

REPUBLIC OF LITHUANIA

LAW ON HIGHER EDUCATION

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Vilnius

(As last amended on 30 June 2005 No X-292)

The objective of higher education is to develop an educated personality and society with an aptitude for learning, with knowledge of the latest technologies and cultural values, to create, accumulate and disseminate scientific knowledge and cultural values, and to foster a specific character of national culture. As an essential precondition of the State's future spiritual and material prosperity, higher education shall promote the creation of new knowledge and cultural values through studies, research or artistic creation.

Chapter I

PROVISIONS

Article 1. Scope of the Law

This Law shall define:

1) the system of studies, after which a person is recognised as having acquired higher education in the Republic of Lithuania;

2) the principles for acquisition of professional qualifications, qualification and research degrees in higher education establishments;

3) the limits of higher education establishment autonomy and of State regulation of their activities;

4) the rights and duties of the higher education establishment academic staff and research workers, and students;

5) legal grounds for the founding, reorganisation and liquidation of higher education establishments in the Republic of Lithuania;

6) the basic requirements for higher education establishments and study programmes;

7) the evaluation and registration of study programmes;

8) the principles of financing of higher education establishments and studies.

2. The provisions of this Law shall apply to the General Jonas Pėmaitis Military Academy of Lithuania in as much as they are in compliance with the laws regulating the organisation of the national defence system, and the military service of the Republic of Lithuania.

Article 2. Definitions of this Law

1. **Higher education** – education acquired after the completion of undergraduate or integrated studies in a higher education establishment of Lithuania, or equivalent studies in a foreign higher education establishment;

2. **Higher education establishment** – a higher education and science institution engaged in teaching leading to degrees or higher education qualifications in accordance with the procedure established by this law.

3. **Bachelor's degree** - qualification degree awarded to a person who has completed a study programme of the first stage of sequential university studies.

4. **Diploma** - a certificate attesting to the person's acquired professional qualification or professional qualification and qualification degree, as well as a research degree, which is issued upon the completion of undergraduate studies, special professional studies, master studies, art postgraduate studies, after the defence of a doctoral dissertation.

5. **Doctoral studies** - university studies of the third stage intended to prepare scientists, as well as research and the preparation of a dissertation. Persons shall be admitted to doctoral studies upon completion of master studies or integrated studies.

6. **Qualification** - professional qualification or professional qualification and qualification degree (Bachelor's, Master's) which are awarded upon the completion of an appropriate stage of sequential studies.

7. **Qualification degree** – a degree (Bachelor's, Master's, Licentiate of Art) awarded to a person upon his completion of the programme of an appropriate stage of the sequential university studies (with the exception of doctoral studies).

8. **Master studies** – sequential university studies of the second stage leading to a higher person's professional and research qualification.

9. **Master' degree** - a qualification degree awarded to a person who has completed the Master study programme.

10. **Art postgraduate studies** – university studies of the third stage intended for the training of art teachers of a higher education establishment and specialisation of artists, as well as preparation and defence of art projects.

11. **Scientist** - a person who undertakes research and has a research degree or academic title.

12. **Research degree** - a degree attesting to the person's research qualification, which is awarded upon the defence of a dissertation.

13. **Non-university studies** –one-stage professional studies in a higher education establishment, oriented to practical activities, providing possibilities of acquiring a professional qualification based on applied research and (or) development.

14. **Selective studies** – studies, where separate subjects or subject cycles are studied, intended for the improvement or change of a person's qualifications, and for the development of his professional or general education.

15. **Sequential studies** – studies, after the completion of which higher education is acquired and/or a qualification is awarded, and doctoral or art postgraduate studies.

16. **Undergraduate studies** – a first stage of university sequential studies or non-university studies.

17. **Recognised artist** - an artist who meets the qualification requirements established by the Government, applied to teachers of art studies.

18. **Professional qualification** - professional competencies acquired after the completion of undergraduate studies, special professional or integrated studies, as well as Master studies, internship or art postgraduate studies.

19. **Residency** – university studies of the third stage intended for the preparation for practical activities of the specialists who have acquired qualifications of the subject areas set out by the Government. The name of residency of each subject area must include the name of that subject area.

20. **Special professional studies** - sequential university studies of the second stage intended for acquiring a professional qualification of a certain subject area. Persons shall be admitted to such studies upon completion of university undergraduate studies.

