaged social groups shall be distributed to students who have been declared winners in public higher education institutions and meet the criteria to be considered as students in need, defined as such by decision of the Council of Ministers.

7. This grant shall be distributed by NAHEF.

Article 113

Grant of scientific–research work

1. The grant of scientific–research work includes funding for scientific research.
2. Part of this grant are also funds for doctoral studies, which are awarded to higher education institutions on the basis of application. From this fund is exempt the funding of the workload of professors for doctoral supervision.
3. This grant is open to all accredited higher education institutions that carry out scientific research.
4. Distribution of funds of this category shall done by NASRI, on the basis of projects that institutions submit, according to the criteria set out in the sectoral strategies and the annual budget law.
5. Evaluation of the quality of scientific research is the basic criterion of the ranking of scientific research institutions by NASRI and the determination of the amount of funding, benefited by public HEIs through NAHEF. Scientific research institutions take measures for the assessment and internal quality assurance, through the relevant unit, whose composition and function shall be defined in the statute or regulation of the respective institution.

Article 114

Student loans

1. The ministry responsible for education mediates student lending, with the purpose of financial support to cover the cost of studies.
2. Student loans are open for application for all students who gain the right to study in study programs at higher education institutions.
3. The student lending scheme is determined by decision of the Council of Ministers.

Article 115

Loans for public higher education institutions

1. Public higher education institutions have the right to receive loans for their institutional and infrastructural development.
2. The conditions to be met for applying for a loan shall be determined by decision of the Council of Ministers.

Article 116

Control and audit

1. Internal control and audit in higher education institutions and their constituent units are carried out by the internal audit units of the institution. The establishment and functioning of the internal audit units shall be done in accordance with the internal acts of the higher education institution.
2. External control and audit in higher education institutions are carried out by internal or external auditors, selected by the ministry responsible for education from the list, updated annually by the Ministry of Finance.

Article 117

The property of public higher education institutions

1. Immovable property, in which the public higher education institutions carry out their activities, that serve the institution to guarantee the fulfilment of its mission, pass into the administration of the institutions, by decision of the Council of Ministers, upon the proposal of the minister responsible for education.
2. Institutions are obliged to preserve and maintain property in administration and shall not change their destination. Institutions may develop these properties with prior approval of the entity that has transferred the property for administration.

CHAPTER XII

PUBLIC INDEPENDENT INSTITUTION OF HIGHER EDUCATION

Article 118

Public independent higher education institutions

1. Public independent higher education institutions (PIHEI) are public legal persons, established by decision of the Council of Ministers, at the request of non-for-profit organizations of the type of foundation, founded for this purpose.
2. PIHEIs have legal personality separate from that of the founder.
3. HEIs are transformed into PIHEI by decision of the Council of Ministers. Institutions seeking to be transformed into PIHEI must meet, in advance, the criteria set out in this law.
4. The HEI Board of Administration is the authority that decides on the transformation of the institution after having received the opinion of the Academic Senate.
5. PIHEIs do not have the purpose of earning and the income earned from the activity and their assets are used to accomplish the mission of the institution.

6. Regardless of the origin of establishment, PIHEIs apply the same rules of organization as other higher education institutions. In all cases, when not otherwise provided in this chapter, the provisions for public higher education institutions shall apply.

7. In the sense of this law, to the foundation is recognized the right of founder of the PIHEI.

Article 119

Criteria for the establishment of PIHEI

Have the right to apply for transformation into PIHEI, the higher education institutions that meet the following criteria:

a) the existing institution of higher education shall have been institutionally accredited and has accredited the study programs it offers, in accordance with the provisions of this law;

b) the founder of the existing higher education institution provides the appropriate financial guarantees for the functioning of the PIHEI for at least the first three years of the activity;

c) the founder undertakes the obligation to pass the PIHEI, in an irrevocable way, the right to use all the immovable property where the existing HEI performs its activity, as well as other assets, necessary for the exercise of the activity of the PIHEI. Assets must be free of any burden and the founder should not be liable to third persons;

ç) the founder should not be sentenced by a final court decision for the commission of a criminal offense;

d) the founder should not be a defending party to legal proceedings dealing with substantive issues related to the activity and functioning of the existing HEI;

dh) higher education institutions, which seek to be transformed, should have established, in advance, the academic structures and function according to the provisions of this law for public higher education institutions.

