

LEGEND

**CHANGES
AND
AMENDMENTS**

COMMENTS

PROTOTYPE STATUTE FOR INTEGRATED UNIVERSITIES IN BIH

Commented and amended version

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CHAPTER I

Basic Provisions

Article 1.

Statute of an individual University shall define the University in terms of its public institution status and its legal personality.

Article 2.

In particular, University autonomy shall comprise:

- the determination of education, scientific, artistic and professional programmes,
- the selection of teaching staff and their promotion into scientific and academic titles,
- freedom of scientific, artistic, and technological research and creative work,
- determination of criteria for enrolment of students and rules of study,
- determination of internal organisation.

CHAPTER II

Founder and Duties of the University to the Founder

As the subject matter for each

University is specific, the Statute of each university shall deal with the subject matter, pursuant to the law.

CHAPTER III

University Title, Seat, Activity and Mission

(As the subject matter for each University is specific, the Statute of each university shall deal with the subject matter, pursuant to the law.)

CHAPTER IV

Representation of and Action on Behalf of the University

(As the subject matter for each University is specific, the Statute of each university shall deal with the subject matter, pursuant to the law.)

CHAPTER V

Powers of the University in Legal Transactions

Article 3.

(Within its registered activity, each University shall have legal personality and shall be held responsible with its proper-

ty in any legal transaction, within the financial means available.)

Article 4.

In legal transactions with third parties, the University shall have all the rights and duties, with unlimited liability.

Article 5.

The University shall be held responsible with its assets for any liability it accepts.

Article 6.

The founder is the second liable subject in relation to University liabilities.

Article 7.

Any losses of the University, incurred for objective reasons, shall be borne by the founder.

[Query whether it is legally possible to bind the founder in this way?]

CHAPTER VI

University Organisation

Article 8.

With its organisation, the university shall provide conditions for performing its basic function, tasks and activities of the University, as set by the law and the statute.

Article 9.

The university shall integrate several organisational units/segments (faculties, academies, higher schools, institutes, centres, etc.)

Article 10.

Organisational units/segments shall be parts of the University as a legal person.

[This is arguably unnecessary but as amended is fully compliant with the Framework law: the word 'associated' has been deleted.]

Article 11.

Sub-organisational units (departments, chairs, etc.) may exist within organisational units of the university.

Article 12.

Administrative and technical services for the University shall be provided by the University secretariat, through its professional services, the rector's office and the vice-rector's office.

CHAPTER VII

Rights and Duties of Organisational Units in Legal Transactions

[It is proposed to remove existing Articles 13 - 20 entirely and replace with a text which is compatible with the intention of the Framework law as explained in the covering report.]

Article 13.

Organisational units shall have no authority to commit the university legally or financially except in accordance with rules made by the governing board, which shall provide that contracts and

other transactions having legal effect shall be authorised by or on behalf of the Rector and that the University is legally responsible for all such transactions.

(Note the governing board rather than the Senate, see current Article 22)

Article 14

The governing board shall approve rules for delegation of management responsibility for budgets and the authorisation of expenses allocated to the sub-accounts of organisational units.

Article 15

Funds generated through research projects or other initiatives of an organisational unit shall be distributed between the University and the organisational unit concerned according to a formula adopted by the governing board within the rules for management responsibility provided for in Article 14.

No action, formal or informal, shall be taken by any member of any organisational unit on any matter having the potential to generate any form of intellectual property right without prior consultation with the Rector or a person nominated by the Rector.

(This is new, but obviously overlooked by the Working Group.)

Article 16

Organisational units shall maintain with the administration of the university a separate accounting of revenue they generate.

Article 17

Organisational units may provide periodic forms of professional development for third parties, such as seminars and courses not defined within levels of education, and may issue corresponding certificates for that purpose. Such certificates shall not have any official status as qualifications of the university unless agreed by the Senate.

CHAPTER VIII

Status Changes:

Establishment

of New Organisational Units,
study departments, etc.

Article 18. (renum.)

The **Governing Board** of the University may conduct status changes (organisation of new units, merger, attachment, division, severance, termination of operations).

Article 19. (renum.)

An initiative for a change of status shall be launched by the Senate of the University based on a feasibility study.

CHAPTER IX

Generation of revenue and management of resources for work and of property

(Logically the sections on allocation of funds to organisational units should come after this part.)

Article 20. (renum.)

The University acquires resources for its basic activity from the following:

- the founder,
- participation by students and other citizens,
- sale of intellectual, cultural, and material goods and services,
- revenue on the basis of copyrights and patents,
- gifts, donations and endowments by natural persons
- other sources.

Article 21. (renum.)

Funds generated by the university shall be determined and allocated by a financial plan of the University.

Article 22. (renum.)

Funds that the University receives from the budget of the founder shall be allocated to its [organisational](#) units pursuant to [a scheme approved by the governing board](#), in compliance with standards and norms.

Article 23. (renum.)

The University shall retain the revenue it generates itself, and shall disburse it in compliance with the law and the adopted financial plan.

Article 24. (renum.)

The authorised instructing party / commissioning party / signatory of the University in relation to the execution of its financial plan shall be the rector

Article 25. (renum.)

The rector may transfer the rights referred to in the preceding article to other persons, in relation to duties such persons are directly responsible for.

Article 26. (renum.)

The University shall have the right of use and full protection of its property, teaching and scientific, cultural, sports, health, and student standard facilities, and all other facilities it uses for its activities.

Article 27. (renum.)

The property of the University shall comprise real estate entered into the land registry in accordance with law, on the basis of decisions based in law and contracts entered into.

CHAPTER X

Organisation and delivery of University studies

Introductory issues

Article 28.

University studies shall be organised in three cycles, pursuant to provisions of the Bologna Declaration, i.e. the Framework for Qualifications of the European Higher Education Area. Studies shall end in an acquisition of qualifications, related to general provisions for each cycle, based on learning outcomes and accumulated ECTS credits, in compliance with the qualifications framework

Article 29. (renum.)

University studies shall be conducted on the basis of an accredited programme of study and in compliance with rules of study based on the European Credit Transfer and Accumulation System.

Article 30. (renum.)

The number of accumulated ECTS credits related to a programme of study is the quantitative measure of work and activities necessary for a student to complete the given programme successfully, thus attaining the expected result. One ECTS credit shall correspond to activities comprising 25 to 30 student work hours.

Admission to study

Article 31. (renum.)

The university shall guarantee access to all three cycles on an equal basis and on the basis of a public competition.

Article 32. (renum.)

The main precondition for enrolment into the first cycle is the completion of four year secondary education in BiH, or equivalent education abroad.

Article 33. (renum.)

A candidate shall be enrolled into a specific programme of study on the basis of competition, and pursuant to results attained in previous education (secondary education, first or second cycle diploma) and at an enrolment exam, on the

basis of criteria and procedures organised by an act adopted by the Senate, at the proposal of organisational units.

