

HIGHER EDUCATION ACT [Amendments 1999]

On 25 November 1999, the National Assembly of the Republic of Slovenia adopted the *Higher Education Amendment Act*. This is the first amendment of the act regulating higher education. It was adopted almost exactly six years after the adoption of the original wording, which had been passed on 7 December 1993. The amended version offers a number of solutions that are a result of an open public discussion on the development of higher education and the functioning of higher education institutions in the past few years and lay new foundations for a further development of universities and other higher education institutions.

1. Amendments Concerning the Organs of Higher Education Institutions

The amended version introduces changes to the existing arrangement of the organs of higher education institutions that should safeguard the autonomous academic decision-making process against becoming a closed system and make it possible for all faculty members to directly participate in looking for optimal solutions and taking decisions, while other staff and students should participate through their representatives.

The solutions brought about by the amendments are **a result of long-lasting discussions in the higher education sphere**. The majority of solutions were proposed for the legislative procedure by approximately two hundred higher education teachers from nine faculties and professional colleges of the two Slovene universities. They were compatible with the opinion of the groups of foreign experts that visited the universities. One of the documents that influenced those discussions was the *University of Ljubljana Memorandum* of December 1997, which was adopted by the University of Ljubljana senate. It underlined the need for including "all ranks of the teaching, research and other staff and students" in the decision-making process at university member institutions and the need for an "equal representation of all disciplines in decision-making bodies".

The amendments have thus instituted a new body -- **the academic assembly** -- at all university members and free-standing higher education institutions. It consists of all teaching and research faculty members and their assistants. Students participate in it as well: at least one fifth of its members must be students. The essential power vested in it is to elect the senate and nominate candidates for the dean. The Amendment Act changed the stipulations concerning the composition of the senates of university members and free-standing higher education institutions, so that now they include teachers of various ranks instead of full professors only. The former composition of university senates, which consisted of full professors only, was already repealed by the 1998 Constitutional Court's decision. The new wording of the Act has also changed **the procedure for electing rectors**. They are elected by all full-time university teachers and researchers. In addition to that, the right to vote has been granted to the representative of each member institution's student council. Teachers of any rank **can now be appointed as deans** of university members or free-standing higher education institutions, in contrast to the so far existing practice when only full professors have had this privilege.

2. Harmonisation with the Constitutional Court's Decisions

In addition to the stipulations concerning the composition of university senates, in 1998 the Constitutional Court also repealed stipulations concerning some other issues: the award of faculty rank titles in compliance with what was popularly called "stricter criteria"; the right of students to sit each examination three times; and the enabling provisions for the subordinate legislative instrument that regulates conditions and criteria for obtaining accommodation in student residence halls. The Court also ruled that the Act "was unconstitutional insofar it provided for the autonomy of university member institutions."

The Act now stipulates that the services of **student residence halls** are provided as a public service. They may be provided by universities (through their member institutions), other institutions, companies, individual sole proprietors, and other legal entities. The providers must ensure that students' interests are represented in their management. The Act also serves as the enabling statute for a subordinate instrument regulating co-financing of (i.e. subsidies for) student accommodation that is to be adopted by the minister having jurisdiction over higher education. Subsidies are based on students' academic achievements, financial situation, distance between the place of their permanent address and the place of studies, and their social and health conditions.

Concerning the issue of **autonomy**, amendments to Article 6 of the original act were adopted. They define universities as autonomous research, art and educational institutions which hold a special position. The original stipulation concerning the autonomy of higher education institutions is amended in such a manner that it undoubtedly refers only to universities (and not its member institutions) and free-standing higher education institutions founded by the Republic of Slovenia.

3. Changes in the Funding System

On the basis of the *Agreement between the Government of the Republic of Slovenia, Universities and Trade Unions*, signed in June 1998, the Ministry of Education and Sport, in co-operation with university representatives, higher education employees' trade unions and the Council for Higher Education of the Republic of Slovenia prepared a special study on the new method of funding in June 1998. This study advanced the drafting of new stipulations and serves as the premise for new subordinate legislation.

As a result of new stipulations, **the system of higher education funding** moves away from the concept of the standards and criteria effective so far, which go back to the time prior to the adoption of the Higher Education Act of 1993. They were based on a different higher education system and were inflexible in relation to the new developments concerning programmes, organisation and particularly the autonomous functions of higher education. New solutions grant more autonomy and at the same time more responsibility to universities in this area. The largest part of funding, which will be transferred to universities in the form of a lump sum in the future, will be earmarked for teaching and teaching-related activities. According to the new system, the amounts will be determined with regard to the field of studies (e.g. social sciences, natural sciences and engineering, arts, medicine), the number of students enrolled in the current academic year, and the number of graduates in the preceding calendar year. Such a solution will require, among other things, more co-operation among faculties. In addition to that, the Act specifies that additional funding should be provided for certain highly important areas: (a) students' extracurricular activities; (b) investments and maintenance; (c) developmental tasks, especially those fostering academic quality, rejuvenation of higher education teaching and research staff (by employing probationary assistants), supporting the development of higher education, and tasks in the area of international co-operation. The new version of the Act also draws a clear distinction between the funding of state and private higher education institutions.

The Act contains a stipulation that a university can become **the owner of the property** acquired by public and other resources. However, it may transfer its title to or mortgage the real property or high value equipment that has been acquired with public funds only in agreement with the founder. The resulting income may be used for investments, maintenance and major repairs, and the purchase of equipment. The title to property should be transferred within three years after entry into force of this Act.

4. Vocational *Matura* Examination as the Admission Requirement for University Courses

Only individuals having passed a general *matura* examination (or a final examination before the *matura* was reintroduced in 1995) could be admitted to university study programmes before the Act was amended. Pursuant to the amendments, however, all applicants that passed a vocational *matura* after having completed a secondary technical education programme and an examination in one of the *matura* subjects may also be admitted to the undergraduate university course of studies in the same discipline in which they completed the secondary technical education programme. Appropriate four-year secondary technical education programmes and *matura* subjects will be specified by study programmes. This stipulation will apply to the cohort that will complete four-year secondary technical programmes in the 2001-2002 school year, that is the generation that will apply for admission in the 2002-2003 academic year.

5. Harmonisation with the European Union Legislation

On the day when the Republic of Slovenia becomes a full member of the European Union the citizens of other member states will have **the right to education** at Slovene higher education institutions **under the same conditions** as Slovene nationals (respective amendments will enter into force when Slovenia becomes a full member of the Union). The amendment introduces a mandatory **Diploma Supplement** as part of all diplomas. The initiative for this internationally accepted document has been given by the Council of Europe and UNESCO. The Supplement is defined by the Lisbon Convention, which Slovenia already ratified. The elements of the form will be determined by the minister having jurisdiction over higher education upon the proposal by the Council for Higher Education of the Republic of Slovenia. The Supplement will greatly facilitate mutual recognition of

higher education qualifications as well as study periods (e.g. years of study) and consequently increase student mobility among European countries.

