

L A W
OF THE REPUBLIC OF ARMENIA

Adopted on 14 December 2004

ON HIGHER AND POSTGRADUATE PROFESSIONAL EDUCATION

CHAPTER 1

GENERAL PROVISIONS

Article 1. Subject matter of the Law

This Law shall regulate legal, organisational and financial relations in the sphere of higher and postgraduate professional education in the Republic of Armenia.

Article 2. Legislation on higher and postgraduate professional education

1. Relations in the sphere of higher and postgraduate professional education shall be regulated by the Constitution of the Republic of Armenia, Law of the Republic of Armenia “On education”, this Law and other legal acts.

2. Where international treaties of the Republic of Armenia provide for norms other than those envisaged by this Law, the norms of the international treaties shall apply.

Article 3. Main concepts used in this Law

The following main concepts shall be used in this Law:

(1) *Higher professional education* shall mean professional education provided on the basis of at least secondary (complete) general education through Bachelor’s, degreed specialist’s and Master’s programmes;

(2) *Higher education institution* shall mean an educational institution which implements Bachelor’s, Master’s and degreed specialist’s educational programmes;

(3) *Postgraduate professional education* shall mean professional education provided on the basis of higher professional education (Master's and degreed specialist's) by doctoral candidate's, researcher's and doctoral or post-doctoral candidate's programmes;

(4) *Supplementary education* shall mean education, provided on the basis of professional education beyond the framework of basic education programmes, aimed at improving professional qualities, ensuring professional re-qualification, continually supplementing the person's professional qualifications;

(5) *Student* shall mean a person admitted to the relevant higher education institution in the prescribed manner and attending a certain educational programme of higher professional education;

(6) *Lecturer* shall mean a scientific and pedagogical worker of higher professional education system, who teaches the students and learners theoretical, practical and professional knowledge and promotes the mastering thereof;

(7) *Doctoral candidate* shall mean a person with higher professional (Master's, degreed specialist's) education, pursuing his or her study further by attending doctoral studies in accordance with the postgraduate education programme and preparing a thesis to seek the scientific degree of the Doctor of Philosophy, and who may be conferred researcher's qualification degree after the certification through postgraduate professional education programme;

(8) *Post-doctoral researcher* shall mean a person, with the scientific degree of the Doctor of Philosophy and registered, in the relevant manner, as a person preparing a thesis to seek the scientific degree of post-doctoral degree holder;

(9) *Doctoral or post-doctoral candidate* shall mean a person, with higher professional education (with Master's or degreed specialist's qualification) preparing a thesis to seek the scientific degree of the Doctor of Philosophy without attending doctoral studies, or a person with the scientific degree of the Doctor of Philosophy and preparing a thesis to seek the scientific degree of post-doctoral degree holder and who, in the prescribed manner, is attached to the organisation which provides postgraduate professional education;

(10) *Distance learning* shall mean a systematic form of instruction, when the direct and indirect instruction process between the learner and the lecturer is carried out generally by means of information technologies and telecommunication;

(11) *External studies* shall mean a form of education provided at the educational institution by self-study and interim and final evaluation of knowledge and capacities;

(12) *State accreditation* shall mean the recognition by the State of compliance of the higher education institution, educational programme and quality of preparation of specialists with state educational criteria;

(13) *Self-analysis* shall mean the examination of efficiency and quality of professions, educational programmes, staff and structure of higher education institution, which shall be carried out by the higher education institution in compliance with educational criteria;

(14) *Quality assessment of educational institution (certification)* shall mean the assessment of efficiency of professions, educational programs, instruction methods, staff and structure of the higher education institution;

(15) *Quality assurance* shall mean the continuous process of compliance of education quality with state educational criteria and with accreditation standards and the improvement thereof;

(16) *Academic credit (standard)* shall mean a conventional unit expressed in terms of hours measuring the academic workload;

(17) *Credit system* shall mean a system for organising the learning process, estimating, registration and transferring the outcomes of learning through academic credits, which shall involve the teaching, practical and individual classes, consultations, preparation of abstracts and other works, preparation of exams, assessment, etc.

(18) *European system of credit accumulation and transferring (ECTS)* shall mean a pan-European credit system which ensures the compatibility and transferability of academic credits, facilitates mobility of students within the common European higher education area;

(19) *Student benefits* shall mean the refund of the student's tuition fees through the State Budget financing, allocations from higher education institution, foundations and other organisations, as well as from natural persons.

(Article 3 supplemented by HO-209-N of 2 October 2007)

Article 4. Principles of state policy in the sphere of higher and postgraduate professional education

The principles of state policy in the sphere of higher and postgraduate professional education shall be:

- (1) Ensuring and protecting the right of person and citizen to obtain higher and postgraduate professional education;
- (2) Access to higher and postgraduate professional education;
- (3) Uninterrupted nature, consequentiality and continuity of the educational process;
- (4) Competitiveness, transparency and publicity;
- (5) Ensuring the comparability of qualification degrees of higher and postgraduate education of the Republic of Armenia in European and other foreign states and the recognition of diplomas and the transcripts of diplomas;
- (6) Promoting international mobility of students;
- (7) Promoting and developing academic freedom and autonomy of higher education institutions;
- (8) Preparing specialists and upgrading their qualification for the Armenian Diaspora and for the purpose of development of Armenology.

(Article 4 supplemented and edited by HO-209-N of 2 October 2007)

Article 5. Objectives of state policy in the sphere of higher and postgraduate professional education

1. Objectives of state policy in the field of higher and postgraduate professional education in the Republic of Armenia shall be as follows:

- (1) Ensuring the quality of higher and postgraduate education;
- (2) Supporting the preparation of specialists in the priority and essential significance areas for the state, as well as in borderline and highland settlements;
- (3) Contributing to the development of international scientific and educational cooperation and to the integration thereof;

(4) Developing the system of higher and postgraduate professional education and raising its competitiveness in the international arena;

(5) Introducing international (European) standards for internal (within a higher education institution) and external assessment of instruction quality and accreditation in the system of higher and postgraduate professional education of the Republic of Armenia;

(6) Ensuring legal equality for the accredited educational institutions, irrespective of their form of ownership.

