



Latvijas Republikas Izglītības un  
Zinātnes ministrija

## Law On Institutions of Higher Education

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### *Tulkošanas un terminoloģijas centra tulkojums*

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27 December 1996;  
23 November 2000;  
20 May 2003;  
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2 March 2006.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The Saeima has adopted and the President  
has proclaimed the following Law:

## Law On Institutions of Higher Education

### Chapter I General Provisions

#### Section 1. Terms Used in this Law

The following terms are used in this Law:

- 1) **academic hour** – a unit of work time for studies, the duration of which is 45 minutes;
- 2) **higher education** – a degree of education in which personality development based on science or art, or science and art, in the selected academic or professional, or academic and professional, field of study, as well as the preparation for scientific or professional activity, which takes place after the completion of a secondary education;
- 3) **accreditation of an institution of higher education or college** – assessment of the work organisation and quality of resources of an institution of higher education or college as a result of which it is granted the status of a State-recognised institution of higher education or college;
- 4) **a branch of an institution of higher education or college** – a structural unit established by an accredited institution of higher education or college, which has a certain organisational independence, which is territorially separated from the location of the institution of higher education or college (it is located in another state or another populated area) and the basic task of which is to implement the accredited study programmes of the relevant institution of higher education or college;
- 5) **a representation office of an institution of higher education** – a structural unit established by an institution of higher education which is territorially separated from the location of the institution of higher education (it is located in another state or populated area) and the task of which is to provide information regarding the institution of higher education, to represent the interests of the institution of higher education and to perform other organisational activities specified in the by-law thereof. The representation office of an institution of higher education shall not engage in economic activities and shall not implement study programmes;

6) **matriculation** – enrolment of persons in the list (student register) of students at an institution of higher education;

7) **contact lesson** – the direct communication of academic staff and students, which is implemented for the achievement of the goals and tasks of a study programme in accordance with the study programme plan and the duration of which is one academic hour;

8) **a credit point** – an accounting unit of studies which corresponds to a student's work load of 40 academic hours (one week of studies) in which up to 50 per cent of the academic hours are intended for contact lessons;

9) **part-time studies** – a type of studies which corresponds to less than 40 credit points per academic year and less than 40 academic hours per week;

10) **full-time studies** – a type of study, which corresponds to 40 credit points per academic year and not less than 40 academic hours per week;

11) **promotion** – granting of a doctoral degree; and

12) **licensing of a study programme** – the granting of rights to an institution of higher education or a college or the branches thereof to implement a specific study programme.

[23 November 2000; 2 March 2006]

## **Section 2. Application of the Law**

(1) This Law shall apply to all existing institutions of higher education and colleges in the Republic of Latvia irrespective of the procedures for the founding and financing and the specialisation thereof. It shall regulate the legal grounds for the activities of institutions of higher education and colleges, and determine and protect the autonomy of institutions of higher education.

(2) This Law shall regulate the co-operation of institutions of higher education and State authorities in order to co-ordinate the autonomy of institutions of higher education with the interests of society and the State.

(3) The Ministry of Education and Science shall supervise compliance with this Law in institutions of higher education and colleges, as well as shall be responsible for State policy in the field of higher education. The Minister for Education and Science shall represent the interests of institutions of higher education and colleges in the *Saeima* and the Cabinet.

[2 March 2006]

## **Section 3. Institutions of Higher Education**

(1) Institutions of higher education are institutions of higher education and science in which academic and professional study programmes are implemented, as well as which are engaged in science, research and artistic creation. In institutions of higher education, at least twenty per cent of persons elected to academic positions shall have doctoral degrees. In academies, at least thirty per cent of persons elected to academic positions shall have doctoral degrees. The Cabinet shall determine other procedures for academic staff qualifications if such is required by the specific field of activity of the institution of higher education – arts, architecture, theology, security or State defence. The study programmes implemented in an institution of higher education shall be divided into the following thematic groups:

1) education;

2) humanities and arts;

3) social science, commercial science and law;

4) engineering sciences, production and construction work;

5) natural sciences, mathematics and information technology;

6) agriculture;

7) health care and social welfare;

8) services.

(2) An academic degree shall be conferred after the acquisition of the academic study programme, a doctor of science degree – after the acquisition of the doctoral study programme. A professional qualification and a professional degree of the relevant level shall be obtained after the acquisition of the professional study programme.

(3) A university is an institution of higher education, which conforms to the following criteria:

1) it implements bachelor, masters and doctoral study programmes. The defence of doctoral study programme promotion works occur every year;

2) at least half of persons elected to academic positions shall have doctoral degrees;

3) publishes scientific periodical publications in respect of study programmes implemented in the institution of higher education; and

4) in the main scientific sectors, which are implemented in study programmes, institution of higher education structural units or scientific institutions have been established and scientific activities are performed therein.

(4) [2 March 2006]

(5) The right to include the words "universitāte" [university], "augstskola" [institution of higher education], "akadēmija" [academy] or "koledža" [college] shall be only in the names of those educational establishments, which implement study programmes, or in the names of those institutions founded by them. An institution of higher education, which conforms to the criteria referred to in Paragraph three of this Section has the right to include the word "universitāte" [university] in its name. The word "instituts" [institute] may not be included in the name of an institution of higher education.

(6) The Cabinet shall determine Latvian educational classifications.

[23 November 2000; 2 March 2006]

#### **Section 4. Autonomy of Institutions of Higher Education**

(1) Institutions of higher education are autonomous institutions of education and science with the right to self-governance. The autonomy of institutions of higher education shall be characterised by the division of power and responsibility between the State authorities and the management of the institution of higher education, as well as between the management and the academic staff.

(2) The autonomy of an institution of higher education shall be expressed in the right to select the ways and forms for the implementation of the tasks set forth by the founders of the institution of higher education and corresponding to this Law, as well as in responsibility for the quality of education acquired in an institution of higher education, appropriate and efficient utilisation of financial and material resources, and compliance with the principle of democracy and with the laws regulating the operation of institutions of higher education and other regulatory enactments.

(3) An institution of higher education has the right:

1) to develop and approve the constitution of the institution of higher education;

2) to form the academic staff of the institution of higher education; and

3) to independently determine:

a) the content and forms of study programmes,

b) additional provisions for the admission of students,

c) basic trends of scientific research work,

d) the organisational and managerial structure of the institution of higher education, and

e) rates of work remuneration which are not less than the rates determined by the Cabinet; and

4) perform other activities, which do not contradict with the principles and tasks for the operation of the institution of higher education determined by the founder thereof and this Law.

[23 November 2000; 2 March 2006]

### **Section 5. Tasks of Institutions of Higher Education**

(1) Founders of institutions of higher education shall determine the tasks to be implemented by the institution of higher education. Within the framework of the autonomy thereof, institutions of higher education shall ensure the inseparability of study and research work, the possibility of acquiring knowledge, an academic education and professional skills, academic degrees and professional qualification in the fields of social life, economics, culture, health care, State administration and other professional activities. In their activities they shall cultivate and develop science and art. Institutions of higher education shall provide students with the possibility to play sports.

(2) Institutions of higher education shall develop study programmes, choose academic staff, arrange laboratories, workshops, libraries and other structures so that the students are given the opportunity to acquire knowledge, an academic education and professional skills in accordance with the science development level and cultural traditions of Latvia in as concentrated and didactically wholesome a form as possible. They shall ensure such requirements for tests and examinations and such procedures that the degrees and titles, diplomas and professional qualification acquired, as well as the acquisition of parts of the study programmes, as are mutually recognised in the institutions of higher education of Latvia and other states.

(3) Institutions of higher education shall promote continuing education studies and shall participate in the activities of continuing education. They shall co-operate among themselves, as well as with scientific research institutions and other educational institutions. Institutions of higher education shall co-operate with the institutions of higher education of other states, promote this co-operation, as well as promote the exchange of students and academic staff between the institutions of higher education of Latvia and foreign states.

(4) Institutions of higher education shall organise their activities in the interests of society, as well as inform society about its operations and the directions and possibilities of studies and scientific research by promoting the selection of study and scientific research according to the interests and abilities of the individual. They shall offer to society their scientific, artistic and professional findings and the methods and results of research.

(5) Institutions of higher education shall attend to the preparation of new academics and provide them with the possibility of entering global academic processes.

(6) Institutions of higher education shall guarantee the academic freedom of academic staff and students, prescribing this in the constitutions thereof.

(7) [23 November 2000]

[23 November 2000]

### **Section 6. Academic Freedom**

(1) The freedom of studies, research work and artistic creation shall be ensured in institutions of higher education if this freedom does not contradict with the rights of other persons, the constitution of an institution of higher education and regulatory enactments.

(2) The freedom of studies shall be expressed in the rights of students:

- 1) to choose an institution of higher education, a faculty (department);
- 2) to change their study programme during their studies, choosing the same study programme in another institution of higher education, faculty (department, institute);
- 3) to attend lectures in other institutions of higher education, faculties (departments, institutes);
- 4) to draw up and acquire the free elective part of individual studies; and
- 5) to be engaged in scientific research work and artistic creation.

(3) The freedom of research work shall be expressed as the rights of academic staff to choose the topic and direction of scientific activities.

(4) Academic staff is entitled to choose study methods.

(5) The administration of an institution of higher education shall have a duty to guarantee and respect the rights of students and academic staff provided for in this Section if they do not contradict with the provisions of Paragraph 1 of this Section.

[23 November 2000]

### **Section 7. Legal Status and Attributes of Institutions of Higher Education and Colleges**

(1) State-founded institutions of higher education (except for the Latvian Police Academy and the Latvian National Defence Academy) are derived public persons.

(2) The Latvian Police Academy, the Latvian National Defence Academy and State-founded colleges are State institutions. In founding colleges, the Cabinet shall transfer them to the supervision of the Ministry of Education and Science, but the existing colleges in the Ministry of the Interior system – to the subordination of the relevant Ministry of the Interior system institution.

(3) Institutions of higher education and colleges founded by private persons are commercial companies or foundations, which operate in accordance with the Commercial Law or the Associations and Foundations Law insofar as they are not in conflict with this Law.

(4) A State recognised diploma shall utilise the State coat of arms and the Cabinet shall determine the format of such diploma.

(5) Institutions of higher education shall have a seal with the full name of the institution of higher education. Institutions of higher education also have the right to use the historic symbols of the institution of higher education in the seal.

[23 November 2000; 2 March 2006]

### **Section 7.<sup>1</sup> Institutions of Higher Education and Colleges Administration**

(1) The Institutions of Higher Education and Colleges Administration is a State institution established by the Cabinet and subordinate to the Ministry of Education and Science, which implements policy in the field of higher education and scientific activity.

(2) The Institutions of Higher Education and Colleges Administration shall:

1) ensure the licensing of institutions of higher education study programmes;

2) perform the maintenance of the Register of Institutions of Higher Education, the Register of Scientific Institutions, the colleges section of the Educational Establishments Register, the Academic Staff Register and the Diploma Register;

3) collect, compile and analyse statistical information in the field of higher education and scientific activity;

4) supervise the operations of institutions of higher education, colleges and State scientific institutions;

5) administer higher education and scientific projects and programmes;

6) allocate State budget funds for scientific activity, except Latvian Science Council funds, and control the use thereof;

7) organise the development of profession standards;

8) co-ordinate the implementation of higher education and scientific system development projects; and

9) perform other administrative tasks delegated to it in the field of higher education and scientific activity by the Cabinet.

[2 March 2006]

## **Chapter II**

**Foundation, Reorganisation and Legal Grounds of Institutions of Higher Education****Section 8. Foundation of an Institution of Higher Education and the Opening of a Branch of an Institution of Higher Education**

(1) Institutions of higher education may be founded by the State, and other legal persons and natural persons, including legal persons and natural persons from foreign states, taking into account the provisions of this Law and other regulatory enactments.

(2) State institutions of higher education shall be founded by the State of Latvia represented by the Cabinet on the basis of a proposal of the Minister for Education and Science.

(3) [2 March 2006]

(4) An accredited institution of higher education (also an institution of higher education accredited in a foreign state) may open branches of the institution of higher education (hereinafter also – branch) and representative offices of the institution of higher education (hereinafter in this Section – representative office), taking into account the provisions of this Law and other regulatory enactments.

(5) Branches and representative offices shall operate on the basis of a by-law approved by the collegial representation body of the institution of higher education. The head of a branch or representative office shall act on the basis of an authorisation issued by the relevant institution of higher education.

(6) In founding an institution of higher education, the following provisions shall be observed:

1) the institution of higher education shall implement at least two study programmes and in the implementation thereof at least 15 (in a theological sector institution of higher education – at least 10) persons with a doctoral degree shall be involved, of whom at least two are doctors in the branch of science in which the study programme is implemented;

2) the founder of the institution of higher education shall own or have at his or her disposal premises for the implementation of the study programmes for at least eight years, and this shall be confirmed by an extract from the Land Register, as well as the plan of the premises owned or at his or her disposal or the building file in which the required area is indicated;

3) The design of an institution of higher education shall ensure for the implementation of study programmes that during the time a study process is simultaneously taking place there shall be not less than 7 square metres per one student area of premises, including the premises provided for the individual work of the academic staff;

4) the institution of higher education shall be able to ensure commitments for students studying in the study programmes thereof in the amount of at least 250 000 lats, and this shall be confirmed by a guarantee issued by a bank or an insurance company;

5) the value of the movable or immovable property apportioned to the institution of higher education shall not be less than 750 000 lats, and this property shall not be pledged or otherwise encumbered with property rights, it shall not be put under a ban, and it shall be justified by the relevant documents, including statements issued by the relevant Land Register and the Enterprise Register;

6) none of the founders of the institution of higher education shall have tax debts or State compulsory social insurance contribution debts, and this shall be confirmed by statements issued by the relevant competent authorities; none of the founders of the institution of higher education shall be declared insolvent, shall not be involved in the process of liquidation, the economic activity of any founder shall be neither suspended nor discontinued, nor shall court proceedings be initiated regarding the termination, insolvency or bankruptcy of the activities of any founder, and this shall be confirmed by a statement issued by the relevant competent authority; and

7) the premises of the institution of higher education in which study programmes are implemented shall be insured, and this shall be confirmed by an insurance agreement which is concluded for a time period not less than one year; the material and technical provision of the institution of higher education shall be in compliance with the conditions for the implementation of study programmes and hygiene requirements, and this shall be confirmed by a statement of the relevant competent authority; the institution of higher education shall be provided with computer equipment which meets the requirements of the students; the institution of higher education shall have a library, and access to electronic collections of Latvian and international literature and periodicals shall be ensured therein.

