

LAW FOR THE HIGHER EDUCATION

Prom. SG 112 1995; Amend. SG 28 1996; Amend. SG 56 1997; Corr. SG 57 1997; Amend. SG 58 1997; Amend. SG 60 1999; Corr. SG 66 1999; Amend. SG 111 1999; Amend. and Suppl. SG 113 1999; Amend. and Suppl. SG 54 2000; Amend. SG 22 2001; Amend. SG 40 2002; Amend. and Suppl. SG 53 2002

The law was passed by the 37th National Assembly on December 12, 1995 and is affixed with the state seal.

Chapter I. GENERAL PROVISIONS

Art. 1. With this law shall be regulated the structure, the functions, the management and the funding of the Higher Education in the Republic of Bulgaria.

Art. 2. The object of the higher education shall be to prepare highly qualified specialists above the secondary school and the development of science and culture.

Art. 3. The higher secular education shall be independent from ideologies, religions and political doctrines. It shall be implemented in compliance with the universal human values and national traditions.

Art. 4. In the higher education shall not be admitted privileges and restrictions, connected with age, race, nationality, ethnical belonging, sex, social descent, political views and religion, except the cases explicitly pointed out in the Regulation for the activity of the high school in compliance with the peculiarities of the training and the future profession.

Art. 5. Higher education shall be acquired in high schools, established by an order, determined with a law.

Art. 6.(1) The high school shall be a corporate body with subject of activity:

1. preparation of specialists, able to develop and apply scientific knowledge in the different fields of human activity;

2. increasing of the qualification of specialists;

3. development of science and culture.

(2) (amend. SG 53/02) The high school shall be able to develop scientific-production, artistic-creative, sport, health and other activity in compliance with its specific character.

(3) (new - SG 60/99) The study, the scientific, the artistic - creative and other activity corresponding to the specific character of the high school shall be ensured by highly qualified lecturing, scientific, research or artistic - creative staff, called hereinafter "academic staff".

(4) (new - SG 60/99) The high school shall develop and introduce a system for assessment and maintenance of the education quality and of the academic staff, including also student's opinion pools.

Art. 7.(1) (amend. SG 60/99) Art. 7. (1) The higher school shall issue diplomas for graduated degree of higher education, as well as certificates for professional qualification.

(2) The diplomas shall be acknowledged by the state when the education corresponds to the state requirements.

(3) The diplomas issued under the conditions of para 2 shall be affixed with a seal with the state coat-of-arms.

Chapter II.

FUNCTIONS OF THE STATE IN THE MANAGEMENT OF THE HIGHER EDUCATION

Art. 8.(amend. and suppl. SG 60/99) The state shall create conditions for the free development of the high education by:

1. developing and implementing national policy for the development of the high education and guaranteeing the academic autonomy of the high schools;
2. (amend. and suppl. SG 60/99) taking care for the quality of the preparation of specialists and organising the activity of the National Agency of assessment and accrediting and determining the conditions for state recognition of the diplomas, issued in our country and abroad;
3. (amend. and suppl. SG 60/99, suppl. SG 53/02) subsidising the education of students in the state high schools and under certain conditions ensuring grant and campus accommodation, except the students and the post graduate students, admitted by the order of art. 21, para 2 and 4;
4. (amend. and suppl. SG 60/99) under certain conditions ensuring credits and social gains for the students, the doctorants and the specialists;
5. conceding possessions to the state high schools and ensuring tax and other alleviations for all high schools at implementing their activities, provided in Art. 6.
6. (new - SG 60/99) organise the activity of the National Agency for assessment and accreditation;
7. (new - SG 60/99) determines the conditions for state acknowledgement of the diplomas issued by higher schools in the country and abroad.

Art. 9.(1) The state shall exercise its functions for management of the high education through the National Assembly and the Council of Ministers.

(2) The National Assembly shall:

1. open, restructure and close high schools with a decision;
2. every year determine with the Law of State Budget the subsidy for each state high school.

(3) The Council of Ministers shall:

1. approve the basic directions of the national policy in the field of high education;
2. propose to the National Assembly the opening, the restructuring and the closing of high schools, as well as the extent of annual subsidy for each state high school;
3. (amend. SG 60/99) open, transform and close faculties, institutes, branches and colleges in the state higher schools on the grounds of request by the respective higher school and/or at the proposal of the Minister of Education and Science;

4. (amend. SG 60/99, SG 53/02) approve Classifier of the fields of the higher education and the professional directions;
5. (amend. SG 53/02) approve state requirements for acquiring higher education in educational-qualification degrees and unified state requirements for the specialities of the regulated professions;
6. (amend. SG 60/99, SG 53/02) approve annually the number of students, admitted for education in the higher schools, and for the state higher schools also in professional directions and educational – qualification degrees, the total number of students in the private higher schools, as well as the number of doctorants in the higher schools, the Bulgarian Academy of Science, the National centre for agrarian science and other scientific organisations;
7. (amend. SG 60/99, suppl. SG 53/02) determine the size of the fees for applying and studying in the state higher schools, except the students and the doctorants, admitted by the order of art. 21, para 2 and 4;
8. approve the conditions and the order for conceding grants in the state high schools and for using the campuses and other social gains by students, doctorants and specialising in all high schools;
9. approve the state requirements for recognising a high education, received in foreign high schools;
10. (new - SG 60/99) approve the state requirements for admission of students;
11. (new - SG 60/99) approve unified state requirements to the contents of the basic documents issued by the higher school;
12. (new - SG 60/99) approve Regulations for the activity of the National Agency for assessment and accreditation at the proposal of the Accreditation Council;
- 13.(former 10 - SG 60/99) represent the interests of the Bulgarian high education and science before other states and international organisations and conclude international agreements and contracts.

Art. 10.(1) A state body for implementation of the national policy in high education shall be the Ministry of Education, Science and Technologies.

(2) The Ministry of Education, Science and Technologies shall:

1. (amend. SG 60/99) make proposals to the Council of Ministers of Art. 9, para 3, item 1 - 11;
2. implement functions for coordination of the relations between the autonomous high schools and the state;
3. (amend. SG 60/99) maintain register of the higher schools where data shall be entered regarding their basic units and the specialities opened by them;
4. organise the recognition and legalisation of the diplomas of the persons graduated abroad;
5. (amend. SG 60/99) appoint rector ad interim of newly found or transformed state higher schools until the elections but for no longer than 6 months.

Art. 11.(1) A specialised state body for assessment and accreditation of the quality of the activities of Art. 6, para 1, shall be the National Agency for assessment and accreditation at the Council of Ministers.

(2) The National Agency for assessment and accreditation shall be a corporate body at budget maintenance with residence in Sofia.

(3) The National Agency for assessment and accreditation shall implement its activity in compliance with this law and according to a regulation, approved by the Council of Ministers.

Chapter III.

KINDS OF HIGH SCHOOLS, OPENING, RESTRUCTURING AND CLOSING

Art. 12. The high schools shall be state and private.

Art. 13. The state high schools shall be established and implement their activity on the basis of conceded state ownership and annual state subsidy.

Art. 14.(1) The private high schools shall be established at request of citizens and organisations, called hereinafter establishers.

(2) The establishers shall bear responsibility for the whole activity, management and the financial status of the high school opened on their request.

Art. 15.(1) A high school shall be opened and restructured on the basis of a project in which:

1. are put publicly acceptable objectives for the proposed high school;
2. (suppl. SG 60/99) is contained description of the basic units of the high school, the necessary study documentation and data about the scientific-lecturing staff, the material base and the ways of funding;
3. is ensured a way of management, guaranteeing the observing of the basic academic freedoms;
4. there is a compliance with the state requirements.

(2) The project of para 1 shall have to had received a positive assessment by the National Agency for assessment and accreditation.

(3) To the project for creating of private high schools shall be attached also the establishing act, which includes:

1. kind, name and residence;
2. subject of activity;
3. name (company) of the establisher;
4. conceded ownership and way of funding;
5. management and way of representation;
6. rights and liabilities of the establishers.

Art. 16.(1) With the decision the National Assembly shall define:

1. kind, name and residence of the high school;
2. subject of activity;
3. ownership and way of funding.

(2) The high school shall emerge as corporate body after the announcement of the decision for its establishing in "State Gazette".

Art. 17.(1) (amend. SG 60/99) The high schools shall be universities, specialised high schools (academies, institutes etc.) and independent colleges.

(2) (amend. SG 60/99) The University is a higher school which:

1. educates on a wide circle of specialities, in at least three of the four basic spheres of the science - humanitarian, natural, social and technical;
2. have academic personnel under basic legal terms of employment which, on each speciality shall carry out not less than half of the auditorium and practical classes, as the persons with academic rank shall lecture for each speciality not less than 70 percent of the lecture courses;
3. have available material base which provides the practical education in compliance with the state requirements;
4. (amend. SG 53/02) educate for the degrees "bachelor", "master" and "doctor" in the respective basic spheres of science;
5. have scientific and artistic and creative potential and develop by its activity basic spheres of the science and culture;
6. provide to the academic personnel, to the students and to the doctorants conditions for printing scientific works, textbooks, monographs and other creative achievements;
7. possess library with scientific and educational literature and other means of informational provision;
8. maintain international contacts in the process of education and creative activity.