2. The State shall ensure the development of higher and postgraduate professional education in the following ways:

(1) Transition to the two-cycle qualification system of higher education;

(2) Improvement of postgraduate education system;

(3) Elaboration and implementation of state programmes for the development of education;

(4) Bringing the educational programme in line with the labour market requirements;

(5) Ensuring financial support to the educational institutions implementing higher and postgraduate professional education programmes and to learners at the institutions concerned in accordance with the requirements of the State;

(6) State financial support (scholarships, refund (full or partial (discount)) of tuition fees, educational grants, loans) to the students and doctoral candidates of higher and postgraduate professional education system, as prescribed by law;

(7) Introduction of new forms of knowledge testing and quality assessment, organisation of instruction, including introduction of credit systems within the system of higher and postgraduate professional education;

(8) Introduction of new educational concepts and technologies in order to ensure development;

(9) Ensuring the integration of science and education at higher education institutions, organisation of scientific-research subdivisions.

3. The State shall guarantee for the citizens of the Republic of Armenia the right to receive, on a competitive basis, free higher and postgraduate professional education at state higher education institutions. The citizens of the Republic of Armenia with dual citizenship shall be admitted to

higher education institutions of the Republic of Armenia, in accordance with the conditions defined by the Government of the Republic of Armenia for the citizens of the Republic of Armenia or foreigners, upon their own choice.

Non-state higher education institutions, which have accredited educational programmes according to professions, may, on a competitive basis, provide free higher and postgraduate professional education through full refund of tuition fees in the form of student benefits paid by the State.

The State shall guarantee for the citizens of the Republic of Armenia, registered in borderline and highland settlements and having permanently resided in the Republic of Armenia for the last eight years, the right to receive, on a competitive basis, free higher education at state higher education institutions. In this case, the competition based admission shall be carried out upon a procedure separated from general competition, which shall be defined by the Government of the Republic of Armenia only for the citizens of borderline and highland settlements.

(Article 5 edited and amended by HO-209-N of 2 October 2007, supplemented by HO-112-N of 23 June 2010, HO-154-N of 28 October 2010, by HO-51-N of 8 February 2011)

Article 6. Autonomy, competence and academic freedom of higher education institutions

1. The higher education institution shall:

- (1) Carry out its autonomy based on the principles of self-management and collegiality;
- (2) Act independently in matters concerning the choice of organisation of academic process, educational technologies, forms, procedure for and frequency of interim certification of learners;
- (3) Independently determine the staff list for all positions, carry out the selection and distribution of workers, including the recruitment of scientific and pedagogical staff, the procedures for holding positions of scientific-pedagogical staff and of heads of scientific and academic subdivisions;
- (4) Be entitled to carry out other activities, not prohibited by law and by its statute.

2. The higher education institution shall have the competence to:

- (1) Organise, according to educational programmes, the admission of applicants, including foreign nationals and stateless persons, as well as the learning process.
- (2) Work out the procedures for the election of the management and academic and teaching staff of the higher education institution, as well as hold elections;
- (3) Work out and approve the curricula and syllabus for professions and specialisations of higher and postgraduate professional education, as well as study materials and training and methodical aids;
- (4) Distribute the workers according to the structural subdivisions of the educational institution;
- (5) Organise qualification upgrading and training courses for specialists;
- (6) Participate in and implement local and international scientific and educational, as well as research programmes, carry out scientific research;
- (7) Ensure the participation of learners in research activities;
- (8) Provide paid educational services (paid instruction, etc);
- (9) Manage finances, including payment of salaries and scholarships, refund of tuition fees, provision of student benefits, incur costs associated with scientific-research activities, maintenance and development of higher education institution;
- (10) Provide postgraduate education as prescribed by the legislation of the Republic of Armenia.

3. The higher education institution shall independently determine the directions of use of financial resources, including the procedure for and amount of remuneration and material incentives for the staff, as well as define scholarships.

It shall be prohibited to apply a higher amount of tuition fees to Armenian citizens who are registered and live in the Republic of Nagorno-Karabakh, as well as in Samtskhe-Javakheti and Qvemo-Qartli regions of Georgia, than the amount prescribed for the citizens of the Republic of Armenia who study under the same conditions of the given higher education institution.

4. The refund of tuition fees in the form of student benefits shall be provided to the students — admitted to higher education institutions — who demonstrate high academic performance on the basis of the results of the academic year, or are socially insecure students, as well as to the students from borderline and highland settlements, irrespective of system of learning (tuition-

free, paid education, paid education without the right of deferment), as prescribed by the law of the Republic of Armenia, in accordance with the number of places and procedure approved by the Government of the Republic of Armenia.

The Government of the Republic of Armenia shall approve the list and number of professions in the spheres of priority and importance for the State and shall refund, in the prescribed manner, the benefits of those students.

The students with excellent and good academic performance, social activity and performance of proper conduct, as well as students from borderline and highland settlements shall receive state scholarship. The procedure for awarding state scholarship and the amount thereof shall be defined by the Government of the Republic of Armenia.

5. Higher education institutions shall independently determine their structure.

The status and functions of a structural subdivision of the higher education institution shall be defined as prescribed by the legislation in force of the Republic of Armenia.

The structural subdivisions of the higher education institution may, as prescribed by the legislation in force of the Republic of Armenia, implement general education, secondary professional, as well as supplementary education programmes.