(7) When founding a branch of an institution of higher education, the following provisions shall be observed:

- 1) not less than six persons with doctoral degrees shall be involved in the implementation of one study programme;
  - 2) the founder of a branch of the institution of higher education shall own or have at his or her disposal the premises for the implementation of study programmes for at least eight years, and this shall be confirmed by an extract from the Land Register, as well as the plan of the premises owned or at his or her disposal or the building file in which the required area is indicated;
  - 3) the total area of the premises of the branch of the institution of higher education and the layout thereof shall ensure the possibility for at least 100 students studying in the branch of the institution of higher education to participate in the implementation of study programmes. The area of the premises during the time a study process is simultaneously taking place shall be not less than 7 square metres per one student, including the premises designed for the individual work of the academic staff;
  - 4) the institution of higher education shall be able to ensure commitments for students studying in the study programmes of the branch thereof in the amount of at least 125 000 lats, and this shall be confirmed by a guarantee issued by a bank or an insurance company;
  - 5) none of the founders of the institution of higher education shall have tax debts or State compulsory social insurance contribution debts, and this shall be confirmed by statements issued by the relevant competent authorities; none of the founders shall be declared insolvent and shall not be involved in the process of liquidation, the economic activity of any founder shall be neither suspended nor discontinued, nor shall court proceedings be initiated regarding the termination, insolvency or bankruptcy of the activities of any founder, and this shall be confirmed by a statement issued by the relevant competent authority; and
  - 6) the premises of the branch of the institution of higher education in which study programmes are implemented shall be insured, and this shall be confirmed by an insurance agreement which is concluded for a time period not less than one year; the material and technical provision of the branch of the institution of higher education shall be in compliance with the conditions for the implementation of study programmes and hygienic requirements, and this shall be confirmed by a statement of the relevant competent authority; the branch of the institution of higher education shall be provided with computer equipment which meets the requirements of the students; the branch of the institution of higher education shall have a library, and access to electronic collections of Latvian and international literature and periodicals shall be ensured therein.
- (8) An institution of higher education, as well as a branch thereof, shall begin its operations with the day when it is registered in the Register of Institutions of Higher Education.

*[3 June 2004; 2 March 2006]*

#### **Section 8.<sup>1</sup> The Register of Institutions of Higher Education and the Openness of the Register**

- (1) The Register of Institutions of Higher Education (hereinafter also – the Register) shall be a part of the Education Institution Register in which information regarding institutions of higher education and the branches thereof shall be entered. The Register of Institutions of Higher Education shall be managed by an official authorised by the Ministry of Education and Science (hereinafter – the Official of the Register).
- (2) Everybody has the right to become acquainted with the records of the Register and the documents submitted to the Register.
- (3) After submission of the relevant written request, everyone has the right to receive a statement from the records of the Register, as well as an extract or copy of the document, which is in the file of the Register. Upon the request of the recipient, the accuracy of an extract or copy shall be certified by the signature and seal of the Official of the Register, indicating the date of issue thereof.
- (4) Upon the request of the recipient, the Official of the Register shall issue a statement that a specific record of the Register has not been amended or that the specified record has not been entered into the Register.

*[3 June 2004]*

#### **Section 8.<sup>2</sup> Information to be Entered into the Register**

- (1) The following information shall be entered into the Register:
  - 1) the name of the institution of higher education or a branch of the institution of higher education;
  - 2) the legal address of the institution of higher education or the branch;

- 3) the founders of the institution of higher education or the branch and the rector of the institution of higher education or the head of the branch;
- 4) the date when the decision about the foundation of the institution of higher education or the opening of the branch has been made;
- 5) the legal status of the institution of higher education;
- 6) the date of the approving of the constitution of the institution of higher education or the by-law of the branch;
- 7) the titles of study programmes implemented by the institution of higher education or the branch and the person responsible for the implementation of the relevant programme (the director of the study programme);
- 8) information about the accreditation of study programmes implemented in the institution of higher education or the branch;
- 9) information about the accreditation of the institution of higher education or the branch;
- 10) information about the provision of the premises of the institution of higher education or the branch and the legal status of the premises;
- 11) the resources and procedures for financing the institution of higher education or the branch;
- 12) information about the suspension of the constitution of the institution of higher education, information about the termination of the operation of the institution of higher education or the branch, and the insolvency, liquidation and re-organisation of the institution of higher education;
- 13) information about the appointment of a liquidator or administrator, indicating his or her given name, surname, phone number;
- 14) the phone or fax number, electronic mail address of the institution of higher education or the branch; and
- 15) other information if it is directly prescribed by law.

(2) When entering an institution of higher education or a branch in the Register, it shall be assigned a registration number.

(3) The date when the record was entered shall be added to each record.

*[3 June 2004]*

### **Section 8.<sup>3</sup> Documents to be Submitted to the Register and the Storage Thereof**

(1) Those documents shall be submitted to the Register, which justify the entering of a record into the Register or the amendments thereof, as well as other documents specified by law. The original of the relevant document or an appropriately certified copy thereof shall be submitted to the Register. Public documents issued in foreign states shall be validated in accordance with the procedures by international agreements and they shall be accompanied by a notarially certified translation into the Latvian language.

(2) Within two months after the foundation of an institution of higher education, an authorised person of the institution of higher education shall submit to the Register a submission regarding the registration of the institution of higher education. A draft of the constitution of the institution of higher education shall be attached to the submission for the registration of the institution of higher education. The submission for the entering of the institution of higher education into the Register shall be signed by all of the founders thereof.

(3) The registration of a branch in the Register shall be ensured by the institution of higher education, which has opened it. Within two months from the day when a decision regarding the opening of a branch of an institution of higher education has been made, an authorised person of the institution of higher education shall submit to the Register a submission for the registration of the branch of the institution of higher education. The by-law of the branch approved by the institution specified in the constitution of the institution of higher education shall be attached to the submission for the registration of the branch.

(4) Documents on the basis of which new entries or amendments are to be made in the Register shall be submitted to the Register within 10 days from the day when the relevant decision was made if it has not been



prescribed otherwise in this Law.

(5) Documents to be submitted to the Register and on the basis of which entries or amendments thereto have been made in the Register shall be valid if they have been issued not earlier than one month prior to the submission thereof to the Register. This provision shall not pertain to court adjudications.

(6) The Education State Inspectorate has the right to examine the conformity of information provided to the Register with the actual situation.

(7) Documents submitted to the Register shall be stored in the registration file of the relevant institution of higher education or branch if an entry into the Register has been made on the basis thereof.

[3 June 2004]

#### **Section 8.<sup>4</sup> Making an Entry in the Register**

(1) An entry shall be made in the Register on the basis of a submission or a court adjudication. Samples of submission forms shall be approved by the Cabinet.

(2) The Official of the Register shall take a decision regarding the making of an entry in the Register or the refusal to make an entry within a time period of two months from the day the submission was received. The Official of the Register shall take a decision regarding the suspension of the making of an entry in the Register within a time period of seven days from the day the submission was received. The Official of the Register shall make an entry in the Register within the same time period on the basis of a court adjudication.

(3) The Official of the Register shall take a decision regarding the suspension of the making of an entry if:

- 1) the requirements of regulatory enactments have not been observed in the selecting of the name of an institution of higher education or a branch or in the approving of the by-law of the branch, ;
- 2) the draft of the constitution of an institution of higher education or the by-law of a branch or other submitted documents do not comply with the requirements of regulatory enactments; and
- 3) not all documents specified by law have been submitted.

(4) the Official of the Register shall take a decision regarding the refusal to make an entry if:

- 1) the purpose of the activities of an institution of higher education or a branch specified in the constitution of the institution of higher education or the by-law of the branch contradicts with the law;
- 2) the provisions for the foundation of an institution of higher education or the opening of a branch prescribed by regulatory enactments have not been observed;
- 3) after a decision for the suspension of the making of an entry has been made, the previously indicated deficiencies have not been eliminated within the time period specified in the decision;
- 4) the submission and the documents attached thereto have been submitted more than two months after the founding of an institution of higher education or the making of a decision about the opening of a branch;
- 5) the reasons referred to in Section 8.<sup>6</sup>, Paragraph 3 of this Law due to which it is not permitted to register an institution of higher education or a branch are present;
- 6) obstacles have been set up that hinder the examination by the Education State Inspectorate of the information provided to the Register; and
- 7) the submitter has provided false information.

(5) A decision to refuse the making of an entry in the Register or to suspend the making of an entry shall be substantiated, and it shall be indicated in this decision where and in what time period it may be disputed. The time period for the elimination of deficiencies shall be indicated in a decision for the suspension of the making of an entry.

(6) The Official of the Register shall send the decision referred to in Paragraph 2 of this Section to the submitter within three days from the day of the taking of the decision. The data of the Register of institutions of higher

education shall be published in the Internet home page of the Ministry of Education and Science; amendments to the Register, as well as the decisions taken by the Officials of the Register shall be published therein within a time period of three days.

(7) The decision taken by the Official of the Register may be disputed to the State Secretary of the Ministry of Education and Science within 30 days from the day of the coming into effect of this decision.

(8) A repeated submission for the registration of an institution of higher education or a branch thereof may be submitted not earlier than one year from the day the decision to reject the registration of the institution of higher education or the branch thereof has come into effect.

(9) An entry shall be made in the Register on the same day when the decision regarding the making of the entry has been taken.

[3 June 2004]

#### **Section 8.<sup>5</sup> Registration Certificate**

(1) After the entering of an institution of higher education or a branch thereof in the Register, it shall be issued a registration certificate, which is signed and certified with a seal by the Official of the Register.

(2) The following information regarding an institution of higher education or a branch thereof shall be indicated in a registration certificate :

- 1) name;
- 2) registration number; and
- 3) registration date.

[3 June 2004]

#### **Section 8.<sup>6</sup> Exclusion of an Institution of Higher Education and a Branch from the Register**

(1) An institution of higher education or a branch shall be excluded from the Register:

- 1) if the founder has submitted a submission for the liquidation of the institution of higher education or the closing of the branch;
- 2) if the institution of higher education which has opened a branch has been excluded from the Register;
- 3) if within a time period of one year after the registration of the institution of higher education or the branch, a licence for the implementation of study programmes has not been received;
- 4) if within a time period of one year after the receiving of a licence, the implementation of the planned study programmes has not been initiated;
- 5) if the validity period of all study programme licences issued to the institution of higher education or the branch has expired, the licences shall be withdrawn or cancelled; and
- 6) on the basis of a court adjudication.

(2) An institution of higher education or a branch may be excluded from the Register on the basis of a court adjudication if:

- 1) the enrolment of students has been announced, students have been enrolled, and the implementation of study programmes has been initiated or educational activity of another kind has been performed without having received a licence for the implementation of the study programme;
- 2) during the registration process of an institution of higher education or a branch, false information has been provided which has been the basis for the registration of the institution of higher education or the branch;
- 3) the issuing of State-recognised diplomas has been ascertained in an institution of higher education or branch,

although it did not have the right to issue such diplomas in accordance with the provisions of this Law (the person has not fully acquired the study programme, the study programme is not accredited, etc.); and

4) The Education State Inspectorate, the Ministry of Education and Science, the Council of Higher Education or another institution within the competence thereof has repeatedly ascertained violations of regulatory enactments in the activities of the institution of higher education or the branch.

(3) A person whose founded institution of higher education has been excluded from the Register shall not be allowed to participate in the foundation of another institution of higher education or to submit a submission for the registration thereof for one year from the day the institution of higher education has been excluded from the Register, except for cases where an institution of higher education has been excluded from the Register on the basis of Section 8.<sup>6</sup>, Paragraph 1, Clause 1 of this Law.

[3 June 2004]

### **Section 9. Accreditation of Institutions of Higher Education and Colleges**

(1) Accreditation shall be performed in accordance with the accreditation regulations approved by the Cabinet, and it shall be organised by the Ministry of Education and Science. A decision regarding the accreditation of an institution of higher education, college and higher education study programme shall be taken within a period of six months.

(2) An institution of higher education or college is entitled to issue State-recognised diplomas for the acquisition of the relevant study programme if the following conditions have been fulfilled:

1) the relevant institution of higher education or college is accredited;

2) the relevant study programme is accredited;

3) the constitution of the institution of higher education or the by-law of the college has been approved by the *Saeima* or accordingly by the Cabinet.

(3) After the opinion of the Council of Higher Education regarding accreditation has been received, the Minister for Education and Science shall issue the relevant document of accreditation. If the institution of higher education or college does not ensure the study base, and information base indicated in the accreditation, the study quality in conformity with the requirements referred to in Section 55, Paragraph one of this Law or in the operations of the institution of higher education or college significant violations of regulatory enactments have been determined, the Minister for Education and Science has the right to issue an order regarding an extraordinary accreditation, the revocation or cancellation of the period of accreditation or accreditation of the institution of higher education or college. Prior to the issuance of the order the Council of Higher Education shall provide a reasoned opinion.

(4) At the end of each year, the Ministry of Education and Science shall publish a list of those institutions of higher education and colleges, which have the right to issue State-recognised diplomas for the completion of higher education, as well as the names of the accredited study programmes in these institutions of higher education and colleges, in the newspaper "*Latvijas Vēstnesis*" [the official Gazette of the Government of Latvia].

[26 December 2000; 2 March 2006]

### **Section 10. Legal Grounds for the Operation of Institutions of Higher Education**

(1) Institutions of higher education shall operate on the basis of the Constitution of the Republic of Latvia, the Education Law, the Law On Scientific Activity, this Law, other regulatory enactments and the constitution of the relevant institution of higher education.

(2) Each institution of higher education shall draft a constitution thereof in which the following shall be included:

1) the name of the institution of higher education, legal address, the legal status thereof, the founder of the institution of higher education and his or her legal address;

2) the basic trends and tasks of operation;

3) the procedures for approving the constitution and the amendments thereof;

4) the rights, duties and tasks of the representation and management bodies and decision-making bodies of the

institution of higher education, the rights, duties and tasks of other collegial management institutions, the procedures for the establishment, election or appointment of these institutions and the composition thereof, the terms of office and the procedures for the recall or appointment thereof;

5) the basic provisions for the establishment, reorganisation and liquidation of the structural units, branches, institutions, commercial companies of the institution of higher education, as well as the basic provisions for the operations thereof;

6) the procedures for the adoption of documents regulating the internal procedures of the institution of higher education;

7) the procedures for the reorganisation and liquidation of the institution of higher education; and

8) other important regulations, which do not contradict with laws and other regulatory enactments.