(3) (amend. SG 60/99) Higher school which carries out education in one or two basic spheres of the science or culture and meets the requirements of para 2, item 2 - 8, can be a university with a name expressing its specifics.

(4) (amend. SG 60/99) The specialised higher school shall carry out scientific and research or artistic and creative work and shall carry out education in one of the basic spheres of the science, art, physical culture and shall meet the requirements of para 2, item 2, 3, 5, 6, 7 and 8. Its name shall express the specific sphere where it prepares specialists.

(5) The independent college shall give a professional qualification and carry out training up to the educational-qualification degree "specialist in ..."

(6) A college shall be possible to be established within a university and a specialised high school

Art. 18.(1) The high schools shall be closed by the National Assembly:

1. when the high school breaches the requirements of this law or other normative acts;
2. (amend. SG 60/99) when the higher school receives two consecutive refusals for accreditation or has not requested accreditation within the period determined by this law;
3. at request by the establishers of the private high school;

4. At a proposal by the Council of Ministers for the state high school.

(2) The proposal for closing of high schools of para 1, items 1 and 2 shall be submitted by the Council of Ministers.

(3) (amend. SG 60/99) The act for closing the higher school in the cases under para 1, item 1, 2 and 4 shall determined the conditions and the order under which the students, the doctorants and the specialists shall continue their education."

(4) (new - SG 60/99) The act for closing a state higher school shall also settle the issue of its property.

(5) (previous para 4 - SG 60/99) In the cases of para 1, item 3 the establishers shall be obliged in advance to arrange the issues of ownership and the rights of the students, the doctorants and the specialising.

Chapter IV. ACADEMIC AUTONOMY

Art. 19.(1) (amend. SG 60/99) The high schools shall benefit an academic autonomy. In it shall find an expression the intellectual freedom of the academic community and the creative nature of the educational, research and artistic and creative process as supreme values.

(2) (new SG 60/99) The academic community shall comprise the members of the academic personnel, the students, the doctorants and the specialists.

(3) (former para 2 - SG 60/99) The academic autonomy shall include academic freedoms, academic self-management and inviolability of the territory of the high school.

(4) (former para 3 - SG 60/99) The high school shall implement its overall activity on the principle of academic autonomy in compliance with the laws of the country.

Art. 20. The academic freedom shall be expressed in freedom of teaching, freedom of carrying out scientific investigations, freedom of creative performance and freedom of learning.

Art. 21. (1) (prev. art. 21 – amend. SG 53/02) The academic self-management shall be expressed in:

1. electability and mandateness of all bodies of management;
2. right of the high school to regulate its structure and activity with own regulations in compliance with this law;
3. independent determination of the scientific-lecturing staff, the conditions for accepting and the forms for teaching students, doctorants and specialising;
4. independent development and implementation of study plans and scientific investigation projects;
5. selection of the specialities in which training is being done;
6. right to announce competitions and election of lecturers under conditions and by order established in the Law of Scientific Degrees and Scientific Ranks;
7. right to form own funds and independently determination of the conditions and the order for their spending;

8. right to independent concluding with the state and with other users contracts for training and increase of qualification of specialists with high education as well as for implementing of scientific and applied investigations.

9. right to associate with high schools and other organisations at implementing the activities of item 8;

10. (suppl. SG 60/99) right to construction, possession or use of material base, necessary for the education and scientific investigation activity and for the social-accommodation service of students and lecturers;

11. right to organise international co-operation, concluding contracts and membership in international organisations.

(2) (new – SG 53/02) The higher schools, acquired at institutional accreditation assessment “very good” or “good”, shall have the right to implement education against payment in the educational – qualification degree “master” after acquired educational – qualification degree “bachelor” or “master” in specialities, which have acquired at the accreditation assessment “very good” or “good”, under conditions, determined in the regulation for the activity of the higher school and with contract between the students and the higher school.

(3) (new – SG 53/02) The right of para 2 shall have the persons, who have marks not less than “very good(4.50)” and diploma for finished degree of the higher education.

(4) (new – SG 53/02) The higher schools, acquired at institutional accreditation assessment “very good” or “good”, and the organisations of art. 47 shall have the right to implement education against payment in the educational and scientific degree “doctor” in specialities, which have acquired at the accreditation assessment “very good”, under conditions, determined in the regulation for their activity and with contract between the students and the higher school.

Art. 22. The autonomy of the high school shall not be possible to be breached with:

1. intrusion in the activity of the high school except in the cases explicitly pointed out in a law;
2. entering and staying of the bodies of security without the consent of the academic authorities except for preventing of immediately forthcoming or started crime for the detention of the committers as well as in the cases of natural disasters and accidents;
3. establishing and activity of political and religious organisations in the high school;
4. implementing of activity, affecting the constitutional rights of the members of the academic community, connected with race, nationality, ethnic belonging, descend, religion, belief, political belonging.

Art. 23. (amend. SG 60/99) (1) Body for expressing the common interests of the higher schools before the state bodies shall be the Council of the rectors of the higher schools.

(2) The Council of the rectors shall:

1. give opinion and proposals on problems related to the higher education and science;
2. express opinion on the draft budget in its part regarding the higher education and science;
3. (amend. SG 53/02) express opinion on the project for the Classifier of the fields of higher education and the professional directions;
4. give opinion on the criteria for conferring scientific degrees and scientific ranks.

(3) The Council of the rectors shall be represented by a chairman elected by it.

Art. 24.(1) Bodies of management of the high school shall be the General Meeting, the academic council and the rector.

(2) The management bodies of the high schools shall be elected for a mandate of four years.

(3) The mandate of the management bodies of the high school shall not be terminated with the carrying out of partial elections. The mandate of the additionally elected members shall be terminated with the elapse of the mandate of the body.

(4) The powers of the rector of the high school shall be terminated with the mandate of the General Meeting which has elected it. He shall implement his functions till the election of a new rector.

Art. 25.(1) The high schools shall include in their structure basic and servicing units.

(2) (amend. SG 60/99) Basic units are the faculties, departments, institutes, branches and colleges. The mandate of the bodies of management of the basic units shall not be terminated by holding partial elections. The mandates of the additionally elected members shall be terminated with the expiration of the mandate of the body.

(3) (suppl. SG 60/99, amend. SG 53/02) Servicing units shall be sectors, centres, libraries, trial sections, publishing complexes, production bases and other relatively detached structures. The structure and the functions of the bodies of management of the servicing units shall be determined by the regulations of the higher schools.

(4) (revoked SG 60/99).

Art. 26. (amend. SG 60/99) (1) The faculty is a basic unit of the higher school, uniting departments for providing the education of students on one or a group of related specialities which shall:

1. have no less than 40-member academic personnel with legal terms of employment of which no less than 20 persons with academic rank;

2. maintain active international contacts on issues of the education and the creative activity.

(2) Bodies of management of the faculty shall be the general meeting, the faculty council and the dean. They shall have a mandate of 4 years. Their mandate shall not be terminated by carrying out partial elections.

(3) The general meeting of the faculty shall consist of the members of the academic personnel with legal terms of employment, of representatives of the administrative personnel, of the students and the doctorants in the faculty. The members of the academic personnel shall be at least 70 percent, and those of the students and the doctorants - at least 15 percent of the members of the general meeting.

(4) The structure of the general meeting shall be determined by the faculty council in compliance with para 3.

(5) The general meeting of the faculty shall:

1. elect by secret voting, for the term of its mandate a chairman and his deputy among its members with academic rank;

2. elect by secret voting a person with academic rank for dean of the faculty;

3. determine the number of the members of the faculty council and shall elect by secret voting its members;
 4. discuss and adopt the annual report of the dean on the lecturing and creative activity in the faculty and on its condition.
- (6) The general meeting of the faculty shall be convened at least once a year by its chairman by a decision of the faculty council, at the request of the dean or of one fourth of its personnel.
- (7) The faculty council shall consist of 25 to 35 members and shall include and shall include representatives of the academic personnel with legal terms of employment, students and doctorants. Not less than three fourth of the members of the faculty council shall be persons with academic rank.
- (8) The faculty council shall:
1. elect by secret voting deputy deans at the proposal of the dean;
 2. propose to the academic council:
 - a) projects for establishing, transformation or closing down departments and servicing units to the faculty;
 - b) projects of educational plans and qualification characteristics in degrees and specialities;
 - c) announcing competitions under Art. 50;
 3. elect and promote the members of the academic council without academic rank;
 4. propose to the rector of the higher school release from occupation according to Art. 58, para 2;
 5. extend proposals to the general meeting of the faculty and/or to the bodies of management of the higher school on issues related to the activity and the condition of the faculty;
 6. adopt the educational programmes for the specialities for which the faculty is responsible and the individual plans for education of students, doctorants and specialists;
 7. approve and control annually the academic engagement of the members of the academic personnel.
 8. recommend for publication scientific works, textbooks, monographs and other creative achievements in the publishing base of the higher school and control their timely publication;
 9. discuss and adopt the results from the testimony of the members of the academic personnel of the faculty and, if necessary, propose them to the rector for decision;
 10. discuss, give recommendations and take decision on the activity of the faculty units;
 11. control the condition of the library and informational base of the faculty and take measures for its improvement;
 12. take decision on the financial issues of the faculty;
 13. adopt the annual report on the lecturing, scientific and artistic and creative activity of the faculty;
 14. take other decisions related to the activity of the faculty;

(9) The dean shall:

1. manage and represent the faculty;
2. be a member, by right, of the faculty council and its chairman;
3. propose to the faculty council nominations of persons with academic rank for deputy deans;
4. fulfil functions ensuing from the law and from the regulations of the higher school.