6. The higher education institution shall, on the basis of contracts signed with the relevant public administration bodies for education of foreign states, carry out admission of foreign nationals, preparation, retraining of specialists and upgrading of qualifications thereof by all forms of instruction, as well as carry out exchange of specialists, joint scientific works, programmes, and establish branches, subdivisions, etc in foreign states.

7. The higher education institution shall be responsible for its actions before the individual, society and the State.

The harmonisation of the activities of the higher education institution with the legislation in force of the Republic of Armenia and with the objectives envisaged by its statute shall be supervised by the founder (founders) of the higher education institution, the authorised body and other authorised bodies as prescribed by law.

(Article 6 supplemented by HO-209-N of 2 October 2007, HO-189-N of 7 October 2009, HO-51-N 8 February 2011)

CHAPTER 2

THE SYSTEM OF HIGHER AND POSTGRADUATE PROFESSIONAL EDUCATION OF THE REPUBLIC OF ARMENIA

Article 7. *The system of higher and postgraduate professional education*

The system of higher and postgraduate professional education of the Republic of Armenia shall include:

- (1) State criteria for higher and postgraduate professional education system, basic and supplementary education programmes and state accreditation standards;
- (2) Licensed higher education institutions and relevant organisations providing postgraduate and supplementary professional education;
- (3) Administration bodies for higher and postgraduate professional education, as well as organisations under their subordination.

Article 8. *State educational criteria and educational programmes for higher and postgraduate professional education*

1. State educational criteria shall be established for higher and postgraduate professional education in the Republic of Armenia, ensuring:

- (1) Quality of higher and postgraduate professional education;
- (2) Possibilities of compatibility with educational criteria of Europe and other foreign states;
- (3) Grounds for evaluation of activities of the organisations providing higher and postgraduate professional education;
- (4) Recognition of qualifications and documents of higher and postgraduate professional education of foreign states and approval of the equivalency thereof.

2. State educational criteria for higher and postgraduate professional education shall include:

- (1) General requirements concerning basic education programmes of higher and postgraduate professional education;

(2) Requirements concerning the mandatory minimum of content of higher and postgraduate professional education programmes, the conditions for the implementation thereof, including forms of educational, practical and pre-graduation internships and final certification of graduates, and the level of preparation of graduates for every profession;

2¹) Irrespective of the form of ownership and profession, the bachelor's education programme of higher professional basic education shall include the instruction of the Armenian language and literature and history of Armenia at least for two semesters, which shall be completed with mandatory testing of knowledge;

(3) The periods for organisation of instruction through basic education programmes of higher and postgraduate professional education or the number of necessary credit units;

(4) Maximum volume of academic workload of learners.

3. The procedure for establishing state educational criteria shall be approved by the Government of the Republic of Armenia upon proposal of the authorised public administration body for education (hereinafter referred to as "the authorised body") (in cases of military, police and medical higher and postgraduate professional education — in co-ordination with the relevant authorised public administration bodies of the Republic of Armenia).

4. Higher and postgraduate professional education in the Republic of Armenia shall be provided through the following basic and supplementary programmes:

(1) through basic programmes of higher professional education;

- Bachelor's;
- Master's (resident medical practitioner);
- degreed specialist's;

(2) through basic programmes of postgraduate professional education:

- researcher's;

(3) supplementary education programmes:

- retraining;
- upgrading of qualification of specialists.

5. Educational programmes of higher and postgraduate professional education shall be worked out and approved by the higher education institution and organisation providing postgraduate professional education on the basis of state educational criteria.

6. The curricula and courses in accordance with professions and specialisations offered by the higher education institution and by the organisation providing postgraduate professional education shall guarantee the learning process of learners at different stages of education (enrolment to the educational programme and withdrawing from the programme), ensuring the accumulation and transfer of educational credits, and awarding qualification degrees.

(Article 8 supplemented by HO-47-N of 13 April 2006, HO-163-N of 10 September 2008)

Article 9. Qualification degrees, periods and forms of instruction of higher and postgraduate professional education

1. Basic higher professional education programmes may be implemented uninterruptedly and (or) with interruptions, in accordance with cycles.

2. Two-cycle qualification system of higher professional education shall be established within the Republic of Armenia.

The persons, who pass the final certification exam, shall be awarded with:

(1) the Bachelor's degree in the first cycle;

(2) the Master's degree in the second cycle.

Degreed specialist's qualification shall also be retained in the Republic of Armenia.

3. Researcher's qualification degree of postgraduate professional education shall be established in the Republic of Armenia.

4. The duration of instruction of basic education programmes of higher and postgraduate professional education shall be:

(1) At least 4 years for obtaining a Bachelor's degree, with at least 3 years for police related professions;

(2) At least 5 years for obtaining a qualification degree of the degreed specialist, with at least 4 years for art and physical education related professions;

(3) At least 1 year for obtaining a Master's degree, with up to 4 years for medical professions;

(4) At least 3 years for obtaining a researcher's degree.

5. Persons, who have obtained a graduation certificate for the relevant higher professional education degree, shall have the right to pursue their study, in the prescribed manner, through the educational programme of the next cycle.

Receiving education through programmes for different cycles of higher education for the first time shall not be deemed as second higher professional education.

6. Basic programmes of higher professional education may be implemented through different forms of instruction — on-site education, off-site education, distance learning and external studies. The combination of on-site form of receiving higher and postgraduate professional education with other forms shall not be prohibited.

The list of professions, for which it shall be prohibited to receive professional education by part-time education, distance learning or external studies, shall be defined by the Government of the Republic of Armenia

The procedure for instruction through distance learning and external studies shall be approved by the Government of the Republic of Armenia. Learners at higher education institutions (or of professions offered by these institutions) with suspended and (or) terminated licenses for the implementation of educational programmes, may participate in interim and (or) final certification at state and non-state higher education institutions implementing accredited educational programmes of relevant professions, as prescribed by the authorised public administration body for education.