21. **Student** - a person studying at a higher education establishment according to the sequential study programme.

22. **Studies** – learning of a person who has completed at least his secondary education, in a higher education establishment according to a certain study programme.

23. **Study credit** (hereinafter referred to as a credit) – a unit for measuring the scope of studies, equalling forty conditional student work (academic, laboratory, independent, etc.) hours, i.e., one week of his work.

24. **Study programme** – a mixture of curriculum, methods and measures of studies of a certain subject area, the academic and professional staff, and material potential used for studies, as well as the description of the said mixture.

25. **University studies** – sequential studies providing conditions for a person to acquire higher education and qualification based on theoretical preparation and research, as well as to acquire a research degree (upon the presentation and defence of a dissertation).

26. **Integrated studies** - studies intended for acquiring a Master's and (or) professional qualification, when university studies of the first and second stages are being harmonised. Integrated studies the subject areas of which are medicine and odontology shall comprise a mandatory minimum practical preparation (internship).

27. **Licentiate of Art** - a qualification degree awarded to a person who has completed the Art postgraduate study programme, as well as a person having a qualification degree of Licentiate of Art.

28. **Other entities conducting studies** – Lithuanian and foreign legal persons who have been issued in the manner prescribed by the Government an authorization to

conduct studies according to study programmes of higher education establishments of other states.

29. **Study-related activities** – announcement of admission to studies, concluding of agreements on studies or conducting of consultations, as well as granting of certificates, diplomas attesting to education, professional qualification or qualification degrees, recognised by the State.

Article 3. The Right to Acquire Higher Education

1. Persons who completed, as a minimum, their secondary education, shall, in accordance with abilities and knowledge, be entitled under the procedure established by this Law to seek to acquire higher education in Lithuania's higher education establishments.

2. The Government shall lay down the procedure of studies of citizens of foreign states and stateless persons.

3. Higher education acquired in foreign higher education establishments shall be recognised in accordance with the procedure established by laws and other legal acts of the Republic of Lithuania as well as by international treaties of the Republic of Lithuania.

Article 4. Study System. Documents Certifying Qualification and Academic Degree

1. The study system shall consist of sequential university and non-university studies in higher education establishments according to the study programmes, included in the Register of Study and Training Programmes, as well as of selective studies.

2. A person who completed the programme of any stage of sequential studies shall be issued a higher education establishment a diploma in the prescribed form, which attests to the completion.

3. A certificate shall, in a manner prescribed by a higher education establishment, be issued to a person who studied separate subjects or a cycle of subjects at a higher education establishment, but did not complete any of the stages of sequential studies.

4. The qualification which is awarded upon the completion of appropriate sequential studies of a higher education establishment shall be specified in a study programme. The Ministry of Education and Science (hereinafter referred to as the Ministry), taking into consideration the proposals of the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), the Directors' Conference (Conferences) of Lithuanian Colleges, shall prepare a list of qualifications awarded to the persons who complete sequential studies in accordance with the approved subject areas. The Government shall approve this list.

5. The form of the documents certifying the awarding of a qualification and research degree, as well as the procedure for the production, accounting, registration and issue thereof shall be established by the Government.

Article 5. Types of Higher Education Establishments and Grounds of Their Activities

1. Higher education establishments shall be of two types – universities and colleges.

2. Higher education establishments may be both State and not belonging to the State.

3. Higher education establishments not belonging to the State may change its type in the manner prescribed by the Government.

4. A higher education establishment shall organise studies, provide qualifications requiring higher education, conduct research and/or apply research results, accumulate scientific knowledge, develop creative activity and culture, and uphold traditions of the academic community.

5. The activity of a higher education establishment shall be based on the uniformity of science/art and studies as well as academic freedom and autonomy which shall be established by law and the statute of a higher education establishment.

6. A higher education establishment must have academic and professional staff whose qualifications correspond to the qualifications established by guidelines for a subject area, study rooms, laboratories, a library, research or artistic creative activity, as well as training and information aids necessary to implement appropriate study programmes. The said aids must conform to the qualifications awarded by the higher education establishment.

7. A higher education establishment may establish units necessary for the implementation of its purpose – faculties, institutions, departments, laboratories, production and other units.