(3) The constitution of a State-founded institution of higher education (except for the Latvian Police Academy and the Latvian National Defence Academy) and the amendments thereto shall be approved by the constitutional assembly of the relevant institution of higher education and, upon the recommendation of the Ministry of Education and Science, it shall be approved with a law by the *Saeima*. The constitution of the Latvian Police Academy, the Latvian National Defence Academy and institutions of higher education founded by other persons and the amendments thereto, shall be approved by the Cabinet. If amendments have been made to the constitution of an institution of higher education, the text of the amendment shall be submitted to the *Saeima* or as the case may be the Cabinet, as well as the full text of the amended constitution.

(4) If the Minister for Education and Science determines the non-compliance of an institution of higher education with laws and other regulatory enactments or other deficiencies, he or she may recommend to the Cabinet or the *Saeima* accordingly to suspend the operations of the institution (not the operations of the institution of higher education) until the making of relevant amendments or the elimination of the deficiencies within his or her indicated time period.

(5) Persons who are not part of the staff of an institution of higher education may dispute administrative instruments issued by the institution of higher education or the actual actions thereof by submitting a submission to the rector of the institution of higher education. The decision taken by the rector may be appealed to a court according to the procedures specified in the Administrative Procedure Law. If the disputed administrative instrument has been issued or the actual action has been performed by the rector of the institution of higher education, persons who are not part of the staff of the institution of higher education may dispute the relevant administrative instrument or actual action to the Ministry of Education and Science. A decision taken by the ministry may be appealed to a court according to the procedures specified in the Administrative Procedure Law.

[26 December 2000; 2 March 2006]

### Section 10.<sup>1</sup> Colleges

(1) Colleges shall be managed by a director. The director of a State-founded college shall be appointed according to competition procedures and dismissed from work by the Ministry of Education and Science. The authorisations of a college director commence with an entry in the Educational Establishments Register. Such entry shall be made on the basis of a submission by the college and a document certifying the appointment of a director submitted by the founders. A college shall operate on the basis of its by-law. The college council shall develop the by-law of a college. The college by-law shall be issued by the Cabinet as a Cabinet regulation on the basis of a recommendation by the Minister for Education and Science. The college by-law shall be developed in accordance with this Law and the Vocational Education Law. The college by-law shall include the following information:

1) the name of the college, the legal address thereof, legal status, college founder and the legal address thereof;

2) the basic operational directions and tasks of the college;

3) the procedures for the development of the college by-law and the proposals for the amendment thereof;

4) college representation, the procedures for the establishment, election or appointment of the management institutions and decision-making bodies thereof, as well as the rights, duties and tasks, authorisation time periods and recall procedures thereof;

5) the procedures for the election of college academic staff;

- 6) the procedures for the development and approval of the college study programmes;
  - 7) the basic regulations for the establishment, re-organisation, liquidation and operation of college structural units and college branches;
  - 8) the procedures for the acceptance of documents regulating internal procedures of the college;
  - 9) the procedures for the re-organisation and liquidation of the college; and
  - 10) other essential provisions, which are not in conflict with this Law and other regulatory enactments.
- (2) A college is an educational establishment, which implements first level professional higher education programmes and provides the possibility of acquiring a fourth level professional qualification. A first level professional higher education programme shall be implemented after the acquisition of a secondary education. The time period for the implementation thereof shall be two to three years.
- (3) First level professional higher education programmes shall be developed and approved in accordance with this Law and the Vocational Education Law. First level professional higher education programmes implemented by colleges shall be accredited as study programmes taking into account the provisions of this Law and the Vocational Education Law. The Cabinet shall determine the accreditation regulations and procedures of first level professional higher education programmes.
- (4) Students after the acquisition of an accredited first level professional higher education programme shall be issued with a recognised diploma regarding first level professional higher education. Such diploma shall certify at the same time also the acquisition of a specified professional qualification in conformity with the Vocational Education Law. The Cabinet shall determine the criteria and procedures for the issuing of such diploma.

*[2 March 2006]*

#### **Section 11. Reorganisation or Liquidation of Institutions of Higher Education and Colleges**

- (1) A decision regarding the reorganisation or liquidation of an institution of higher education or college shall be taken by the founder.
- (2) A decision regarding the reorganisation or liquidation of State institutions of higher education or colleges shall be taken by the Cabinet upon a proposal of the Minister for Education and Science or the relevant sector minister. The draft Cabinet order for the reorganisation or liquidation of an institution of higher education or college shall have appended an opinion of the Council of Higher Education. If the draft Cabinet order is submitted by a relevant sector minister, such draft shall be co-ordinated also with the Minister for Education and Science.

*[26 December 2000; 2 March 2006]*

### **Chapter III Self-governance and Structural Units of Institutions of Higher Education**

#### **Section 12. Representation Bodies, Management Bodies and Decision-Making Bodies of an Institution of Higher Education**

- (1) The representation bodies, management bodies and the main decision-taking bodies of an institution of higher education shall be:
- 1) the constitutional assembly;
  - 2) the senate;
  - 3) the rector;
  - 4) the audit commission; and
  - 5) the academic arbitration court.
- (2) The highest management body and decision-taking body of an institution of higher education in strategic, financial and economic issues shall be the founder thereof, but the highest representation and management body and decision making-body in academic and scientific issues – the constitutional assembly of an institution

of higher education.

(3) The procedures for elections, the duties and rights of the representation and management bodies and the decision-taking bodies of an institution of higher education, as well as the procedures for appealing against decisions made by these bodies shall be determined by the constitution of an institution of higher education.

*[23 November 2000; 2 March 2006]*

### **Section 13. constitutional assembly**

(1) The constitutional assembly is the highest collegial representation and management body and decision-taking body authorised by an institution of higher education. The constitutional assembly shall be elected by secret ballot from:

- 1) professors and other academic staff;
- 2) students; and
- 3) other staff groups.

(2) The procedures for the election of representatives, and the number and terms of office thereof shall be determined by the constitution of an institution of higher education.

(3) The proportion of representatives of the academic staff in a constitutional assembly shall not be less than 60 per cent and the proportion of students – not less than 20 per cent.

(4) In accordance with the traditions of an institution of higher education, such names as convention, academic meeting, etc. may be used in place of the name constitutional assembly.

(5) The constitutional assembly shall elect a chairperson, a vice-chairperson (vice-chairpersons) and a secretary.

(6) The constitutional assembly may be convened by the rector or the senate. In a newly-founded institution of higher education, the constitutional assembly shall be convened by the acting rector.

*[23 November 2000; 3 June 2004]*

### **Section 14. Competence of a Constitutional Assembly**

(1) A constitutional assembly shall:

- 1) accept and make amendments to the constitution of the institution of higher education;
- 2) elect and remove the rector;
- 3) listen to the report of the rector;
- 4) elect the senate or approve the compliance of the election thereof with the constitution of the institution of higher education;
- 5) elect the audit commission and the academic arbitration court; and
- 6) approve the by-laws of the senate, audit commission and academic arbitration court.

(2) Other tasks of the constitutional assembly shall be determined by the constitution of the institution of higher education.

*[2 March 2006]*

### **Section 15. Senate**

(1) The senate is a collegial management body and decision-making body of the staff of an institution of higher education which approves procedures and provisions, regulates all areas of activity of an institution of higher

education (examines and approves study programmes, founds and liquidates structural units, etc.).

(2) Senators shall be elected in accordance with the procedures prescribed by the constitution of an institution of higher education for a time period, which does not exceed three years.

(3) 75 per cent of the senate of an institution of higher education shall be representatives of the academic staff. The proportion of students in the senate of an institution of higher education shall be not less than 20 per cent. The student representatives shall be elected to the senate by the student self-governance body

(4) Not less than 50 per cent of the senate of a university shall be composed of professors and associated professors. The proportion of students shall be not less than 20 per cent. Student representatives shall be elected to the senate by the student self-governance body.

(5) The activities and competence of the senate shall be regulated by a by-law approved by the constitutional assembly.

(6) The senate of an institution of higher education may form councils and commissions for the co-ordination and resolving of particular matters. The procedures for the activities of councils and commissions shall be determined by the by-laws approved by the senate.

*[23 November 2000; 3 June 2004; 2 March 2006]*

#### **Section 16. Convention of Advisors of an Institution of Higher Education**

(1) A convention of advisors shall be formed in an institution of higher education. The convention of advisors shall consult the senate and rector in strategic matters for the development of the institution of higher education. The convention of advisors has the right to recommend the examination of issues in the senate and the constitutional assembly.

(2) A convention of advisors shall be founded upon the initiative of the senate of an institution of higher education or upon the request of the Minister for Education and Science. The by-laws thereof shall be approved and the senate of the institution of higher education thereof shall elect the members.

(3) A convention of advisors shall be convened upon the proposition of the chairperson thereof or not less than one third of the convention members.

(4) The Minister for Education and Science may request the forming of a convention of advisors after listening to the opinions of the rector and representatives of the senate. If the Minister requests the formation of a convention of advisors, he or she has the right to appoint the chairperson of the convention and up to 50 per cent of the members of the convention.

#### **Section 17. Rector**

(1) The rector is the highest official of an institution of higher education who implements the general administration of the institution of higher education and represents the institution of higher education without special authorisation.

(2) The constitutional assembly of an institution of higher education shall elect a rector for a term, which does not exceed five years and for not more than two times in succession. In a university, the rector elected shall be a professor, in other institutions of higher education - a professor or a person who holds a doctoral degree. Within a period of one week after the election of a rector, the institution of higher education shall inform the Ministry of Education and Science regarding the results of the election.

(3) When founding an institution of higher education, the cabinet shall appoint an acting rector nominated by the founder of the institution of higher education who shall fulfil the duties of rector until the approval of a rector elected in the constitutional assembly of the institution of higher education.

(4) An institution of higher education shall organise regular elections of a rector at least one month prior to the expiration of the term of his or her office. The previous rector shall fulfil the duties of rector until the approval of the newly elected rector in the Cabinet.

(5) A rector elected by an institution of higher education shall be approved by the Cabinet upon the proposal of the founder of the institution of higher education. A rector shall begin to fulfil the duties of his or her office after his or her approval in the Cabinet. The Cabinet is entitled to not approve a rector if he or she has been elected in violation of the provisions of this Law and the constitution of the institution of higher education. If the rector is not approved, the institution of higher education shall organise repeat elections for the office of rector within

a time period of two months. The Cabinet shall appoint an acting rector nominated by the founder of the institution of higher education until the approval of a rector elected in the repeat elections. A candidate for the office of rector who has not been approved by the Cabinet shall not participate in the repeat elections for the office of rector.

(6) The Cabinet shall remove a rector from his or her duties upon the proposal of the senate of the institution of higher education or the relevant ministry if infringements of law or other regulatory enactments have been determined in the activities of the rector.

(7) If a rector ceases to fulfil the office prior to the end of his or her term on the basis of his or her own wishes, as well as if a rector is removed from office, the Cabinet shall appoint an acting rector nominated by the founder of the institution of higher education who shall fulfil the duties of rector until the approval of a newly elected rector.

*[23 November 2000; 2 March 2006]*

### **Section 17.<sup>1</sup> Competence of a Rector**

A rector shall:

- 1) be responsible for the compliance of the activities of an institution of higher education with this Law and other regulatory enactments, as well as the constitution of the institution of higher education;
- 2) be responsible for the quality of education to be acquired in the institution of higher education, the quality of conducted scientific research and implemented artistic and creative work;
- 3) ensure the legal, economic and purposeful utilisation of funds from the State budget assigned to the institution of higher education, as well as the property of the institution of higher education; be personally responsible for the financial activities of the institution of higher education;
- 4) promote the development of the staff of the institution of higher education and ensure the academic freedom of the academic staff and students; and
- 5) perform other duties of a rector prescribed in this Law and other regulatory enactments, as well as in the constitution of the institution of higher education.

*[23 November 2000]*

### **Section 18. Audit Commission**

- (1) An audit commission has the right to examine the compliance of the financial and economic activities of an institution of higher education with the laws in force, other regulatory enactments and the constitution of an institution of higher education.
- (2) For ascertaining matters related to auditing, an audit commission has the right to become acquainted with all of the documents related to the financial and economic activities of an institution of higher education, as well as to request and receive explanations from officials.
- (3) An audit commission shall be elected by the constitutional assembly of an institution of higher education. An audit commission shall not include representatives of the administrative staff of an institution of higher education.
- (4) An audit commission shall perform an examination not less than once per year. It shall submit a written report regarding the results of an examination to the senate of the institution of higher education.

*[23 November 2000]*

### **Section 19. Academic Arbitration Court**

- (1) An academic arbitration court shall examine:
  - 1) the submissions of students and academic staff regarding the restriction or infringement of the academic freedom and rights prescribed in the constitution of an institution of higher education; and



2) arguments between officials of an institution of higher education, as well as the administrative bodies of structural units, which are subject to a subordinate relationship.

(2) Decisions taken by an academic arbitration court, which are approved by the senate, shall be implemented by the administration.

(3) An academic arbitration court shall be elected by the constitutional assembly from amongst academic staff by secret ballot, and it shall not include representatives of the administrative staff of an institution of higher education. The proportion of students in the academic arbitration court shall be not less than 20 per cent of the composition of such arbitration court. Student representatives shall be elected in the academic arbitration court by the student self-governance body.

(4) Members of an academic arbitration court shall be responsible for their actions to the constitutional assembly; they may be removed from office upon the initiative of their employer only with the consent of the Constitution Assembly.

*[3 June 2004; 2 March 2006]*

### **Section 20. Structural Units of an Institution of Higher Education**

(1) The structure of an institution of higher education shall be determined and the structural units thereof shall be established, re-organised and liquidated in accordance with the constitution of the institution of higher education.