7. Postgraduate professional education shall be provided through on-site education, off-site education, distance learning and external studies, the procedure for which shall be defined by the Government of the Republic of Armenia.

(Article 9 edited by HO-154-N of 28 October 2010)

Article 10. Graduation certificate for higher and postgraduate professional education

1. Persons, who have completed their studies by higher and postgraduate professional education programmes and passed the final certification exam, shall be awarded with a graduation certificate of the relevant higher education institution or of the organisation providing postgraduate professional education, with the relevant diploma transcript:

- Bachelor's diploma,
- Master's diploma,
- diploma of a specialist with higher education,
- researcher's diploma.

2. Persons, who have not completed the basic programme of higher and postgraduate professional education, shall be awarded with an academic reference document, which shall be in the form defined by the higher education institution or by the organisation providing postgraduate professional education.

3. Persons, who have completed the educational programme of supplementary professional education and passed the final certification exam, shall be awarded with a graduation certificate which shall be in the form, defined by the higher education institution or the organisation providing postgraduate professional education (certificate).

Article 11. The tasks of the higher education institution

The main tasks of the higher education institution shall be:

- (1) To satisfy the person's needs of mental, spiritual and moral development through higher and (or) postgraduate professional education;
- (2) To develop the science, education, economy and art through scientific research and creative activities of scientific and pedagogical workers and learners, to apply the acquired results in economy, scientific and educational process;
- (3) To prepare and retrain scientific and pedagogical workers with higher education;

- (4) To ensure the quality of education and introduce the relevant system of improvement;
- (5) To ensure the uninterrupted nature, transparency and publicity of educational process;
- (6) To upbringing learners in the spirit of national, moral and universal values;
- (7) To disseminate knowledge among the population and enhance its educational and cultural level;
- (8) To enroot civic standpoint, skills and responsibility towards work among learners, under the conditions of democratic and civil society governance.

Article 12. Types and names of higher education institutions

The following types of higher education institutions shall be established within higher and postgraduate professional education system of the Republic of Armenia:

- (1) University,
- (2) Institute,
- (3) Academy,
- (4) Conservatory, etc.

The procedure for the operation of military and police higher education institutions shall be defined by this Law and other laws.

Article 13. Establishment, reorganisation, liquidation, licensing and accreditation of the higher education institution

1. The higher education institution shall be established, reorganised or liquidated as prescribed by the legislation of the Republic of Armenia.
2. Licensing of higher and postgraduate educational activities:
 - (1) Higher and postgraduate education programmes may be implemented only based on the licence, as prescribed by the legislation of the Republic of Armenia;

(2) The licence for educational activities of the educational institution shall be issued by the authorised body. Licensing of educational programmes shall be carried out in accordance with the law and as prescribed by the Government of the Republic of Armenia;

(3) Basis for licensing the educational institution shall be the availability of pedagogical and academic and teaching staff, laboratory facilities and campus, facilities for educational and practical internship, libraries and informational systems and teaching and methodical facilities.

3. State accreditation

(1) State accreditation shall be carried out as prescribed by the Government of the Republic of Armenia, irrespective of departmental subordination and legal organisational form of a professional educational institution;

(2) State accreditation of higher education institutions, offered professions and postgraduate education programmes shall be carried out on the basis of a licence;

(3) State accreditation concerning higher professional education shall be carried out according to the educational institution and offered professions;

(4) Procedure, standards and the validity period of accreditation shall be approved by the Government of the Republic of Armenia;

(5) The purpose of state accreditation shall be to recognise the compliance of instruction and quality of preparation of graduates of certain professions with state educational criteria, as well as to contribute to the efficiency of the development programmes of the educational institution;

(6) State accreditation certificate shall testify the compliance of the level of programmes implemented by the educational institution, of the content thereof and of the quality of graduates with the requirements of state educational criteria;

(7) Accreditation of educational institutions and offered professions shall be carried out through separate stages, according to educational programmes;

(8) Within higher and postgraduate education system of the Republic of Armenia, Bachelor's, Master's, degreed specialist's and postgraduate professional education programmes shall be subject to accreditation;

(9) State accreditation certificate shall be issued to the higher education institution on the basis of a positive opinion concerning the certification of the higher education and 60% of its students and graduates of two years, as well as if there is state accreditation of at least 75% of the professions offered by the relevant institution;

(10) The branches of the higher education institution shall be accredited on a general basis, upon the application of the educational institution which has a branch, within the main higher education institution;

(11) The educational institutions, established in the Republic of Armenia with the participation of higher education institutions, organisations of the Republic of Armenia or of other foreign states and the branches of these institutions, shall enjoy the same rights as state higher education institutions and shall be licensed, accredited in accordance with the laws of the Republic of Armenia and this Law, unless otherwise provided for by the international treaties of the Republic of Armenia;

(12) The graduation certificate (diploma) awarded by the higher education institution shall indicate the fact that the educational institution and the offered professions have been accredited.

4. The higher education institution may also receive public accreditation which is the recognition of compliance of the level of activities of the higher education institution with the standards and requirements of the organisations carrying out public accreditation.

(Article 13 edited and amended by HO-152-N of 11 May 2011)

Article 14. Admission to organisations providing higher and postgraduate professional education

1. Admission to state and private higher education institutions to Bachelor's programme shall be carried out upon the applications of persons with at least secondary (full) general education, as prescribed by the Government of the Republic of Armenia.

2. The higher education institution shall be entitled to announce admission, if it holds a licence.

The higher education institution shall be obliged to introduce to the applicant its licence, statute and internal regulations, as well as the state accreditation certificate (if available), and the information certifying it shall be recorded in the applicant's admission documents.