6. Other New Elements and the Implementation of the Act

Furthermore, the new version of the Act stipulates that it is necessary to assess whether higher education institutions meet the requirements for performing their activities. In this way, it contributes to higher quality. It specifies in more detail that interdisciplinary programmes are adopted by the university senate on the proposal by the senates of the university member institutions. Because higher education institutions operate off-campus study centres, the amended Act stipulates that their pre-enrolment announcements must list the locations where individual courses are offered. Lectors are added as a new rank to the teaching staff. The amended version provides for the possibility to conduct the procedure for the award of the title of full professor by the Council for Higher Education of the Republic of Slovenia. In addition, it clearly specifies that part-time students who are not full-time employees nor registered as unemployed persons with the Employment Office have equal rights as full-time students.

The unauthorised version of the Higher Education Act of December 1993 as amended in December 1999 is enclosed below.

I. GENERAL PROVISIONS

Article 1 (Contents of the Act)

This Act regulates the status of higher education institutions, requirements for performing higher education activities, defines public service in higher education and regulates the manner of financing it.

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

Article 2 (Institutions of Higher Education)

Institutions of higher education shall include universities, faculties, academies of art, and visoke strokovne škole (hereinafter: professional colleges).

Article 3 (Universities)

The University shall be devoted to the development of the sciences, professions and arts and shall transfer the knowledge in various fields and disciplines of science and art, in the educational process performed by faculties, academies of art and professional colleges.

A University may itself organize interdisciplinary research and study programs.

Article 4 (Faculties and Academies of Art)

A faculty shall perform primarily research and teaching in the field of one or more similar and interrelated scientific disciplines and shall be committed to the development thereof.

An academy of art shall perform primarily art activities and teaching in the field of one or more similar and interrelated art disciplines and shall be committed to the development thereof.

Article 5 (Professional colleges)

A professional higher education institution shall perform teaching in one or more similar and interrelated professional fields and shall be committed to the development thereof.

A professional higher education institution may perform research and/or art activities if so provided by its charter.

Article 6
(Autonomy of Higher Education Institutions)

A university is an autonomous research, art and educational institution which holds a special position.

Universities and free-standing higher education institutions established by the Republic of Slovenia shall base their actions on the principles of autonomy, which ensures them primarily the right to:

- freedom of research, artistic creativity and transfer of knowledge,
- independent regulation of their internal organization and operations by their constitution in accordance with the law,
- adopt criteria for awarding titles to teaching and research faculty and faculty assistants,
- award titles to teaching and research faculty and faculty assistants,
- select faculty members to be appointed,
- prepare and adopt study and research programs, determine the study rules and the manner and terms of student examinations,
- award professional and academic titles in compliance with the law and award honorary doctorates and the title of professor emeritus,
- elect, appoint and remove their governing bodies in accordance with their constitution and other regulations,
- decide upon the forms of cooperation with other organizations,
- manage their property in accordance with the purpose for which it was acquired.

Article 7
(Equal Opportunity)

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

Slovenes without Slovene citizenship may study at higher education institutions of the Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia.

Pursuant to this Act, Slovenes without Slovene citizenship shall be descendants of Slovene nationals no more than three times removed in direct succession.

Provided that the principle of reciprocity is applied, foreign citizens may study at institutions of higher education of the Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia.

Citizens of the European Union members states shall have the right to pursue their studies at higher education institutions in the Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia.

Detailed conditions concerning admission quotas, tuition fees, accommodation in student residence halls and other rights and obligations of students pursuant to this Act, for persons specified in paragraphs 2 and 4 of this Article and foreigners, shall be determined by the Minister having jurisdiction over higher education. More favourable conditions for enrollment of Slovene nationals without Slovene citizenship may be stipulated in the constitution of a public institution of higher education.

Article 8
(Language of Instruction)

The language of instruction shall be Slovene.

A higher education institution may offer study programs or parts thereof in a foreign language subject to conditions stipulated by its constitution.

If a higher education institution performs a public service, the following may be conducted in a foreign language:

- foreign language study programs,
- parts of study programs, if carried out in cooperation with visiting scholars from abroad,
- study programs which the higher education institution provides also in Slovene.

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

Article 9
(Establishing an Institution)

A higher education institution and another institution, member of a university, or student residence halls, respectively, may be established by Slovene or foreign natural or legal persons.

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

Article 10
(Legal Status of Universities and Their Members)

A university is a legal entity. Faculties and academies of art and possibly also professional colleges and other institutions, members of the university (hereinafter referred to as members of the university), shall be established within a university.

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

When executing the Master Plan for Higher Education, which shall be funded by the Republic of Slovenia, members of the university, subject to the stipulations of the university charter and constitution, shall act for and on behalf of the university.

In other cases, members of the university shall act for and on behalf of themselves in accordance with the university charter and constitution.

Members of a university may have bank accounts.

Article 11
(Free-standing Higher Education Institutions)*

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

Article 12
(Affiliated University Members)

Free-standing institutions of higher education and other institutions may join a university as affiliated members.

Conditions of affiliation and rights and obligations of the affiliated members shall be stipulated by the university constitution.

Article 13
(Property)

A university or a free-standing higher education institution established by the Republic of Slovenia shall be the owner of the property acquired from public and other sources.

A higher education institution shall manage and freely dispose of the property used in carrying out its activities in compliance with its charter and constitution unless otherwise provided by this Act.

A university or a free-standing institution of higher education under paragraph 1 of this Article may transfer its title to or mortgage the real property or high value equipment that has been acquired with public funds, only in agreement with the founder.

Income from sale of the property under the preceding paragraph of this Article may be used for investments, maintenance and major repairs, and equipment.

Article 14
(Requirements for Establishing an Institution)

A higher education institution may be established provided that:

- the fields of study and research and art disciplines to be covered by the higher education institution to be established are defined,
- suitable premises and equipment required for the program are provided,
- teaching faculty, research faculty and faculty assistants required for the program are available.

Prior to adopting a charter, the founder shall seek and obtain the expert advice of the Council for Higher Education of the Republic of Slovenia on whether the requirements stipulated in the above paragraph are met.

The stipulations of paragraphs 1 and 2 of this Article shall apply also for establishing other institutions, members of the university.

Article 15
(Adopting the Charter of a Public Institution of Higher Education)

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

Article 16
(Prerequisites for Commencing Work and Performing Activities)

A higher education institution may commence its activities when it has been entered into the register and when the prerequisites concerning the technical equipment, safety at work and other stipulated requirements are fulfilled.