(2) The tasks, functions and rights of the structural unit of an institution of higher education shall be prescribed by the by-law of the structural unit approved by the senate of the institution of higher education. The structural units of an institution of higher education have the right to open sub-accounts. The opening of sub-accounts and the utilisation of the resources of these accounts shall be regulated by other laws and regulatory enactments, as well as regulations approved by the senate of the institution of higher education. The sub-accounts of structural units shall be established so that structural units may have the possibility of independently using financial resources and subventions. The financial resources of structural units shall not be used for other purposes in an institution of higher education without the consent of the head of the structural unit.

(3) Institutions of higher education may establish structural units for the purpose of conducting educational and scientific work – departments, groups of professors, faculties (departments), scientific and training laboratories, institutes, etc. An institution of higher education also has the right to establish other structural units for the conducting of organisational, economic and service work. The structural units of an institution of higher education shall not have the status of a legal person.

*[23 November 2000]*

### **Section 21. Institutions, Commercial Companies, Associations and Foundations Founded by an Institution of Higher Education**

(1) An institution of higher education may found commercial companies and be a shareholder therein, as well as found associations and foundations and be a member or founder thereof.

(2) State-founded institutions of higher education may also found with a decision of the senate intuitions for the implementation of a specific purpose, including – public agencies.

*[23 November 2000; 2 March 2006]*

### **Section 22. A Scientific Institute**

(1) A decision regarding the foundation of a scientific institute shall be taken by the senate of an institution of higher education.

(2) Institution of higher education scientific institutes founded by the State or local governments (for example, centres, clinics, and experimental stations), may be founded as public agencies taking into account the procedures specified in the Law On Scientific Activities. The Law On Scientific Activities shall determine the legal basis, administration, funding and supervision procedures of a scientific institute –public agency.

(3) Institutions of higher education may establish scientific institutes also as an institution of higher education structural unit. The constitution of the institution of higher education shall determine the operations, funding and supervision of such scientific institutes, as well as the procedures for re-organisation and liquidation.

[23 November 2000; 2 March 2006]

### **Section 23. Institutes**

(1) An institute shall be established by uniting the structural units of one scientific sub-field or several scientific sub-fields (departments, groups of professors, scientific laboratories) with the goal of using the scientific potential thereof for the efficient achievement of common research targets, as well as by changing the subordinate relationship of already existing Latvian scientific institutes.

(2) An institute in any sub-field of science may be founded when the composition of the structural units, which it contains, includes the scientific potential, which corresponds to the requirements of the Promotion Council in the relevant scientific sub-field.

(3) The senate shall determine which academic staff may be elected by the Assembly of an Institute in accordance with the qualification of the institute.

(4) [2 March 2006]

[2 March 2006]

### **Section 24. Faculty**

(1) A faculty shall be established by uniting structural units for the organisation of study and scientific activities in one or several directions of science, art or a profession. A dean shall lead a faculty. The Assembly of the Faculty shall elect the dean for a time period, which does not exceed five years and not more than two times in succession. The proportion of students in the faculty council shall be not less than 20 per cent of the composition of such faculty council. Student representatives shall be delegated to the faculty council by the faculty student self-governance body.

(2) A faculty may be formed if, upon uniting the scientific potential, which it includes, it at least corresponds to the requirements of the Promotion Council in the relevant branch or sub-branch of science.

(3) If it is not possible to comply with the requirements regarding scientific potential in the new direction of higher education, the structural unit corresponding to a faculty shall be referred to as a department. A department shall not have the right to elect lecturers.

[2 March 2006]

### **Section 25. Colleges of an Institution of Higher Education**

[23 November 2000; 2 March 2006]

## **Chapter IV Staff of an Institution of Higher Education**

### **Section 26. Staff of an Institution of Higher Education, the Rights and Duties Thereof**

(1) The academic staff of an institution of higher education shall consist of:

- 1) the academic staff – employees of the relevant institution of higher education elected to academic positions;
- 2) the general staff of the institution of higher education; and
- 3) full-time students, also masters programme students, doctoral students and residents.

(2) The rights and duty of the staff of an institution of higher education shall be to promote the freedom of training, study and research and to promote openness in the administration of the institution of higher education and the settling of the matters thereof. The staff of an institution of higher education shall fulfil its work duties so that the institution of higher education is able to implement its tasks, so that the rights of any other person are not offended and the fulfilment of position or work duties is not disturbed.

(3) A staff member has the right to participate in the formulation of the decisions of the management and self-governance of an institution of higher education and the formulation of the regulations of the internal procedures of an institution of higher education in accordance with the constitution of an institution of higher education and in a prescribed order, as well as to take part in the making of a decision related to the interests

of the staff, to participate in the meetings of the collegial management bodies of an institution of higher education, as well as to be given the opportunity to be heard.

(4) The staff of an institution of higher education has the right to participate in the elections of the self-governance of an institution of higher education and to be elected therein.

(5) The duty of the management of an institution of higher education shall be to attend to the working conditions of the staff, to provide the possibility for in-service training and retraining.

(6) The staff of an institution of higher education shall be responsible for fulfilling the duties thereof. The senate on the basis of the legislation in force shall determine the procedures according to which infringements are qualified and penalties for the failure to fulfil duties are imposed.

(7) A person may be elected to only one academic position – professor, associate professor, docents, lecturer or assistant, and only in one institution of higher education or college. A person elected to such position may perform academic work in another institution of higher education or college in the position of visiting professor, visiting docent or visiting lecturer. A person elected to such position may be at the same time elected also to the position of a senior researcher or researcher. In determining the academic staff or the number of persons or proportion thereof in an institution of higher education, a structural unit or for the implementation of a study programme, who have a doctoral degree, only persons elected to academic positions shall be taken into account.

(8) Administrative instruments issued by or actual actions of institutions of higher education may be disputed by academic staff in the institution of higher education academic arbitration court. The decision of the academic arbitration court may be appealed to a court according to the procedures specified in the Administrative Procedure Law.

*[2 March 2006]*

#### **Section 27. Academic Staff**

(1) The staff of an institution of higher education shall consist of:

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

(2) The academic staff of an institution of higher education shall conduct scientific research and participate in the educating of students. The amount of tasks in each of the types of basic activities shall be determined by the institution of higher education.

(3) The principles for work remuneration in an institution of higher education shall be determined by the senate, but the rates of work remuneration shall not be less than the rates determined by the Cabinet.

(4) A rector may enter into individual agreements with retired academic staff in accordance with the financing granted by the State or other sources, he or she may also enter into agreements for the conducting of scientific research, prescribing a definite remuneration for a particular amount of work in accordance with the qualification of the employee. An institution of higher education may assign the honorary title of professor emeritus to professors and associate professors for a special contribution to higher education when they have reached the age of retirement.

(5) The employment contract restrictions specified in Section 45, Paragraph one of the Labour Law shall not apply to persons elected to academic positions. An employment contract with a person elected to an academic position (professor, associate professor, docent, lecturer or assistant) shall be entered into by the rector for the period of election – six years.

*[20 May 2003; 2 March 2006]*

#### **Section 28. Professors**

(1) A professor is a specialist who is internationally recognised in his or her field and who conducts scientific

research or creates works of art pursuant to the modern levels and ensures high quality studies in the relevant sub-field of science or art. A person who has a doctoral degree and has not less than three years of work experience in the position of associate professor or professor may be elected to the position of professor. In art specialities, those persons whose artistic works conform to the by-law on academic positions accepted by the senate of the relevant institution of higher education may also be elected to the position of professor .

(2) In accordance with the provisions of Section 33 of this Law, professors shall be elected in an open competition for a time period of six years, and a rector shall enter into a contract of employment with him or her for the whole period of election.

(3) In accordance with the title of the position of professor, a professor shall obtain the rights to conduct scientific research or the process of artistic creation and to perform educating work when he or she is elected to this position.

(4) The main tasks of professors shall be:

1) the reading of highly qualified lectures, the supervision of studies, lectures and examinations in his or her study course;

2) the supervision of research works in the sub-field of science or the supervision of artistic creation in a field, which conforms to the title of the position of professor;

3) the supervision of research works in the sub-field of science or the supervision of artistic creation in a field, which conforms to the title of the position of professor;

4) participation in the evaluation of the work and quality of study programmes, institutions of higher education and the structural units thereof; and

5) the training of the new generation of academics, artists and lecturers.

*[23 November 2000; 20 May 2003]*

#### **Section 29. Professor Positions in State and Local Government Institutions of Higher Education [2 March 2006]**

*[23 November 2000; 2 March 2006]*

#### **Section 30. Associate Professors**

(1) A person who has a doctoral degree may be elected to the position of associate professor.

(2) In art specialities, those persons whose artistic works or professional activity conforms to the by-law on academic positions accepted by the senate of the relevant institution of higher education may also be elected to the position of associate professor .

(3) Persons who have the corresponding higher education and at least 10 years of practical work experience in the relevant field may also hold the position of associate professor for the implementation of professional study programmes in institutions of higher education.

(4) In accordance with the provisions of Section 33 of this Law, associate professors shall be elected for a time period of six years by a Council of Professors of the relevant subject area. On the basis of a decision made by the Council of Professors in a subject area, a rector shall enter into a contract of employment with an associate professor.

(5) The main tasks of an associate professor shall be:

1) the conducting of research work in a sub-field of science or the creation of works of art in a field which conforms with the title of the position of associate professor;

2) the supervision of research work for the acquisition of doctoral degrees and master's degrees; and

3) the provision and management of study work.

*[23 November 2000]*

**Section 31. Associate Professor Positions**

(1) The number of associate professor positions shall be determined by the institution of higher education itself in accordance with the necessity and possibilities of financing.

(2) If there is a vacancy for an associate professor position in an institution of higher education, the senate of the institution of higher education shall make a decision regarding whether, when and in which sub-field of science or art an open competition for the vacancy of the associate professor position shall be announced and to which category of remuneration, taking into account the functions and tasks, the relevant position shall pertain.

*[23 November 2000]*

**Section 32. Docents**

(1) The number of docent positions shall be determined by the institution of higher education itself.

(2) A person who has a doctoral degree may be elected to the position of docent. In art specialities, persons whose artistic works comply with the by-law on academic positions accepted by the senate of the relevant institution of higher education may be elected to the position of docent.

(3) A docent shall be elected for a time period of six years by the Faculty Assembly or the Council of the Institute if the qualification of the members of these institutions complies with the requirements of the Promotion Council. Otherwise, the procedures for the election of docents shall be determined by the constitution of the institution of higher education.

(4) In accordance with the title of the position of the docent, the docent shall obtain the rights to conduct scientific research or the process of artistic creation and to perform educating work when he or she is elected to an position.

(5) The main tasks of docents shall be:

1) research work in the sub-field of science or artistic creation which conforms with the title of the position of the docent; and

2) lecturing, the conducting of classes, the organisation of examinations and tests in his or her study programme (course, study area), especially in the basic courses thereof.

*[23 November 2000]*

**Section 33. Procedures for the Election of Professors and Associate Professors**

(1) An open competition shall be announced for vacant professor and associate professor positions.

(2) Applicants for professor and associate professor positions shall be elected by the Council of Professors in the relevant subject area. After becoming familiarised with documents and after an interview with all applicants for the relevant position, the Council shall make a decision by voting.

(3) Each applicant who is a candidate for the position of professor shall receive an independent international evaluation organised by the Council of Professors in the relevant subject area.

(4) The final decision of the Council regarding the election of the professor or associate professor shall be submitted to the rector of the institution of higher education. The minutes of the discussions of the Council and a complete list of applicants, which shall include the evaluation of the Council and a profile of the applicants, shall be submitted together with the decision. If voting has taken place for less than three applicants, special justification shall be provided.

(5) In art specialities, persons whose artistic works conform to the by-law on academic positions accepted by the senate of the relevant institution of higher education may also be elected to the position of professor and associate professor.

(6) *[2 March 2006]*

*[23 November 2000; 2 March 2006]*

**Section 34. Evaluation of Scientific and Teaching Qualifications**

(1) The scientific and teaching qualifications of an applicant for the position of professor or associate professor shall be evaluated by the Council of Professors in a subject area following the procedures prescribed by the Cabinet.

(2) The scientific and teaching qualifications of an applicant for the position of docent, lecturer or assistant shall be evaluated by the Assembly of Faculty or the Council of the Institute.

*[23 November 2000]*

### **Section 35. Council of Professors in a Subject Area**

(1) When organising an open competition for the position of professor or associate professor, a Council of Professors in a subject area shall be formed in the relevant field or sub-field in an institution of higher education, and this Council shall consist of not less than five professors of the relevant field or sub-field of the institution of higher education elected in accordance with the provisions of Section 33 of this Law. The Council of Professors in a subject area of an institution of higher education shall be enlarged so that at least one third of the members thereof are professors of the relevant field or representatives of professional associations whose direction of activities conforms with the trend of the relevant position, but who do not work in this institution of higher education.

(2) The composition of the Council of Professors in a subject area shall be approved by the senate of the institution of higher education upon the proposal of the chairperson thereof.

(3) If an institution of higher education does not have five professors in the relevant branch of science and it is not possible to form the Council of Professors in a subject area, several institutions of higher education may jointly form this Council of Professors, and it shall be approved by the senates of the relevant institutions of higher education. If at least three professors have been invited from other institutions of higher education, the composition of the Council shall be approved by the Council of Higher Education.

(4) Foreign professors who are in the Council of Professors in a subject field may participate in the activities thereof by correspondence, by becoming acquainted with the documents and announcing their opinion about all applicants in writing, as well as the applicant for whom they give their vote.

(5) The list of those fields in which the Councils of Professors in a subject area are to be formed shall be approved by the Council of Higher Education.

(6) The activities of the Council of Professors in a subject area shall be overseen by the Council of Higher Education.

*[26 December 2000]*

### **Section 36. Lecturers**

(1) A person who has a doctoral degree or master's degree may be elected to the position of lecturer. Provisions for the election of lecturers in art specialities and professional study programmes shall be regulated by the by-law approved by the senate of an institution of higher education. The Assembly of Faculty or the Council of the Institute shall elect lecturers for a time period of six years.

(2) The tasks of lecturers shall be determined by the constitution of an institution of higher education.

*[23 November 2000]*

### **Section 37. Assistants**

(1) A person who has a doctoral degree or master's degree may be elected to the position of assistant. An Assembly of Faculty or the Council of an Institute shall elect assistants for a time period of six years, and, if they do not have a doctoral degree, they shall be elected not more than two times in succession.