Art. 26a. (new - SG60/99) (1) The department is a basic unit of the higher school for providing the education on one or more disciplines which does not constitute a speciality. The department shall have at least 14-member academic personnel with legal terms of employment.

(2) Bodies of management of the department shall be the general meeting, the council of the department and its director. They shall be elected for a mandate of four years.

(3) The structure of the department, the constituting and the functions of its bodies of management shall be determined by the regulations for the activity of the higher school.

Art. 26b. (new - SG60/99) (1) The institute is a basic unit of the higher school which unites an academic personnel for carrying out long-term scientific and research activity. It shall include no less than 20 persons with academic rank.

(2) Bodies of management of the institute shall be the general meeting, the council of the institute and its director. They shall be elected for a mandate of two years.

(3) The structure of the institute, the constituting and the functions of its bodies of management shall be determined by the academic council of the higher school.

Art. 26c (new - SG60/99) (1) The branch is a basic unit of the higher school which is created in order to meet the needs of a definite type of education in regions where a respective university structure is missing. The branch shall have at least 10-member academic personnel with basic legal terms of employment.

(2) The composition, the structure and the bodies of management of the branch shall be determined by the academic council of the higher school.

(3) The branch shall be headed by a director who shall be a person with academic rank and shall be elected by the academic council for a mandate of four years.

(4) (amend. SG 53/02) Branches meeting the requirements of Art. 26 or of Art. 26d can be transformed respectively into faculties or colleges, as well as to unite.

Art. 26d. (new - SG60/99) (1) The college is a basic unit of the higher school including at least a 10-member academic personnel with basic legal terms of employment.

(2) Bodies of management of the college shall be the general meeting, the council of the college and its director. They shall be elected for a mandate of four years.

(3) The director shall be a person with academic rank in the respective scientific sphere.

(4) The structure of the college, the constituting and the functions of its bodies of management shall be determined by the regulations for the activity of the higher school.

Art. 26e. (new - SG60/99) (1) The chair is a unit of a faculty, department, branch or college which carries out educational, scientific and research (artistic and creative) activity on one or a group of related disciplines. The chair shall include at least a 7-member academic personnel with basic legal terms of employment in the higher school.

(2) Bodies of management of the chair shall be the chair council and the head of the chair. The chair council shall consist of the members of the academic personnel of the chair who have basic legal terms of employment.

(3) The head of a chair in a faculty or a branch shall have academic rank in the sphere of the chair.

(4) (amend. SG 54/00, SG 53/02) The head of chair shall be a person with academic rank in the corresponding scientific direction of the chair, elected by a secret voting for a term of four years by the chair council on the basis of a competition with documents, the election being confirmed by the council of the basic unit. The position shall be occupied with basic employment contract concluded with the rector of the higher school.

(5) (new – SG 53/02) The head of the chair in clinical discipline in the higher medical schools shall manage and control the study, the research activity and co-ordinate the medical – diagnostic activity of the respective clinic in the university hospital.

Art. 27.(1) (amend. SG 60/99) The general meeting of the higher school shall consist of representatives of the academic personnel with basic legal terms of employment, of the administrative personnel and of the students and the doctorants from all its units.

(2) (amend. SG 53/02) The persons with academic rank shall be not less than 70 percent, and the representatives of the students and doctorants - not less than 15 percent of the members of the General Meeting.

(3) The general number of the members of the General Meeting and the procedure for their election shall be determined in the Regulation of the activity of the high school.

(4) (revoked - SG 60/99).

Art. 28.(1) (amend. SG 60/99) The general meeting of the higher school shall be convened at least once a year by its chairman by a decision of the academic council, at the request of the rector or of one fourth of the members of the general meeting.

(2) The general meeting of a newly opened or transformed higher school shall be convened by the rector ad interim.

(3) The General Meeting shall take decisions with a simple majority of the present except the approval of a Regulation for the activity of the high school and the changes of it, for which shall be required a majority of the full list of members of the General Meeting.

Art. 29. The General Meeting of the high school shall:

1. (amend. SG 60/99) elect for the term of its mandate, by a secret voting, chairman and deputy chairman of the general meeting among its members with academic rank.

2. approve or change the Regulation for the activity of the high school;

3. (new - SG 60/99) determine the number of the members of the 4. 3 control council and elect by a secret voting for the term of its mandate.

chairman, deputy chairman and members of the control council.

4. (prev. 3 - SG 60/99) elect with a secret voting a rector;

5. (prev. 4 - SG 60/99) determine the number of the academic council and elect with secret voting its members;

6. (prev. 5 - SG 60/99) discuss and approve the annual report of the rector for the status of the high school.

Art. 30.(1) The Academic Council shall be a management body for the education and scientific activity of the high school which shall:

1. determine the education policy of the high school, approve the mandate programme and control its implementation;

2. approve the annual report of the results of the activity of the high school;

3. (amend. SG 60/99) extend proposals in the cases under Art. 9, para 3, item 3;

3a. (new - SG 60/99) take decision for establishing, transformation or closing departments, chairs and servicing units of the higher school.

4. determine the specialities, the forms and the degrees in which education is carried out and make a proposal for the number of accepted students;

5. approve or change the qualification characteristics and the study plans for training specialists in the education degrees or in the colleges of the high schools;

6. determine the scientific policy of the high school and decide basic issues of that organisation and the content of the scientific investigation activity;

7. determine the structural staff of the General Meeting and the organisation for election of its members;

8. (amend. SG 60/99) determine the personnel policy of the higher school, approve the occupational characteristics of the academic council and adopt regulations for its testimony.

9. elect deputy rectors at a proposal by the rector;

10. (amend. SG 60/99) take decision for association with higher schools and scientific organisations."

11. (amend. SG 60/99) adopt annually the budget of the higher school and control its fulfilment;"

12. confer the honourable rank "doctor honoris causa";

13. elect extraordinary professor and associate professors;

14. approve regulations for defined educational, scientific, creative or scientific-production activities of the high school.

15. (new - SG 60/99) approve a system of assessment and maintenance of the quality of the education of the academic personnel of the higher school in compliance with Art. 6, para 4.

(2) (new - SG 60/99) The academic council shall consist of 25 to 45 members and shall include representatives of the academic personnel working with basic terms of employment with the higher school, students, doctorants and employees.

(3) (prev. para 2 - SG 60/99) Not less than three fourths of the members of the Academic Council shall be persons with academic rank.

(4) (prev. para 3, amend. SG 60/99)

Art. 31.(1) (amend. SG 60/99) For rector, dean, director of branch or college shall be persons with academic rank who, after the election, shall occupy the position according to basic legal terms of employment with the higher school.

(2) (amend. SG 60/99, SG 53/02) The persons elected for the occupations rector, dean, director of department, branch and college and their deputies cannot be elected for more than two consecutive mandates for one and the same occupation.

(3) (prev. para 4, amend. SG 54/2000) The mandate of the persons of para 2 in the higher schools shall be terminated ahead of time except the cases of Art. 35 and at reaching age 65. The body elected them shall carry out partial election in 2 months term.

(4) (prev. para 3, amend. SG 54/2000) In case of preliminary discharging as one mandate shall be considered the time during which the person has taken the corresponding managerial position for more than two years.

Art. 32. The rector shall:

1. represent the high school;
2. be officially a member of the Academic Council and its chairman;
3. conclude and terminate employment contracts;
4. (suppl. SG 60/99) decides ultimately all issues, connected with the accepting, writing off and movement of students, doctorants and specialists;
5. prepare and propose for approval by the Academic Council the annual report of the high school and publish it;
6. propose to the Academic Council the applications of lecturers with academic rank for election of one or more deputy rectors;
7. (new - SG 60/99) where necessary the collective bodies of management off the basic units of the higher school can be convened;
8. (new - SG 60/99) appoint for a period of up to three months at the vacant occupations employees ad interim."
9. (prev. item 7 - SG 60/99) implement other functions, ensuing from the laws and from the decisions of the Academic Council and the General Meeting.

Art. 33.(1) The deputy rector shall:

1. support the activity of the rector and have the right to represent him in the cases when is empowered by him;

2. organise and bear responsibility for the work of a defined direction of the activity of the high school;
3. participate in the sessions of the Academic Council with right of consultative vote if he has not been elected as its member by the General Meeting.

(2) The mandate of the deputy-rector shall finish together with the mandate of the rector who has proposed him for election by the Academic Council.

Art. 34. The high schools shall establish at their discretion auxiliary consultative bodies. The conditions and the order for their establishment shall be regulated in the regulations of the high school.

Art. 34a. (new - SG 60/99) (1) Body of internal control over the activity of the higher school shall be the control council.

(2) The control council shall consist of chairman, deputy chairman and members who shall have academic rank. They cannot be members of the academic council of the higher school.

(3) The control council shall:

1. check up the lawfulness of the elections for management of the higher school and its basic units within one month from holding them and shall report to the academic council on the results from the check up;
2. work out statement on the draft budget of the higher school and its fulfilment and report them to the academic council and the general meeting;
3. participate in the check ups under Art. 58a;
4. report on its activity before the general meeting at least once a year."