Article 120

Manner of establishment of PIHEIs

1. The HEI Board of Administration decides on the transformation of the higher education institution by three quarters of the votes of its members. For this, it is required in advance the opinion of the Academic Senate which gives it consent through the majority of its members.

2. The request for establishment or transformation of HEIs into PIHEI, along with the required documentation, is submitted to the Council of Ministers through the ministry responsible for education.

3. The founder is subject to an independent financial audit, prior to the proposal to the Council of Ministers, pursuant to paragraph 2 of Article 116 of this law.

4. The Council of Ministers approves the establishment of the PIHEI after verifying the fulfilment of the criteria set out in this law.
5. In case of establishment of PIHEI by the transformation of the public HEI, the Council of Ministers shall also decide on the transfer of the right of ownership over the movable and immovable property, in favour of the founding foundation of the PIHEI.
6. In case of the rejection of the request, the responsible ministry shall submit the reasoned decision to the applicant within a ninety-day period from the moment of submission of the request. The applicant has the right to repeat his claim after he has met the criteria, but no earlier than one year from the day of refusal.
7. The Council of Ministers shall define the procedure, documentation and other rules to be applied for the establishment of the PIHEI.

Article 121

Board of Administration

1. The PIHEI Board of Administration shall consist of 11 members, for a 4-year term, with the right of re-election.
2. The founder of the institution shall be represented in this body with 6 members. The Ministry, in the capacity of the state regulatory body, shall be represented on the Board of Administration with 1 member. The Academic Senate shall be represented on the Board of Administration with 4 members, one of whom is the rector of the institution *ex officio*.
3. Representation of the founder in the Board of Administration may change, in relation to funding from other legal entities, public or non-public. Representation of the ministry responsible for education and of the Academic Senate, as defined in paragraph 2 of this article, may not change.
4. Board members are employed full time. Members proposed by the academic senate, who exercise functions or activities in the higher education institution, are treated according to the statutory provisions. Board members should not have a conflict of interest, according to the legislation in force and the stipulations in the statute of the institution.

Article 122

Administration of funds

Funds obtained by the PIHEI shall be administered in accordance with the rules set out in the internal acts of the institution, as well as the specific conditions set out for the funds received. Do not directly apply to them income distribution rules, according to budget programming standards and public financial management, as well as those of public procurement.

Article 123

Inspection of activity and measures against the PIHEI

In case that through the inspections and/or supervision of the ministry responsible for education, it is concluded that the PIHEI does not meet the legal requirements, under article 119 of this law, for this form of institution, the minister responsible for education shall set out conditions for continuing the activity under the supervision of the ministry, or suspension of the activity until fulfilment of the conditions, for a period no longer than two academic years or shall propose to the Council of Ministers the closure of the activity of the institution.

CHAPTER XIII

TRANSITIONAL AND FINAL PROVISIONS

Article 124

1. The degrees of study programs, which lasted 3 years (6 semesters), are equivalent to “Bachelor” degrees.
2. The degrees of study programs, issued in the Republic of Albania, which lasted at least 4 academic years (8 semesters), up to the adaptation of studies according to the principles of the Bologna process, are equivalent to the “Master of Science” degrees.
3. The degrees for integrated second level programs (DIND), issued before the entry into force of this law, are equivalent to the “Master of Science” degree. Degrees of the second level (DND), issued prior to the entry into force of this law, are equivalent to the “Master of Science” degrees.
4. The degrees of study programs “Master of first level” are equivalent to “Professional Master” degrees.
5. The degrees earned in studies in the framework of the “Graduate school of specialised studies” and “Master of secondary level” are equivalent to the “Executive Master” degree.
6. The degrees obtained within the School of Magistrates are equivalent to diplomas of long-term specialization studies.
7. All higher education institutions, which offer second cycle of studies programs in the legal field, begin implementation of integrated programs in the academic year 2017-2018.
8. Within 9 months from entry into force of this law, amendments to the laws of the respective fields, as defined in Article 82 of this Law, shall be made.