3. The higher education institution shall conclude a contract with the student, the text of which shall be published along with the announcement of the higher education institution on admission and shall be provided to the applicants beforehand.

The contract concluded between the higher education institution and the student shall lay down the duration of study and the general amount of tuition fee provided for each degree at the higher education institution, divided according to the academic years.

The contract concluded with the student, including the general amount of tuition fees and the amount divided according to the years, shall not be subject to any change during the whole period of study. The tuition fee for the student, who has been reinstated after an expulsion, shall be calculated in the amount of the tuition fee defined for the relevant year, and a new contract shall be concluded with him.

The following condition shall also be mandatorily fixed in the contract entered into with a student from borderline and highland settlement: after graduation, the student shall be seconded for employment, for a period of at least five years, in the settlements provided for by the Government of the Republic of Armenia. In case of failure to meet this condition, the student shall be obliged to reimburse the education expenses. The procedure, amount and timeframe for the reimbursement shall be defined by the Government of the Republic of Armenia.

4. Admission, on a competitive basis, to the second cycle (Master's) in the two-cycle system of the higher education shall be carried out by taking account of grades of the first cycle (Bachelor's), in accordance with the procedure prescribed by the authorised public administration body for education.

5. The procedure for admission to state and private higher education institutions, according to the Bachelor's education programme shall be defined by the Government of the Republic of Armenia.

Admission to higher education institutions shall be carried out in accordance with the list of professions defined by the Government of the Republic of Armenia, through application of principles of availability, publicity, justice, credibility, transparency and equality.

6. Admission to doctoral studies shall be carried out through Master's and degreed specialist's programmes, on the basis of the results of competitive admission examinations of the applicants,

the procedure for which and the list of professions shall be defined by the Government of the Republic of Armenia.

The higher education institution, along with the application on admission to doctoral studies, shall conclude a contract with the applicant, the text of which shall be published with the announcement on admission and shall be provided to the applicant beforehand. The sample contract form shall be defined by the Government of the Republic of Armenia.

7. The documentation for post-doctoral researches shall be carried out upon availability of a scientific degree of the Doctor of Philosophy and a scientific topic for post-doctoral thesis.

(Article 14 supplemented by HO-45-N of 13 April 2006, edited by HO-163-N of 7 July 2006, supplemented by HO-209-N of 2 October 2007, edited and supplemented by HO-154-N of 28 October 2010, supplemented by HO-51-N of 8 February 2011)

Article 15. Management of the higher education institution

1. Management of the higher education institution shall be carried out in accordance with the legislation of the Republic of Armenia and the statute of the higher education institution, on the basis of self-management in combination with the principles of individual management and collegiality, with the performance of functions of the board, scientific board and rector's office of the higher education institution.

2. The board of the higher education institution is the body of collegial management, which is established for a period of 5 years, in accordance with the statute of the higher education institution. The competences of the chairperson and members of the board shall be defined by the statute.

The board shall be formed by the academic-teaching staff, student representatives of the higher education institution, as well as representatives of the founder and of the authorised body.

The procedure for the formation of the board shall be defined by the Government of the Republic of Armenia, upon the proposal of the authorised body. The number of members of the board shall be defined by the statute of the relevant higher education institution; at least 20 members.

The activities of the board shall include the approval of the budget and strategic plans of the institution, hearing and evaluating of the annual statement (presented by the rector) of the activities of the higher education institution, election of the rector, as well as submission of proposals to the founder on the statute of the higher education institution and on amendments and supplements to the statute.

3. The scientific board of the higher education institution shall be formed in accordance with the statute of the higher education institution and shall perform the tasks of organising, planning and managing of teaching and methodical, as well as scientific-research activities.

The scientific board shall be *ex officio* composed of the rector who is the chairperson of the scientific board, vice-rector and heads of the relevant subdivision of the higher education institution, as well as elected members, in accordance with the statute of the higher education institution.

The powers and the rules of procedure of the scientific board shall be defined by the statute of the higher education institution.

4. The management of the current activities of the higher education institution shall be carried out by the executive body, i.e. the rector of the higher education institution.

The rector of the state higher education institution shall be elected through an open competition, as prescribed by the legislation of the Republic of Armenia and statute of the higher education institution, within the board of the education institution, by secret ballot, for a period of 5 years. The same person may not be elected to the position of a rector for more than two consecutive terms.

The results of the election of the rector shall be approved by the founder. In case the elections are declared invalid, new elections of a rector shall be appointed.

If the same candidate gets at least two third of the votes of the board members, the founder shall approve the decision of the board.

5. Rector's office shall be an advisory body adjacent to the rector, the procedure for the formation and powers of which shall be defined in accordance with the statute of the higher education institution.

6. The director of the branch of the higher education institution shall be elected at the meeting of the educational institution board, by secret ballot, for a period of 5 years, on the basis of an open competition. The same person may not be elected to the position of a director of the branch for more than two consecutive terms.

7. The vice-rector (deputies of the director of the branch) of the higher education institution shall be appointed upon the rector's (director of the branch) order, and an employment contract shall be concluded with them.

8. The positions of the dean (head of the academic subdivision) of the faculties and head of the chair shall be elective and the procedure for their election shall be defined in accordance with the statute of the higher education institution. The activities of the dean (head of the academic subdivision) of the faculty shall be deemed as administrative and scientific and pedagogical activities, and the activities of the head of the chair shall be deemed as scientific and pedagogical activities.

9. At newly established or reorganised higher education institutions the founder of the higher education institution shall, prior to the formation of the board, appoint an acting rector for a period of not more than one year.

10 The higher education institutions shall work out and approve five-year educational strategic plans. The strategic plans shall define the main objectives of the higher education institution, and the list of measures for attaining those objectives. The strategic plan shall be approved by the board.