First cycle

Article 34. (renum.)

In order to acquire a first cycle qualification, the required study and work corresponds to, or represents, 180-240 ECTS credits, which corresponds to a period of three to four years (or six to eight semesters) of full time study.

Article 35. (renum.)

First cycle students (full time) shall be obliged to complete the programme of study they started on the basis of the curriculum they enrolled with, plus two years.

Article 36. (renum.)

First cycle part-time studies may be longer than full time studies. The Senate of the university shall decide on this matter, at the proposal of the relevant organisational unit of the University.

Article 37. (renum.)

Students shall have the right to apply for second cycle studies on the basis of completion of first cycle studies.

Second cycle

Article 38. (renum.)

In order to acquire a second cycle qualification, the required study and work cor-

responds to, or represents, 60-120 ECTS credits, which corresponds to a period of one to two years (or two to four semesters) of full time study.

Article 39. (renum.)

Second cycle students (full time) shall be obliged to complete the programme of study they started on the basis of the curriculum they enrolled with, plus two years.

(Question: is this too long if a 60 credit or one year programme, why allow it to extend to three years?)

Article 40. (renum.)

Second cycle part-time studies may be longer than full time studies. The Senate of the university shall decide on this matter, at the proposal of the relevant organisational unit of the University.

Article 41. (renum.)

Students shall have the right to apply to third cycle studies on the basis of completion of second cycle studies. Enrolment into third cycle studies without a completed second cycle shall be possible only in specific and exceptional circumstances [provided in the following Articles](#).

Third Cycle (Doctoral studies)

Article 42. (renum.)

A candidate shall complete the third (doctoral) cycle upon successful comple-

tion of a period of study and research equivalent to a period of 3-4 years following successful completion of the second cycle. The candidate may spend this period at the university or a research institution recognised by the University, and in compliance with the law.

Article 43. (renum.)

The period of study and research shall be considered completed with a successful defence of a doctoral dissertation, including research results published in indexed publications. A dissertation may be submitted for examination no later than the expiry of the period twice as long as the period the candidate originally applied for.

Article 44. (renum.)

The period of study and research [shall be a supervised structured programme determined in individual cases dependent on the proposal of the organisational unit concerned and approved in each case by the Senate](#).

Article 45. (renum.)

The method of supervision of research, as well as assessment procedures for candidates preparing their doctorates shall be described in Rules of Procedure to be adopted by the Senate, and which may introduce respective ECTS systems for studies and for research, which will guarantee adequate transparency of the process.

(Note: doctoral studies, whether PhD or professional doctorate (DEd, DBA, DProf Stud etc) now contain more or less 'pure research', 'applied research,' placements or other studies. The previous Article 50 was outdated. It is not 'lectures' but participation in the wider pedagogic process, i.e. seminars, workshops, practical training, etc. Setting either maximum or minimum terms for the study element in the Statute is wrong.)

Article 46. (renum.)

A third cycle candidate shall be considered a student (of doctoral studies) but also a researcher at the initial level.

Lifelong Learning

Article 47. (renum.)

The University shall organise lifelong learning programmes, principally using innovative teaching and learning methods (new technologies, schools by correspondence, etc.), and using the facilities and equipment of the university available for the daily and weekly programmes of teaching.

Article 48.(renum.)

Lifelong learning may have the following aims:

- a) acquisition of a formal university diploma,
- b) acquisition of certificate of successful attendance of specific training programmes (introductory or continuous) or

c) upgrade or refreshment of knowledge in a given area, for former students.

Article 49. (renum.)

Lifelong learning programmes aimed at acquiring a formal university diploma may not be an alternative to a corresponding regular university programme, as these programmes are intended primarily for potential students of older age groups or those with domestic or carer responsibilities or disabilities preventing them from attending regular programmes, either full-time or part-time.

(necessary to extend to all potential groups)

Article 50. (renum.)

The grading system of lifelong learning programmes shall also be based on the ECTS credit system and learning outcomes.

Article 51. (renum.)

Previous learning, both formal and informal, may be recognised by the University and a student whose learning is so recognised shall be awarded a corresponding number of ECTS credits, which may be used as the basis for enrolment into university programmes (full time or lifelong) or as an element within these programmes.

('Shall' is too strong a word given Article 52.)

Article 52. (renum.)

The University shall adopt detailed instructions, criteria, standards and procedures for lifelong learning programmes, in a separate act.

Scientific Research and Artistic Work

Article 53. (renum.)

Scientific-teaching, scientific research and artistic research activities shall be activities of the University with an equal status.

Article 54.(renum.)

Scientific-teaching, scientific research and artistic research shall be conducted by the teaching and scientific staff of the University, individually or within scientific research or artistic research organisational units of the University.

Article 55. (renum.)

Scientific-teaching, scientific research and artistic research work shall include students at undergraduate, postgraduate and doctoral studies, and shall engage, as required, personnel outside the University, appointed into scientific and professional titles in compliance with relevant regulations.

Article 56. (renum.)

Scientific research means fundamental, applicative, developmental and experimental research.

Article 57. (renum.)

Artistic research includes research in art, artistic research and art work.

Article 58. (renum.)

The University shall publish university textbooks, monographs, magazines and other scientific and professional publications, to meet the needs of university studies.

Article 59. (renum.)

Publishing activities of the University shall be regulated by a separate general act of the University.

CHAPTER XI

Students and Rules of Study

(This section should, according to the draft Framework Law, include an 'academic freedom' clause. Viz:)

Article 60. (new)

Students have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their position or any privileges they may have with the institution;

Article 61. (new)

Students have freedom of speech, organisation and assembly within the law;

Article 62. (new)

No student shall be discrimination on any ground such as sex, race, sexual orientation, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status; and

Article 63. (new)

Students have the right to express their views on the quality of the teaching or other facilities of the institution and the statute shall make provision for dealing fairly with complaints.

Article 64. (renum.)

Students who meet the requirements for enrolment to a certain programme of study, may acquire the status of a student.

Students may have the status of a full time or a part time student.

Article 65. (renum.)

Students have the obligations

- to become familiar with rights, obligations and duties at the beginning of the academic year;
- to participate fully in the academic work of the University and the organisational unit to which they are enrolled;

and the associated rights

- to be offered classes in accordance with curricula, teaching and examination schedules;
- to complete their studies within the

prescribed time, provided they make adequate progress;

- to be able to complete their studies according to the curriculum they enrolled into, taking account of the natural development of the subjects they are studying;
- to attend lectures, seminars and other forms of teaching;
- to use libraries and other student facilities, available at the institution;
- to take part in elections for student places in student representative bodies and other bodies established in accordance with the Statute of the institution;
- in case of public higher education institutions, to recognition of credits transferred between higher education institutions within and outside Bosnia and Herzegovina, on the basis of multilateral and bilateral agreements;
- to take examinations in accordance with criteria set in advance;
- to take part in the procedures for quality assurance and enhancement.