Article 125

Codification of study programs shall be carried out within one year from entry into force of this law. Any program, which is approved after the entry into force of this law, is codified, according to the provisions of this law and the relevant sub-legal acts. Procedures for codification of new study programs, existing ones and for their reorganization shall be defined by instruction of the minister responsible for education.

All programs approved until entry into force of the Code of Programs of Study shall be reorganized and codified within the academic year 2016-2017.

Article 126

1. The academic staff, employed in higher education institutions of the “Docent” category, within the scope of the provisions of Law No. 9741, dated 21.5.2007, “On Higher Education in the Republic of Albania”, as amended, shall be considered as “Lecturer”.

2. The academic staff, employed in higher education institutions of the “Lecturer” category, within the scope of the provisions of Law No. 9741, dated 21.5.2007, “On Higher Education in the Republic of Albania”, as amended, shall be considered as “Assistant-lecturer”.

3. Academic staff of higher education institutions shall be reorganized according to the categories of academic staff defined in this law, with the beginning of the new academic year after the entry into force of this law.

4. Provisions of this law shall not affect employment contracts of indefinite duration, concluded before the entry into force of this law, between higher education institutions and academic staff. Academic staff, employed in higher education institutions, as full-time staff, within five years from entry into force of this law, must complete doctoral studies. When, within this deadline, the academic staff does not complete doctoral studies, the rector performs the procedures for termination of the employment contract.

5. Recruitment procedures of visiting academic staff, full-time and part-time staff, shall be performed according to the provisions of this law and sub-legal acts, after its entry into force.

Article 127

Requests for the establishment, reorganizing, closing a higher education institution and requests for starting the activity of an institution, submitted prior to the entry into force of this law, for which there was no decision until the entry into force of this law, shall be reviewed in accordance with the provisions of this law.

Article 128

Requests for opening and closing of study programs provided by a higher education institution filed prior to the entry into force of this law, for which no decision has been made until the entry into force of this law, shall be considered according to the definitions of this law.

Article 129

1. Existing higher education institutions shall be reorganized within the first two academic years, from entry into force of this law, and in accordance with the provisions of this law for:

- a) the types of higher education institutions;
- b) their designation, as well as the study programs offered;
- c) the internal academic and administrative structure.

2. The ministry responsible for education shall be responsible for issuing or proposing sub-legal acts for reorganization of HEIs according to paragraph 1 of this article.

Article 130

1. Public higher education institutions may be transformed into PIHEI, as defined by this law, not earlier than the academic year 2017-2018.

2. Non-public higher education institutions may be transformed into PIHEI, as defined by this law, not earlier than the academic year 2018-2019.

Article 131

1. Elections for the authorities, academic management bodies, the Board of Administration, the administrator of the higher education institution, the main unit administrator and the core unit administrator in public higher education institutions shall be held at the end of the mandate of existing authorities and bodies, elected under the Law No. 9741, dated 21.5.2007, "On Higher Education in the Republic of Albania", as amended. Non-public HEIs shall be reorganized within the same deadline.

2. The ministry responsible for education, before the end of the mandate of the authorities and bodies in the public HEIs, approves the regulation for the first elections, according to this law, of the authorities and governing bodies of the public higher education institutions. The regulation sets out the criteria for drafting electoral lists, candidate registration, voting process, validation and counting criteria, rules for announcing the outcome and the winners, the process and deadlines for appeal.