The strategic plan shall be the main programme document for the evaluation by the authorised body of the efficiency of activities of the higher education institution.

(Article 15 amended by HO-209-N of 2 October 2007, edited by HO-15-N of 4 February 2010)

Article 16. Non-governmental organisations and associations within the system of higher and postgraduate professional education

Non-governmental-political, non-governmental and religious organisations and associations shall not operate within the system of higher and postgraduate professional education, except for trade, professional, cultural, sports and graduates unions and organisations.

CHAPTER 3

ENTITIES OF EDUCATIONAL ACTIVITIES WITHIN THE SYSTEM OF HIGHER AND POSTGRADUATE PROFESSIONAL EDUCATION

Article 17. Learners at higher education institutions

1. The learner at a higher education institution shall be the subject of the higher (postgraduate) education.

2. The students, doctoral candidates (hereinafter referred to as “learners”) may, upon their discretion, according to inclinations and needs, choose a profession, the type of higher education institution and the form of instruction, move from one institution to another (including of foreign states), undertake research work, terminate or continue higher and postgraduate professional education in any cycle of education, have full and equal participation in the activities of collegial management bodies in accordance with the statute of the higher education institution.

3. The learner at the higher education institution shall be entitled to:

(1) Choose mandatory and non-mandatory courses for the instruction of given profession or specialisation, which are provided by the relevant faculty (academic subdivision) and chair;

(2) Participate in the formation of the content of his or her education (in the choice of academic courses and of specialisation), meeting the requirements of state educational criteria for higher professional education;

(3) Besides the academic courses of his or her chosen profession, master any other academic course which is taught at the given or any other higher education institution, as prescribed by the statute of the higher education institution;

- (4) Take part in the activities of the relevant management bodies of the higher education institution, provided for by law or the statute of the higher education institution;
- (5) Have free access to the libraries, laboratories, information databases, services of academic, scientific, medical and other subdivisions of the higher education institution, take part in scientific-research works, conferences, seminars and symposiums;
- (6) Appeal against the orders and instructions of the administration of the higher education institution, as prescribed by the legislation of the Republic of Armenia;
- (7) Enjoy the right to partial or complete refund of the annual tuition fee, as prescribed by the legislation of the Republic of Armenia;
- (8) Receive named scholarship, scholarships and grants provided by legal or natural persons, as well as student loans in the defined amount as prescribed by the legislation of the Republic of Armenia and the statute of the higher education institution;
- (9) Familiarise himself or herself with the statute and other regulatory documents of the higher education institution, conclude contracts with the higher education institution on the terms of study;
- (10) Be provided with, where necessary and as prescribed by the authorised body, academic leave for a period of up to one year, except for cases prescribed by the legislation;
- (11) Be on leave not less than twice and for a total duration of not less than seven weeks within a given academic year — in case of on-site education;
- (12) Receive, where there is a residence hall and a need for accommodation, relevant room in the residence hall as prescribed by the higher education institution;
- (13) Move up to another higher education institution, including higher education institution of a foreign state, in accordance with the procedure defined by the Government of the Republic of Armenia;
- (14) Receive moral and material incentives for demonstrating high academic performance and for participating in scientific-research activities, as prescribed by the legislation of the Republic of Armenia and by the higher education institution.

4. The former learner, who has terminated the education, irrespective of the reason to terminate the studies, shall be entitled to restore his or her student rights, except for the termination of education in the first semester of the first year.

5. The learner at a higher education institution shall be obliged to carry out the duties defined by the statute and internal disciplinary rules of the higher education institution.

6. In case of breaching the obligations provided for by the statute and internal disciplinary rules of the higher education institution, the disciplinary penalty may be applied on learners, up to expulsion from the higher education institution, in cases and as prescribed by the internal acts.

It shall be prohibited to expel learners while they are on sick leave, leave, academic leave or pregnancy and maternity leave.

7. The learners at a higher education institution may unite within student councils, student scientific unions and other student organisations. The procedure for the establishment and of the rules of procedure of student councils and scientific student unions shall be approved by the authorised public administration body for education. The activities of student councils and student scientific unions shall be financed through extra-budgetary means of the higher education institution. The amount of financing shall be defined by the management board of the higher education institutions.

(Article 17 edited, supplemented and amended by HO-209-N of 2 October 2007, amended by HO-163-N of 10 September 2008, edited by HO-14-N of 4 February 2010 and by HO-154-N of 28 October 2010)

Article 18. Doctoral candidates, post-doctoral researchers and doctoral or post-doctoral candidates

1. The procedure for the admission to and instruction for doctoral studies, as well as for registration for post-doctoral researches and doctoral or post-doctoral studies shall be approved by the Government of the Republic of Armenia.

Professionals, who have attended and completed doctoral studies on a tuition-free basis, shall be obliged to work for three years at the education or scientific organisation providing higher and

postgraduate education, having regard to the requirements of the Law of the Republic of Armenia "On conscription".

The procedure for job placement of the professionals shall be defined by the Government of the Republic of Armenia.

2. For the purpose of carrying out the activities related to the selected thesis topics and scientific researches, the doctoral candidate, doctoral or post-doctoral candidate and post-doctoral researchers shall have equal access — along with the scientific and pedagogical and scientific workers of higher education institutions and the organisation providing postgraduate professional education — to laboratories, equipment, teaching and methodical rooms, libraries, as well as the right to secondment.

(Article 18 supplemented by HO-45-N of 13 April 2006)

Article 19. Workers of higher education institutions and organisations providing postgraduate professional education

1. The academic-teaching staff and scientific workers of the higher education institution shall have the right, upon their discretion, within the framework of the programme, to state the learning subject, choose topics for scientific research and implement them with the chosen methods.