Article 66. (renum.)

Higher education institutions shall develop a system of continuous assessment, evaluation and grading of students' knowledge during the semester, and shall determine the method of final assessment.

Article 67. (new)

Student assessment shall be conducted

on the basis of transparent and published criteria, provisions and procedures applied consistently. Whenever possible, student assessment shall not be based on an assessment by a single examiner.

(transferred from quality assurance section)

Article 68.

A student who is displeased with final assessment results may file an objection with the dean's office during the next working day following the announcement of the results.

The objection may relate to the following: administrative error; examination or assessment not in accordance with the curriculum; corrupt or otherwise illegal practice; factors affecting performance (e.g. illness). A challenge only to the academic judgment of a member of staff shall not be considered.

The dean shall be obliged to consider the objection and if (s)he decides it is valid, shall form a three member committee of academic staff within five working days to re-examine the student within a period which does not disadvantage the academic progress of the student. The chair of the committee shall be of equal or higher academic title to the member of staff whose assessment is challenged. The decision of the dean or committee respectively shall be final and there is no further right of appeal within the university.

The professor with whom the student took the examination with which he or she is displeased may not chair or be a member of the committee but shall be entitled to make representations to it.

(As drafted, this was all very open-ended and could result in hundreds of 'displeased' students requesting committees to e-examine them. You have to have a filter both in terms of criteria and also human. I have adjusted what appear to be unrealistic or open-ended timescales.)

Article 69. (renum.)

Students may carry no more than 20% of their academic obligations into the next year of study, and details shall be determined by the Rules of Study, adopted by the Senate of the University.

During an academic year, the student may take the final part of an examination in a single subject no more than four times: three times with the responsible teacher, and the fourth time before a committee established by the dean of the faculty.

Should he/she fail the fourth time, the student shall take the same subject in the following academic year, pursuant to other provisions of the Statute.

(Suggest this is far too liberal and also potentially a drain on staff time: at least reduce it to a maximum of three times and perhaps levy a charge for the third time?)

Article 70. (renum.)

A student whose student status has been terminated, may re-acquire that status under the following conditions:

- that the University has facilities, staffing and other conditions that allow a continuation of studies;
- that the student takes examinations and fulfils obligations set by the curriculum applicable at the time of re-acquisition of the student status.

The student may use the right to re-acquire the student status only once during the studies.

A decision to approve the re-acquisition of student status shall determine the duties of that student in relation to the continuation of studies.

A decision on approving the re-acquisition of the student status shall be made by the dean.

Article 71. (renum.)

The University shall guarantee student mobility and recognition of credits accumulated during the education completed at a different university, in compliance with law and the European Credit Transfer and Accumulation System through international student exchange programmes or on the basis of bilateral agreements between universities.

Pursuant to the contract a student enters into with the University or a bilateral agreement between universities, the credits that the student acquired at the university (semester or academic year) attended shall be recognised.

A student may acquire up to 60 ECTS credits outside the University in a 240 credit degree, or 30 in the case of a 180 credit degree. A minimum of 120 credits must be gained at the University unless the Senate agrees otherwise in any particular case

(This is a suggestion to regulate recognition so that students are obliged to spend two years equivalent at the BiH University. If this is seen as too restrictive, it could be reduced to 60 credits or one year of study.)

With a request to attend the University, the student shall present original documents provided for by ECTS rules for changing the location of studies, as follows:

- an application form to register at a different university,
- a contract of studies at a different university,
- a transcript of grades,
- information package.

Article 72. (renum.)

The University shall be obliged to take all reasonable steps to provide for students with special needs equal participation in all the teaching and scientific processes at the University according to law.

(Question: what law? There are such laws in Europe but the position in BiH is not known to me. The intent of the original drafters is noble, but impossible.

Laws in the US and Europe provide for 'reasonable adjustments' to help students with special needs to access as far as possible the courses etc open to those without such needs. However it is well established that some courses, notably medicine and related subjects, cannot be pursued successfully by all students who are disabled.)

Article 73. (renum.)

Conditions and method of inclusion of students in scientific research shall be regulated by the curriculum.

Article 74. (renum.)

Assignment of commendations, awards and scholarships shall be regulated by a separate act of the University.

Article 75. (renum.)

Following the completion of all [the academic obligations](#) as provided by the curriculum [or in other regulations](#), each student shall be awarded a diploma. For each [such](#) student the University is obliged to issue a Diploma Supplement, in two languages, one of which is widely used, free of charge.

(What if the student has not paid fees? If this is not 'provided by the curriculum' it must be provided by other regulations.)

Article 76. (renum.)

The status of a student shall be terminated:

- when the student has completed

- his/her studies (graduation),
- when he/she de-registers from the university (de-registration, or if a student who has active rights and duties fails to enter the next year of study, i.e. fails to renew registration for the same year of study, he/she shall have the status of a student who has de-registered),
- if he/she fails to enter the next academic year, or fails to renew registration for the same year,
- if he/she fails to complete the programme of study within the time provided by the programme and other general acts,
- if he/she leaves the studies for reasons set by general acts of the University and [the appropriate organisational unit](#).

Article 77. (renum.)

The University shall establish a disciplinary committee, competent for all cases of breach of student duties.

Article 78. (new)

[The Senate shall make Rules providing for fair and impartial mechanisms for dealing with disciplinary questions affecting students.](#)

Article 79. (renum.)

The Governing Board of the University shall determine rules for the protection of student data pursuant to the law [governing data protection applicable to all citizens](#).

Article 80. (renum.)

When deciding on individual rights and duties of students, the University and its organisational units shall act in compliance with the Law on Administrative Procedure.

CHAPTER XII

Teaching Staff,
Research Staff
and Teaching Assistants

Article 81.

Teaching titles shall be:

- full professor
- associate professor
- assistant professor
- other teaching titles

Article 82. (renum.)

Teaching Assistant titles shall be:

- assistant
- lector
- senior lector
- artistic teaching assistant
- other teaching assistant titles (as required)

Article 83. (renum.)

Academic staff with scientific titles shall be involved only in scientific research (pursuant to legislation on scientific research):

- scientific advisor,
- senior scientific fellow
- scientific fellow

Article 84. (renum.)

The minimum conditions for appointment or selection into academic titles shall be: For appointment into a title, in addition to the above conditions set by the Statute, academic staff must meet the conditions set by standards for a relevant title as adopted by the Senate, in accordance with an advance opinion by the relevant higher education body.