The register is kept by the Ministry having jurisdiction over higher education.

An institution of higher education shall be entered into the register if it possesses proper premises and facilities and if adequate teaching and research faculty and faculty assistants required for program realization are available, and provided that the study program pursuant to Article 32 of this Act has been adopted.

Whether the requirements for performing activities are met shall be checked at least every seventh year.

The Ministry having jurisdiction over higher education shall determine the procedure and terms for establishing and checking the requirements for performing activities, as well as for entry of an institution into the register and removal from it.

Article 17
(Prerequisites for Carrying Out Programs not Recognized by the State)

A higher education institution not performing state recognized study programs may begin operation after the study program has been adopted in accordance with its constitution and the requirements concerning technical equipment, safety at work and other stipulated requirements have been fulfilled.

Article 18
(Protected Names of Higher Education Institutions)

The names: university, faculty, academy of art and professional higher education institution may be used in legal business only by such institutions of higher education as have been established in compliance with this Act and which fulfil the requirements for performing higher education activities of Articles 16 and 17 of this Act.

Article 19
(Constitution)

Institutions of higher education which are legal entities shall possess a constitution regulating their organization and operations.

Article 20
(Organs)

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

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

The organ of another institution, member of a university, shall be a director and possibly a council of experts.

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

Institutions of higher education and other institutions, members of the university, may have other bodies in accordance with their charter or constitution.

Article 21
(Senate)

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

The senate of the university shall be composed of full professors elected by the senates of the university member institutions in such a manner that all scientific, art and professional disciplines are equally represented.

The senate of a faculty, academy of art or professional higher education institution shall be composed of teaching faculty members and, if stipulated by the constitution, also of research faculty members. It shall be composed in such a manner that all scientific, art and professional disciplines of a higher education institution are equally represented. The number of senate members shall be determined by the constitution.

The rector of the university is ex officio member of the university senate, and the dean is ex officio member of the senate of the university member institution and independent higher education institution, respectively.

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

A council of experts shall be the academic body of other institution, member of a university. The composition thereof shall be determined by the university constitution in compliance with the university charter.

Article 21(a)
(Academic Assembly)

The academic assembly of a university member institution or a free-standing higher education institution shall be composed of all teaching and research faculty members and their assistants. Student representatives shall also participate in its work, as they form at least one fifth of the academic assembly members. The mode of their participation shall be determined by the constitution.

The academic assembly shall:

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

The academic assembly shall elect the chairperson from among its members. The chairperson shall convene and preside over the meetings.

If the academic assembly, formed in compliance with paragraph 1 of this Article, has more than 200 members, it shall be formed in such a way that individual groups shall have a proportional number of representatives, but the number of academic assembly members shall not be below 100.

The manner of forming the academic assembly according to the preceding paragraph shall be stipulated by the constitution.

Article 22
(Administrative Board)

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

In addition to performing tasks stipulated by law, the administrative board shall decide upon business transactions and ensure the undisturbed business operations of a higher education institution.

The administrative board shall be composed of representatives of the founder, faculty representatives, a student representative and a representative of staff.

Article 23
(Rector)

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

- convene and, as a rule, chair senate meetings,
- coordinate the educational, research and art and other activities of the university,
- ensure and be responsible for performance of activities of the university in compliance with the law, for fulfilling its obligations stipulated by law, other regulations and university byelaws,
- report to the senate, administrative board and the founder of the university at least once a year,
- award *doktorat znanosti*,
- confer university awards,
- perform other tasks in compliance with the law, other regulations and university byelaws.

The rector shall be elected by all full-time teaching and research faculty members of the university. The student council representative of each university member institution shall also have the right to vote.

Article 24
(Dean and/or Director)

Dean and/or director of a university member institution shall have powers and obligations as stipulated by the charter; he shall be the academic head of a member institution and perform the following tasks:

- coordinate teaching, research, art and other activities,
- ensure and be responsible for the performance of work in compliance with the law,
- report on work to the senate of the member institution and the rector at least once a year,
- perform other tasks in compliance with the law, other regulations and university byelaws.

Any individual employed as a teaching faculty member of a university member or a free-standing higher education institution may be appointed as its dean.

Any individual possessing a higher education degree may be appointed director.

The dean and the director of the university member shall be appointed by the rector on nomination by the senate or the council of experts of the university member institution.

The dean of a higher education institution which is not a university member shall be the chief executive officer and academic head of the institution.

Article 25
(Separation of Functions)

With regard to the nature of activities and scope of the work of a higher education and other institutions, it may be stipulated that academic and management functions be separated. In such a case, the powers of the academic head and the powers of the chief executive officer shall be stipulated by the constitution.

Article 26
(Student Council)

The student council shall be composed of student representatives.

The student council shall discuss and give advice on the status of the higher education institution, on all items concerning the rights and obligations of students, it may give advice on candidates for rector and dean, and it shall adopt and carry out the program of student extracurricular activities of the higher education institution in cooperation with the student organization.

If the advice of the above paragraph is not accepted, the student council may demand that the relevant body, in the manner and procedure stipulated by the constitution, discuss and decide upon the item concerned once again.

Article 27
(Secretariat of a Higher Education Institution)

Managerial and administrative and professional and technical tasks shall be performed by the secretariat of a higher education institution which shall be managed by a secretary.

Article 28
(Organization of Organs)

Tasks, rights, number of members, election, terms of appointment and decision-making of organs of higher education and other university member institutions shall be stipulated in detail by their constitution in compliance with the law and the charter.

Article 29
(Conference of Rectors)

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

Article 30
(Seal)

Public institutions of higher education and other institutions which are their members shall have a round seal with the name and official address of the higher education institution and the coat of arms of the Republic of Slovenia. Such a seal shall also be used by higher education institutions when performing a public service granted by concession.

Article 31
(Student Residence Halls)

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

Student residence halls may be established as part of a university as its member institution.

The organs of the student residence halls, members of a university, shall be a director and a student tenants' council.

Students who are members of the student tenants' council represent the interests of students in management in compliance with the law, charter and constitution.

III. TEACHING, RESEARCH AND ARTISTIC ACTIVITIES

Article 32
(State Approved Higher Education)

State approved higher education shall be gained by completion of study programs adopted by the senate of a higher education institution (hereafter referred to as state approved study program).

The senate of a higher education institution which is a university member, before adopting a program, shall obtain the approval of the university senate, and the senate of a higher education institution which is not a university member, the approval of the Council for Higher Education of the Republic of Slovenia.

Interdisciplinary study programs shall be adopted by the university senate upon the proposal by the senate of a university member.