(2) The tasks of assistants shall be determined by the constitution of an institution of higher education.

### **Section 38. Senior Research Scientists and Research Scientists**

Senior research scientists and research scientists may be elected for the conducting of scientific research work in faculties and institutes in accordance with the Law On Scientific Activity and the constitution (articles of association) of an institution of higher education or an institute.

**Section 39. Academic Staff of Professional Study Programmes**

In pursuance of the necessity for acquiring practical skills and knowledge, a person who has higher education without an academic degree may hold the position of docent, lecturer and assistant in profile subjects of professional study programmes if he or she has a sufficient length of practical service appropriate to the subject to be taught. In order to elect a person who does not have an academic degree to the position of docent, this person shall be required to have practical service of a length of at least seven years. The requirements to be put forward to such applicants to docent positions shall be approved in the institution of higher education and college by, as the case may be, the senate or council. Lecturers and assistants who do not have a scientific and an academic degree shall be required to have practical service appropriate to the subject to be taught, the length of which is five years.

[23 November 2000; 2 March 2006]

**Section 40. Visiting Professors, Visiting Docents and Visiting Lecturers**

(1) If there is a academic position vacancy or a temporary vacancy in an institution of higher education or college, the senate upon the proposal of the Assembly of the Faculty, or the college council may decide not to announce a competition, but rather to hire a visiting professor, a visiting docent or a visiting lecturer for a time period of up to two years.

(2) Visiting professors, visiting docents and visiting lecturers have the same rights, duties and remuneration as professors, associate professors, docents and lecturers, but they may not participate in the activities of the elected management bodies.

(3) The foreign teaching staff invited by an institution of higher education shall pay taxes in Latvia, shall be released from fees for visas, as well as shall receive a permit to live and work in Latvia for the time period prescribed in the contract of employment in accordance with the legislation in force and the international agreements approved by the *Saeima*.

[23 November 2000; 2 March 2006]

**Section 41. Substitution of Academic Staff during Periods of Temporary Absence**

During a period of temporary absence, if it does not exceed two years, an associate professor may be appointed to the position of professor, a docent - to the position of associate professor, a lecturer or assistant with a doctoral degree - to the position of docent. Substitution shall be formalised by an order of the rector.

**Section 42. Vacations of Academic Staff**

(1) Each year academic staff has the right to a paid vacation of eight weeks, but every six years - a paid academic vacation of six calendar months for scientific research or the conducting of scientific research work outside his or her working place.

(2) Academic staff has the right to receive a one-time paid study educational leave of three months for the drafting of a doctoral thesis.

(3) Professors, associate professors and docents have the right to demand an unpaid vacation for a time period of up to 24 months during one period of election in order to work as visiting professors or visiting lecturers in academic positions in other institutions of higher education.

[23 November 2000]

**Section 43. General Staff of an Institution of Higher Education**

(1) The general staff of an institution of higher education shall be administrative staff, auxiliary teaching staff, economic staff and other staff, with the exception of academic staff.

(2) The administrative staff of an institution of higher education shall be the rector, Pro-rector, Director (Executive Director), Dean and other officials whose basic functions include administrative work.

(3) The procedures for hiring and dismissing from work the general staff of an institution of higher education shall be determined by the institution of higher education, observing the provisions of this Law and other regulatory enactments.

[23 November 2000]

## **Chapter V Students of Institutions of Higher Education and Colleges**

[2 March 2006]

### **Section 44. Students of Institutions of Higher Education and Colleges**

(1) The students of institutions of higher education shall be:

- 1) students of the bachelor degree study programmes;
- 2) students of the professional study programmes;
- 3) students of the master degree study programmes (master's programme students);
- 4) residents in medicine; and
- 5) doctoral students.

(2) College students shall be students of the professional study programmes.

[23 November 2000; 2 March 2006]

### **Section 45. Rights to Study in Institutions of Higher Education and Colleges**

(1) Each Latvian citizen and persons who have been issued a non-citizen passport of the Republic of Latvia, as well as persons who have been issued permanent residence permits, have the right to study in institutions of higher education and colleges. In order to study in institutions of higher education and colleges, a document attesting to secondary education shall be required.

(2) The rights of those aliens who have not been issued a permanent residence permit to study in Latvian institutions of higher education and colleges shall be regulated by Section 83 of this Law.

[23 November 2000; 2 March 2006]

### **Section 46. Admission and Registration in the List of Students (Matriculation)**

(1) An institution of higher education and a college is entitled to admit students to a particular study programme only after a licence for the implementation of the relevant study programme has been received.

(2) Admission to study programmes shall be regulated by admission regulations. Admission regulations for institution of higher education and college study programmes shall be developed by the relevant institution of higher education and college, taking into account Cabinet regulations regarding requirements, criteria and procedures for admission to study programmes. A student shall enter into a study agreement with an institution of higher education or college in writing. The mandatory provisions to be included in the study agreement shall be determined by the Cabinet.

(3) For full-time and part-time bachelor and professional study programmes the admission requirements of which is a previously acquired secondary education, students shall be admitted in an open and equal competition on the basis of the results of the centralised examinations, except persons who have acquired a secondary education up to 2004, as well as persons who have acquired a secondary education abroad or persons with special needs. The content and procedural requirements for centralised examinations shall be developed by the Ministry of Education and Science, after co-ordination with the Council of Higher Education, and approved by the Cabinet. An institution of higher education in co-ordinating with the Council of Higher Education may specify the procedures by which persons are admitted to such study programmes that have not completed centralised examinations.

(4) After co-ordination with the Council of Higher Education, an institution of higher education may determine the additional requirements regarding special prior education, particular suitability and preparedness or compliance with other conditions.

(5) Institutions of higher education and colleges shall, up to the current 1 November, notify the Educational Content and Examination Centre and shall publicise (also on the Internet homepage) the admission



requirements of study programmes for the following academic year. (6) Each year the Cabinet shall determine the initial time period for the registration and admission of entrants in the first year after the acquisition of secondary education. An institution of higher education shall not have the right to enter into agreements related to studies with the potential entrants prior to the initial term of admission.

(7) An institution of higher education and college shall prepare a personal file for each student. The following documents, at least, shall be included in the personal file:

- 1) a copy of a document attesting to secondary education;
- 2) copies of documents attesting to higher education acquired beforehand;
- 3) copies of a passport or identification card;
- 4) the study agreement with the institution of higher education or college regarding studies in the selected study programme;
- 5) documents, which attest to the study process and results of the student in other institutions of higher education or colleges, as well as the acquisition of study programmes or a part thereof if the credit points acquired in another institution of higher education, shall be counted in the study programme on the basis of these documents;
- 6) documents of the student regarding the process of studies (study card);
- 7) copies or true copies of educational documents issued by an institution of higher education or college and copies of the issued academic statements; and
- 8) a copy of the residence permit of the Republic of Latvia if the student needs such a permit.

(8) The Cabinet shall determine the procedures for preparing and updating the personal file of a student.

*[23 November 2000; 2 March 2006]*

#### **Section 47. Initiation of Studies in Subsequent Study Stages**

(1) The initiation of studies in subsequent study stages shall be possible if the required examinations of previous stages of the relevant study programmes have been passed or they are passed in a supplementary fashion in the relevant institution of higher education or college. If these requirements have been fulfilled and the institution of higher education or college has the relevant opportunities, it may not refuse to admit applicants to subsequent study stages.

(2) The right to study for State budget funds for the acquisition of a specific academic degree (bachelor, masters), academic degree (Doctor) or higher education professional qualification, a natural person may utilise several times. Preference for studies for State budget funds shall be those persons who are acquiring the relevant academic degree or higher education professional qualification for State budget funds for the first time. For State budget funds only one study programme may be studied at the same time.

(3) The procedures for the initiation of studies in subsequent study stages shall be prescribed by the Cabinet.

*[3 June 2004; 2 March 2006]*

#### **Section 48. Relations of Students with Mandatory Military Service**

(1) Full-time study programme students of accredited institutions of higher education and colleges, students of masters, residency and doctoral study programmes irrespective of age, as well as graduates of a masters degree study programme shall not be called up for mandatory military service.

(2) The following persons are also not subject to mandatory military service:

- 1) one year after the acquisition of secondary education; or
- 2) one year after the acquisition of such an education, which allows the commencement of studies in a masters, residency and doctoral study programme.

(3) The Ministry of Education and Science shall submit a list of the institutions of higher education and colleges referred to in Paragraph one of this Section to the Mandatory State Service Office each year by 1 September.

(4) Institutions of higher education and colleges shall submit lists of full-time study programme students to the Mandatory State Service Office each year by 1 October.

(5) [23 November 2000]

(6) If students of institutions of higher education and colleges have voluntarily expressed a wish to serve and the Ministry of Defence has agreed to such service, they have the right to return to their studies after service at the same status, which they were in prior to service.

[23 November 2000; 2 March 2006]

#### **Section 49. Exclusion from the List of Students (Exmatriculation)**

(1) A person may be excluded from the list of students if:

- 1) the person him or herself wishes it to be so;
- 2) it has been ascertained that admission thereto has been influenced by deception, corrupt practices or other behaviour with which the principle of the equality of applicants has been violated;
- 3) this person has not passed examinations or has not performed other tasks of studies within the time period determined by the institution of higher education; or
- 4) this person has violated the internal rules of procedure of the institution of higher education.

(2) In an institution of higher education exclusion of a person from the list of students shall be performed by the rector or dean of the institution of higher education, in a college – the college director. The senate or the college council shall examine appeals.

(3) When excluding a student from the list of full-time students, an institution of higher education or college shall inform the Mandatory State Service Office regarding this.

[3 June 2004; 2 March 2006]

#### **Section 50. Rights of Students**

(1) Students have the right:

- 1) to acquire an academic or professional, or also an academic and professional education;
- 2) to use the premises, libraries, facilities, equipment, objects of culture, sport and medicine, etc. of an institution of higher education in accordance with the prescribed procedures;
- 3) to suspend and resume studies in accordance with the prescribed procedures;
- 4) to implement the rights related to freedom of studies, research work, and artistic creation in accordance with Section 6 of this Law ;
- 5) to receive information in all matters, which are directly related to their studies and possible career;
- 6) to express their ideas and opinions openly in an institution of higher education;
- 7) to elect and to be elected to the self-governance body of students, to participate in all levels of self-governance bodies of an institution of higher education;
- 8) to attend learning activities in other institutions of higher education as listeners and to take the necessary examinations in accordance with the prescribed procedures; and
- 9) to found associations, hobby groups and clubs.

(2) A student self-governance body shall represent the interests of the students of an institution of higher education in relations with State authorities.

*[23 November 2000; 2 March 2006]*

#### **Section 51. Determining the Number of Study Places**

The number of study places to be financed from the funds of the State budget in an institution of higher education shall be determined by the Minister for Education and Science on the basis of a proposal of the Council of Higher Education. The number of study places in institutions of higher education founded by other legal persons and natural persons shall be determined by the founder of such institutions of higher education.

*[23 November 2000; 2 March 2006]*

#### **Section 52. Study Fee and Scholarships**

(1) The State shall determine the number of study places financed from the funds of the State budget in institutions of higher education and colleges. The Cabinet shall determine the procedures regarding the financing of institutions of higher education and colleges from the funds of the State budget. Admission to the State-financed study places shall take place in accordance with competition procedures.

(2) The study fee for study places, which are not financed from the funds of the State budget, shall be covered by students, legal persons or natural persons, entering into a relevant agreement with the institution of higher education and college. Financial resources from the study fees shall be transferred to the special budget account of the State institution of higher education and college and shall only be used for:

- 1) the development of the institution of higher education and college;
  - 2) the purchasing of teaching aids and scientific research equipment;
  - 3) the purchasing of equipment; and
  - 4) the material stimulation of the academic and general staff of the institution of higher education and college and students.
- (3) The students referred to in Paragraph one of this Section shall be assigned scholarships following the procedures prescribed by the Cabinet.

*[23 November 2000; 2 March 2006]*

#### **Section 53. Student Self-Governance Bodies**

(1) The students of an institution of higher education or college shall have their own self-governance body – an elected, independent body representing the rights and interests of students in an institution of higher education or college. It shall operate in accordance with a by-law, which shall be developed by students and approved by the senate or college council. The senate or college council may refuse to approve the by-law only due to legal reasons.

(2) *[2 March 2006]*

(3) The student self-governance body shall:

- 1) defend and represent the interests of students in matters of academic, material and cultural life in the institution of higher education and other State authorities;
- 2) represent the students of the institution of higher education in Latvia and foreign states; and
- 3) determine the procedures for the election of students to the collegial bodies of the institution of higher education.

(4) Management bodies of institutions of higher education and colleges have a duty to support and promote the activities of a student self-governance body. The student self-governance body shall be financed from the institution of higher education or college budget in an amount, which is not less than one-tenth part of the institution of higher education or college budget. Such funds shall be utilised by the student self-governance body for the performance of the functions referred to in Paragraph three of this Section.

[3 June 2004; 2 March 2006]

#### **Section 54. Rights of a Student Self-governance Body**

(1) A student self-governance body has the right to request and receive information and explanations from the authorised representatives of any structural unit of an institution of higher education in all issues related to the interests of students.

(2) The representatives of a student self-governance body in the senate of an institution of higher education, the Assembly of Faculty and the constitutional assembly shall have veto rights in issues related to the interests of students. After the application of a veto, the issue shall be examined by the co-ordination commission, which is formed by the relevant management body according to the parity principle. The relevant management body shall approve the decision of the co-ordination commission by a majority vote of two-thirds of the persons present.

(3) The representatives of a student self-governance body have the right to participate in the decision-making bodies of an institution of higher education, as well as the right to participate as observers in tests and examinations if this is provided for in documents regulating the study procedures in an institution of higher education.

(4) The decisions of the student self-governance body, after they have been approved in the senate of the institution of higher education, shall be compulsory for all students.