(It is unclear what is this "relevant higher education body". Presumably it could be the Rector's Conference?)

for teaching assistants:

completed second cycle of study with a minimum average grade of eight(8), or 3.5, or other adequate average,

(What is meant by 8 or 3.5? The terms should be clear.)

for lectors:

second cycle of study with a minimum average grade of eight (8), or 3.5,

(same point) or other adequate average

for senior lector:

second cycle of study with a minimum average of eight (8), demonstrated results in the field of language,

for an assistant professor:

the title of doctor in a given field, no less than three (3) scientific papers published in indexed publications, proven teaching abilities

for an associate professor:

all the requirements for an assistant

professor, plus no less than four (4) scientific papers published in indexed publications, a published book or monograph, and/or original professional success such as a project, a patent, or an original method, teaching and supervision of second cycle candidates.

for a full professor:

all the requirements for an associate professor, plus no less than two (2) published books or monographs, no less than six (6) scientific papers published in indexed publications following entry into the title of an associate professor, successful supervision of candidates for second and third cycles, and participation in no less than one committee for a doctoral title.

Article 85. (renum.)

Conditions for appointment to academic titles in art subjects shall be:

for a teaching assistant:

completed second cycle of study with a minimum average grade of eight (8), or 3.5, (same point) or other adequate average,

for an assistant professor:

no less than the second cycle of study or an equivalent, a considerable number of publicly presented forms of artistic creation, and demonstrated results in art teaching,

for an associate professor:

no less than the second cycle of study or an equivalent, a considerable number of publicly presented forms of artistic cre-

ation, recognition of successful work on a given area of art, and demonstrated results in art teaching,

for a full professor:

no less than the second cycle of study or an equivalent, a considerable number of publicly presented forms of artistic creation which have contributed to the development of culture and art, and contribution in developing teaching and art professionals.

Article 86. (renum.)

An assistant is appointed for a period of three years.

An assistant professor is appointed for a period of five years and may be re-appointed into the same title only once.

An associate professor is appointed for a period of six years and may be re-appointed into the same title only once.

A full professor is appointed for an indefinite period.

Appointment periods do not include time spent on maternity leave, sick leave longer than one year, or time spent serving in public office.

Article 87. (renum.)

A higher academic title may be acquired before the times prescribed by the preceding Article, provided the candidate has met the requirements for appointment into the next title and provided he/she taught for no less than three years after the last appointment.

Article 88. (renum.)

(Each University shall regulate the procedure for appointment to a title and removal of title.)

Article 89. (renum.)

Teaching staff shall have the right to a year of sabbatical, after five years of work at the University.

(Once or every five years? I think it would be better to consider the following:

Teaching staff shall have the right to apply to the Senate for a year of sabbatical leave, once in every seven years. The Senate may grant or refuse the application at its discretion and on any conditions it decides.

Applications to include details of the work to be carried out during the sabbatical and expected outcomes and benefits to the University, to the organisational unit and to the professional development of the member of staff shall be submitted to the organisational unit for consideration before a recommendation is made to the Senate.

A member of teaching staff granted sabbatical leave is required to prepare a report in the manner adopted by the Senate detailing achievements during the period of leave including publications or projects successfully completed. The report shall be considered in any subsequent application for promotion or a further period of sabbatical leave.

Failure to abide by the conditions of the sabbatical leave shall be considered grounds for termination of appointment.)

CHAPTER XIII

Honorary Titles and Awards

Article 90. (renum.)

The University may award a doctoral title honoris causa to distinguished scientists or personalities in culture or public life from the country or abroad, for extraordinary contribution to specific areas of teaching, scientific, research, artistic or other forms of creative work.

A decision on awarding an honorary doctoral title shall be made by the Senate at the proposal of no less than three Councils of University departments.

Promotion into an honorary doctoral title shall be conducted by the Rector.

Article 91. (renum.)

Professor Emeritus

The Senate may award the honorary title of Professor Emeritus to particularly prominent retired full professors who contributed, over a long period of time, to the advancement and development of university teaching and scientific research, or art work.

Criteria for awarding the title of Professor Emeritus are:

- long period of successful teaching (no less than 10 years),
- scientific or artistic contribution through which the candidate publicly promoted his/her profession,

- education of new masters and doctoral degree holders, i.e. how many times the candidate has been a supervisor,
- education of successors in teaching and in science, or that the candidate is leaving a successor teacher in his area or his subject,
- a considerable number of published scientific papers of importance for the given field.

Professor Emeritus may be engaged as:

- a supervisor in doctoral, masters, and specialisation theses, as well as for their assessment and defence,
- as member of committees for appointment of teaching staff,
- for coordination and work in scientific research projects,
- for part of lectures within a subject in all three cycles of study.

Article 92. (renum.)

Distinguished teachers and other staff of the University whose work at the university has, over a long period of time, contributed to development of the University, as well as other legal persons or individuals who have helped in promoting and developing the University, may receive awards in the form of charters, plaques, or monetary awards.

CHAPTER XIV

Quality Assurance

(Much of this section is statement of policy rather than having any 'legal effect.' It

should be adopted formally as a statement by the Senate. I suggest to largely remove it from the Statute and retain the basic points with some sort of legal effect according to the following version.)

Article 93. (renum.)

The Senate shall establish a Quality Assurance Committee (QAC), to be chaired by the vice-rector, and comprising mainly highly qualified teaching staff and/or those who have experience in issues of quality assurance and come from different organisational units. QAC shall also include no less than 20% student representatives and no less than 20% of representatives of external partners. QAC shall be responsible for preparing strategies and policies of the University in the area of quality assurance, submitting proposals to the Rector and the Senate for final adoption. QAC shall also be tasked with preparing short-term and long-term quality assurance plans, as well as supervising and coordinating procedures related to this matter. In its work, QOC shall be assisted by the quality assurance office of the University, which will provide adequate administrative and technical support in quality assurance activities.

Article 94. (new)

The University shall take into full account internal quality assurance guidelines, agreed at national level (Rectors' Conference), as well as international (European University Association, ENQA etc.).

Article 95. (renum.)

The Senate shall approve formal mechanisms for approval, regular monitoring and periodic reviews of programmes and diplomas, thus assuring their continued value. The University shall secure student participation in quality assurance procedures, as well as consultations with employers, representatives of employees and other partners.

Article 96. (renum.)

Student participation shall be part of the regular (annual) monitoring process and shall include evaluation of lectures, programmes and professors and their teaching abilities by the students, as well as consultations with student organisations and student representatives in academic bodies.

(The section on student rights now includes student participation in these activities.)

(Former Article 100 ran contrary to former Article 70 which assumed a single professor as examiner. Although it is a good point, it needs to be consistent so I have moved it and it is now Article 67.)

(Former Article 101 is deleted since the Statute provides for this earlier.)

Article 97. (renum.)

As part of its strategic planning process, the University shall ensure that resources aimed at supporting student

learning are adequate and appropriate for each programme offered. This shall also ensure that only the information relevant for effective management of their study programmes and other activities are collected, analysed and used for implementing a continuous quality improvement strategy.

Article 98. (renum.)

The University shall publish as part of its annual report its most recent, impartial and objective information, both quantitative and qualitative, on study programmes offered and diplomas awarded.

Article 99. (renum.)