A person fulfilling all the requirements of a degree program adopted according to the procedure stipulated in paragraphs 1, 2 and 3 of this Article shall be awarded a diploma which is a state recognized document. A Diploma Supplement shall form part of a diploma. The elements of the form shall be determined by the minister having jurisdiction over higher education upon the proposal by the Council for Higher Education of the Republic of Slovenia.

A person fulfilling all the requirements of a credential program adopted according to the procedure stipulated in paragraph 1 of this Article shall be awarded a certificate which is a state recognized document.

Degrees and certificates obtained abroad shall be recognized as equivalent in compliance with the law.

Article 33

(Study Programs)

Courses of study offered by institutions of higher education shall be degree study programs leading to the award of diplomas and credential programs leading to the award of certificates.

Degree study programs shall be:

a) undergraduate:

- leading to a professional higher education degree
- leading to a university degree

b) graduate:

- leading to *specializacija*
- leading to *magisterij*
- leading to *doktorat znanosti*

Credential study programs shall be programs which improve, deepen or broaden the knowledge of a specific field covered by a degree study program.

Study programs shall be carried out as full-time, as well as part-time studies when feasible (Article 37).

Article 34

(Institutions Carrying Out Study Programs)

Study programs of the first preceding Article shall be organized and carried out by universities, faculties and academies of art.

Professional colleges shall organize and carry out study programs leading to professional higher education degrees and credential programs; they may also organize study programs leading to *specializacija*.

Article 35

(Study Program Components)

Degree study programs shall consist of:

- general data on the program
- syllabus
- admission requirements
- requirements for normal academic progress
- manner and types of educational activities
- graduation requirements
- professional, academic and scientific title conferred in compliance with a special law.

State approved study programs shall be made public at the date of pre-enrollment announcement at the latest.

Article 36

(Duration of Studies)

Courses of study at public higher education institutions shall last:

- three to four years for programs leading to a degree of a professional higher education institution,
- four to six years for programs leading to university degrees,
- one to two years for programs leading to *specializacija* unless provided otherwise by special regulations,
- two years for programs leading to *magisterij*,
- up to four years for programs leading to *doktorat znanosti*.

Students enrolled in a program leading to *magisterij* may, under conditions specified by the institution's constitution, complete a study program leading to *doktorat znanosti*; students enrolled in a program leading to *doktorat znanosti* may complete a program leading to *magisterij*.

Article 37

(Academic Year and Course Load)

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

Undergraduate study programs shall embrace at least 20 and at most 30 units of lectures, seminars and exercises per week and 30 weeks per year.

Notwithstanding the provisions of the paragraphs 1 and 2 of this Article and if compatible with the nature of study, organization and schedule of lectures, seminars and exercises may be adapted to the needs of students (part-time studies). This shall be done in a manner and following the procedure determined by the institution's constitution.

Following the manner and procedure determined by the constitution, the organization and schedule of lectures, seminars and exercises at academies of art may be rearranged by the study program.

Article 38
(Admission Requirements)

Any person having passed a *matura* examination may be admitted to a higher education course of study.

Individuals having passed a vocational matura after having completed a secondary technical education program in a specific discipline and an examination in one of the matura subjects may also be admitted to the undergraduate university course of studies in the same discipline in which they completed the secondary technical education program.

Which secondary technical education program and matura subject under the preceding paragraph are appropriate shall be stipulated by the study program.

Individuals having passed a vocational matura or a final examination after having completed a secondary technical education program defined as appropriate by the study program may also be admitted to a program of a professional higher education institution.

In addition to matura, study programs can define special abilities or psychological and physical skills, respectively, as a prerequisite for admission.

An academy of art may stipulate in its study program that those who do not meet the requirements stipulated in paragraphs 1, 2 and 4 of this Article, respectively, but who possess outstanding artistic talent may nevertheless be admitted to its study program.

Graduate admission requirements shall be stipulated by the respective study program in compliance with the constitution.

Article 39
(Changing a Major)

A student may transfer from one study program to another under conditions stipulated by the university senate or the senate of a free-standing institution of higher education in compliance with the law and criteria set forth by the Council for Higher Education of the Republic of Slovenia.

Article 40
(Pre-enrollment Announcement)

Enrollment into state approved study programs provided by public and concessionary institutions of higher education shall be carried out on the basis of a public announcement.

A pre-enrollment announcement for undergraduate programs shall be published for all such programs together at least six months before the beginning of the new academic year.

A pre-enrollment announcement for programs leading to *magisterij* and *specializacija* shall be published by higher education institutions at least three months before they begin.

- pre-enrollment announcement shall comprise:
- name and address of the higher education institution,
- name of the study program,
- place of carrying out the study program,
- length of study,
- admission requirements,
- anticipated number of study places available,
- pre-enrollment and registration procedures and terms.

The higher education institution shall obtain approval for the pre-enrollment announcement from the Government of the Republic of Slovenia before it publishes it.

Procedures and terms stipulated in the last line of paragraph 4 of this Article and the manner of publishing the announcement shall be determined by the Minister having jurisdiction over higher education.

Article 41 *(Numerus Clausus)*

A higher education institution may limit admission to undergraduate study programs offered as a public service, if the number of students pre-registered for enrollment greatly exceeds the number of places available or its capacities (personnel, facilities, equipment, etc.).

In selecting the candidates, the grade-point average of the matura, vocational matura or secondary school final examination and the grade-point average of the junior and senior year in secondary school shall be taken into account; grades of individual matura, vocational matura or secondary school final examination subjects stipulated by the study program, as well as grades of individual subjects taken in the junior and senior year of secondary school, may also be considered.

A higher education institution shall obtain approval for the numerus clausus from the Government of the Republic of Slovenia, which shall be made public.

Article 42 *(Research and Art Activities)*

Institutions of higher education shall organize and perform research and art activities and foster the development of professional disciplines.

Public institutions of higher education shall perform research and art activities according to the program adopted and published by the senate in compliance with the procedure determined for adoption and announcement of study programs.

Institutions of higher education shall carry out basic and applied research, development and other projects in compliance with the Act regulating research; they shall perform consulting and other services.

IV. MASTER PLAN FOR HIGHER EDUCATION

Article 43 *(Master Plan)*

Public service in higher education shall be defined by the Master Plan for Higher Education.

Article 44
(Content of the Master Plan)

The Master Plan for Higher Education shall:

- define the purposes of the higher education,
- set forth the fields of study, research and artistic creation of national importance,
- define the activities required for development and effective work in higher education,
- set forth the standards for performing higher education activities,
- set forth the framework budget required to accomplish the Master Plan.

The Master Plan for Higher Education and the Master Plan for Research shall be coordinated in defining the research fields.

Article 45
(Preparation of the Master Plan)

The Master Plan for Higher Education shall be adopted by the National Assembly.