Art. 35. The rector, the deputy-rectors, the deans and the heads of units, as well as the members of the Academic Council and of the Faculty Council in a high school shall be discharged at their request or shall be possible to be deselected before the end of the mandate with a decision of the body that has elected them taken with a majority more than half of the full list staff.

Art. 36. The private high schools shall be possible to have also other structure, way of management and determining of management bodies under the condition that with this are not violated the academic freedoms.

Art. 36a. (new - SG 60/99) (1) The meetings of the collective bodies of management of the higher school and of its basic units shall be considered regular if two thirds of the members are present.

(2) In determining the quorum under para 1 excluded from the membership shall be the persons who have taken leave due to temporary incapacity, pregnancy, childbirth and adoption for raising young child or on business trip abroad. The total number of these persons cannot be more than one fourth of the number of the member-persons.

(3) The decisions of the collective bodies of management shall be taken by a general majority unless the law stipulates otherwise.

(4) In case of change of the number of the members of the collective body leading to disturbance of the quotas determined by the law and the regulations partial elections shall be held before the next meeting.

§ 23. In Art. 37 at the end are added the words "and other of its regulations".

Art. 37. (suppl. SG 60/99) All issues of the structure and the activity of the high school, unregulated in the law, shall be provided with the Regulation for the activity of the high school and other of its regulations.

Art. 38. The acts of the management bodies of a high school shall be possible to be appealed against under the order of the Law of Administrative Procedures.

Chapter V.

STRUCTURE AND ORGANISATION OF THE EDUCATION PROCESS IN THE HIGH SCHOOLS

Art. 39. (amend. SG 60/99) The education process in the high schools shall be conducted according to teaching documentation for each speciality, comprising qualification characteristics in degrees, study plan, study programmes of the taught disciplines and annual timeschedule of the education process.

Art. 40.(1) The study content of each discipline shall be organised in relatively detached parts.

(2) Each part shall include at least 15 academic hours auditorium sessions. The academic hour shall last 45 minutes.

Art. 41.(1) In the high schools the education shall be done in obligatory, optional and facultative disciplines.

(2) The high schools shall ensure for every student an opportunity for choice of study disciplines within the framework of the approved study plan.

Art. 42.(1) The system of high education shall organise study after graduated secondary school and shall comprise of the following degrees:

1. first degree - with minimum term of study according to a study plan 4 years, to the graduates being conferred educational-qualification degree "bachelor";

2. (amend. SG 60/99) second degree - with a minimal term of education five years or not less than one year after the degree "bachelor" and conferred on the graduates shall be educational and qualification degree "master";

3. (amend. SG 60/99, corr. SG 66/99) third degree - with a minimal term of education four years after acquired degree "bachelor" or three years after acquired degree "master" and conferred on the graduates shall be educational or scientific degree "doctor".

(2) (new - SG 60/99) The education for the degree "bachelor" provides basic wide-profile education on professional branches and specialities.

(3) (new - SG 60/99) The education for the degree "master" provides a profound fundamental education combined with profiling in a definite speciality.

(4) (new - SG 60/99, corr. SG 66/99, amend. SG 53/02) The education for the educational and scientific degree "doctor" shall be carried out on scientific specialities.

(5) (prev. para 2, amend. SG 60/99) The educational and qualification degree "specialist on..." is a degree of professional higher education. It is conferred upon graduated education in a college with a minimal term of education three years. The graduates of a college can continue their education for the educational and qualification degree "bachelor" under conditions and by an order determined by the state requirements or by the regulations of the higher school."

(6) (prev. para 3 - SG 60/99) In compliance with the educational tradition and the peculiarities of the study the separate educational degrees for different specialities shall be possible to have also specific names. The names shall be approved by the Minister of Education, Science and Technologies.

(7) (prev. para 4 - SG 60/99) A diploma for graduated degree according to Art. 7 shall be conferred after a successful fulfilment of all obligations, provided in the study plan, independently from the calendar term of the study.

(8) (prev. para 5, amend. SG 60/99) The high schools shall create opportunities and determine the conditions for:

1. (amend. SG 60/99, SG 53/02) acquiring second or new speciality within the frames of the education for one educational degree in compliance with the requirements of para 7;"

acquisition of a second speciality within the framework of the study in one educational degree;

2. (new - SG 60/99) Transfer from education for one educational degree to education for another.

3. (prev. item 2 - SG 60/99) acquisition of a higher educational degree;

4. (prev. item 3, amend. SG 60/99) early finish of the training at request by the trainees;

5. (prev. item 4, amend. SG 60/99, SG 53/02) acquisition of a new speciality observing the requirements of para 7;

6. partial training of Bulgarian and foreign students in a selected by them high school, faculty or speciality;

7. (prev. item 6 - SG 60/99) movement of students in another high schools, faculty, speciality and form of education;

8. (prev. item 7 - SG 60/99) discontinuation of the training on behalf of the students, doctorants and specialising, as well as its continuation after it.

(9) (prev. para 6 - SG 60/99) The forms of the study in the high school shall be regular, correspondence, evening and distance.

Art. 43.(1) The high schools shall be able to conduct training for increase of the qualification.

(2) The training for increase of the qualification shall be conducted according to study documentation, the requirements to which shall be determined in the regulations of the high school.

(3) The training for increase of the qualification shall not be a ground for acquiring an educational degree or speciality.

Art. 44.(1) The high schools with their regulations shall determine the mode of conducting the examination procedures.

(2) The forms of the check and assessment of the knowledge and skills of the students shall be determined in the study plans and programmes. A basic form for assessment of the knowledge in the high schools shall be the written exam.

(3) The knowledge and the skills shall be assessed with a six grade system, including: excellent (6.00), very good (5.00), good (4.00), average (3.00), poor (2.00).

(4) As successfully taken exam shall be considered this marked at least average (3.00).

(5) The high school shall be able to introduce with its regulations also another system for assessment, ensuring a compatibility of the marks with these pointed out in para 3.

Art. 45.(1) The training in each speciality for first and second grade shall finish with a state exam or with a presentation of a diploma thesis.

(2) (suppl. SG 60/99) The state exam or the presentation of a diploma thesis shall be carried out according to the state requirements for graduation before a state commission by lecturers with academic rank. As an exception, participants in the commission can be lecturers with educational and scientific degree "doctor". In the commission shall be included also persons out of the high school.

Art. 46. (1) (amend. SG 60/99) The higher school shall have the right to carry out education for the educational and scientific degree "doctor" only on accredited specialities under the conditions of Art. 78, para 2.

(2) (amend. SG 60/99) The doctor studies shall be carried out by an individual education plan and shall include education and passing examinations, pedagogical activity and defence of dissertation.

(3) (amend. SG 60/99) The faculty council of the higher school which educates the doctorant shall elect the scientific supervisor and shall approve the academic plan.

(4) A tutor of a doctor degree applicant shall be possible to be a person with an academic rank or a doctor of sciences.

(5) (new - SG 60/99) The doctor studies can also be carried out through individual studies provided for which shall be education in compliance with the other forms of the doctor studies.

(6) (prev. para 5 - SG 60/99) The degree "doctor" shall be given to an applicant who has taken the exams, provided in the study plan and has presented the dissertation thesis under the conditions and by the order of the Law of Scientific Ranks and Scientific Degrees.

At. 47. (amend. SG 60/99) (1) (amend. SG 113/99) The education for the educational and scientific degree "doctor" on scientific specialities which have been accredited and under the conditions of Art. 46, para 2, 4 and 6 can be carried out in the Bulgarian Academy of Science, the National centre for agrarian sciences and other scientific organisations.

(2) The scientific council of the unit which educates the doctorant shall elect the scientific supervisor and shall approve the scientific plan.

(3) The doctorants in the scientific organisations shall have the status and the right under Art. 67 and 70.

Chapter VI.

ACADEMIC STAFF OF THE HIGH SCHOOLS (TITLE AMEND. SG 60/99)

Art. 48.(1) The positions of the scientific-lecturing staff in the high schools shall be:

1. for lecturers with academic rank - associate professor and professor;

2. for lecturers without an academic rank - assistant,

senior assistant and chief assistant.

(2) The positions of the persons without an academic rank to which is assigned only lecturing activity for non specialists in languages, sports, arts etc., shall be lecturer and senior lecturer.

(3) As associate professors and professors shall be elected persons with the corresponding scientific rank, conferred to them under the conditions and by the order of the Law of Scientific Degrees and Scientific Ranks.

(4) (new – SG 53/02) The positions of the scientific – lecturing staff shall include also the positions of the lecturers without academic rank, who work in the university hospitals.

Art. 49. The positions of Art. 48 shall be taken with a competition and election under the conditions and by the order determined in the regulations of the high schools.

Art. 50.(1) (amend. SG 60/99) The decisions for announcing competitions for occupying the positions under Art. 48 and 51 shall be taken by the academic council at the proposal of the basic units of the higher school.

(2) The competitions for lecturers with academic rank shall be announced in the State Gazette at least three months before the deadline for filing documents for participation in the competition.

(3) (new – SG 53/02) The decisions for announcement of competitions for the positions of art. 48, para 1 in the university hospitals shall be taken by the academic council of the respective higher medical school, co-ordinated with the manager or the executive director of the hospital.