The University shall establish detailed guidelines, criteria, standards, and procedures for internal quality assurance, through a separate University act.

CHAPTER XV

University Bodies

(Arguably this should be placed much earlier.)

Article 100. (renum.)

The University shall have a Governing Board as its governing body.

The Senate shall be the highest academic body of the University.

The Rector shall manage the University. Other bodies may be established at the University, pursuant to this Statute.

Article 101. (new)

The Governing Board shall comprise 15 members:

- four academic staff representatives elected by and from the academic staff;
- seven external members (representatives of the founder and the public), appointed by the founder;
- two student representatives elected by the student union;
- two non-academic staff representatives elected by and from the members of non-academic staff.

(The draft referred the Statute back to itself. The numbers of members in each category, some qualifications for membership, who appoints, dismisses, terms of office, etc should all be regulated here as required by the (draft) Framework Law.)

Article 102. (new)

The external members of the Governing Board shall have had experience of, and have shown broad capacity in, industrial, commercial or employment matters or the practice of any profession or have had experience in higher education.

Article 103. (new)

The initial members of the Governing Board other than student representa-

tives shall hold appointment for a period of four years from the date of this Statute entering into force. Student representatives shall hold appointment for two years.

Article 104. (new)

At the end of the initial period of office, members may stand for re-election for one more term only.

Article 105. (new)

The President and Vice-President of the Governing Board (hereinafter 'the President' and 'the Vice-President' shall be elected by the Governing Board from among its external members.

The periods of office of the President and Vice-President shall correspond to their periods of membership of the Governing Board or their earlier death, resignation or removal as hereafter provided for.

Article 106. (new)

A member may be removed by a two-thirds majority vote of the Governing Board for good cause, defined as:

- (a) Conviction for a serious criminal offence as defined in the laws of BiH;
- (b) Acting in a manner that is likely to bring discredit on the University;
- (c) Inability to discharge the functions of

the position through physical or mental incapacity evidenced by the report of an independent medical practitioner appointed by the Governing Board; and (d) Conduct constituting failure or persistent refusal or neglect or inability to perform the duties of the position.

Article 107. (new)

The President shall chair the Governing Board.

The Vice-President shall chair the Governing Board in the absence of the President and exercise all other functions of the President during the President's illness or other incapacity.

The Chair of the Governing Board for the time being shall have both an original and a casting vote.

Article 108. (renum.)

Senate

The Senate shall comprise

- Rector
- Vice-Rectors
- respective representative selected from and by academic staff, with the highest title as a rule, from each faculty, academy, institute, or autonomous higher professional school, irrespective of the number of full time staff with academic titles, and one additional member for each faculty or academy with more than 25 full time staff

- with academic titles, and
- student representatives, whose number may not be lower than 20% of the total number of Senate members, with the structure reflecting full time students at undergraduate, postgraduate, and doctoral studies.

Nomination and appointment procedures shall be regulated by law and by rules made by the Governing Board.

(Same point: the draft Statute does not regulate the procedures.)

Article 109. (renum.)

The Senate may establish councils, committees or other working bodies, for the purpose of providing opinions or proposals on specific issues within their scope of work.

Article 110. (renum.)

Rector

The Rector shall represent and act on behalf of the University.

The Rector shall be elected from full professors, on the basis of a competition, for a period of four years, renewable once.

The Rector may not be, at the same time, a dean, director or an organisational unit of the University, or hold any other managerial function at the University.

Vice-Rectors shall be selected at the proposal of the Rector, to help him/her in effecting duties and shall hold office for the same period as the Rector

CHAPTER XVI

Bodies of Organisational Units

Article 111. (renum.)

Bodies of organisational units shall be:

- a Council,
- the Dean.

Article 112. (renum.)

The Council shall comprise:

- the Dean
- Vice-Deans
- full time teachers with research and teaching titles,
- representatives of full time teaching assistants [on the basis of one assistant to four full-time teachers](#) and
- student representatives, whose number may not be less than 20% of the total number of Council members.

Article 113. (renum.)

The Dean shall manage the organisational unit.

The Dean shall be elected from all [academic staff](#) with teaching, scientific or art-teaching titles.

The Dean shall be elected by the Council of the organisational unit.

Nomination and selection procedure shall be regulated by [the Senate on the basis of a rule](#).

[\[The draft referred back to the Statute.\]](#)

Article 114. (renum.)

An organisational unit may have no more than three Vice-Deans.

Duties of Vice-Deans shall be set by the Dean.

CHAPTER XVII

Student Organisation

Article 115. (renum.)

The Students' Union is an umbrella student organisation [comprising all enrolled students](#) which acts within the University and has no independent legal status.

Article 116(renum.)

The work of the Students' Union shall be regulated by its autonomous acts, and its relations with the University shall be regulated by separate Rules of Procedure of the University [adopted by the Governing Board](#).

Article 117. (renum.)

The Students' Union shall be funded from the budget of the University and its own revenue and [shall be financially accountable to the Governing Board of the University in the same manner as other organisational units](#).

[\[There has to be some accountability for funds.\]](#)

CHAPTER XVIII

Public Nature of University Activities

Article 118. (renum.)

Activities of the University shall be public. The University is obliged to inform the public about its activities in a timely and accurate manner.

The University shall inform the public through public media, by providing individual oral statements, by publishing reg-

ular and special publications, and by advertising on notice boards and internet pages of the University and its departments

The University shall have its own official publication.

CHAPTER XIX

Records and Public Documents

Article 119. (renum.)

The University shall maintain records on:

- undergraduate students;
- postgraduate students;
- examinations;
- student success rates at the end of an academic year;
- diplomas issued;
- students who complete their study in less than the required time,
- students who receive university awards;
- students who receive disciplinary measures for breaching student duties;
- persons who acquire associate or higher education degrees, masters or doctoral degrees;
- fully employed staff or staff under contract;
- appointment into titles;
- property, commercial contracts, financial affairs of units of the University;
- scientific research projects, publishing

- projects, etc;
- library collections of units of the University;
- any other information as set by the Governing Board of the University;
- other records as set by general acts of the University.

Article 120. (renum.)

The method of keeping and maintaining records shall be set by general acts of the University.

Official registers and a register of diplomas shall be stored permanently.

Personal and confidential data contained in the records shall be protected in [the manner prescribed by laws on data protection](#).

Article 121. (renum.)

Public documents issued by the University include:

- diplomas on the level of education attained,
- diplomas on masters or doctoral degrees attained,
- diploma supplements,
- index books, de-registration document, certificate of graduation,
- certificate of exams passed,
- certificate of results attained during the studies, and
- certificate of participation in specific forms of professional development.

CHAPTER XXRecognition and Nostrification
of Studies, Certificates,
Diplomas and Cycles

Article 122. (renum.)