3. The number of mandates earned as an academic management authority of the HEI, in the same function and in the same institution, may not be more than two, consecutive or separate. In the number of mandates, according to this paragraph, are calculated also the mandates

obtained under law no. 9741, dated 21.5.2007, “On Higher Education in the Republic of Albania”, amended, and all other following mandates.

4. Representation ratios at the first Board of Administration shall be determined in relation to the funding level of the institutions participating in it, over the last four financial years.

5. The existing institutions shall reorganize the internal units, in accordance with this law, within the first academic year, from its entry into force.

Article 132

Higher education institutions shall draft and approve the statutes at the ministry responsible for education and their regulations, in accordance with this law, within the first academic year from the entry into force of this law.

Article 133

1. Within 9 months of the entry into force of this law, the ministry responsible for education shall approve and make public the list of higher education institutions that meet the criteria for awarding academic titles.

2. Until the award of academic degrees and titles, according to this law, grades and titles shall be treated according to the existing legal framework in force. The Academic Titles Evaluation Committee shall cease to exist one year after the entry into force of this law.

Article 134

1. Students who have started their doctoral study programs prior to the entry into force of this law, shall complete them according to the criteria and modalities of the legislation at the time when these students were admitted.

2. The provisions of this law on the duration of study programs shall apply to students who start studies after the law comes into force.

Article 135

Admission of candidates to higher education institutions in the academic year 2016-2017 and onwards, in all study programs offered by higher education institutions, shall be carried out according to the provisions of this law.

Article 136

The Public Accreditation Agency for Higher Education, within 6 months from the entry into force of this law, shall be reorganized into ASCAL, according to the provisions of this law and the respective decision of the Council of Ministers.

Article 137

The Code of Quality in Higher Education shall be approved within one year from the entry into force of this law.

Article 138

The process of external quality assurance, institutional and study programs accreditation shall continue under the existing legal framework, until the reorganization of the Public Accreditation Agency for Higher Education into ASCAL and the adoption of the Code of Quality.

Article 139

Funding of higher education institutions begins to be applied, according to this law, in a scaled manner, from the budget year 2016.

Article 140

The Institute of Public Health shall be considered, pursuant to this law, an institution/research centre that maintains the existing agreements with HEIs in the medical field until fulfilment of the conditions provided for in article 28, paragraph 5, of this law.

Article 141

Sub-legal acts

Sub-legal acts pursuant to Article 4, paragraph 4; Article 5, paragraph 1, letter “e”; Article 8, paragraph 3; Article 9, paragraphs 2, 4 and 6; Article 10, paragraph 1, letter “c”; Article 11, paragraphs 3 and 4; Article 12, paragraphs 4 and 8; Article 14, paragraph 10; Article 15, paragraph 7; Article 28, paragraph 5; Article 29, paragraph 3; Article 30, paragraphs 3 and 7; Article 32, paragraph 2; Article 35, paragraph 6; Article 60, paragraph 3; Article 71, paragraph 2; Article 75, paragraph 3, letter “b”; Article 79, paragraph 7; Article 82, paragraph 3; Article 87, paragraph 3; Article 91, paragraph 5; Article 92, paragraph 6; Article 96, paragraph 2; Article 98, paragraph 1, letter “d”; Article 100, paragraph 4; Article 101, paragraph 2; Article 105, paragraph 2; Article 106, paragraph 8; Article 112, paragraphs 5 and 6; Article 114, paragraph 3; Article 115, paragraph 2; Article 120, paragraph 7; Article 125 and Article 136 shall be approved within 9 months of the entry into force of this Law.

Article 142

Repeals

With the entry into force of this law, the law no. 9741, dated 21.5.2007, “On Higher Education in the Republic of Albania”, as amended, shall be repealed.

Sub-legal acts, adopted prior to the entry into force of this law and which do not conflict with it, shall apply until the sub-legal acts provided for in Article 139 of this Law have been approved.

Article 143

Entry into force

This law shall enter into force 15 days after its publication in the Official Journal.

Adopted on 22.7.2015