Art. 51.(1) The high schools shall have the right to attract persons with scientific degrees from the country and abroad at work with an employment contract for a defined term as an extraordinary professor or extraordinary associate professor.

(2) The persons of para 1 shall not acquire scientific ranks in the sense of the Law of Scientific Degrees and Scientific Ranks.

(3) (amend. SG 60/99) Drawing in of additional professors and additional assistant professors shall be done through a competition and election by the academic council at the proposal of the basic units.

(4) In competitions for extraordinary professors and associate professors shall have the right to participate also persons with fixed term employment contract who are performing scientific-research activity in the high school.

(5) The high school shall have the right to attract also part-time lecturers. The conditions and the order for their attraction shall be determined in the regulations of the high school.

Art. 52.(1) (amend. SG 60/99) At an invitation by a Faculty Council of a high school invited scientists and lecturers from the country and abroad can be drawn in to implement scientific-lecturing activity and for a defined term as guest-lecturers.

(2) The attraction of guest-lecturers shall be done without a competition.

(3) (amend. SG 60/99) The relations of the guest-lecturer and the high school shall be regulated with a contract between them for a term not longer than one year which can be renewed.

Art. 53.(1) (suppl. SG 60/99) For supporting the lecturing and for implementing the scientific and research, and artistic and creative activity shall appoint specialists and experts.

(2) The conditions and the order for selection and appointment of these persons as well as the specific names of their positions shall be determined in compliance with the Law of Scientific Degrees and Scientific Ranks and the regulations of the high school.

Art. 54.(1) (amend. SG 58/97) (1) amend. SG 60/99 The positions under Art. 48, para 1 shall be occupied by an employment contract for an indefinite period.

(2) (amend. SG 60/99) The positions under Art. 48, para 2 shall be occupied by a fixed date contracts or employment contracts for an indefinite time under conditions and by an order determined by the regulations of the higher school.

(3) (prev. para 4 - SG 58/97) The employment legal relations between the high school and the person who have won the competition shall emerge on the day of approval of the election. In one month term after the approval of the election the rector shall conclude the employment contract.

Art. 55.(1) (amend. SG 60/99) The members of the academic council in the high schools shall have the right to:

1. elect and be elected in the management bodies of the high school if they are not lecturers under Art. 51 and 52;
2. develop and teach the study content of their discipline freely and in compliance with the requirements of the study plan and the study programmes;
3. freely to conduct, according to their interests, scientific research and to publish the results thereof;
4. implement consultancy and other services, connected with the subject of activity in the high school, under conditions and by the order, determined in the regulations of the high school;
5. use the whole base and capacity of the high school for scientific promotion.

(2) (amend. SG 60/99) The lecturers of Art. 48, para 1 shall have the right every 7 years to use up to one academic year for their academic development. During this year to them shall not be assigned academic engagements. In the time for creative development shall be included also the specialisation studies out of the high school with duration more than three months. The decision shall be taken by the Faculty Council.

(3) (amend. SG 60/99) The regulations of the higher school shall determine the working time of the members of the academic council, the volume and the type of the educational and other obligations and the conditions for their fulfilment.

Art. 56.(1) (amend. SG 60/99) The members of te academic council shall be obliged to:

1. implement their obligations in compliance with the position characteristics and the approved individual activity plan;
2. to observe scientific and professional ethics;
3. to observe the regulations of the high school;
4. not to conduct political or religious activity in the high school.

(2) (amend. SG 60/99) The high school shall have the right to set additional conditions and requirements to the members of the academic staff in the regulations of the high school or in the employment contract.

(3) In the regulations of the high school shall be determined the working time of the members of the academic staff, the amount and the kind of the teaching and other obligations and the conditions for their implementation.

Art. 57. (amend. SG 60/99) (1) The higher schools shall assess the contribution of each member of the academic personnel to the educational, scientific and research, artistic and creative, administrative and other activities and shall give testimonial once in 3 years to persons without academic rank and once in 5 years to lecturers with academic rank.

(2) The assessment and the testimonial shall be carried out according to preliminarily announced indices and criteria determined by the regulations of the higher school which shall obligatorily include:

1. fulfilment of the normative of educational occupation adopted by the academic council;
2. worked out new seminar and/or laboratory exercises, textbooks and educational auxiliary literature;
3. scientific (artistic and creative) production, participation in contracts for scientific research and international scientific cooperation;
4. supervision of diplomants, doctorants and specialists.

Art. 58.(1) (amend. SG 60/99) The members of the academic?shall be discharge from position with an order by the rector:

1. at their request;
2. at conviction to imprisonment for committed deliberate crime;
3. when it is not possible to ensure for them the implementation of teaching activities and there are no opportunities to transfer or re-qualification in a related scientific discipline;
4. at proven according to the established order plagiarism in scientific works;
5. at depriving from scientific rank or scientific degree;
6. at two consecutive negative testimonials;
7. at committing violations giving ground for a disciplinary dismissal;
8. at putting under judicial disability.

(2) (amend. SG 60/99) The release from occupation of the members of the academic personnel under para 1, item 3, 4, 6 and 7 shall be carried out by a decision of the council of the basic unit.

(3) (suppl. SG 60/99) The lecturers discharged under para 1, item 3 shall receive compensation amounting to their salary till the elapse of the employment contract but not more than 12 months after their discharge.

Art. 58a. (new - SG 60/99) (1) Member of academic personnel or of the remaining personnel of the higher school shall be subject to disciplinary discharge if he deliberately commits some of the following offences:

1. determines a mark without holding examination;
2. examines and gives a mark to a person who has not the right to sit for an examination with him;

3. issues document on behalf of the higher school or a basic unit of it which untruly expresses the graduates stages of the education of a student, doctorant and specialist.

(2) The procedure of establishing the offences under para 1 shall be determined by the regulations for the activity of the higher school.

(3) Member of the academic personnel for whom corruption is established by the established order shall be disciplinarily discharged and shall be deprived of his rank.

Art. 59. For the issues not regulated in this law shall be applied the provisions of the Labour Code.

Chapter VII. HONOURARY RANKS

Art. 60.(1) For merits rendered to the development of the science and high education the Academic Council of the high school shall have the rights to confer to Bulgarian and foreign citizens the honorary rank "doctor honoris causa".

(2) Those with the rank "doctor honoris causa" shall have the right annually to present a public lecture in the high school that has conferred the rank to them.

Chapter VIII. ORGANISATION OF THE SCIENTIFIC-RESEARCH ACTIVITY IN THE HIGH SCHOOLS

Art. 61.(1) The Scientific research in the high schools shall be directed to the creation of new scientific knowledge or applied scientific products, as well as to grounding and development of education.

(2) The organisation and the management of scientific-research activity shall be regulated in the regulations of the high school.

Art. 62.(1) The scientific research and projects in the priority fields shall be encouraged with privilege by the high school.

(2) The high school shall have the right to plan and carry out, according to its interests and the interests of science, joint research projects with other high schools, scientific organisations and institutions.

Art. 63.(1) (amend. SG 60/99) The conduct of scientific research shall be an inseparable part of the activity of the academic staff.

(2) (deleted - SG 60/99)(3) The scientific activity shall be carried out by especially assigned for this persons, as well as by students, doctorants and specialising.

(4) The conditions and the order for the assignment, the activity and the discharge of the specially appointed persons for implementing scientific activity shall be regulated

in the regulations of the high school, the Law of Scientific Ranks and Scientific Degrees and the Labour Code.

Art. 64.(1) The scientific research shall be funded by the state budget and by additional resources, accumulated according to the rules for funding in compliance with Art. 90 and 91.

(2) The high schools shall have the right to use the funds, provided for scientific research activity after payment to the lecturing, scientific lecturing and scientific research staff at fixed time employment contract,

as well as that considerations to the students and the doctorants, when they are engaged in research task for which the funds are provided.

(3) The conditions for spending the resources shall be determined in the Regulation for the activity of the high school.

Art. 65. (amend. SG 60/99) (1) The higher school shall organise annually a session at which the academic council shall report the scientific results achieved through the year.

(2) In his annual report before the general meeting the rector shall also include information regarding the organisation, the results and the expenses of the carried out scientific and research activity.

Art. 65a. (new - SG 60/99) The artistic and creative activity in the artistic higher schools shall be organised in the context and under the conditions of Art. 61 through 65.

Chapter IX.

STUDENTS, DOCTORATE AND SPECIALISING POST GRADUATE STUDENTS

Art. 66.(1) In the high schools shall be trained students, doctorate and specialising post graduate students - doctorants and specialisants.

(2) Student shall be this person who is being trained for acquisition of the educational degrees "bachelor", "master" and "specialists".

(3) (suppl. SG 113/99) Doctorant shall be this who has the educational degree "master" or "bachelor" and is being trained for acquisition of the educational and scientific degree "doctor".

(4) Specialisant shall be this who increases his qualification according to a specialised study plan without acquiring higher educational degree or new speciality.

Art. 67. The statute of a student, doctorant or specialisant shall be acquired at enrolment in a high school and shall be lost at leaving.

Art. 68.(1) (amend. SG 60/99) The admission of students and doctorants shall be carried out through a competition examination within the limits of the approved number by the order of Art. 9, para 3, item 6 in compliance with:

1. the state requirements;

2. the requirements determined by the regulations of the higher schools if they do not contradict the state requirements.