A Master Plan Bill shall be prepared by the Government of the Republic of Slovenia on the basis of expert advice provided by the Council for Higher Education of the Republic of Slovenia in cooperation with the Council for Science and Technology of the Republic of Slovenia.

Financial resources required for the implementation of the Master Plan for Higher education shall be defined in the state budget of the Republic of Slovenia.

Article 46
(Implementation of the Master Plan)

The Master Plan for Higher Education shall be executed by public institutions of higher education, other institutions, members of universities, student organization and student residence halls.

Master Plan for Higher Education shall also be executed by higher education institutions, other institutions, members of universities, and student residence halls on the basis of concession.

Research organizations may cooperate with institutions of higher education in implementing the Master Plan.

The Government of the Republic of Slovenia shall decide upon the distribution of study programs through which the Master Plan for Higher Education is to be implemented.

Article 47
(Granting a Concession)

A concession for public service in higher education is granted by decree of the Government of the Republic of Slovenia on the basis of public tender.

The invitation to tender shall state primarily: the subject of the concession, requirements for performing a public service, the period for which the concession is granted, the deadline for accepting tenders, and the time in which bidders shall be notified of the selection.

The relation between the donor and the recipient of a concession shall be regulated by a concessionary agreement, which shall be concluded in writing.

The agreement shall regulate primarily:

- the scope of the public service,
- the start of the public service,
- the term for terminating the concession, which shall not be shorter than the term granted for completion of studies extended by two years,
- the resources to be granted for public service by the donor,
- the management and usage of resources obtained from public sources.

V. COUNCIL FOR HIGHER EDUCATION OF THE REPUBLIC OF SLOVENIA

Article 48 (Establishment of the Council)

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

Article 49 (Tasks of the Council)

The Council for Higher Education shall give advice to the Government on the preparation of and changes in higher education legislation, participate in the planning of the development of higher education, encourage and develop cooperation among higher education institutions and perform the following tasks:

- 1) it shall prepare, in cooperation with higher education institutions, an expert basis for the elaboration of the Master Plan for Higher Education;
- 2) it shall determine the criteria for assessment of study programs with regard to their international comparability and duration of studies;
- 3) it shall approve study, research and artistic programs of the higher education institutions pursuant to Article 32 and paragraph 2 of Article 42 of this Act;
- 4) it shall determine criteria for transfer from one study program to another;
- 5) it shall determine criteria for assessing the quality and effectiveness of teaching, research, art and professional activities;
- 6) it shall give opinion on the fulfilment of requirements for establishing higher education institutions and the introduction of new programs;
- 7) it shall give opinion on the fulfilment of requirements by research organizations for participation in implementation of the Master Plan;
- 8) it shall give opinion on criteria for awarding titles to teaching and research faculty;
- 9) it shall participate in preparation of common criteria for position classification of teaching and research faculty and faculty assistants;
- 10) it shall give opinion to the regulation under Article 75;
- 11) it shall perform other tasks in compliance with the law.

With regard to questions relating to research activities of higher education institutions, the Council for Higher Education of the Republic of Slovenia shall cooperate with the Council for Research and Technology of the Republic of Slovenia.

Article 50 (Council Members)

The Council for Higher Education of the Republic of Slovenia shall be composed of top experts in the field of higher education, science and technology, industry and social activities in such a manner that scientific, art and professional fields will be represented in it.

A president and eleven members shall be appointed by the Government of the Republic of Slovenia; six thereof shall be university professors and scientists nominated by institutions of higher education; university rectors and the president of the Slovene Academy of Sciences and Arts shall be ex officio members of the Council for Higher Education of the Republic of Slovenia.

The president and members of the Council for Higher Education shall be appointed for four years.

The manner in which the Council for Higher Education shall operate shall be stipulated by Rules of Procedure.

Article 51
(Groups of Experts)

The Council for Higher Education may form commissions and independent groups of experts for individual fields of its activities.

VI. TEACHING AND RESEARCH FACULTY AND FACULTY ASSISTANTS

Article 52
(Teaching Faculty)

Teaching faculty shall be assistant professors, associate professors and full professors and lecturers.

Teaching faculty of professional colleges and their programs shall also be lecturers and senior lecturers.

The teaching faculty members shall promote the educational, art and research programs. In their work they follow and contribute to the development of science, art and the professions in the field in which they are awarded the academic title, they independently develop science, art or the profession in a specific field and foster the transfer of this knowledge.

Article 53
(Research Faculty)

Research faculty members shall be researchers, senior researchers and research advisers.

Research faculty shall carry out research programs.

Article 54
(Faculty Assistants)

Faculty assistants shall be assistants, librarians, expert advisers, senior advisers, junior experts and instructors.

Faculty assistants shall assist faculty members in performance of educational, research and art activities.

Article 55
(Requirements for the Award of Titles)

The title of assistant professor, associate professor and full professor may be awarded to a holder of a *doktorat znanosti* who has demonstrated satisfactory teaching performance.

A research faculty title may be awarded to a holder of a *doktorat znanosti*.

A teaching faculty title for art disciplines may be awarded to a holder of a university degree who has created notable works of art and has demonstrated satisfactory teaching performance.

A senior lecturer title may be awarded to a holder of *magisterij* or *specializacija* obtained after completed university education who has demonstrated satisfactory teaching performance.

The title of lecturer or lector may be awarded to a holder of a university degree who has demonstrated satisfactory teaching performance.

The title of faculty assistant may be awarded to a holder of a university degree.

In addition to the criteria of paragraphs 1 to 6 of this Article, teaching and research faculty and faculty assistants shall meet also the requirements stipulated in accordance with criteria for the award of titles.

Criteria for granting titles to teaching and research faculty and faculty assistants shall be determined by the senate of the higher education institution in compliance with the law. The criteria for higher education institutions which are members of universities shall be determined by the university senate.

The criteria mentioned in the above paragraph shall be internationally comparable and made public.

Article 56
(Procedure for the Award of Titles)

Assistant professors, associate professors, researchers, senior researchers, lecturers, lectors and senior lecturers shall be awarded the respective title for five years by the senate of the faculty, academy of art or professional higher education institution.

Professors and research advisers shall be granted the respective title by the university senate for an unlimited period of time. If the university adopts restricted criteria for granting the titles of professor and research adviser, the professors and research advisers granted titles under previous criteria may demand that their titles be granted anew in compliance with the new criteria.

The repeated award of an title in accordance with the previous paragraph shall be distinctively noted in the records and considered when candidates for most responsible positions are chosen and when salaries are determined.

Full professors and research advisers of a higher education institution which is not a member of a university shall be awarded their titles by the senate of that higher education institution. Prior to granting a particular title, the senate shall obtain the approval from the Council for Higher Education of the Republic of Slovenia.