8. When fulfilling its functions, a State higher education establishment must:

1) offer equal opportunities to all permanent citizens of the Republic of Lithuania to acquire higher education in accordance with their abilities and knowledge;

2) prepare specialists taking into consideration the needs of the State and labour market;

3) carry out periodical self-analysis of its main spheres of activities and improve them;

4) inform the society and public authorities about its activities, measures for the assurance of study quality and the use of the funds.

5) provide consultations to students regarding employment.

9. A State higher education establishment shall be a public legal person functioning as a budgetary or public establishment and have a special status established by the Constitution of the Republic of Lithuania and this Law. A higher education establishment not belonging to the State shall be a public or private legal person. Its legal form of activity shall be chosen by the founder.

Article 6. University

1. A University shall be a higher education establishment, where university studies prevail and the majority of students comprise those studying according to university study programmes, research is carried out, master and doctoral studies are organised and (or) professional artistic creative activity of high level is developed, and art postgraduate studies exist. The status of university may be granted to a higher education establishment performing the above-mentioned functions even if its name does not include a word “university”.

2. The main goals of the university shall be as follows:

1) to create conditions for a person to acquire higher education based on research and conforming to a contemporary level of science and technology, qualification and research degree;

2) to create conditions for persons’ continuing education, improvement of acquired qualifications, and re-qualification;

3) to prepare scientists and (or) artists, to strengthen the effect of science and studies on the progress of Lithuania’s economy and culture, and on the fostering of democratic, civic society;

4) to develop a society which is open to education and culture, able to use science effectively and compete in a market of high-level technologies, products, and services;

5) to promote the development of the regions and of the entire country by research, educational, artistic and other cultural activities;

6) to develop research necessary for the development of national humanitarian, information and technological culture, and for international scientific and economic co-operation.

3. Universities shall be involved in preparing specialists to meet the needs of the country for education, culture and economy and other national needs, capable to carry out intellectual and creative work independently.

4. Universities may teach students in accordance with non-university study programmes as well.

5. More than half of university teachers must be scientists and (or) distinguished artists.

Article 7. College

1. A College shall be a higher education establishment, where non-university studies prevail and the majority of students are those studying in accordance with non-university study programmes, applied research and (or) development or professional arts are developed. The college name may not include words “university” and “academy”.

2. The main objectives of the college shall be as follows:

1) to create conditions for all those who are capable to acquire higher education and professional qualification conforming to the needs of the Lithuanian economy and the contemporary level of science and technology;

2) to develop applied research and development necessary for the region, to consult the representatives of local authorities and economic entities;

3) to create conditions for continuing studies, to assist economic entities in organising professional qualification improvement and re-qualification of the persons, to develop an approach of all life learning;

4) to foster a society which is open to education and culture that is capable of operating under conditions of rapid technological changes.

3. Colleges shall be involved in preparing specialists of practical orientation, capable of working separately in the spheres of education, culture, economy and other spheres. The college may award professional qualifications only upon receiving the authorisation of the Ministry.

4. College study programmes may include study programmes (modules) coordinated with universities and corresponding to university undergraduate studies. A college may be given the right to organise the undergraduate university studies of some subject area in accordance with the procedure established by the Government. In this event, not less than half of the amount of study programmes must be taught by scientists and (or) distinguished artists.

5. Persons who acquire non-university higher education at colleges, shall have the right to study at universities in a manner prescribed by the Ministry.

6. A college must have academic and professional staff for the implementation of its tasks. More than a half of the teachers must have no less than 3 years' work experience in the sphere of the subject taught. Guidelines for a subject area shall define subjects that must be taught by teachers with a research degree.

7. A college may conclude contracts with universities concerning general studies and research programmes, exchange programmes, etc.

Article 8. Higher Education Establishment Statute

1. The statute of a higher education establishment (hereinafter referred to as statute) shall be a legal act regulating the activities of a higher education establishment.