[23 November 2000]

### **Chapter VI Studies in an Institution of Higher Education**

#### **Section 55. Study Programmes**

(1) A study programme shall include all the requirements necessary for the acquisition of one academic degree or professional qualification. A study programme shall be regulated by a special document – a description of the study content and implementation which:

- 1) determines the requirements regarding previous education;
- 2) determines, in accordance with the level and type of education, the goals, task, and planned results of the implementation of the particular programme, the content of the offered education, the amounts of the limited elective part and the free elective part of programmes, the division of time for the acquisition thereof, the criteria for the evaluation of the education to be acquired and the forms and procedures for the testing thereof;
- 3) Not less than five professors and associate professors altogether, who are elected to academic positions in the relevant institution of higher education, shall take part in the implementation of the compulsory part and the limited elective part of academic study programmes, except for the cases provided for in Paragraph two of this Section;
- 4) includes a listing of the structural units (departments, groups of professors, laboratories, institutes, etc.) involved in the implementation of the programme, indicating the tasks thereof in the implementation of the particular programme;
- 5) includes a description of the required auxiliary staff, indicating the tasks thereof;
- 6) includes a description of the material basis required for the implementation of the programme; and
- 7) assesses the costs of the programme.

(2) Academic study programmes (study programmes for bachelor, masters and doctoral degrees) shall be provided for not less than 250 full-time students. Academic study programmes (study programmes for bachelor, masters and doctoral degrees) provided for less than 250 full-time students may be implemented and less than five institution of higher education professors and associate professor may take part in the implementation of the compulsory part and the limited elective part of these programmes if a relevant opinion of the Council of Higher Education has been received.

(3) Study programmes may be developed and submitted for approval in accordance with the procedures prescribed by the senate of an institution of higher education or a college council.

(4) Study programmes shall be approved by the senate of an institution of higher education or a college council. Prior to approval, an independent expert-examination of the programmes shall be organised.

(5) The person responsible for the implementation of the relevant programme (the director of the study programme) shall be approved, and the financial and technical support of this programme shall be determined by a decision of the senate or college council regarding the implementation of the new study programme.

(6) A licence for the implementation of every study programme must be obtained. A study programme shall be entered into the Register of Education Programmes within one month after receiving a licence. A licence shall not be issued if:

- 1) the submitted documents do not conform to the requirements specified by the regulatory enactments regulating the field of education;
- 2) the qualifications of the academic staff do not conform to the conditions for the implementation of the study programme or the requirements of regulatory enactments;
- 3) the study material-technical and information base does not conform to the conditions for the implementation of the study programme;
- 4) the content and the implementation mechanism thereof of the study programme to be licensed has not been developed;
- 5) information that does not conform to the actual circumstances has been submitted; or
- 6) in the operation of the institution of higher education or college in the previous year from the day of the taking of the decision have been determined violations of regulatory enactments regulating the field of education and the submitter does not perform the duties specified in regulatory enactments.

(6<sup>1</sup>) A licence shall be cancelled if:

- 1) information that does not conform to the actual circumstances has been submitted;
- 2) the institution of higher education or college one year after the receipt of the licence has not commenced the implementation of the licensed study programme;
- 3) in the operations of the institution of higher education or college have been determined violations of regulatory enactments, which are associated with the licensed study programme;
- 4) within a period of two years from the day of commencement of the implementation of the study programme a submission has not been submitted for the accreditation of the study programme;
- 5) the institution of higher education or college within a period of 30 working days does not submit to the Ministry of Education and Science on the basis of a request therefrom for full information regarding issues, which are associated with ensuring the study process, as well as the institution of higher education or college studies, information (including library), material-technical or financial base;
- 6) the academic staff does not have appropriate qualifications or the institution of higher education or college does not ensure the appropriate studies, information (including library), material-technical or financial base;
- 7) the institution of higher education or college licensed study programme offers to perform activities, which do not conform to the requirements specified in this Law or other regulatory enactments; or
- 8) the institution of higher education or college has ceased the implementation of the study programme.

(7) A study programmes shall be accredited in accordance with the procedures prescribed by the Cabinet within two years after the initial day of the implementation thereof and not less than once every six years. A note regarding the accreditation of a programme shall be made in the Register of Education Programmes within one month after accreditation. The accreditation of an institution of higher education, college or study programme may be refused if:

- 1) there is an unfavourable motivated total report by the experts of the evaluation commission or an individual report by an expert (if the expert-examination has been performed one expert) of the accreditation of the institution of higher education, college or study programme;

2) the institution of higher education, college or study programme does not conform to the requirements specified in this Law or other regulatory enactments regulating the field of education;

3) the studies, information (including library), material-technical or financial base and the qualifications of the academic staff do not conform to the conditions for the implementation of the study programme; or

4) the studies of the study programme for the acquisition of a masters or doctoral degree are not based upon the latest achievements and findings in the relevant branch of science.

(8) In the case of the closing of a study programme, an institution of higher education shall financially provide the opportunity for students to continue the acquisition of education in another study programme of the relevant institution of higher education or in a study programme of another institution of higher education.

*[23 November 2000; 2 March 2006]*

#### **Section 56. Regulation of Studies**

(1) Studies in an institution of higher education and college shall take place in accordance with the study programmes, which have been developed, approved and licensed in accordance with the procedures prescribed by this Law. Study programmes shall be implemented in full-time and part-time studies.

(2) This Law shall not regulate the content and the requirements to be met in examinations, which are related to the specific area of activities of medicine, sport, art, police, border guards, fire-fighting and rescue, probation, penitentiary work, State defence and other relevant institutions of higher education or colleges. The concrete institution of higher education constitution or college by-law shall determine such requirements.

(3) The study programmes of State-founded institutions of higher education shall be implemented in the official language. The use of foreign languages in the implementation of study programmes shall be possible only in the following cases:

1) study programmes which are acquired by foreign students in Latvia, and study programmes, which are implemented within the scope of co-operation provided for in European Union programmes and international agreements may be implemented in the official languages of the European Union. For foreign students the acquisition of the official language shall be included in the study course compulsory amount if studies in Latvia are expected to be longer than six months or exceed 20 credit points;

2) not more than one-fifth of the credit point amount of a study programme may be implemented in the official languages of the European Union, taking into account that in this part final and State examinations may not be included, as well as the writing of qualification, bachelor and masters works; and

3) study programmes, which are implemented in foreign languages are necessary for the achievement of the aims of the study programme in conformity with the educational classification of the Republic of Latvia for such educational programme groups: language and cultural studies and language programmes. The licensing commission shall decide the conformity of the study programme to the educational programme group.

*[23 November 2000; 2 March 2006]*

#### **Section 57. Duration of Studies**

(1) Academic study programmes for the acquisition of a bachelor or masters degree shall be implemented in an institution of higher education. Bachelor degree and masters degree study programmes shall be formed in accordance with the national standard of academic education. The duration of a full-time bachelor degree study programme shall be three to four years, the duration of a full-time masters degree study programme shall be one to two years on the condition that the total duration of bachelor and masters studies is not less than five years.

(2) The duration of full-time studies for the acquisition of the fifth-level professional qualification shall not be less than four years, except for those professional study programmes, which are implemented after the acquisition of the programme of a college. A professional higher education bachelor degree shall be assigned if the duration of a programme of full-time studies is at least four years. A professional higher education masters degree shall be assigned if the total duration of studies is at least five years.

(3) Persons who have acquired a bachelor degree are entitled to continue studies for the acquisition of a masters degree.

(4) Persons who have acquired a masters degree are entitled to continue studies in doctoral studies for the

acquisition of a doctoral degree. The duration of a study programme in doctoral studies shall be three to four years.

(5) The content and the amount of content of a study programme, as well as the evaluation of achievements in full-time and part-time study programmes, shall be equal.

*[23 November 2000; 2 March 2006]*

#### **Section 58. Final Examinations and State Examination of Studies**

(1) Academic bachelor degree and masters degree study programmes shall end in final examinations, which include the formulation and defending of a bachelor or masters thesis.

(2) Professional higher education studies shall end in State examinations, which may include the formulation and defending of a thesis paper (diploma project) and a bachelor (masters) thesis or the formulation and defending of a thesis paper (diploma project) or a bachelor (masters) thesis.

(3) Examinations shall be complex and mostly in written form. Institutions of higher education shall preserve these materials.

*[23 November 2000]*

#### **Section 59. Degrees and Professional Qualification to be Acquired during Studies**

(1) In accordance with the State-accredited study programme, the following shall be acquired in institutions of higher education:

1) academic education and the following degrees:

- a) a bachelor degree (academic degree),
- b) a masters degree (academic degree), and
- c) a doctoral degree (scientific degree); and

2) fourth- and fifth-level professional qualification and the following professional degrees:

- a) bachelor degree, and
- b) masters degree.

(2) The professional qualification, which may be acquired by finishing a State-accredited higher education study programme with a duration of at least four years, shall be determined by the Cabinet Regulations.

(3) The acquisition of scientific qualification in institutions of higher education shall take place in accordance with the Law On Scientific Activity.

*[23 November 2000]*

#### **Section 59.<sup>1</sup> Diploma Register**

(1) In the Diploma Register shall be recorded information regarding all institution of higher education diplomas, which are issued by institutions of higher education, colleges and foreign institution of higher education branches registered in the Register of Institutions of Higher Education and the colleges section of the Register of Educational Establishments. The Diploma Register shall be organised by an official authorised for this by the Higher Education and Science Administration. The Diploma Register shall be organised electronically.

(2) In the Diploma Register regarding a diploma shall be recorded the following information:

- 1) name of the diploma;
- 2) diploma number;

- 3) the given name and surname of the person to whom the diploma is issued;
- 4) the name of the institution of higher education, college and foreign institution of higher education branch, which issued the diploma; and
- 5) the date of issue of the diploma.

(3) The institutions of higher education, colleges and foreign institution of higher education branches referred to in Paragraph two of this Section shall submit electronically to the Diploma Register two times a year (in March and September) information regarding higher education diplomas issued in the previous half-year.

(4) The Diploma Register data shall be accessible only in the cases specified in regulatory enactments.

*[2 March 2006]*

## **Chapter VII Scientific Research**

### **Section 60. Aim and Subject-matter of Scientific Research**

(1) Scientific research shall be an integral part of the activities of each institution of higher education, and the entire academic staff of an institution of higher education shall take part therein in accordance with Section 26 of this Law. The aim thereof shall be the acquiring of scientific findings, the scientific justification and further development of training and studies, the solving of tasks of practical importance with the help of research methods.

(2) Scientific research activities in an institution of higher education shall take place in accordance with the Law On Scientific Activity.

### **Section 61. Co-ordination of Scientific Research Work**

(1) The supervisors of scientific research work shall independently determine the themes of their research work within the framework of the financing of an institution of higher education in accordance with the resources allocated for scientific research work. An institution of higher education shall co-ordinate the common plans and the most important aspects of research work.

(2) Institutions of higher education shall co-ordinate the direction of research, evaluate the significance and scientific level of research and make decisions regarding the financing thereof in mutual co-operation, as well as in co-operation with the relevant scientific institutions, the Latvian Council of Science and other concerned institutions.

(3) An institution of higher education and State authorities shall influence the directions of research by allocating financing for particular research in which the State and society is interested. Research may also be conducted with the funds of other persons.

### **Section 62. Publishing of the Results of Research**

(1) The academic staff of an institution of higher education has a duty to publish the results of their research.

(2) An institution of higher education shall regularly publish summarising informative materials regarding conducted research, indicating the definite structural units and authors of the research. The institution of higher education shall send these materials to other institutions of higher education and scientific institutions in which similar research is conducted, as well as to the Latvian Council of Science, the Ministry of Education and Science and other concerned State authorities at least once a year.

### **Section 63. Granting of a Doctoral Degree**

(1) The Promotion Council of institutions of higher education or State scientific centres shall grant a doctoral degree after the acquisition of an accredited programme of doctoral studies and the defence of the promotion thesis.

(2) The procedures for the assignment of a doctoral degree, as well as all other matters related to scientific activity, which are not regulated by this Law, shall be regulated by the Law On Scientific Activity.

*[23 November 2000]*



**Chapter VIII**  
**Co-operation of an Institution of Higher Education with State and Social Bodies**

**Section 64. Council of rectors**

(1) For the co-ordination of co-operation and the organisation of the necessary common activities, institutions of higher education shall form a collegial consultative council of institutions of higher education – a Council of rectors, in which the rectors of all accredited State institutions of higher education are included.

(2) The Council of rectors shall:

1) formulate proposals for the Minister for Education and Science regarding the development of higher education;

2) discuss issues regarding the establishment of common study programmes, the utilisation of the academic staff and material resources;

3) prepare proposals and opinions regarding draft laws and other regulatory enactments in the field of higher education;

4) recommend experts for the accreditation of institutions of higher education and particular study programmes;

5) formulate proposals for the accreditation of institutions of higher education on the basis of the results of an expert examination ;

6) prepare proposals regarding the distribution of State budget resources to institutions of higher education;

7) represent the institutions of higher education of the Republic of Latvia in foreign states; and

8) solve other issues related to the activities of institutions of higher education within the scope of their competence .

(3) The procedures for the operation and competence thereof shall be prescribed by the by-law of the Council of rectors. The Cabinet shall approve the by-law of the Council of rectors.

*[2 March 2006]*

**Section 64.<sup>1</sup> Colleges Association of Latvia**

(1) The Colleges Association of Latvia unites colleges, which implement licensed first level professional higher education programmes. The directors represent the Colleges Association.

(2) The Colleges Association of Latvia shall:

1) be concerned regarding the improvement of professional higher education programmes in colleges;

2) develop proposals for a colleges development strategy;

3) promote co-operation between the higher education institutions of Latvia and other states;

4) represent the interests of colleges in relationships with State, local government and foreign institutions; and

5) inform the public regarding colleges and the study opportunities thereof.

*[2 March 2006]*

**Section 64.<sup>2</sup> Latvian Students Association**

(1) For the representation of students and the expression viewpoints, the student self-governance bodies of institutions of higher education shall establish a Latvian Students Association. The Latvian Students Association is a collegial association of student self-governance bodies in which is included representatives of student self-governance bodies of all accredited institutions of higher education.

(2) The Latvian Students Association shall:

- 1) provide opinions regarding draft regulatory enactments that impact on students interests;
- 2) nominate student representatives to the Higher Education Council and other institutions according to the procedures specified in regulatory enactments;
- 3) ensure the representation of Latvian student self-governance bodies abroad; and
- 4) within scope of its competence, resolve other issues associated with the representation of student interests.

(3) The Latvian Students Association has the right to receive information from State and local government institutions and to participate in activities, which impact on studies, and the rights and interests of students.