(2) (amend. SG 60/99) With alleviation shall be accepted the successfully participated in the competition for acceptance in the high school applicant students: those with equal score; the disabled of first and second group, the military disabled, full orphans, mothers with three and more children; and twins when they have applied in one and the same high schools and one of them is accepted.

(3) (new – SG 53/02) The higher schools after a decision of the academic council can admit also without competition exam applicant students, who have passed successfully the state matriculation exams according to the Law for the degree of education, the general education minimum and the study plan, within the approved number under art. 9, para 3, item 6.

Art. 69. (amend. SG 60/99) The admission of specialisants in a high school shall be implemented under conditions and by order determined in its regulations.

Art. 70.(1) The students and the doctorants shall have the right to:

1. select study disciplines on the conditions, determined in the study plan;
2. receive qualified help and tutorship in their professional-creative promotion;
3. study simultaneously more than one speciality or to study additional courses on conditions determined by the high school;
4. participate in the scientific research activity of the high school, having guaranteed author's, inventor's and related rights and consideration;
5. elect and be elected in the management bodies of the high school;
6. use student's campus, canteens, medical cares, discount at travel with public town and inter-settlement transport, as well as the whole base of the high school for study, scientific-research, sport and cultural activity and other benefits for normal life and study under conditions, determined by the state and the high school;
7. associate in study, scientific, cultural and sport communities for protection and satisfaction of their interests, as well as to be members of international organisations which activity does not contradict with the laws of the Republic of Bulgaria;
8. move into another high school, faculty , speciality, degree or form of study in compliance with the regulations of the high school;
9. discontinue their study as well as to continue it after this under conditions and by order provided in the regulations of the high school;
10. (revoked SG 60/99)
11. use holidays not less than 30 days within one study year;
12. (amend. SG 60/99) receive scholarships:
13. (new - SG 60/99) to use credit for payment of fees and/or for support during the term of education.

(2) The students, the doctorants and the specialisants - orphans, blind, deaf, disabled of first and second group, military disabled, mothers with children up to 6 years of age and dispensarised, shall have the right to special alleviations, provided in the regulations of the high school.

Art. 71. The obligations of the students, the doctorants and the specialisants shall be provided in the regulations of the high school.

Art. 72.(1) A body for protection of the common interests of the trainees shall be the Students Council. It shall comprise of the representatives of the students and the doctorants in the General Meeting of the high school.

(2) The Students Council shall approve a regulation for its organisation and activity and shall present it to the Academic Council of the high school. The Academic Council shall be able to retort against provisions in the regulations which contradict with the laws or the regulations of the high school.

(3) The disputed provisions shall not be applied till the resolution of the dispute by the Minister of Education, Science and Technologies.

(4) (amend SG 60/99) The activity of the Students Council shall be funded by the high school in amount up to 1 percent of the support for the education. The resources shall be used for protection of the social interests of the students, for conducting cultural, sport, scientific, creative and international activity.

Art. 73. The Students Council shall have the right:

1. to organise the election of its representatives in the management bodies of the high school;
2. to make proposals for introduction of additional study disciplines;
3. to make proposals for invitation of external lecturers;
4. to organise the creation of scientific specialised students communities and the publication of their works;
5. at necessity to create and manage its organisational units;
6. to establish internal and international educational, cultural and post-graduate contacts between students;
7. to express opinion and to make proposals for the development of sport activity in the high school;
8. to participate in the management of students' campuses;
9. to participate in the organisation of the study process, the allocation of grants and the support for students.

Art. 73a. (new - SG 60/99) (1) National body expressing the common interests of the students and the doctorants shall be the Representation of the student councils.

(2) The Representation of the student councils shall consist of the chairmen or delegated representatives of the student councils of the higher schools.

(3) The Representation of the student councils is a corporate body. Its activity shall be financed by deductions from the budgets of the student councils.

(4) The Representation of the student councils shall:

1. adopt regulations for its activities;
2. elect chairman who shall represent it and manage its activity;
3. work out opinions and proposals on the problems of the higher education and science in the higher school regarding their students;
4. give opinion on the draft state budget in its part for the education and science.

Art. 74. (amend. SG 60/99) (1) Student, doctorant or specialist shall be written off for:

1. successful graduation of the course of education;
2. leaving or shifting.

(2) Student, doctorant or specialist shall be removed from the higher school for a definite period for:

1. submitting false data on which basis he has been admitted in the higher school or for forgery of documents for his student status;
2. systematic failure to fulfil his obligations under the academic plan or of the regulations of the higher school;
3. sentence to imprisonment for committed premeditated crime of general nature.

Chapter X.

ACCREDITATION OF THE HIGHER SCHOOLS (amend. SG 60/99)

Art. 75. (amend. SG 60/99) (1) The accreditation is acknowledgement by the National Agency for assessment and accreditation of the compliance of the activity and the quality of the education in the higher school with this law and with the state requirements.

(2) Basic purpose of the accreditation is to stimulate the higher schools to develop their potential and to improve and maintain the quality of their activity.

(3) The accreditation shall give the right to the higher school to carry out its activity and to carry out education according to the obtained assessment.

(4) The results from the accreditation shall be taken into account in forming the policy of the state toward the higher school.

(5) The National Agency for assessment and accreditation shall assess the projects for opening and transformation of higher school, faculty, institute, branch and college, as well as for opening speciality.

Art. 76. (amend. SG 60/99) (1) The accreditation shall be institutional and programme.

(2) Established by the institutional accreditation shall be the compliance of the structure and the entire activity of the higher school and its units with this law.

(3) Assessed by the programme accreditation shall be the quality of the education in the higher school on specialities within the frames of the individual professional branches.

(4) The institutional accreditation of a higher school shall precede the programme accreditation.

(5) Assessment of projects for opening faculties, branches, institutes, colleges and specialities can be requested by a higher school which has obtained institutional accreditation.

Art. 77. (amend. SG 60/99) (1) The assessment for accreditation shall be carried out by a four-degree assessment scale including the marks: very good, good, satisfactory and unsatisfactory.

(2) The accreditation shall be valid for 5 years when the mark is "very good" or "good" and shall be valid for 3 years in case of "satisfactory" mark.

(3) Accreditation shall be refused for unsatisfactory mark.

(4) The projects for opening higher school, as well as faculties, branches, institutes and colleges and specialities in the higher schools shall be assessed by a positive or a negative mark.

Art. 78. (amend. SG 60/99) (1) The higher schools shall not have the right to carry out education on not accredited specialities and to issue to the graduates diplomas in the context of Art. 7, para 2 and 3.

(2) The higher schools and the organisations under Art. 47 can carry out education for educational and scientific degree "doctor" on specialities which have received accreditation by mark "very good".

(3) To higher schools which are not accredited shall not be approved admission by the order of Art. 9, para 3, item 6.

(4) Not accredited higher schools shall not receive state subsidy and shall not be financed by the state in any form.

(5) The provisions of para 1, 3 and 4 shall not apply for the newly established higher schools, basic units or specialities until the expiration of the term stipulated by the decision under Art. 81, para 4, item 2.

(6) The provisions of para 1 and 4 shall also not apply for state higher schools to which accreditation has been refused the first time, until the expiration of the term stipulated by the decision under Art. 81, para 4, item 2.

Art. 79. (amend. SG 60/99) (1) Procedure for accreditation or procedure for assessment of a project shall be opened at the request of:

1. higher school, organisation under Art. 47 or founders in the context of Art. 14;
2. the Minister of education and science.

(2) The request for opening procedure for assessment of a project or accreditation under para 1, item 1 must contain information in the context of Art. 87, para 4.

(3) The Regulations for the activity of the National Agency for assessment and accreditation shall determine the circumstances regarding which the applicant shall file the respective documents and the necessary information.

(4) (suppl. SG 53/02) The expenses related to the procedures shall be paid by the applicant by the date of opening of the procedure according to normative approved by the Minister of Finance.

Art. 80. (amend. SG 60/99) The procedure shall be opened within one month from filing the request.

Art. 81. (amend. SG 60/99) (1) The procedure for accreditation shall be concluded by a motivated decision of the Accreditation Council which shall be taken within 6 months from its opening.

(2) The decision under para 1 shall provide assessment in the context of Art. 77, para 1.

(3) The decision for accreditation for satisfactory mark shall also contain:

1. term of validity of the accreditation;
2. recommendations which fulfilment on the part of the higher school shall be obligatory condition for opening new procedure.

(4) The decision by which accreditation is refused shall also contain:

1. recommendations which fulfilment on the part of the higher school shall be obligatory condition for opening new procedure;

2. term, upon which expiration opening of new procedure can be requested; this term cannot be longer than 18 months.

(5) (new – SG 53/02) The decision of para 1 can be appealed by the order of the Law for the administrative procedures.

Art. 82. (amend. SG 60/99) (1) The procedure for assessment of a project shall conclude by a motivated decision of the Accreditation Council which shall be adopted within three months from its opening.

(2) The decision for assessment of a project by a positive mark shall indicate the term within which accreditation must be requested after the opening of the higher school, its basic unit or speciality.

(3) The newly found higher schools, their basic units and specialities shall have a status of accredited for the period under para 2.

(4) (new – SG 53/02) The decision of para 1 can be appealed by the order of the Law for the administrative procedures.