2. The higher education establishment statute must comprise the following:

- 1) higher education establishment name, founders, seat;
- 2) goals, tasks and areas of activities;
- 3) structure and procedure of its changing;
- 4) procedure of the formation of self-government institutions and organisation of the activities thereof as well as their rights, duties and functions;
- 5) purpose of the units and their competence;
- 6) the procedure for election or appointment of the heads of a higher education establishment and its units, their duties and rights;
- 7) rights, duties and responsibility of the academic staff and research workers;
- 8) rights of students and measures for the implementation thereof;
- 9) duties of students, the procedure of disciplinary penalties imposed on them;
- 10) the procedure for the formation of commissions intended for the settlement of disputes arising between the administration and other employees as well as students, the procedure for the settlement of disputes and the implementation of decisions;
- 11) sources of assets, procedure for use of property and assets;
- 12) the procedure for adopting and amending of the statute.

3. The statute may also regulate other issues of higher education establishment activities.

4. The State university statute and its amendments or supplements shall be approved by the Seimas, the State college statute and its amendments or supplements shall be approved by the Government.

5. The statute of a higher education establishment not belonging to the State shall be adopted in a manner prescribed by its founder, and amended in a manner prescribed by the statute.

Article 9. Higher Education Establishment Autonomy

1. Higher education establishments of the Republic of Lithuania shall have autonomy encompassing academic, administrative, economic and finance management activities, based on the principle of self-government, academic freedom, and defined in the Constitution of the Republic of Lithuania, this Law and higher education establishment statutes.

2. Higher education establishments shall have the following rights:

- 1) to establish their own procedure of studies;
- 2) to formulate programmes conforming to the guidelines for a subject area;
- 3) to publish study, scientific and other literature;
- 4) to define their own organisational structure, internal work regulations, the concrete number of academic staff and research workers, administrative and other employees, their rights and duties and pay conditions which are in compliance with effective legal acts;
- 5) to elect self-government institutions in a manner established by the statute;
- 6) to enrol and expel students;
- 7) to establish forms of co-operation with Lithuanian and foreign enterprises, institutions and organisations;
- 8) to manage the property, to use and dispose of it in a manner prescribed by law.

3. Beside the rights specified in paragraph 2 of this Article, universities shall be have the following right:

- 1) to select study forms and subject areas, research, professional artistic activities;
- 2) to approve study programmes conforming to the guidelines for a subject area;
- 3) to award research degrees, qualifications, academic titles.

4. Higher education establishment academic staff, research workers and students shall be entitled to freedom of expression, studies, research and artistic creation and shall

enjoy them without infringing the rights of other persons or violating laws, other legal acts and the higher education establishment statute.

Article 10. Language of Instruction

The language of instruction at higher education establishments of the Republic of Lithuania shall be the Lithuanian language. Other languages shall be allowed to be used for instruction if:

- 1) a study programme is related to another language;
- 2) lectures are delivered and other academic studies are run by foreign higher education establishment teachers and specialists of other foreign organisations;
- 3) this is required by an international study exchange.

Article 11. Higher Education Establishment Property

1. The property of a higher education establishment shall consist of buildings and other tangible assets owned by the right of ownership, extra-budgetary funds, securities, and intellectual work products (inasmuch as they do not infringe the copyright) and other legally acquired property.

2. State higher education establishments shall administer, use and dispose of the transferred State and municipal property on the basis of the right of trust. Their rights and duties for administering and using State property and disposing of it shall be established by this Law and other laws. Property which is acquired with non-budgetary funds, received as a gift, bequeathed or acquired in any other legal way shall be administered, used and disposed of by a higher education establishment on the basis of the right of ownership, in accordance with the norms of the Civil Code and other laws, without

violating legal interests and rights of other persons, and in the manner prescribed by the statute of that higher education establishment.

3. State (municipality) property may be transferred to higher education establishments which do not belong to the State under a loan-for-use contract in accordance with the procedure established by this law.

4. Universities shall enjoy the right of inviolability of their territories and buildings. State-owned land shall be given to universities for use of an unlimited duration in accordance with the procedure established by law. Only the Government of the Republic of Lithuania may change the borders of the territory of State universities or the ownership of buildings, upon receiving the consent of the university senate. If the university does not consent to this, the borders of the territory or the ownership of buildings may be changed only by the Seimas.

5. Public authorities or self-government institutions may not carry out works (except urgent emergency works) within university territories without the permission of the rector or a person authorised by him.

Article 12. Register of Study and Training Programmes

The Government shall establish the Register of Study and Training Programmes. The Ministry shall maintain this Register.