2. Workers of administrative, scientific and pedagogical and academic-teaching (dean, head of the chair, professor, assistant professor, senior lecturer, lecturer, assistant) staff, research workers, technical-engineering, administrative-economic, industrial and auxiliary education workers shall be defined within higher education institutions and the organisations providing postgraduate professional education.

3. Within higher education institutions and the organisations providing postgraduate professional education all the vacancies for academic-teaching staff and scientific workers shall be filled in accordance with the statute and regulations of the higher education institution and the organisation providing postgraduate professional education.

4. Filling of vacancies for scientific and pedagogical staff within the higher education institution and the organisation providing postgraduate professional education shall be carried out in conformity with the employment contract which shall be concluded for a period of up to 5 years.

The conclusion of a contract is preceded by competitive elections. After expiration of the terms of contract, a new contract may be concluded with the worker of the scientific and pedagogical staff for a period of up to 5 years, without competitive elections and based on the outcomes of his or her scientific and pedagogical activities. The procedure for deputising the mentioned positions shall be established by the scientific board of the higher education institution and of the organisation providing postgraduate professional education, in accordance with the legislation of the Republic of Armenia.

5. The worker of the higher education institution and the organisation providing postgraduate professional education shall be entitled to:

(1) elect and be elected as prescribed by the statute of the higher education institution and the organisation providing postgraduate professional education to the relevant positions of the higher education institution or the organisation providing postgraduate professional education and to the relevant management bodies;

(2) take part in the discussion and address the matters concerning the activities of the higher education institution and the organisation providing postgraduate professional education;

(3) have access to libraries, information databases, services of learning and scientific subdivision, as well as of social, medical and other structural subdivisions of the higher education institution or the organisation providing postgraduate professional education in accordance with the statute of the higher education institution and the organisation providing postgraduate professional education and (or) with collective contract;

(4) choose such methods and means of instruction which will ensure the high quality of the academic process;

(5) appeal against orders and instructions of the head of the relevant subdivision of the higher education institution or the organisation providing postgraduate professional education, as prescribed by the legislation of the Republic of Armenia;

(6) have organisational and logistic conditions for the professional activities.

6. The employees of the higher education institution and the organisation providing postgraduate professional education shall be obliged to:

(1) ensure the efficiency of educational and scientific processes;

- (2) comply with the requirements prescribed by the statute and internal disciplinary rules of the higher education institution and the organisation providing postgraduate professional education;
- (3) build professional qualities, proper conduct and manner, civil standpoint and patriotism among the learners;
- (4) develop independence, initiative and creative abilities among the learners;
- (5) receive retraining and qualification upgrading not less than once in five years.

7. Rights and obligations of the administrative, technical and engineering, industrial, auxiliary educational and other workers of the higher education institution and the organisation providing postgraduate professional education shall be defined by this Law, labour legislation of the Republic of Armenia, the statute of the higher education institution or the organisation providing postgraduate professional education and the internal disciplinary rules.

(Article 19 amended by HO-209-N of 2 October 2007, supplemented by HO-15-N of 4 February 2010, HO-154-N of 28 October 2010)

Article 20. Recognition and confirmation of equivalency of documents of foreign states on scientific degrees and scientific titles of higher and postgraduate professional education

Recognition and confirmation of equivalency of documents of foreign states on scientific degrees and scientific titles of higher and postgraduate professional education shall be carried out in accordance with laws of the Republic of Armenia and interstate and intergovernmental treaties and agreements covering this field and concluded between the Republic of Armenia and foreign states.

CHAPTER 4

MANAGEMENT OF HIGHER AND POSTGRADUATE PROFESSIONAL EDUCATION SYSTEM

Article 21. Competence of public authorities in the sphere of higher and postgraduate professional education

1. The competence of the Government of the Republic of Armenia in the sphere of higher and postgraduate professional education shall be to:

(1) establish, reorganise and liquidate state higher education institutions, as prescribed by the legislation of the Republic of Armenia;

(2) approve the procedure for establishing state educational criteria for higher and postgraduate professional education;

(3) approve the procedure for state accreditation of higher education institutions and the organisations providing postgraduate education;

(4) approve the procedure for licensing the educational programmes;

(5) approve, in accordance with the basic education programmes, the list of professions of higher and postgraduate professional education, their instruction forms and of the qualifications awarded in accordance with them;

(6) approve the list of professions instructed by the degreed specialist's education programme;

(7) approve the procedure for admission of applicants to higher education institutions and uniform system of knowledge evaluation;

(8) approve the procedure for mobility of learners at higher education institutions;

(9) approve the procedure for admission to and instruction at doctoral studies, for registration of post-doctoral researchers and doctoral or post-doctoral candidates;

(9¹) approve the form of the contract concluded with the applicants admitted to doctoral studies;

(9²) approve the procedure for job placement of professionals who have attended and completed doctoral studies at academic or scientific organisations providing higher and postgraduate education on a tuition-free basis;

(10) approve the list of professions of higher and postgraduate professional education, their instruction forms and general descriptions of qualifications awarded in accordance with them, as well as make amendments and supplements;

(11) approve the list of professions which shall not be instructed by off-site education, distance learning and external studies;

(12) approve the procedure for providing financial means, including refund of tuition fees, providing scholarship, receiving student loans, financing of educational foundations;

(13) register the statutes of state non-commercial organisations, make amendments and supplements therein.

The Government of the Republic of Armenia shall have other powers — as prescribed by the laws of the Republic of Armenia — in the sphere of higher and postgraduate professional education.