The University shall have the power to recognise periods of study, certificates, diplomas and cycles the student acquired/attended outside the territory of Bosnia and Herzegovina, for the purpose of continuation of studies at the same level/cycle, as well as for enrolment at the next level/cycle of study.

Article 123. (renum.)

The University shall be obliged to issue decisions on recognition and nostrification on the basis of information on qualifications or periods of study for which recognition and nostrification is requested.

Article 124. (renum.)

Initially (in the first instance), the candidate shall be obliged to provide all the adequate information in a conscientious manner.

Article 125. (renum.)

In addition to the candidate's responsibility to provide all the necessary information, the University may request additional relevant information from the institution that awarded the qualification to the student, or the institution where studies were attended.

Article 126. (renum.)

The University may request information from competent authorities at state level (e.g. the ENIC centre), entity or cantonal levels, on issue of recognition and nostrification.

Article 127. (renum.)

The University shall be obliged to respect rules or directives regulating issues of recognition and nostrification adopted by relevant authorities at state level [pursuant to law](#).

(This was too vague.)

Article 128. (renum.)

In principle, the University shall recognise periods of study for students who completed their studies within higher education programmes in foreign countries, unless it is established that there are major thematic differences between that period of study and the part of the university programme the student is seeking recognition for. In the latter case, the candidate requesting the recognition shall have the possibility for the University to conduct an assessment of the period of study that recognition is sought for.

Article 129. (renum.)

In principle, the University shall be obliged to recognise a higher education qualification of a student who completed

his/her studies in a foreign country, so that the nostrification is based on the knowledge acquired and confirmed by the qualification, unless it is established that there are major thematic differences in the programme of the qualification that recognition is sought for and the corresponding qualification acquired at this University. IN the latter case, the candidate requesting the recognition shall have the possibility for the University to conduct an assessment of the qualification.

Article 130. (renum.)

Procedures for recognition of periods of study, certificates, diplomas and cycles shall be conducted by the university nostrification office, established by the University. The University nostrification office shall provide adequate administrative and technical support in the area of nostrification of diplomas and recognition of periods of study, and shall be responsible for supervising and coordinating recognition procedures.

Article 131. (renum.)

The University recognition office shall cooperate closely with the national ENIC office, especially when requiring detailed comparative information on foreign education structures and institutions.

Article 132. (renum.)

The University recognition office shall cooperate closely with organisational units of the University in matters of systemic nostrification in other countries.

Article 133. (renum.)

In individual cases, university recognition office shall seek professional opinions on comparability of qualifications, and opinions shall be by three independent reviewers, experts in the field of the qualification to be assessed.

Article 134. (renum.)

Decisions on recognition shall be made by [the Senate or under authority delegated by the Senate](#) on the basis of a justified proposal of the university recognition office.

(I think it would be better for consistency if the decisions were made, at least formally, by the University although the organisational unit will obviously have an input.)

Article 135. (renum.)

The University shall be obliged to adopt detailed procedures for recognition and nostrification of diplomas. These procedures shall be regulated by a separate act.

CHAPTER XXIGeneral Acts of the University and their
Method of Adoption

(As the subject matter for each University is specific, the Statute of each university shall deal with the subject matter, pursuant to the law.)

CHAPTER XXII

Transitional and Final Provisions

(As the subject matter for each University is specific, the Statute of each university shall deal with the subject matter, pursuant to the law.)

MAIN ISSUES ON DRAFT OF PROTOTYPE STATUTE

Appendix

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1. CHAPTERS VII and VIII relating to the internal structure of the University.

I suggest that these are not fully compliant with the objective of the impending state level law to create an autonomous unitary university with limited authority granted to organisational units. The university through its governing board (not its Senate, although obviously this will initiate the changes) must have the authority to organise its internal structure and must retain control over finances. It is proposed to remove existing Articles 13-20 entirely and replace with a text which is compatible with the intention of the Framework law as explained in the covering report.

CHAPTER VII

Rights and Duties
of Organisational Units
in Legal Transactions

Article 13

Organisational units shall have no authority to commit the university legally or financially except in accordance with rules made by the governing board, which shall provide that contracts and other transactions having legal effect shall be authorised by or on behalf of the Rector and that the University is legally responsible for all such transactions.

Article 14

The governing board shall approve rules for delegation of management responsibility for budgets and the authorisation of

expenses allocated to the sub-accounts of organisational units.

Article 15

Funds generated through research projects or other initiatives of an organisational unit shall be distributed between the University and the organisational unit concerned according to a formula adopted by the governing board within the rules for management responsibility provided for in Article 14.

No action, formal or informal, shall be taken by any member of any organisational unit on any matter having the potential to generate any form of intellectual property right without prior consultation with the Rector or a person nominated by the Rector.

(Note: This provision is new, but possibly overlooked by the Working Group. If and when BiH universities develop lines of research leading to commercial exploitation, it is vital that the university retains control. Meanwhile the position should be clear.)

Article 16

Organisational units shall maintain with the administration of the university a separate accounting of revenue they generate.

Article 17

Organisational units may provide periodic forms of professional development for third parties, such as seminars and courses not defined within levels of education, and may issue corresponding certificates for that purpose. Such certificates shall not have any official status as qualifications of the university unless agreed by the Senate.

(Note: The former Articles 21-24 do not reflect the true autonomy of the university, as exemplified in Article 23(ii) of the draft Framework Law on 'arranging own structures.' The university is expected to take its own responsibility here, through its governing board. In practice as the government is represented on the governing board (external members representing the founder) it can make its opinions known.)

CHAPTER VIII

Status Changes: Establishment of New Organisational Units, study departments, etc.

Renum Article 18 (Currently 21)

The Governing Board of the University may conduct status changes (organisation of new units, merger, attachment, division, severance, termination of operations).

Renum Article 19 (Currently 22, 24)

An initiative for a change of status shall be launched by the Senate of the University based on a feasibility study.

2. CHAPTER X: Articles 48-53 of the draft require some re-drafting to reflect points made in the working group's discussions, the consistency of the section on doctoral studies with modern trends and generally to make the section easier to understand. I propose the following, now set out in renumbered Articles 42-46:

Doctoral studies (third cycle)

Renum Article 42 (Currently 48)

A candidate shall complete the third (doctoral) cycle upon successful completion of a period of study and research equivalent to a period of 3-4 years following successful completion of the second cycle. The candidate may spend this period at the university or a research institution recognised by the University, and in compliance with the law.

Renum Article 43 (Currently 49)

The period of study and research shall be considered completed with a successful defence of a doctoral dissertation, including research results published in indexed publications. A dissertation

may be submitted for examination no later than the expiry of the period twice as long as the period the candidate originally applied for.

Renum Article 44 (Currently 50)

The period of study and research shall be a supervised structured programme determined in individual cases dependent on the proposal of the organisational unit concerned and approved in each case by the Senate.