Chapter II

FOUNDING, DISSOLVING AND

REFORMING OF HIGHER EDUCATION ESTABLISHMENTS

Article 13. Conditions of the Founding of Higher Education Establishments

1. A higher education establishment may be founded only in the presence of material facilities and other conditions laid down in this Law necessary to ensure the quality of planned study programmes, research and (or) artistic activities, as well as to meet the requirements of provided qualifications.

2. When adopting a decision to found a higher education establishment, it shall be necessary to have the conclusions of institutions authorised by the Government which confirm that the material facilities of an institution being founded meet the requirements for health protection and safety at work.

3. A State university shall be established only by way of reorganisation of a branch of the university, a functioning higher education establishment or several functioning higher education establishments.

4. A higher education establishment not belonging to the State or a branch of a foreign higher education establishment may be established only by a legal person (except State higher education establishments of the Republic of Lithuania) who has a resource base necessary to ensure functioning of a higher education establishment and an authorisation to conduct studies, obtained in the manner prescribed by the Government. The Ministry shall, in the manner prescribed by the Government, submit to the Government conclusions regarding the consent to issue an authorisation to conduct studies or inform the applicants about the grounds for taking a negative decision.

5. Activities related to studies which persons carry out without an authorisation of the Government shall be illegal. Such activities shall be terminated in the manner prescribed by laws, and administrative proceedings shall be taken against the persons.

Article 14. Founding of State Higher Education Establishments

1. A State university shall be established by the Seimas on the advice of the Government.

2. A State college shall be established by the Government on the advice of the Ministry. A college may be also established on the joint advice of the Ministry and the university. In this event, a college statute shall be approved only with the consent of the university council.

3. When establishing a State higher education establishment, the Ministry shall evaluate the conclusions made by the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), the Directors' Conference (Conferences) of Lithuanian Colleges, the Union (Unions) of Representations of the Lithuanian Students and, if consent with the founding of a higher education establishment, shall draw up its foundation project. The Government shall lay down the requirements for this project and the procedure of its preparation.

4. Upon the adoption of a decision to found a higher education establishment, the Minister of Education and Science (hereinafter referred to as the Minister) shall approve a constituent council, appoint the acting rector (director), approve the provisional statute of a higher education establishment, identify conditions that should be fulfilled before the beginning of the higher education establishment activity, shall also predict the amount of funds required from the State budget for the activities of a higher education establishment.

Article 15. Conducting of Studies According to Study Programmes of Higher Education Establishments of other Countries

1. Studies may be conducted in Lithuania according to study programmes of higher education establishments of other countries, provided such countries have a national evaluation (accreditation) system pursuant to which those higher education establishments or their programmes have been evaluated (accredited).

2. Lithuanian and foreign higher education establishments which intend to conduct studies in Lithuania according to study programmes of higher education establishments of other countries and to engage in other study-related activities, must obtain in the manner prescribed by the Government, an authorisation to render these services.

3. Other legal persons who have an authorisation of a foreign higher education establishment to conduct studies in Lithuania and a note of intermediation of a state institution of that foreign country, which regulates the field of higher education, may also conduct studies according to study programmes of higher education establishments of other countries and to engage other study-related activities, provided they have obtained in the manner prescribed by the Government an authorisation to render the said services.

4. The Ministry shall, in the manner prescribed by the Government, supervise the compliance with the terms and conditions of an authorisation. The Government may lay down conditions under which an authorisation may be revoked upon the recommendation of the Ministry.

Article 16. Beginning of the Activities of a Higher Education Establishment

1. A higher education establishment shall have the right to commence its activities from the date of the registration of the said institution and its study programmes in the Register of Legal Persons and the Register of Study and Training Programmes. A new higher education establishment shall be recorded in the Register of Legal Persons only after the commission established by the Government or its authorised institution acknowledges that the conditions indicated when taking a decision to establish a higher education establishment or to issue an authorisation to conduct studies have been fulfilled.

2. Within four years after the beginning of the higher education establishment activity, the Centre for Quality Assessment in Higher Education shall carry out an assessment of the higher education establishment's activities.

3. If the activities are evaluated positively, the Minister shall issue an authorization to a higher education establishment to adopt a statute and to form self-government institutions of a higher education establishment in accordance with the procedure prescribed by this Law. Upon the election of the senate (academic council) and the rector (college director), the powers of the constituent council and acting university rector (college director) shall be discontinued.