Faculty assistants shall be awarded their titles by the senate of the faculty, academy of art or professional higher education institution for the term stipulated by the constitution.

Prior to granting a title for the first time or granting a higher title, the senate of the university member shall obtain the approval of the university senate. The senate of a higher education institution which is not a member of a university shall obtain approval for granting a particular title from the Council for Higher Education of the Republic of Slovenia.

Retired teaching and research faculty and faculty assistants shall keep the title which they held at the time of retirement.

Article 57
(Detailed Procedure for Granting Titles)

The procedure for granting titles to teaching and research faculty and faculty assistants shall be stipulated in detail by the constitution of the higher education institution in compliance with the law and criteria for the award of titles.

If a prerequisite for granting a title is recognition of a diploma awarded abroad, the procedures for diploma recognition and granting the title shall take place concurrently.

Article 58
(Suppression of Title)

If a member of the teaching or research faculty or a faculty assistant fails to meet his scholarly and educational obligations or fails to meet the requirements for award of a specific title, the relevant senate shall initiate a procedure for suppression of the title.

Stipulations of the procedure for granting titles shall be adequately applied in the procedure for suppression of title. The member of the teaching or research faculty or the faculty assistant shall be given an opportunity to explain his position.

Article 59
(Judicial Protection of Rights)

An administrative complaint may be lodged against a decree issued in a procedure to award or suppress a title.

Article 60
(Appointments)

Vacancies for positions as teaching and research faculty and faculty assistants shall be announced publicly and the appointments shall be made in the terms and manner prescribed by the constitution of the higher education institution.

Regardless of whether he has fulfilled the stipulated requirements for retirement, a full professor may retain a position under the above paragraph until he has reached the age of 65 years.*

Article 61
(Private Higher Education Teachers)

A higher education institution may contract a private higher education teacher to carry out parts of a course or study program.

A private higher education teacher is a person who has been awarded a title and is entered into the register of private higher education teachers kept by the Ministry having jurisdiction over higher education.

The Minister having jurisdiction over higher education shall set forth the procedure for entering and removing them from the register.

Article 62
(Visiting Scholars)

Institutions of higher education may invite distinguished teachers, scientists, experts and artists to participate in carrying out a part of a course or study program for a limited term, without regard to the requirements for a title.

Article 63
(Teaching Load)

The number of contact hours representing the teaching load of faculty during scheduled classes in higher education performed as a public service shall be as follows:

- up to six units per week for assistant, associate and full professors,
- up to nine units per week for senior lecturers, lecturers and lectors,
- up to ten units per week for assistants.

If the contact hours representing the teaching load, stipulated in the preceding paragraph, are not sufficient to carry out study programs, an additional weekly teaching load not to exceed:

- two units for assistant, associate and full professors,
- three units for senior lecturers, lecturers and lectors,
- four units for assistants

may be assigned to the teaching faculty and their assistants by the competent body of a higher education institution.

The rector or the dean of a free-standing higher education institution shall set forth the contact hours representing the teaching load and four units of additional teaching load per week at the most for other teaching faculty assistants by a special regulation.

The additional weekly teaching load shall be calculated in the same manner as contact hours.

Article 64
(Sabbatical Leave)

Within a six-year employment term, a teaching faculty member shall be eligible for in-depth advanced scientific study in the field of research for a maximum total of 12 months.

In cases under the above paragraph, the teaching load of a faculty member shall be reassigned, but shall not be increased by more than one third.

VII. STUDENTS

Article 65 (Students)

A student shall be a person enrolled at a higher education institution on the basis of a pre-enrollment announcement and following an undergraduate or graduate course of study.

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

Article 66 (Student Rights and Obligations)

Students have the right to enrollment under equal conditions defined by the law, the institutional constitution and study programs. Thereby they:

- shall study at normal rate of progress and complete their studies under the conditions which were in force at their matriculation;
- may, as a consequence of non fulfilled academic requirements, repeat a year or transfer to another study program or option once during the course of studies;
- may concurrently register for several study programs (second-degree studies) and follow an interdisciplinary or individually designed study program carried out by one or several institutions of higher education;
- may proceed with their courses on accelerated basis and graduate before the expiration of the term anticipated by the study program;
- may repeat an examination in the same course at least three times in one academic year, with the exception of cases defined by the institutional constitution, when the character of the course itself makes this impossible.

The rules and procedures shall be stipulated in detail by the constitution of higher education institutions, specifically:

- academic calendar,
- registration procedures,
- examination policy,
- study progress, including requirements for accelerated study
- graduation,
- changes of majors,
- repetition of a year of study and academic probation
- readmission after leave of absence,
- concurrent, interdisciplinary and individually designed courses of study,
- recognition of examinations and other study requirements passed at different institutions of higher education.

The following shall also be defined by the constitution:

- types of documents issued to students on the basis of records pursuant to article 81 of this Act,
- student grievance procedure,
- bodies responsible for procedures and decision-making,
- disciplinary responsibility and rights and obligations of students in a disciplinary procedure, and
- other rules pertaining to the rights and obligations of students.

Article 67 (Student Participation in Administration)

Students shall have the right to participate, through their representatives, in the work and administration of higher education institutions in compliance with this Act and the institutional constitution.

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

Article 68
(Student Organization)

Students shall enjoy the autonomous right to form a student organization. The manner of implementing this right shall be stipulated by the law.

Article 69
(Other Student Rights and Benefits)

Students, be it full- or part-time, are entitled to health care and other benefits and rights (e.g. meal plan, transportation subsidies) in compliance with special regulations provided they are not regularly employed or registered with the employment office as job seekers.

Students, citizens of the Republic of Slovenia, are eligible for accommodation offered by student residence halls, other institutions and legal entities registered to provide the services of student residence halls, and through them also for accommodation let by its owners; citizens of other countries are eligible for such accommodation under the conditions stipulated by special regulations.

Article 70
(Termination of Student Status)

The student status shall be terminated if a student:

- graduates,
- fails to graduate in twelve months after the end of the last semester for which he registered,
- withdraws,
- persistently fails to register for the next semester or year of study in the course of studies,
- is expelled,
- completes graduate studies,
- fails to complete graduate studies in terms stipulated by the constitution.

In cases of lines 2, 4 and 7 of the above paragraph, a student may be for good reasons granted extended student status for a maximum of one year.

Student mothers who give birth to a child in the course of studies shall be eligible for a one-year extension of the student status for each live-birth child.

Article 71
(Judicial Protection of Rights)

An administrative complaint may be lodged against the final decision of a body of a higher education institution concerning the award or termination of student status and other matters concerning studies.