Renum Article 45 (Currently 51, 52)

The method of supervision of research, as well as assessment procedures for candidates preparing their doctorates shall be described in Rules of Procedure to be adopted by the Senate, and which may introduce respective ECTS systems for studies and for research, which will guarantee adequate transparency of the process.

(Note: doctoral studies, whether PhD or professional doctorate (DEd, DBA, DProf Stud etc) now contain more or less 'pure research', 'applied research,' placements or other studies. The previous Article 50 was outdated. It is not 'lectures' but participation in the wider pedagogic process, i.e. seminars, workshops, practical training, etc. Setting either maximum or minimum terms for the study element in the Statute is wrong.)

Renum Article 46 (Currently 53)

A third cycle candidate shall be considered a student (of doctoral studies) but also a researcher at the initial level.

3. CHAPTER XI: There are major omissions here, some mandated by the Framework Law and others of fundamental importance in modern European universities. I have proposed completely new Articles - renumbered 60-80 in place of the whole of Chapter XI. This also transfers some material from Chapter XIV on examinations and discipline. Former Article 68 on rights and duties I found very confusing and incomplete and have reformulated it in renumbered Article 65.

Renum Article 60
(new - mandated by law)

Students have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their position or any privileges they may have with the institution.

Renum Article 61
(new - mandated by law)

Students have freedom of speech, organisation and assembly within the law.

Renum Article 62
(new - mandated by law)

No student shall be discrimination on any ground such as sex, race, sexual orientation, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status.

Renum Article 63
(new -mandated by law - and 98)

Students have the right to express their views on the quality of the teaching or other facilities of the institution and the statute shall make provision for dealing fairly with complaints.

Renum Article 64 (Currently 67)
Students who meet the requirements for enrolment to a certain programme of study may acquire the status of a student.

Students may have the status of a full time or a part time student.

Renum Article 65
(Currently 68 and 97)

Students have the obligations

- to become familiar with rights, obligations and duties at the beginning of the academic year;
- to participate fully in the academic work of the University and the

- organisational unit to which they are enrolled;
and the associated rights
- to be offered classes in accordance with curricula, teaching and examination schedules;
 - to complete their studies within the prescribed time provided they make adequate progress;
 - to be able to complete their studies according to the curriculum they enrolled into, taking account of the natural development of the subjects they are studying;
 - to attend lectures, seminars and other forms of teaching;
 - to use libraries and other student facilities, available at the institution;
 - to take part in elections for student places in student representative bodies and other bodies established in accordance with the Statute of the institution;
 - in case of public higher education institutions, to recognition of credits transferred between higher education institutions within and outside Bosnia and Herzegovina, on the basis of multilateral and bilateral agreements;
 - to take examinations in accordance with criteria set in advance;
 - to take part in the procedures for quality assurance and enhancement.

Renum Article 66 (Currently 69)

Higher education institutions shall devel-

op a system of continuous assessment, evaluation and grading of students' knowledge during the semester, and shall determine the method of final assessment.

Renum Article 67 (Currently 100)

Student assessment shall be conducted on the basis of transparent and published criteria, provisions and procedures applied consistently. Whenever possible, student assessment shall not be based on an assessment by a single examiner.

(transferred from quality assurance section)

Renum Article 68 (Currently 70)

A student who is displeased with final assessment results may file an objection with the dean's office during the next working day following the announcement of the results.

The objection may relate to the following: administrative error; examination or assessment not in accordance with the curriculum; corrupt or otherwise illegal practice; factors affecting performance (e.g. illness). A challenge only to the academic judgment of a member of staff shall not be considered.

The dean shall be obliged to consider the objection and if (s)he decides it is valid, shall form a three member committee of academic staff within five working days

to re-examine the student within a period which does not disadvantage the academic progress of the student. The chair of the committee shall be of equal or higher academic title to the member of staff whose assessment is challenged. The decision of the dean or committee respectively shall be final and there is no further right of appeal within the university.

The professor with whom the student took the examination with which he or she is displeased may not chair or be a member of the committee but shall be entitled to make representations to it.

(As drafted, this was all very open-ended and could result in hundreds of 'displeased' students requesting committees to re-examine them. You have to have a filter both in terms of criteria and also human. I have adjusted what appear to be unrealistic or open-ended timescales)

Renum Article 69
(Currently 71)

Students may carry no more than 20% of their academic obligations into the next year of study, and details shall be determined by the Rules of Study, adopted by the Senate of the University.

During an academic year, the student may take the final part of an examination in a single subject no more than four times: three times with the responsible teacher, and the fourth time before a

committee established by the dean of the faculty.

Should he/she fail the fourth time, the student shall take the same subject in the following academic year, pursuant to other provisions of the Statute.

(Suggest this is far too liberal and also potentially a drain on staff time: at least reduce it to a maximum of three times and perhaps levy a charge for the third time? Of course, the fact that a student has failed 1, 2 or 3 times will presumably be reflected in the Diploma Supplement)

Renum Article 70 (Currently 72)

A student whose student status has been terminated may re-acquire that status under the following conditions:

- that the University has facilities, staffing and other conditions that allow a continuation of studies;
- that the student takes examinations and fulfils obligations set by the curriculum applicable at the time of re-acquisition of the student status.

The student may use the right to re-acquire the student status only once during the studies.

A decision to approve the re-acquisition of student status shall determine the duties of that student in relation to the continuation of studies.

A decision on approving the re-acquisition of the student status shall be made by the dean.

Renum Article 71 (Currently 73)

The University shall guarantee student mobility and recognition of credits accumulated during the education completed at a different university, in compliance with law and the European Credit Transfer and Accumulation System through international student exchange programmes or on the basis of bilateral agreements between universities.

Pursuant to the contract a student enters into with the University or a bilateral agreement between universities, the credits that the student acquired at the university (semester or academic year) attended shall be recognised.

A student may acquire up to 60 ECTS credits outside the University in a 240 credit degree, or 30 in the case of a 180 credit degree. A minimum of 120 credits must be gained at the University unless the Senate agrees otherwise in any particular case

(This is a suggestion to regulate recognition so that students are obliged to spend two years equivalent at the BiH university. If this is seen as too restrictive, it could be reduced to 60 credits or one year of study)

With a request to attend the University, the student shall present original documents provided for by ECTS rules for changing the location of studies, as follows:

- an application form to register at a different university,
- a contract of studies at a different university,
- a transcript of grades,
- information package.

Renum Article 72 (Currently 74)

The University shall be obliged to take all reasonable steps to provide for students with special needs equal participation in all the teaching and scientific processes at the University according to law.

(Question: what law? There are such laws in Europe but the position in BiH is not known to me. The intent of the original drafters was noble, but impossible. You cannot guarantee it. Laws in the US and Europe provide for 'reasonable adjustments' to help students with special needs to access as far as possible the courses etc open to those without such needs. However it is well established that some courses, notably medicine and related subjects, cannot be pursued successfully by students who are disabled.)