4. If the activities of a higher education establishment are evaluated negatively, the Minister may fix a period up to two years to solve the shortcomings. If at the end of the given period, the State higher education establishment is again given a negative assessment, the Minister shall initiate the reorganisation or liquidation of the State higher education establishment. If the activities of a higher education establishment not belonging to the State are given a repeat negative assessment, the Government shall resolve the issue of the revocation of an authorisation to conduct studies, issued to this higher education establishment.

Article 17. Reorganisation and Dissolving of Higher Education Establishments

1. Higher education establishments shall be reorganised and liquidated in accordance with the procedure laid down by the Civil Code of the Republic of Lithuania and this Law.

2. The Seimas shall, on the recommendation of the Government, take a decision on reorganisation of a State university. The Government shall take decisions on reorganisation of State colleges.

3. Upon a decision to reorganise a State higher education establishment is taken, the Minister shall appoint the provisional council and acting administrator of a higher education establishment under reorganisation. The acting administrator must, in a manner prescribed by this Law, hold within three months the election of a senate (academic council) of the reorganised higher education establishment.

4. Upon the election of the head of the reorganised higher education establishment, the powers of the acting administrator shall be terminated.

5. If the Centre for Quality Assessment in Higher Education gives a repeat negative assessment of the activities of a higher education establishment and discloses that the qualifications provided do not conform to the established requirements, the Ministry may propose to the Government the following:

1) to revoke the authorisation of a higher education establishment not belonging to the State to conduct studies;

2) to liquidate or reorganise a State college;

3) to propose to the Seimas the liquidation or reorganisation of a State university.

6. Upon the adoption of a decision to liquidate a State higher education establishment, the Minister shall appoint a liquidator, who, according to the approved liquidation project and schedule, shall liquidate a higher education establishment. The project must set forth proposals concerning the further work of the staff, possibilities for students to continue their studies in other higher education establishments as well as proposals for the use of the higher education establishment property.

7. The senate (academic council) of a higher education establishment under liquidation and the university council (college council) as well as the rector (director) shall lose their powers from the date of the appointment of the liquidator. The liquidator shall execute their functions.

8. A higher education establishment not belonging to the State shall have no right to issue diplomas to graduates confirming higher education from the date of revocation of the authorisation for that higher education establishment to conduct studies.

9. A higher education establishment shall be regarded as liquidated from the date of its deregistration from the Register of Legal Persons.

Article 18. Repealed

Chapter III

SELF-GOVERNMENT AND STATE REGULATION OF
HIGHER EDUCATION ESTABLISHMENTS

Article 19. Institutions for State Regulation and Co-ordination of Higher Education Establishment Activities

1. State regulation of the activities of higher education establishments shall be executed by the Government and the Ministry in accordance with the procedure established by legal acts.

2. The Lithuanian Scientific Council shall be a scientific expert of the Seimas and the Government for the organisation of science and studies as well as for financial issues.

3. The Higher Education Council shall be an expert institution on strategic higher education development issues, which shall be formed and function in accordance with the regulations approved by the Government.

4. A budgetary agency - the Centre for Quality Assessment in Higher Education shall be an expert institution of the Ministry dealing with issues of evaluation of higher education establishments. The Ministry shall perform the functions of the founder of this agency.

5. Interrelations between higher education establishments and relations with the public authorities and municipal institutions shall be co-ordinated by the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), the Directors' Conference (Conferences) of Lithuanian Colleges, the Union (Unions) of Representations of the Lithuanian Students and other societies of higher education establishments, non-profit and other organisations and associations, which operate in accordance with laws and their bylaws. These organisations, at their own request, may receive financial assistance from the funds allocated for general needs of science and studies.

Article 20. Planning of Lithuania's Higher Education System Development

1. Higher education establishments shall prepare their long-term development plan projects for a period of 5 years and submit them to the Ministry. The Ministry shall co-ordinate them with higher education establishments, taking into consideration the conclusions of the Higher Education Council.