VIII. FINANCING

Article 72
(Sources of Financing)

Institutions of higher education shall derive their budget from the budget of the Republic of Slovenia, tuition and other fees, payments for services, endowments, legacies, donations and other sources.

Resources from the above paragraph shall be used for the purposes for which they were obtained.

Article 73
(Financing of Public Higher Education Institutions)

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

- teaching and related research, art and professional activities, and library and information services, organisational, administrative, clerical and other infrastructural support (hereinafter: educational activities);
- course-related interest activities of students, set forth in annual programs of the student council of a university or a free-standing higher education institution, and university sports (hereinafter: extracurricular activities);
- investments and maintenance;
- fostering the quality of studies, renewal of teaching and research faculty and faculty assistants, tasks important for the development of higher education, and international co-operation (hereinafter: development tasks).

Funds for educational and extracurricular activities shall be allocated by taking into account the field of study, enrolment in the current academic year and the number of graduates in the preceding calendar year. In the state budget, funds for universities shall be earmarked and allotted to universities as indirect budget spending units, and funds for free-standing higher education institutions to the ministry having jurisdiction over higher education.

During the state budget planning procedure, universities and free-standing higher education institutions shall submit annual programs with financial estimates and the reports of the Quality Assessment Commission under Article 80 of this Act to the ministry having jurisdiction over higher education.

Budgetary funds for investments and maintenance shall be earmarked for individual universities and free-standing higher education institutions within the ministry having jurisdiction over higher education.

Budgetary funds for development tasks shall be earmarked within the ministry having jurisdiction over higher education.

Article 73(a)
(Financing of the Activities of Private Higher Education Institutions)

The Republic of Slovenia shall provide financial resources for educational and extracurricular activities of free-standing higher education institutions that have been granted a concession.

The Republic of Slovenia may provide funding for development tasks of higher education institutions under the preceding paragraph and private free-standing higher education institutions offering state-approved study programs by public tendering.

Article 73(b)
(Subsidies for Student Accommodation)

The Republic of Slovenia shall subsidise student accommodation in public and private institutions and legal entities registered to provide the services of student residence halls, and through them also accommodation let by its owners.

In subsidising the accommodation of students, citizens of the Republic of Slovenia, their academic achievements, financial situation, distance between the place of their permanent address and the place of studies, and their social and health conditions shall be taken into account.

Detailed stipulations concerning the subsidies of the preceding two paragraphs shall be set forth by the minister having jurisdiction over higher education.

Article 74
(Position Classification)

Classification of positions at a university shall be determined by the rector, and at a free-standing institution of

higher education by the dean.

The ministry having jurisdiction over higher education shall keep records of the employees. Universities and free-standing higher education institutions that have been granted a concession shall submit employees' personal data to the ministry twice a year in compliance with the law. The form for the collection of personal data in compliance with special regulations shall be determined by the minister having jurisdiction over higher education.

Article 75
(Special Regulations)

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

Article 76
(Higher Education Funds)

Institutions of higher education which are legal entities may establish funds for the management of their resources.

Funds shall be managed by administrative boards.

The number of board members, the composition of the board, terms of appointment of board members and the operation of the funds shall be regulated by constitutions.

Article 77
(Tuition and Other Fees)

Tuition and other fees for state approved study programs shall constitute income of a higher education institution and shall be determined by decree of the Minister having jurisdiction over higher education.

The decree stipulated in the above paragraph may also define other fees for other individual services of a higher education institution.

Tuition fees may not be charged to citizens of the Republic of Slovenia and citizens of the EU member states for education in state approved undergraduate programs performed as a public service unless they are carried out in a manner above the standards set by the Master Plan for Higher Education.

Article 78
(Allocation of Surplus)

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

IX. CONTROL

Article 79
(Control)

Control over the conduct of business in accordance with the law and the fulfilment of requirements for performing higher education activities shall be exercised by the Ministry having jurisdiction over higher education, in compliance with special regulations.

Control of usage of public resources in accordance with designated purposes shall be performed in accordance with special regulations.

Article 80
(Quality Assessment)

The quality and effectiveness of teaching, research, art and professional activities of higher education institutions shall be monitored and assessed by a Quality Assessment Commission created by higher education institutions in the Republic of Slovenia.

The Commission shall be composed of representatives of all scientific and art disciplines and professional fields. The Commission shall also obtain the advice of students.

The Commission shall conduct business according to the rules determined in cooperation with the senates of higher education institutions and criteria defined by the Council for Higher Education of the Republic of Slovenia in cooperation with the Council for Research and Technology of the Republic of Slovenia.

Once a year, the Commission shall report to the senates of the higher education institutions, the Council for Higher Education of the Republic of Slovenia and the Council for Research and Technology of the Republic of Slovenia. The report shall be publicly disseminated.

X. COLLECTION AND PROTECTION OF STUDENT PERSONAL DATA

Article 81
(List of Records Containing Personally Identifiable Information)

Higher education institutions shall keep the following records containing personally identifiable information on students:

- 1) records of students pre-registered for enrollment and registered students,
- 2) personal file kept for each student from his matriculation to graduation or withdrawal, respectively,
- 3) records of the examination containing registration for the examination, procedure and grade achieved,
- 4) records of documents awarded on completed undergraduate and graduate studies.

Records of points 1, 2 and 4 of the above paragraph shall include: name and family name of the student (also maiden name for female students), sex, date, place and municipality of birth, permanent and temporary residence, citizenship number, citizenship, previous education, type of study and other data according to special regulations. Records of point 2 shall include also data on examinations passed, progress and completion of studies.

Records of point 3 of paragraph 1 of this Article shall include: name and family name of the student (also maiden name for female students), sex, citizenship number, type of studies, year of studies, year of first enrollment, examination date, whether the examination is taken for the first time or repeated, grade awarded.

Article 82
(Use of Records Containing Personally Identifiable Information)

Student's personally identifiable information contained in the records listed in the above paragraph shall be collected, processed, maintained and released in the interest of educational activities of higher education institutions, the Ministry having jurisdiction over higher education, and in other cases only in accordance with special regulations.

For statistical purposes, personal data may be used and published in a manner not disclosing the personal identity of the student.

Article 83
(Record Keeping)

Records listed in Article 81 of this Act shall be kept permanently in accordance with special regulations, with the exception of records of students pre-registered for enrollment, which shall be kept until registration is completed or complaint procedures terminated.

Article 84
(Documentation)

Provisions concerning maintenance, processing and keeping of records containing personally identifiable information pursuant to this Act shall apply also to documentation which has served as a basis for the collection of personal data. Documents on previously completed education shall be returned to students when enrollment is completed.

X. TRANSITIONAL AND FINAL PROVISIONS [December 1993]

Article 85
(Transfer of Founding Privileges)

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

On the day of entry into force of this Act, faculties, academies of art, two-year and four-year colleges associated in the University of Ljubljana and the University of Maribor shall become members of the University of Ljubljana and the University of Maribor, respectively.