Art. 83. (amend. SG 60/99) (1) The National Agency for assessment and accreditation shall:

1. work out and approve criteria for assessment and accreditation and the documentation related to them;

2. work out and approve the concrete procedures on assessment and accreditation and the related documentation;

3. assess the projects for opening and transformation of high schools, their basic units and specialities;

4. assess the activity and the quality of education in the higher schools on which grounds shall accredit or refuse accreditation;

5. create and maintain informational system of data for the accredited higher schools, their basic units and specialities;

6. not later than May every year publish in the State Gazette a list of the accredited higher schools, their basic units and specialities, together with the determined mark.

(2) Bodies of management of the National Agency for assessment and accreditation are the Accreditation Council and its chairman.

(3) The chairman of the Accreditation Council shall also be chairman of the National Agency for assessment and accreditation. He shall represent the Agency and shall manage its activity.

Art. 84. (amend. SG 60/99) (1) The Accreditation Council shall consist of chairman and eight members - persons with academic rank in basic scientific spheres of which:

1. four representatives of the higher schools;

2. (amend. SG 1113/99) two representatives of the Bulgarian Academy of Science and of the National centre for agrarian sciences;

3. two representatives of the Minister of Education and Science.

(2) The candidates for representatives of the higher schools shall be nominated by the Council of the rectors by secret voting at the proposal of the academic councils of the higher schools.

(3) The candidates for representatives of the Bulgarian Academy of Science and of the National centre for agrarian sciences shall be nominated by secret voting by their scientific councils.

(4) The number of the nominated candidates must be twice bigger than the number of the representatives determined by para 1.

(5) (amend. SG 113/99) The Prime Minister shall approve the members of the Accreditation Council on the basis of the proposals of the Minister of Education and Science, the Council of the rectors, the Bulgarian Academy of Science and the National centre of agrarian science. He shall appoint the chairman of the Agency at the proposal of the Minister of Education and Science.

Art. 85. (amend. SG 60/99) (1) The mandate of the chairman and of the members of the Accreditation Council shall be 6 years.

(2) Half of the members of the Accreditation Council shall be renewed in quotas every three years.

(3) The status of chairman and member of the Accreditation Council is incompatible with the occupations of rector, deputy rector and dean of a higher school, respectively chairman, deputy chairman and director of institute of the Bulgarian Academy of Science and the Agricultural Academy.

(4) The chairman or a member of the Accreditation Council shall be released before the expiration of the mandate:

1. upon his written request;
2. for systematic failure to fulfil his obligations;
3. for actual impossibility to fulfil his duty for a period longer than six months;
4. for incompatibility with the occupations under para 3.

(5) The decision for release of chairman and member of the Accreditation Council according to para 4, item 2 and 3 shall be taken by a majority of the members of the Council.

(6) The making up of the Accreditation Council shall be carried out by the order of Art. 84.

Art. 86. (amend. SG 60/99) The Accreditation Council:

1. approve criteria for assessment and accreditation;
2. approve the concrete procedures for assessment and accreditation and the related documentation;
3. take decisions for opening procedures and for accreditation and procedures for assessment of projects;
4. establish standing commissions in professional spheres and expert groups to them; approve, at the proposal of the standing commissions the tasks and the members of the expert groups in compliance with the ordered procedures;
5. take decisions for accreditation or for assessment of projects on the basis of the reports of the standing commissions;

6. inform the Minister of Education and Science, as well as the higher schools about the carried out assessment and accreditation;

7. work out Regulations for the activity of the National Agency for assessment and accreditation and propose them to the Council of Ministers for adoption.

Art. 87. (amend. SG 60/99) (1) The standing commissions in professional spheres shall consist of 3 to 7 members who shall be appointed for a three-year mandate by the chairman of the Accreditation Council.

(2) The standing commissions shall control the work of the expert groups and shall accept their reports.

(3) The standing commissions shall work out and present to the Accreditation Council a report on the results from the assessment.

(4) Depending on the ordered procedure the report shall contain information and assessment for:

1. the educational purposes assigned to the higher school, its basic unit and speciality;

2. the compliance of the internal structure, the own normative documentation and the decisions of the managing bodies of the higher school or its basic unit with this law;

3. the academic documentation;

4. the academic personnel;

5. the material provision of the academic process;

6. the library, the publishing base and other means of informational provision of the education and the creative activity;

7. the examination procedures and the criteria for admission, assessment and graduation of the students, doctorants and specialists;

8. the system of selection, assessment and testimonial of the academic personnel;

9. the scientific and research (artistic and creative) activity in the higher school, its basic units and specialities;

10. the realisation of the graduates from the higher school or its basic unit;

11. the observance of the academic freedoms and student rights;

12. compliance of the education with the state requirements;

13. the system of assessment and maintenance of the quality of education and of the academic personnel.

Art. 88. (amend. SG 60/99) The National Agency for assessment and accreditation shall issue bulletin which shall publish:

1. the general requirements for admitting and opening procedures for assessment and accreditation;

2. the criteria for the assessment and the accreditation of higher schools, their basic units and specialities;

3. annual report of the National Agency for assessment and accreditation on the results from its activity;
4. materials for popularisation of the best achievements of higher schools, as well as materials of methodological nature.

Chapter XI.

PROPERTY AND FINANCE OF THE HIGH SCHOOLS

Art. 89. (amend. SG 60/99) (1) (prev. text of Art. 89 - SG 54/2000) The property of the higher school and its basic units with the characteristic of corporate bodies shall be comprised of right of ownership and other real and possession rights.

(2) (new - SG 54/2000) The immovable properties conceded by the state to the high schools shall be state public ownership.

(3) (new - SG54/2000) The immovable properties of para 2 as well as detached parts thereof can be let or used together with third persons with a contract without changing their designation, under conditions and order determined by the Council of Ministers.

Art. 90.(1) The state high school shall implement, finish and account an independent budget.

(2) (amend. SG 60/99) Within the general budget the Academic Council shall every year approve the budget of the basic units of the high school. The rules for the formation of the budget of basic units shall be determined in the Regulation for the activity of the higher school.

(3) In the income part of the budget of the high school shall be received:

1. subsidies of the state budget;

2.(amend. SG 60/99) financial support from the municipalities;

3. grants, wills, inheritances, sponsorship;

4. own revenues from:

a) gains from scientific-research, expert-consultancy and artistic-creative, healing and sport activity and from rights over industrial ownership, royalties and other related rights;

b) (amend. SG 60/99, SG 53/02) receipts from fees for applying for education and receipts from education according to the provisions of art. 21, para 2 and 4;

c) post graduate qualification;

d) administrative services for persons, who are not students;

e) (suppl. SG 60/99, prev. d) – SG 53/02)other activities connected with the study process.

(4) (amend. SG 60/99) The income and expense part of the budget shall be worked out according to the classification of the income and expenses of the state budget.

(5) The excess of the incomes above the expenses at the end of the year shall pass as cash in the budget of the high schools for the next year.

Art. 91.(1) The subsidy from the state budget shall ensure resource for:

1. maintenance of the study;
2. (amend. SG 60/99) The scientific or artistic and creative activity adherent to the higher school;
scientific research;
3. (new - SG 60/99) issuance of textbooks and scientific works;
4. (prev. item 4 - SG 60/99) capital investment.

(2) (amend. SG 60/99) The support for the education shall be determined on the basis of:

1. differentiated normative in professional branches per one student determined by the Council of Ministers;
2. the number of students and doctorants;
3. the results from the assessment in the accreditation of the higher school and its specialities.

(3) (amend. SG 60/99) The resources under para 1, item 2 for the higher schools shall be determined in amount not less than 10 percent as compared with the support for the education.

(4) (amend. SG 60/99) The funds for social - accommodational expenses shall be determined on the basis of the normative acts in effect.

Art. 92. The Council of Ministers shall approve regulations for defining the considerations of the employees of the state high school.

Art. 93. The import and the grants received from abroad of literature, apparatus and equipment by the high schools for the needs of the implemented by them education and scientific-research activity shall be exempt from duties, fees and value added tax.

Art. 94.(1) The students and the doctorants shall have the right to apply for grants from the state budget, grants established by the high schools and grants of individuals and corporate bodies.

(2) The extents, the conditions and the order for acquiring a grant by the students and doctorants of para 1 shall be determined respectively by the Council of Ministers, the regulations of the high schools and the will of the grantor.

Art. 95. (amend. SG 60/99) (1) The students, the doctorants and the specialists shall pay fees for their education.

(2) The fees for education in the state higher schools shall be determined by the Council of Ministers in annual amount. The students shall pay the fee in equal instalments at the beginning of every semester.

(3) The amount of the fees under para 2 cannot be higher than 30 percent of the normative determined by the order of Art. 91, para 2, item 1.

(4) Exempt from fees in the state higher schools shall be:

1. persons who are complete orphans;

2. persons with determined first and second group of disability;
3. military disabled;
4. persons raised until their coming of age in dormitories for raising and education of children in the system of the Ministry of Education and Science;
5. (amend. SG 40/02) the cadets in the higher military schools;
6. the doctorants during the last two years of the doctor studies.

(5) Foreign students, doctorants and specialists shall pay fees which, in a state higher school, cannot be less than the differentiated normative for support for the education.

(6) (new - SG 54/2000) Persons with double citizenship, one of which Bulgarian, shall pay half of the fee under para 5 when they apply and are accepted under conditions and by order defined by the Council of Ministers.