[2 March 2006]

## **Chapter IX Council of Higher Education**

### **Section 65. Status of the Council of Higher Education**

(1) [23 November 2000]

(2) The Council of Higher Education shall have the status of a legal person. It shall have its own balance and an account in a bank. The Council of Higher Education shall have a seal with the name thereof.

### **Section 66. Procedures for the Establishment of the Council of Higher Education**

(1) The Council of Higher Education, which shall consist of 12 members, shall be approved by the *Saeima* on the basis of a proposal of the Minister for Education and Science. The Council of Higher Education shall include one delegated representative of the Latvian Academy of Science, the Association of Art Higher Education Institutions, the Latvian Association of Education Managers, the Chamber of Commerce and Industry, the Colleges Association of Latvia, the Council of rectors, the Latvian Association of University and College Professors, the Latvian Employer's Confederation, the Education and Science Workers Trade Union, a representative of the Latvian Students Association, as well as a delegated representative of institutions of higher education founded by local governments and other legal persons and natural persons. In accordance with the office held (*ex officio*), the Minister for Education and Science shall represent the Council of Higher Education as a member thereof in government meetings. Representatives of the Latvian Lawyers Association, the Latvian Medical Association and other professional organisations may participate in the operations of the Council of Higher Education in the capacity of an advisor in the examination of matters, which are related to matters within the competence of these organisations.

(2) The *Saeima* may reject the candidatures of members of the Council of Higher Education by submitting justified objections of the members of parliament (*factions*).

(3) The bodies referred to in Paragraph one of this Section have the right to recall a member of the Council of Higher Education by submitting a justified recall notice to the *Saeima*.

(4) The chairperson and vice-chairperson of the Council of Higher Education shall be elected by secret ballot by the Council within 14 days after the termination of the term of office of the previous chairperson and vice-chairperson.

(5) A representative of the Higher Education and Science Department of the Ministry of Education and Science shall participate in the meetings of the Council of Higher Education as an independent advisor.

[23 November 2000; 2 March 2006]

### **Section 67. Members of the Council of Higher Education**

(1) The members of the Council of Higher Education shall receive remuneration on the basis of a contract of employment.

(2) The members of the Council of Higher Education shall be subject to the restrictions and prohibitions, which are prescribed for State officials in the Anti-corruption Law.

(3) A person who has been punished for an intentional crime may not become a member of the Council of Higher Education if this person has not been rehabilitated or the criminal record has not been extinguished or withdrawn.

#### **Section 68. Term of Office of Members of the Council of Higher Education**

The term of office of members of the Council of Higher Education shall be six years. The term of office of a student representative shall be two years. The Minister for Education and Science shall submit the candidatures of members of the Council of Higher Education to the *Saeima* for approval not later than one month prior to the termination of the term of office of members of the Council of Higher Education.

*[23 November 2000]*

#### **Section 69. Decisions of the Council of Higher Education**

(1) All decisions made by the Council of Higher Education shall be available to all interested persons.

(2) The Council of Higher Education has the right to take decisions, which are related to higher education only in cases prescribed by this Law. In accordance with this Law, the decisions taken by the Council of Higher Education shall be binding to institutions of higher education.

*[23 November 2000]*

#### **Section 70. Basic Tasks, Competence and Functions of the Council of Higher Education**

The Council of Higher Education shall:

1) formulate a national concept for the development of higher education and institutions of higher education, making provisions for the development of institutions of higher education founded by the State, other legal persons and natural persons, and promote the equal and balanced development of institutions of higher education of all types and higher academic and higher professional education;

2) formulate long-term plans and proposals for the development of education and science in the system of higher education;

3) formulate proposals for the improvement of the quality of the scientific work of institutions of higher education, staff qualification and study programmes;

4) forecast the number of students in the State as a whole necessary for the development of the State and formulate proposals for the number of students financed from the State budget in each field;

5) formulate proposals for changes in the structure of institutions of higher education in the State;

6) formulate proposals regarding the number of professors in institutions of higher education and recommendations in other issues related to higher education;

7) formulate proposals for the improvement of higher education and the study fee;

8) provide an opinion to the Minister for Education and Science and the Cabinet regarding the draft State budget for the financing of institutions of higher education;

9) take a decision regarding the accreditation of institutions of higher education as a whole and submit it for approval to the Ministry of Education and Science;

10) *[23 November 2000]*; and

11) maintain relations with the institutions of other countries, which deal with issues of higher education.

*[23 November 2000; 2 March 2006]*

#### **Section 71. Rights of the Council of Higher Education**

The Council of Higher Education has the right to:

- 1) become acquainted with the assessment and accreditation materials of any study programme of an institution of higher education;
- 2) request accreditation on a priority basis for any institution of higher education or a study programme thereof; and
- 3) request from institutions of higher education and State authorities the information necessary for the performance of the activities thereof.

#### **Section 72. Organisation of the Operations of the Council of Higher Education**

- (1) The operations of the Council of Higher Education shall be regulated by a by-law.
- (2) Meetings of the Council of Higher Education shall take place as appropriate. Special meetings shall be convened within three days if they are requested by at least three members of the Council of Higher Education.
- (3) The secretariat shall provide information about the agenda of a meeting of the Council of Higher Education and the decisions made therein in the official newspaper "*Latvijas Vēstnesis*" and in the mass media. True copies of decisions shall be sent to institutions of higher education and other institutions to which these decisions apply.

#### **Section 73. Financing of the Council of Higher Education**

- (1) The Council of Higher Education shall be financed from the State budget.
- (2) The Council of Higher Education shall publish a report once a year regarding the financial activities thereof in the official newspaper "*Latvijas Vēstnesis*".
- (3) A paid secretariat shall be established for ensuring the activities of the Council of Higher Education.

#### **Section 74. Chairperson of the Council of Higher Education**

- (1) The position of the Chairperson of the Council of Higher Education shall be his or her primary employment. The Chairperson of the Council of Higher Education shall not concurrently hold another managerial position.
- (2) The Chairperson of the Council of Higher Education shall be responsible for the operations of the Council of Higher Education and the fulfilment of the functions thereof.
- (3) The Chairperson of the Council of Higher Education shall:
  - 1) represent the Council of Higher Education in State authorities, as well as in relations with natural persons and legal persons in Latvia and foreign states, participate in Cabinet meetings in the capacity of an advisor in the examination of issues within the competence of the Council;
  - 2) handle the finances of the Council of Higher Education;
  - 3) hire and release from work the employees of the secretariat of the Council of Higher Education; and
  - 4) enter into agreements with natural persons and legal persons for ensuring the operations of the Council of Higher Education.
- (4) The salary of the Chairperson of the Council of Higher Education shall be equivalent to the salary of a minister of the State.

[2 March 2006]

#### **Section 75. Report of the Activities of Institutions of Higher Education and Colleges**

- (1) Each year, for the promotion of co-operation among institutions of higher education and colleges, State authorities and local government institutions and society, an institution of higher education and college shall prepare a report of the activities thereof in the reporting year (a year-book) which shall be published as a separate issue and kept in the library of the institution of higher education and college.
- (2) In accordance with the procedures and the time period prescribed by the Cabinet, an institution of higher

education and college shall submit information regarding the activities thereof to the Ministry of Education and Science, and this information shall include data about:

- 1) the structure of the institution of higher education and college;
- 2) the number and composition of students and other staff of the institution of higher education and college;
- 3) options for study and the number and compositions of admitted students;
- 4) the offered training courses and study programmes;
- 5) the allocation and utilisation of State budget funds;
- 6) economic activity, own income; and
- 7) international relations.

[23 November 2000; 2 March 2006]

## **Chapter X Property, Budget and Economic Activity of an Institution of Higher Education**

### **Section 76. Property of Institutions of Higher Education**

(1) The property of institutions of higher education may be land, movable property, immovable property and intellectual property, as well as funds in Latvia and foreign states in accordance with the legislation in force.

(2) The property of State institutions of higher education shall be formed by:

- 1) movable property and immovable property which has been gifted to them, which they have inherited or also which they have purchased with their own funds;
- 2) property purchased with State budget funds. Immovable property shall be recorded in the Land Register as property of the institution of higher education; and
- 3) the intellectual property of institutions of higher education.

(3) State institutions of higher education have the right to make use of their property for achieving the aims indicated in the constitutions thereof. The property of State institutions of higher education shall be administrated separately from the State property, which has been transmitted into the possession thereof.

(4) With a decision of the Cabinet State property may be transferred to the possession or use of State institutions of higher education.

(5) [2 March 2006]

[2 March 2006]

### **Section 77. Financial Resources of Institutions of Higher Education**

(1) Institutions of higher education shall be financed by the founders thereof. The founder of an institution of higher education shall provide financial resources and the control of the utilisation thereof for the continuous operation of the institution of higher education, as well as for the fulfilling of the tasks determined by the founder. The financial resources of State institutions of higher education shall be formed from the resources of the State general budget, as well as other income, which institutions of higher education earn by performing activities for the realisation of the aims specified in the constitutions thereof. Institutions of higher education shall operate with this income, taking into account the regulations, which are pursuant to non-profit-making organisations. An institution of higher education has the right to receive and use the donations and gifts of banks, other credit institutions, as well as organisations and natural persons. An institution of higher education has the right to receive and use credits from banks and other credit institutions. The senate thereof shall determine the structure of the financial resources of an institution of higher education, but the audit commission thereof shall control the implementation of the budget. The rector shall submit an annual report on the implementation of the budget to the senate, the Minister for Education and Science and the minister of the relevant field or the founder of the institution of higher education.

(2) An institution of higher education shall transfer the financial resources which natural persons and legal persons assign for the financing of separate target programmes and measures directly to that structural unit, natural person or legal person which implements such programme or measure.

(3) The financial resources of the separate structural units of an institution of higher education shall be included in the budget of the institution of higher education as an independent part.

(4) An institution of higher education shall open a special budget account if it has received a donation or gift with or without the aim indicated.

*[27 December 1996, 23 November 2000]*

#### **Section 78. State Financing**

(1) State-founded institutions of higher education shall receive the following financing:

1) from the State general budget for education – basic financing which complies with the optimal list of study programmes and the number of students and which includes resources for payments of utilities, taxes, the maintenance of infrastructure, the purchase of inventory and equipment, scientific research work or artistic creation and the salaries of the staff;

2) from the study fee which is covered by the State or which is received in the form of repayable and non-repayable credits in accordance with the Cabinet regulations regarding the crediting of studies; and

3) from resources which are anticipated for the implementation of definite goals.

(2) The State shall provide institutions of higher education financially and materially to such an extent, which guarantees the reproduction of the potential of higher education and science therein and promotes the raising of the level of culture and education in Latvia.

(3) State-founded institutions of higher education may receive additional financing from other sources of science financing.

(4) The Ministry of Education and Science, other ministries and State authorities may enter into agreements with State-accredited institutions of higher education founded by other legal persons and natural persons about the preparation of specific specialists or the conducting of research, allocating the respective State financing. Any State authority and private structure may enter into agreements independently with institutions of higher education about the preparation of specific specialists or the conducting of research, paying for it from resources which are at the disposal thereof, if this does not contradict with the legislation in force.

(5) As taxpayers, institutions of higher education and colleges shall be equated to foundations, and they have the right to receive tax relief in accordance with the legislation in force.

(6) Institutions of higher education shall be released from customs duties and fees, as well as from taxes for the import of reconstruction materials and equipment.

*[27 December 1996, 23 November 2000; 2 March 2006]*

#### **Section 79. Crediting of Students and Studies**

(1) Students in accredited study programmes have the right to qualify for:

1) a study loan – a loan from the resources of the State budget or credit institutions with a government guarantee for students in order to pay for studies; and

2) a student loan – a loan from the resources of the State budget or credit institutions with a government guarantee for the provision of the social needs of students.

(2) The procedures for the allocation and repayment of a study loan and student loan from the State budget resources, as well as of study and student loans from the resources of credit institutions with a government guarantee, shall be determined by the Cabinet.

*[23 November 2000]*

#### **Section 80. Economic Activities of Institutions of Higher Education**

(1) In fulfilling the tasks thereof, an institution of higher education has the right to perform the following activities in Latvia and foreign states:

- 1) to open departments, branches and representative offices;
- 2) to enter into agreements with natural persons and legal persons, as well as to perform other legal activities in accordance with this Law and other laws;
- 3) to announce competitions, purchase and sell movable and immovable property, different goods and securities in accordance with the legislation in force and pursuant to the aims of the activities of the institution of higher education; and
- 4) to engage in economic activities pursuant to the profile of the institution of higher education, the income from which shall be transferred into the budget of the institution of higher education for the development thereof, as well as to invest the obtained resources in other undertakings in accordance with the aims of the institution of higher education.

(2) An independent sworn auditor shall examine the financial and economic activity of an institution of higher education, as well as the reports of the audit commission of an institution of higher education each year. A written opinion prepared by the auditor regarding the financial and economic activity of a State-founded institution of higher education or a report by the auditor regarding the use of State budget funds by an institution of higher education which has received funds from the State budget shall be submitted to the Ministry of Education and Science and to the ministry to which the relevant institution of higher education is subordinated.

*[23 November 2000; 2 March 2006]*

## **Chapter XI International Co-operation of Institutions of Higher Education**

### **Section 81. International Co-operation**

(1) The Government of the Republic of Latvia and institutions of higher education themselves shall promote international co-operation, inter-state exchange programmes of students and academic staff, exchange programmes between institutions of higher education and international co-operation programmes of institutions of higher education for research.

(2) In determining the amount of financing of an institution of higher education in the State budget, the participation of each institution of higher education in European international co-operation programmes shall be taken into account. If international co-operation programmes of institutions of higher education finance part of the study tasks of an institution of higher education or the work tasks of scientific research work, the financing of an institution of higher education from the State budget shall not be reduced.

(3) The agreements of the government in issues related to any institution of higher education shall be binding to such institution. When drafting such an agreement, the implementing provisions of the agreement shall be co-ordinated with the institution of higher education.

### **Section 82. Studies in Other Countries**

(1) Latvian citizens and persons who have the right to a non-citizen passport issued by the Republic of Latvia, as well as persons who have been issued a permanent residence permit may enter and study in institutions of higher education outside Latvia in accordance with the procedures specified by the Cabinet. Students studying in other countries may be allocated credits or scholarships, which are determined by the Cabinet.