Article 86
(Regulation on Reorganization of Universities)

The National Assembly shall adopt a regulation on the reorganization of universities within two years after the enforcement of this Act at the latest. On the day of entry into force of this regulation the charters of the university members shall terminate, except when stipulated otherwise in the regulation on reorganization.

Article 87
(Organs)

Until the new organs of higher education institutions are elected on the basis of the constitutions adopted pursuant to this Act, the organs stipulated by the valid constitutions shall continue to serve.

Article 88
(Coordination of Constitutions and Study Programs)

Until new university constitutions are adopted pursuant to this Act, the valid constitutions of the universities and their members shall be used, except when they are in conflict with the law.

Higher education institutions reorganized in accordance with this Act shall adjust their constitutions to this Act and regulation on reorganization within six months of the adoption of the regulation on reorganization.

The constitutions mentioned in the above paragraph shall be adopted by the council of a higher education institution by a majority vote of all council members.

Institutions of higher education shall adjust their study programs to this Act within two years after its entry into force at the latest.

Students registered in study programs mentioned in the above paragraph may finish their studies under conditions valid at their enrollment, but not later than within the period stipulated for completion of the program, extended by two years.

Article 89
(Property)

On the day of entry into force of this Act the university shall take over the management of property acquired to carry out higher education activities.

Inventories of the property used by higher education institutions in performing their activities shall be made on the basis of the balance sheet as per March 31, 1991.

Article 90
(Change of Name)

Institutions and organizations using names mentioned in Article 18 of this Act which fail to meet the requirements for performing higher education activities pursuant to this Act, shall adapt or change their names within one year after its entry into force.

Article 91
(Matura)

The stipulation of Article 38 of this Act shall be effective for the generation completing secondary education in the academic year 1994-95.

Notwithstanding the provisions of Article 38 of this Act, certain optional subjects of matura may be defined by study programs as prerequisites for enrollment in respective higher education programs for secondary school students who shall pass the matura examination in the academic years 1995 - 1997.

Individuals who have completed their secondary education till June 1, 1995 may enroll in the first year of higher education studies under conditions valid prior to the entry into force of this Act.

Article 92
(Pre-enrollment Announcement)

Until the issue of the regulation stipulated in paragraph 6 of Article 40 of this Act, the provisions of the Regulation Concerning Pre-enrollment Announcement and Registration in Career-Oriented Education (Official Gazette of the Republic of Slovenia Nos. 9/91, 7/92 and 11/93) shall remain in force.

Article 93
(Temporary Financing of Public Service)

Deleted. - (Until the Master Plan for Higher Education is adopted, the public service shall be financed in accordance with Article 64 of the Organization and Financing of Education Act (Official Gazette of the Republic of Slovenia No. 12/91-I).)

Article 94
*(Term for Establishing the Council for Higher Education of the Republic of Slovenia
and the Quality Assessment Commission)*

The Council for Higher Education of the Republic of Slovenia shall be established within six months after entry into force of this Act at the latest.

Criteria of points 2, 4 and 5 of Article 49 of this Act shall be determined by the Council for Higher Education of the Republic of Slovenia within six months after its foundation at the latest.

The Quality Assessment Commission for higher education shall be established within one year after entry into force of this Act at the latest.

Article 95
(Validity of Academic Titles)

Teaching and research faculty and faculty assistants who have been awarded their titles prior to entry into force of this Act shall keep the title until the appointment term expires.

Retired teaching and research faculty and faculty assistants who have been awarded titles prior to entry into force of this Act are also entitled to use their titles.

Article 96
(Term for Adoption of Standards)

Deleted. - (Standards for financing the Master Plan for Higher Education shall be adopted within six months after adoption of the Master Plan at the latest; until their entry into force Norms and Standards for Performing Educational Activities in Junior Colleges and Universities (Official Gazette of the Republic of Slovenia No. 39/92) shall be used.)

Article 97
(Terms for Adoption of Byelaws)

The Minister having jurisdiction over higher education shall issue regulations pursuant to Articles 7, 16, 40, 61, 69 and 77 of this Act within six months after entry into force of this Act at the latest.

Article 98
(Adjustment of Records)

Higher education institutions shall adjust the maintenance and safekeeping of records containing personally identifiable information on students with the provisions of this Act within six months after its entry into force.

Article 99
(Termination of the Career-oriented Education Act)

On the day of entry into force of this Act, the provisions of the Career-oriented Education Act pertaining to higher education (Official Gazette of the Socialist Republic of Slovenia Nos. 11/80, 6/83, 25/89 and 35/89) shall cease to apply.

Article 100
(Entry into Force)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

[XI.] TRANSITIONAL AND FINAL PROVISIONS [December 1999]

Article 31 [101]

Universities and free-standing higher education institutions shall harmonise their constitutions with the stipulations of this Act within six months after its entry into force at the latest.

Article 32 [102]

The National Assembly shall adopt the act on the reorganisation of universities within three months after the entry into force of this Act at the latest.

Article 33 [103]

The minister having jurisdiction over higher education shall issue the forms under Articles 12 and 26 and the regulation under the last paragraph of Article 25 of this Act within four months after its entry into force at the latest.

Article 34 [104]

Stipulations concerning the vocational matura under Articles 13 and 15 of this Act shall become effective for the cohort that will complete secondary technical education programs in the 2001/2002 school year.

Article 35 [105]

The Government of the Republic of Slovenia shall adopt the special regulation of Article 27 of this Act within six months after its entry into force at the latest.

Article 36 [106]

Until entry into force of the regulations under the last paragraph of Article 25 and Article 27 of this Act, public service in higher education shall be financed in compliance with Article 64 of the Organisation and Financing of Education Act (Uradni list RS, No. 12/91-I) and the Criteria and Standards for Performing Higher Education Activities Decision (Uradni list RS, No. 39/92).

Article 37 [107]

Until entry into force of the regulation of Article 27 of this Act, higher education institutions must obtain an approval of their position classifications by the minister having jurisdiction over higher education.

Article 38 [108]

The transfer of title to property under Article 4 of this Act and other related property relations as well as the entry of the property into the land register by virtue of official duty shall be regulated by a contract between the Republic of Slovenia and the universities and free-standing higher education institutions within three years after entry into force of this Act as of 1 March 2000.

Article 39 [109]

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

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

Article 40 [110]

This Act shall enter into force on the fifteenth day after its publication in the Uradni list Republike Slovenije. The stipulations under Articles 2 and 28 regulating the position of the citizens of the European Union member states shall enter into force on the day when the Republic of Slovenia becomes a full member of the European Union.