2. The authorised body shall be competent to:

(1) work out and approve state educational criteria for higher and postgraduate professional education and description of qualifications, in accordance with professions and educational degrees;

(2) carry out supervision over the quality of higher and postgraduate professional education;

(3) work out the procedure for admission to and instruction at doctoral studies and registration for post-doctoral researches and doctoral or post-doctoral studies;

(4) carry out analysis of labour market with the relevant bodies and submit proposals to the Government of the Republic of Armenia on admission to higher education institutions;

(5) prepare professionals, upgrade the qualification of workers and scientific and pedagogical workers, and submit proposals on volumes of funding for the development of the science through the State Budget;

(6) approve the procedure for quality assurance process within higher education institutions and the organisations providing higher professional education;

(7) approve the procedure for receiving a second profession;

(8) approve the procedure for on-site, off-site forms of education;

(9) work out a uniform system and principles for admission of applicants to higher education institutions and knowledge evaluation;

(10) approve the procedure for expelling and reinstating students of higher education institutions;

(11) approve the procedure for admission to off-site education at higher education institutions and for admission to and instruction at Master's studies.

The authorised body shall exercise other competences as prescribed by the laws of the Republic of Armenia and decisions of the Government of the Republic of Armenia.

(Article 21 supplemented by HO-45-N of 13 April 2006, supplemented and amended by HO-21-N of 4 February 2010, edited, amended and supplemented by HO-154-N of 28 October 2010)

Article 22. Assurance of quality of higher and postgraduate professional education and state supervision over it

1. State supervision over the quality of higher and postgraduate professional education is aimed at ensuring uniform state policy in the sphere of higher and postgraduate professional education, improving the quality of preparation of the professionals, efficient use of resources allocated from the State Budget and other resources for financing the system of higher and postgraduate professional education.

2. State supervision over the quality of higher and postgraduate professional education shall be carried out by the authorised body by organising the processes of licensing and accreditation, as well as quality assurance, through the organisations carrying out quality assessment and (or) accreditation of educational institutions.

3. To ensure the quality of higher and postgraduate professional education, the higher education institution and the organisation providing postgraduate professional education shall be obliged to publish quality assessment and (or) accreditation standards, opinions submitted by the organisation carrying out quality assessment and (or) accreditation, as well as current results of quality assessment.

4. The procedure for implementing the process of quality assurance through the organisation carrying out quality assessment and (or) accreditation of educational institutions within higher education institutions and organisations providing postgraduate professional education shall be approved by the authorised body.

5. The principles for quality assurance processes within higher and postgraduate education system shall be the objectiveness, uninterrupted nature, transparency and publicity of assessment.

(Article 22 supplemented by HO-209-N of 2 October 2007)

CHAPTER 5

ECONOMIC GROUNDS FOR THE HIGHER AND POSTGRADUATE PROFESSIONAL EDUCATION SYSTEM

Article 23. Property relationships within the system of higher and postgraduate professional education

1. For the purpose of ensuring the activities envisaged by the statute, the founder (founders) shall provide the higher education institution with the right of ownership or use (gratuitous or non-gratuitous), buildings, premises, transportation, land plots, equipment, as well as other necessary property of consumer, social, cultural and other significance.

The founder (founders) of state higher education institutions shall allocate the property for an open-end term and for gratuitous use.

2. The higher education institution shall have the right of ownership over the financial resources, property and other facilities allocated to the higher education institution by natural and legal persons in the form of donation or by testament, outcomes of intellectual or other creative work considered to be a result of the activities of the higher education institution, other sources not prohibited by law, as well as the income gained as a result of activities of the institution and the property purchased on account of the income concerned.

3. State and local self-government bodies may transfer academic buildings and land plots to the accredited higher education institutions for gratuitous or non-gratuitous use.

Article 24. Financing of higher education institutions and of the organisations providing postgraduate professional education

Financing of higher education institutions and of the organisations providing postgraduate professional education shall be carried out in accordance with the legislation of the Republic of Armenia.

Article 25. Remuneration of employees of higher education institutions

1. The higher education institution shall, within the limits of its resources and those envisaged for the remuneration of employees, independently determine the form and system of remuneration, additional payments, and amounts of other material incentives, as well as pay rates of employees of all grades, without defining maximum pay rates.

2. The pay rate shall be paid to the employee of the higher education institution for the fulfilment of functional obligations and the performance of the works envisaged by the employment contract.

3. In order to ensure the educational activities of the higher education institution, state higher education institutions, as well as the higher education institutions established with the participation of foreign states, shall independently establish a remuneration fund for employees on account of the resources allocated from the State Budget, as well as other sources not prohibited by the legislation of the Republic of Armenia.

CHAPTER 6

TRANSITIONAL AND FINAL PROVISIONS

Article 26. Transitional provisions

1. After the entry into force of this Law, with regard to introducing two-cycle higher education system, admission to higher education institutions shall be carried out only through Bachelor's

education programme. At higher education institutions for arts, instruction regarding some professions may be provided by degreed specialist's education programme.

2. The one-cycle degree system for degreed specialist's qualification shall operate including up to 2009/2010 academic year.

3. The educational degree of the degreed specialist, awarded up to 2011 inclusive, shall be equivalent to the Master's education degree.

4. The student, who has commenced studies through degreed specialist's programme at the higher education institution and has been conscripted or has terminated studies for a good reason, shall be given the opportunity to attend Master's studies, in case of being reinstated in the two-cycle education system. If the Master's studies include two years, the student shall be exempt from tuition fees for one year on account of financing by higher education institution.

5. The mandatory introduction of credit system within the higher education system shall commence from 2007/2008 academic year.

6. Point 4 of Article 6 of this Law shall enter into force from 2005/2006 academic year.

(Article 26 amended by HO-163-N of 7 July 2006, by HO-209-N of 2 October 2007, by HO-154-N of 28 October 2010).

Article 27. Final provision

This Law shall enter into force on the thirtieth day following the official promulgation.

President

of the Republic of Armenia

R. Kocharyan

18 January 2005

Yerevan

HO-62-N