(7) (prev. para 6, amend. - SG 54/2000) The fees under para 5 shall not be paid by students, doctorants and specialists admitted for education according to inter-governmental agreements which settle this issue on reciprocal base.

Art. 96. The students and the doctorants shall have the right to receive credit for payment of fees and for maintenance under conditions and by order determined with a law.

Additional provisions

§ 1. The academies and the high schools of the system of the Ministry of Defence, the Ministry of Internal Affairs, the Ministry of Transport, the Ministry of Territorial Development and Construction shall apply this law in compliance with the acts for their establishment and the provisions of the special laws referring to their structure and activity.

§ 2. (amend. SG 60/99) The drafts for annual budget subsidy of the high schools of the system of the Ministry of Defence, the Ministry of Internal Affairs, the Ministry of Transport, the Ministry of Territorial Development and Construction shall be submitted to the Council of Ministers by the corresponding Minister in coordination with the Minister of Education, Science and Technologies.

§ 3. (1) (prev. text of § 3 - SG 60/99) The high schools and the faculties in theology shall apply this law in compliance with the acts for their establishment and the normative acts, regulating the relations between the state and the religions.

(2) (new - SG 60/99) The provisions of Art. 26, para 1 and 7 shall not apply for the faculties under para 1.

§ 4.(1) Foreign high schools shall not be able to open their divisions on the territory of the Republic of Bulgaria.

(2) Joint units with foreign high schools shall be possible to be opened in the structure of a Bulgarian high school in compliance with the international agreements.

§ 4a. (new - SG 60/99) The provision of Art. 68, para 1 shall not be applied for candidate students, laureates of national and international Olympiads and for candidates for doctor degree with self made preparation.

§ 4b (new - SG 54/2000) When the number of the lecturers is defined which are with basic employment contract at the units of the higher schools the lecturers with basic employment contract at the corresponding University hospitals can be included.

§ 4c. (new – SG 53/02) In the context of this law “regulated professions” are the professions, which right to exercise them is determined with law, by-law or administrative provisions for having specific professional qualification, certified with documents for education and competence, or require membership in professional organisation, working for maintaining of high level in the respective professional field, for the implementation of which it has received specific recognition by the state.

§ 4d. () new – SG 53/02) The employment contracts with the lecturers in the university hospitals shall be concluded and terminated by the rector of the respective higher medical school, in co-ordination with the manager or the executive director of the hospital.

Transitional and concluding provisions

§ 5. Diplomas for semi-high education, issued by semi-high institutes till the entering of this law into force shall give the rights of graduated the educational degree "specialist in ...".

§ 6. Diplomas for high education, issued by high schools till the entering of this law into force shall give the rights of graduated the educational degree "master".

§ 7. The holders of a diploma for the scientific degree "PhD" shall have the rights of a "doctor".

§ 8. Those graduated the semesters of the high schools till the entering of this law into force shall get diploma according to the provisions of the law which has been in effect at their acceptance and shall have the rights of a graduated the educational degree "master".

§ 9. Students who were accepted till the entering of this law into force shall continue their education and receive an educational and qualification degree depending on the terms of study and the study plan according to which they are trained.

§ 10.(1) (revoked - SG 60/99)

(2) The semester fees, paid by students accepted before the entering of this law into force shall not be recalculated under the order of Art. 90, para 3, item 4, item "b".

§ 11. (1) (amend. SG 28/96, prev. para 2 - SG 58/97, amend. SG 54/2000) The employment contract of the lecturer with academic rank can be extended with a decision of the academic council for a term of one year after the age under Art. 328, para 1, item 10 of the Labour Code but for not more than two years as a whole.

(2) (prev. para 3 - SG 58/97) The senior scientific researchers and the scientific researchers at the chairs and the faculties of the staff of the high school who have, during the last 3 study years before the entering of this law into force, implemented also lecturing functions, shall be reappointed at scientific-lecturing position, corresponding to their scientific rank.

§ 12. (amend. SG 56/97, SG 60/99, SG 53/02) The education for educational and qualification degrees shall be introduced by the higher schools after the approval of the state requirements for the specialities of the regulated professions or professional directions.

§ 13. (amend. SG 60/99) The Council of Ministers at a proposal by the Minister of Education and Science in 6 months term after the entering of this law into force shall issue a decree for approval of a regulation for the activity of the National Agency for Assessment and Accreditation and shall determine the number of its staff.

§ 14. (amend. SG 60/99) The Council of Ministers at a proposal by the Minister of Education and Science in 1 year term after the entering of this law into force shall restructure or close the existing semi-high educational establishments in compliance with the requirements of Art. 17.

§ 15. High schools and their basic units which in three years after the entering of this law into force have not participated or have not declared their wish to participate in a procedure for accreditation, shall not receive state subsidy and shall not be funded in any form by the state.

§ 16. Within a term up to three years after the entering of this law into force, the high schools shall be able to conduct education also in non accredited specialities.

§ 17. In one year term after the entering of this law into force, the high schools shall approve a Regulation for the activity of the high school.

§ 18. With the entering of this law into force shall not be terminated the mandate of the elected management bodies of the high schools.

§ 19. In the Law of Scientific Degrees and Scientific Ranks (promulgated SG 36/72; amend. and suppl. SG 43/75, SG 12/77, SG 61/81, SG 94/86, SG 10/90, SG 59/92) the following changes shall be made:

1. everywhere "PhD" shall be substituted by "doctor";
2. everywhere "post graduate student" and "post graduate study" shall be substituted by "doctor" and "doctorship";
3. everywhere "high education establishments" shall be substituted by "high schools".

§ 20. This law shall repeal:

1. The Law of High Education (prom. Izv. No 12/58; amend. and suppl. SG 99/63, SG 36, 65/72, corr. SG 81/72; amend. and suppl. SG 58/78, SG 68/88, SG 82/89, SG 10/90, SG 100/92).
2. The Law of Academic Autonomy of the High Education Establishments (prom. SG 10/90; corr. SG 12/90; amend. SG 90/93).
3. The edict for recognising the diplomas for high education issued by foreign high education establishments (prom. SG 95/49; amend. SG 68/88).

§ 21. The implementation of this law shall be assigned to the Council of Ministers.

The law was passed by the 37th National Assembly on December 12, 1995 and is affixed with the state seal.

Transitional and concluding provisions of the Law for amendment and supplement of the Law for the higher education (prom. SG 60/99)

§ 56. (1) The provisions of Art. 95, para 1, 2, 3, 4 and 5 shall enter into force from the school year 1999/2000.

(2) The students and the doctor applicants, admitted till this law enters into force, shall continue their education under the conditions they have been admitted at during the term provided for finishing their education according to the study plan.

(3) The provision of Art. 68, para 1 about the admitting of students and doctor applicants with competition exam shall enter into force from the school year 2000/2001.

§ 57. (1) In two months term after this law enters into force the Accreditation Council shall be constituted in compliance with the requirements of Art. 84. The mandate of the previous Accreditation Council shall be terminated with the approval of the staff of the new Accreditation Council.

(2) The entering of this law into force shall stop the opened procedures for assessment and accreditation and new ones shall not be opened.

(3) The new Accreditation Council shall continue the already started procedures in compliance with the requirements of this law.

§ 58. The staff of the Accreditation Council shall in the first mandate be renewed with half of the representatives from the quotas of the higher schools and of the Bulgarian Academy of Sciences and the Agricultural Academy with a lot as well as with half of the representatives of the Ministry of Education and Science.

§ 59. The Council of Ministers shall in 4 months term after this law enters into force approve the Regulation of the National Agency for Assessment and Accreditation and approve the number of its staff.

§ 60.(1) (amend. SG 113/99) The higher schools shall in one year term after this law enters into force bring their structure in compliance with the requirements provided in it and present it to the Minister of Education and Science.

(2) (amend. SG 54/2000) The existing private colleges included in the structure of the state higher schools shall in 18 months after this law enters into force transform themselves into independent colleges by the order of Art. 9, para 2 after an assessment of a project by the order of Art. 15. The non transformed colleges shall be closed

§ 61.(1) (amend. SG 54/2000) The not accredited higher schools which in 18 months term after this law enters into force have not required institutional accreditation shall not receive state subsidy and shall not be financed in any form by the state.

(2) (amend. SG 54/2000) The not accredited higher schools which in 18 months term after this law enters into force have not required institutional accreditation shall not be able to admit students for education.

§ 62. (1) (amend. SG 22/01, SG 53/02) The state higher schools received institutional accreditation can conduct education also in non accredited specialities in five years term after this law enters into force

(2) (amend. SG 53/02) The private higher schools received institutional accreditation can conduct education also in non accredited specialities in five years term after this law enters into force.

§ 63. (repealed SG 111/99, in force from January 1, 2000).

§ 65. The law shall enter into force on the day of its promulgation in the State Gazette.

The law was adopted by the 38th National Assembly on June 18, 1999 and was affixed with the official seal of the National Assembly.

Transitional and concluding provisions of the Law for amendment and supplement of the Law for the higher education (prom. sg 54/2000)

§ 7. The provision of § 4b of the additional provisions shall be applied also for the lecturers with basic employment contract in the hospitals and the other diagnostic - healing structures till they acquire the quality of university hospitals by the order of the Law for the medical establishments, but not later than July 1, 2001.