Renum Article 73 (Currently 75)

Conditions and method of inclusion of students in scientific research shall be regulated by the curriculum.

Renum Article 74 (Currently 76)

Assignment of commendations, awards and scholarships shall be regulated by a separate act of the University.

Renum Article 75 (Currently 77)

Following the completion of all the academic obligations as provided by the curriculum or in other regulations, each student shall be awarded a diploma.

For each such student the University is obliged to issue a Diploma Supplement, in two languages, one of which is widely used, free of charge.

(What if the student has not paid fees? If this is not 'provided by the curriculum' it must be provided by other regulations.)

Renum Article 76 (Currently 78)

The status of a student shall be terminated:

- when the student has completed his/her studies (graduation),
- when he/she de-registers from the university (de-registration, or if a student who has active rights and duties fails to enter the next year of study, i.e. fails to renew registration for the same year of study, he/she shall have the status of a student who has de-registered),
- if he/she fails to enter the next academic year, or fails to renew registra-

- tion for the same year,
- if he/she fails to complete the programme of study within the time provided by the programme and other general acts,
- if he/she leaves the studies for reasons set by general acts of the University and the appropriate organisational unit.

Renum Article 77 (Currently 79)

The University shall establish a disciplinary committee, competent for all cases of breach of student duties.

Renum Article 78 (new - mandated by law)

The Senate shall make Rules providing for fair and impartial mechanisms for dealing with disciplinary questions affecting students.

Renum Article 79 (Currently 80)

The Governing Board of the University shall determine rules for the protection of student data pursuant to the law governing data protection applicable to all citizens.

Renum Article 80 (Currently 81)

When deciding on individual rights and duties of students, the University and its organisational units shall act in compliance with the Law on Administrative Procedure.

4. CHAPTER XIV: Simplified: some sections transferred and the rest it is suggested could be:

Renum Article 93 (Currently 96)

The Senate shall establish a Quality Assurance Committee (QAC), to be chaired by the vice-rector, and comprising mainly highly qualified teaching staff and/or those who have experience in issues of quality assurance and come from different organisational units. QAC shall also include no less than 20% student representatives and no less than 20% of representatives of external partners. QAC shall be responsible for preparing strategies and policies of the University in the area of quality assurance, submitting proposals to the Rector and the Senate for final adoption. QAC shall also be tasked with preparing short-term and long-term quality assurance plans, as well as supervising and coordinating procedures related to this matter. In its work, QOC shall be assisted by the quality assurance office of the University, which will provide adequate administrative and technical support in quality assurance activities.

Renum Article 94 (Currently 105)

The University shall take into full account internal quality assurance guidelines, agreed at national level (Rectors' Conference), as well as international (European University Association, ENQA etc.).

Renum Article 95 (Currently 97)

The Senate shall approve formal mechanisms for approval, regular monitoring and periodic reviews of programmes and diplomas, thus assuring their continued value. The University shall secure student participation in quality assurance procedures, as well as consultations with employers, representatives of employees and other partners.

Renum Article 96 (Currently 98)

Student participation shall be part of the regular (annual) monitoring process and shall include evaluation of lectures, programmes and professors and their teaching abilities by the students, as well as consultations with student organisations and student representatives in academic bodies.

(Article 65 on student rights now includes student participation in these activities; former Article 100 ran contrary to former Article 70 which assumed a single professor as examiner. Although it is a good point, it needs to be consistent so I have moved it and it is now Article 67; former Article 101 is deleted since the Statute provides for this earlier)

Renum Article 97 (Currently 102)

As part of its strategic planning process, the University shall ensure that

resources aimed at supporting student learning are adequate and appropriate for each programme offered. This shall also ensure that only the information relevant for effective management of their study programmes and other activities are collected, analysed and used for implementing a continuous quality improvement strategy.

Renum Article 98 (Currently 104)

The University shall publish as part of its annual report its most recent, impartial and objective information, both quantitative and qualitative, on study programmes offered and diplomas awarded.

Renum Article 99 (Currently 106)

The University shall establish detailed guidelines, criteria, standards, and procedures for internal quality assurance, through a separate University act.

5. CHAPTER XV: It is necessary to spell out the composition etc of the governing body and not to say 'it is regulated by the Statute' which is self-referring. I have proposed a new structure here.

Renum Article 100 (Currently 107)

The University shall have a Governing Board as its governing body.
The Senate shall be the highest academ-

ic body of the University.

The Rector shall manage the University. Other bodies may be established at the University, pursuant to this Statute.

Renum Article 101 (Currently 108)

The Governing Board shall comprise 15 members:

- four academic staff representatives elected by and from the academic staff;
- seven external members (representatives of the founder and the public), appointed by the founder;
- two student representatives elected by the student union;
- two non-academic staff representatives elected by and from the members of non-academic staff.

Renum Article 102 (new)

The external members of the Governing Board shall have had experience of, and have shown broad capacity in, industrial, commercial or employment matters or the practice of any profession or have had experience in higher education.

Renum Article 103 (new)

The initial members of the Governing Board other than student representatives shall hold appointment for a period of four years from the date of this Statute entering into force. Student representatives shall hold appointment for two years.

Renum Article 104 (new)

At the end of the initial period of office, members may stand for re-election for one more term only.

Renum Article 105 (new)

The President and Vice-President of the Governing Board (hereinafter 'the President' and 'the Vice-President' shall be elected by the Governing Board from among its external members.

The periods of office of the President and Vice-President shall correspond to their periods of membership of the Governing Board or their earlier death, resignation or removal as hereafter provided for.

Renum Article 106 (new)

A member may be removed by a two-thirds majority vote of the Governing Board for good cause, defined as:

(a) Conviction for a serious criminal

offence as defined in the laws of BiH;
(b) Acting in a manner that is likely to bring discredit on the University;
(c) Inability to discharge the functions of the position through physical or mental incapacity evidenced by the report of an independent medical practitioner appointed by the Governing Board; and
(d) Conduct constituting failure or persistent refusal or neglect or inability to perform the duties of the position.

Renum Article 107 (new)

The President shall chair the Governing Board.

The Vice-President shall chair the Governing Board in the absence of the President and exercise all other functions of the President during the President's illness or other incapacity.

The Chair of the Governing Board for the time being shall have both an original and a casting vote.

Renum Article 108
(Currently 109)

Senate

The Senate shall comprise

- Rector
- Vice-Rectors
- respective representative selected from and by academic staff, with the highest title as a rule, from each faculty, academy, institute, or autonomous higher professional school, irrespective of the number of full time staff with academic titles, and one additional member for each

faculty or academy with more than 25 full time staff with academic titles, and

- student representatives, whose number may not be lower than 20% of the total number of Senate members, with the structure reflecting full time students at undergraduate, postgraduate, and doctoral studies.

Nomination and appointment procedures shall be regulated by law and by rules made by the Governing Board.

(Same point: the draft Statute does not regulate the procedures)