(2) The provisions of Section 48, Paragraphs one and two of this Law may be applied to persons subject to mandatory military service of the Republic of Latvia who study outside Latvia after the Ministry of Education and Science, in accordance with the prescribed procedures, has checked that studies take place in an institution of higher education which is nationally recognised (accredited). The procedures in accordance with which a person studying in Latvia is included in the list referred to in Section 48, Paragraph four of this Law shall be determined by the Cabinet.

*[3 June 2004]*

### **Section 83. Studies by Aliens in Latvia**

(1) Aliens who have not been issued a permanent residence permit may be admitted to Latvian institutions of

higher education and colleges as full-time students in accordance with the Education Law of the Republic of Latvia and this Law on the basis of the general provisions. If other procedures are not prescribed in international agreements, aliens may be admitted to Latvian institutions of higher education and colleges, observing the following provisions:

- 1) the secondary education documents of aliens shall be in conformity with the standards of Latvia. The secondary education documents of aliens shall be checked following the procedures prescribed in Section 85 of this Law;
- 2) the knowledge of aliens shall correspond to the admission regulations of the relevant institution of higher education or college;
- 3) aliens shall have a sufficient knowledge of the languages in which studies take place;
- 4) aliens shall pay the study fees to an institution of higher education or college in accordance with the agreement, which the institution of higher education or college has entered into with them, however it may not be smaller than the study costs; and
- 5) for citizens of the states of the European Union and their children who acquire an education in Latvia the payment for the education shall be specified and covered according to the same procedures as for Latvian citizens.

(2) Aliens who have not been issued a permanent residence permit may acquire a part of a study programme in Latvian institutions of higher education and colleges in accordance with international (between institutions of higher education) exchange agreements or within the framework of international co-operation programmes of institutions of higher education and colleges in accordance with the admission regulations. If the studies of aliens in Latvia take place within the framework of exchange programme between institutions of higher education and colleges and the equivalent number of students from Latvian institutions of higher education and colleges study abroad, Latvia shall finance the studies of aliens from the resources of the State budget of the Republic of Latvia assigned to an institution of higher education or college.

(3) Persons who acquired a secondary education abroad may be admitted to Latvian institutions of higher education and colleges taking into account Paragraph one, Clauses 1 and 2 of this Section.

[2 March 2006]

#### **Section 84. Recognition of Part of the Higher Education Acquired in Other Countries**

Recognition of part of the higher education acquired in other countries shall be performed by that institution of higher education in which the student continues his or her education. The institution of higher education shall determine:

- 1) to which study programme the part of higher education acquired in other countries corresponds;
- 2) in what way the student may continue his or her studies in the relevant study programme; and
- 3) if necessary – what additional requirements shall be met in order to continue studies in the relevant study programme in Latvia.

#### **Section 85. Academic Recognition in Latvia of Academic Degrees and Education Documents Acquired in Other Countries**

(1) An expert-examination of academic degrees and education documents acquired in other countries, as well as documents attesting to secondary education, shall be performed by the Academic Information Centre.

(2) During an expert-examination of submitted documents, the following shall be determined:

- 1) whether the education document acquired in another country conforms with any higher education document awarded in Latvia (hereinafter in this Section – diploma);
- 2) to which academic degree or diploma awarded in Latvia it may be equated; and
- 3) what additional provisions shall be met so that the education document obtained in another country could be equated to any academic degrees or diplomas awarded in Latvia, if the academic degree or education document obtained in another country does not meet the requirements of any academic degree or diploma awarded in



Latvia.

(3) As a result of an expert-examination of an education document, the owner thereof shall be issued a statement regarding the academic degree or diploma awarded in Latvia to which the education document obtained in another country corresponds.

(4) The expenses related to an expert-examination of an academic degree or education document obtained in another country shall be covered by the owner of the education document.

(5) If education is continued in Latvia, the relevant institution of higher education shall take a decision, on the basis of the statement of the Academic Information Centre, regarding the recognition of the academic degree or education document obtained in another country for the continuation of studies.

*[23 November 2000]*

#### **Section 86. Operation of Foreign Institutions of Higher Education in Latvia**

(1) Foreign institutions of higher education may open branches and representative offices in Latvia if the relevant institution of higher education is accredited (nationally recognised) in the state thereof.

(2) Branches of foreign institutions of higher education in Latvia shall operate in observance of the provisions of this Law and other regulatory enactments. Studies in a branch of foreign institution of higher education shall take place in study programmes, which are accredited in accordance with the procedures prescribed by this Law.

(3) Diplomas awarded by branches of foreign institutions of higher education shall be recognised in Latvia in observance of the provisions of Section 85 of this Law and in accordance with the Lisbon Convention and the documents of the European Council, European Union and UNESCO in the field of trans-national education.

(4) A permit received from the Ministry of Education and Science in accordance with the procedures specified by the Cabinet shall be required for the opening and operation of a representative office of a foreign institution of higher education.

(5) The representative office of a foreign institution of higher education may perform only the following activities in Latvia:

- 1) advertising of the foreign institution of higher education;
- 2) dissemination of information and teaching aids; and
- 3) transferral of documentation to the relevant foreign institution of higher education and the receiving of documentation therefrom.

*[23 November 2000]*

#### **Section 87. Academic Staff Register**

(1) In the Academic Staff Register shall be recorded information regarding persons who occupy academic positions in institutions of higher education and colleges. The Academic Staff Register shall be established and maintained by an official authorised by the Ministry of Education and Science or an institution subordinate to it (official responsible for the Academic Staff Register).

(2) In the Academic Staff Register shall be recorded the following information regarding a person:

- 1) given name and surname of the person;
- 2) personal identity number;
- 3) the name of the academic position to which the person is elected;
- 4) the name of the institution of higher education or college in which such person occupies an academic position (indicating if the position is occupied in a branch thereof);
- 5) the name of the structural unit if there is such;

6) the commencement time period of fulfilling the academic position in the relevant institution of higher education or college; and

7) the name of the branch of science, sub-branch and educational programme group in conformity with the academic position.

(3) Information regarding their academic personal shall be submitted by institutions of higher education or college to the Academic Staff Register. The rector of an institution of higher education or director of a college shall be responsible for the preciseness and conformity to reality of the information submitted to the Register.

(4) Up-dated information regarding changes to submitted information shall be submitted by an institution of higher education or college each year (not less than three times a year) by 1 February, 1 May and 1 August.

(5) The information referred to in Paragraph two, Clauses 1, 3, 4, 5, 6 and 7 of this Section the official responsible for the Academic Staff Register shall publish on the Internet not latter than within a period of two weeks from the receipt of such changes.

[2 March 2006]

## **Chapter XII** **Integration of Institutions of Higher Education and Scientific Institutions**

[23 November 2000]

### **Transitional Provisions**

1. Institutions of higher education shall co-ordinate the constitutions thereof with the requirements of the Law On Institutions of Higher Education and submit them to the Ministry of Education and Science by 1 October 2001. In a case of non-compliance with this requirement, the provisions of Section 10, Paragraph four or Section 11 of the Law on Institutions of Higher Education shall be applied.

[23 November 2000]

2. Within three months after the approval of the constitution of institution of higher education in the *Saeima* or the Cabinet, institutions of higher education shall co-ordinate all the regulatory enactments thereof (by-laws, regulations, rules of procedure, etc.) with the constitutions thereof and this Law.

[23 November 2000]

3. The terms of office of all elected positions and bodies shall not be changed if they do not exceed six years beginning with the day of election.

4. Institutions of higher education, the constitutions of which have been approved by 2 December 1995, but not later than 17 November 2001, shall be equated to accredited institutions of higher education until accreditation and they have the right to issue an education document in accordance with the provisions of Section 7, Paragraph three of this Law, as well as to participate in the work of the Council of rectors.

[23 November 2000]

5. The Council of Higher Education, in co-operation with the Latvian Council of Science and the Academy of Science, shall formulate proposals to the Minister for Education and Science about the list of staff positions for professors and the schedule for the announcement of the competition within one year after the coming-into-force of this Law.

6. The Minister for Education and Science shall submit to the *Saeima* the candidatures for the personnel of the Council of Higher Education not later than within two months after the coming-into-force of the amendments to Section 66, Paragraph one of this Law (regarding the proposal to approve 12 members of the Council of Higher Education in the *Saeima*).

[23 November 2000]

7. Within a time period of three months, the Council of Higher Education shall formulate and submit to the Cabinet for approval a reform programme for universities, prescribing therein the consecutive integration of higher education and science (founding of scientific research institutes or inclusion of the existing institutions in the main study and research directions), in-service training of academic staff, attraction of the new generation

of scientists, new procedures for financing and work remuneration.

8. The Cabinet shall provide annual additional financial resources for the implementation of university reform.

9. Within a time period of two months from the day of the coming-into-force of this Law, the Cabinet shall accept provisions for the licensing and accreditation of institutions of higher education, which comply with the requirements of this Law.

10. Licensed institutions of higher education shall have to renew their licence within six months from the day of the coming-into-force of this Law.

11. As regards the Latvian National Defence Academy and Latvian Police Academy, the Cabinet is entitled to specify other procedures for the matters of the autonomy of this institution of higher education (Section 4), the representation and student self-governance of the institution of higher education (Section 12, 53), the approval of the rector (Section 17), the recruiting of students (Section 45) and the approval of study programmes (Section 55) if it is required by the military or professional specificity of such educational institutions.

*[27 December 1996; 2 March 2006]*

11.<sup>1</sup> In relation to colleges existing within the Ministry of the Interior system, the Cabinet is entitled to specify other procedures regarding issues of the representation of such colleges (Section 10.<sup>1</sup>), the admission of students (Section 45) and the approval of study programmes (Section 55) if it is required by the professional specificity of such educational institutions.

*[2 March 2006]*

12. Enrolment in study programmes on the basis of the results of centralised examinations (Section 46, Paragraph three) shall be initiated in the year 2004.

*[23 November 2000]*

13. Institutions of higher education shall announce admissions requirements by 1 April 2001 in those study programmes which are already implemented on the day of the coming-into-force of this Law and in which admission is also planned in the time period up to the year 2004.

*[23 November 2000]*

14. Section 55, Paragraph two of this Law regarding the number of full-time students in study programmes of academic education shall not relate to those study programmes which are already being implemented on the day of the coming-into-force of this norm – until the moment when the relevant study programme is to be accredited in accordance with the requirements of this Law.

*[23 November 2000]*

15. Section 55, Paragraph six of this Law regarding the licensing of every study programme shall not relate to those study programmes, which are already being implemented on the day of the coming-into-force of this norm. These study programmes shall be regarded as licensed study programmes.

*[23 November 2000]*

16. 16. Doctors Habilitus have the rights of a doctor of the relevant field.

*[23 November 2000]*

17. By 1 November 2004, the Cabinet shall determine the mandatory provisions to be included in the study agreement (Section 46, Paragraph two), the procedures for the drawing up and updating of the personal file of a student (Section 46, Paragraph eight), the procedures for the initiation of studies in further stages of studies (Section 47, Paragraph three) and the procedures for the registration of persons studying outside of Latvia (Section 82, Paragraph two).

*[3 June 2004]*

18. Institutions of higher education shall co-ordinate the constitutions thereof with the requirements of Section 13, Paragraph three and Section 15, Paragraph four of this Law about the changes of the proportion of students in the constitutional assembly and the senate of an institution of higher education and submit them for approval

to the Ministry of Education and Science by 10 June 2005. The Constitutional Assemblies and senates of institutions of higher education, which have been elected by 10 June 2004, shall continue to operate until the termination of the term of office of the relevant constitutional assembly or senate, preserving the proportion of students determined in the constitution of the institution of higher education.

[3 June 2004]

19. An institution of higher education shall ensure the conformity of the constitution thereof to the requirements specified in the Law On Institutions of Higher Education and by 1 September 2006 shall submit the constitution to the Ministry of Education and Science. State-founded institutions of higher education shall become derived public persons after the approval of the constitution by the *Saeima*. Up to the approval of their constitutions by the *Saeima*, the institutions of higher education shall continue to operate in their current status – State budget institutions. State-founded universities and institutions of higher education the constitutions of which have been approved by the *Saeima* shall be deemed to be derived public persons. Colleges shall ensure the conformity of by-laws to the requirements specified in the Law On Institutions of Higher Education and by 1 March 2007 shall submit the by-laws thereof to the Ministry of Education and Science.

[2 March 2006]

20. The rectors of institutions of higher education after agreement with the representatives of academic staff shall by 1 February 2006 submit to the Ministry of Education and Science the list of elected academic staff of the relevant institution of higher education.

[2 March 2006]

21. The criteria specified in Section 3, Paragraph three of this Law shall come into force on 1 September 2007. Up to 31 August 2007 in Latvia there are the following universities: Daugavpils University, University of Latvia, Latvia University of Agriculture, Rīga Stradiņš University and Rīga Technical University.

[2 March 2006]

22. Employment contracts, which have been entered into with the academic staff of institutions of higher education up to 31 August 2005 shall be in effect until the end of the time period specified in the relevant employment contract.

[2 March 2006]

23. Section 48 and Section 49, Paragraph three of this Law shall be repealed after the revocation of mandatory military service.

[2 March 2006]

24. The officials responsible for the Register of Educational Establishments and the Register of Institutions of Higher Education shall not delete institutions of higher education and colleges from the registers during the time period up to 1 August 2006, except in the cases specified in Section 8.<sup>6</sup>, Paragraph two of this Law. The violation of the time period specified in Paragraph 19 of these Transitional Provisions shall not be considered to be a violation of regulatory enactments if it has occurred in the time period up to 1 April 2006.

[2 March 2006]

25. The provisions of Section 3, Paragraph one of the Law On Institutions of Higher Education regarding the proportion of persons with doctoral degrees in institutions of higher education shall come into force on 1 July 2010.

[2 March 2006]

26. The provisions included in the third sentence of Section 3, Paragraph five of this Law shall not apply to institutions of higher education, which up to the coming into force of this Law have registered in the Register of Institutions of Higher Education and in the names of which (as well as the names of institutes established by them) is included the word "institūts" [institute].

[2 March 2006]

This Law has been adopted by the *Saeima* on 2 November 1995.

President

G. Ulmanis

Rīga, 17 November 1995

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Pēdējo reizi atjaunota: 15/09/2008

Unikālie apmeklētāji - šodien: 1059, kopā: 112272

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