2. The Ministry, taking into account the priorities of the State, financial resources, long-term development plans submitted by higher education establishments, shall prepare a long-term Lithuanian higher education system development plan project and, upon taking into consideration the conclusions of the Higher Education Council, shall submit it to the Government for approval, and announce it to the public. The plan must include:

- 1) the objectives and tasks of the State in the sphere of higher education;
- 2) a survey of the condition of higher education in Lithuania and its evaluation;
- 3) the trends of development of higher education and higher education establishments;
- 4) prospects for updating and improving study programmes;
- 5) the planned number of students to be admitted to higher education establishments;
- 6) the planned higher education establishment financing programme.

3. When necessary, the Ministry shall update the Lithuanian higher education system development plan, taking into consideration the remarks and proposals of the Seimas committees, ministries, the Higher Education Council, the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), the Directors'

Conference (Conferences) of Lithuanian Colleges and other institutions and experts, and shall submit an updated plan to the Government for approval.

Article 21. Higher Education Establishment Self-government Bodies and Higher Education Establishment Public Regulation Bodies

1. The supreme body of the academic self-government of a State university shall be the senate, and the supreme body of the academic self-government of a State college - the academic council.

2. The public supervision and care body of a State university shall be the university council, and the public supervision and care body of a State college shall be the college council;

3. The self-government and management procedure of a higher education establishment not belonging to the State shall be established by its statute.

Article 22. The Senate

1. The senate shall be formed in accordance with the procedure established by the university statute for a period not longer than five years.

2. University scientists, distinguished artists, students as well as scientists and distinguished artists of other higher education establishments may be senate members. Students must comprise not less than 10 percent of the Senate members. Representatives of students to the Senate shall be delegated by the students' government organisation and if there is no students' government organisation, representatives shall be elected by a general students' meeting (conference). Professors must comprise not less than half of the senate members. The university rector shall be an ex officio member of the Senate.

3. The senate activities shall be regulated by the university statute. The rector and the senate chairman may not be the same person.

4. An extraordinary meeting of the senate must be convened in the case where not less than one third of the senate members request one. In this case the meeting shall be presided over by a senate member elected as a meeting chairman.

5. The senate shall exercise the following functions:

1) adopt and submit a statute and amendments thereof to the Seimas for approval;

2) appoint representatives to the university council;

3) elect and dismiss the rector;

4) on the advice of the rector, approve the vice rectors, deans of faculties, heads of departments, directors of institutes, heads of other branches provided for in the statute who are elected or appointed to the office in a manner prescribed by the statute;

5) establish the procedure for performance evaluation of the academic staff and research workers and for the organisation of competitions to hold the post;

6) in a manner prescribed by the Government, award the titles of professor and docent to teachers holding appropriate offices, as well as university's honorary titles;

7) control the quality of studies and training of scientists;

8) consider and approve study programmes, programmes concerning research and the development thereof, as well as structural changes necessary for the implementation of such programmes, taking into consideration proposals of the university council;

9) submit proposals to the Government concerning allocation of funds for consultative and information activities of scientific fields developed by the university;

10) consider the university's developmental long-term plan project and, upon receipt of the conclusion of the university council, approve it and present it to the Ministry together with the said conclusion of the university council;

11) repealed;

12) consider annual rector's reports, annual income and expenditure estimates and, upon receipt of the conclusion of the university council, approve them;

13) approve rules of the internal order of the university and documents regulating the administration of academic affairs;

14) in accordance with the procedure established by the statute, convene meetings of university academic community to discuss important university activity issues;

15) exercise other functions provided for by the statute.

6. The senate shall inform the academic community about its decisions in the manner prescribed by the statute and shall report to it on the senate's activities once a year.

Article 23. The Academic Council of the College

1. The academic council shall be formed in accordance with the procedure prescribed by the college statute for a period not longer than five years.

2. The teachers and students as well as representatives of other science and higher education institutions shall be members of the academic council. Students must comprise not less than 10 percent of the academic council members. Not less than 10 per cent of representatives of other science and higher education institutions must be elected to the academic council in accordance with the procedure prescribed by the statute. Not less than one scientist shall represent each college subject area in the academic council. Representatives of students shall be delegated to the academic council by the students'

government organisation, and if there is no such organisation - by the general meeting (conference) of students. The college director shall be ex officio member of the academic council.

3. The academic council shall function in a manner prescribed by the statute. The same person may not be the college director and the academic council chairman.

4. An extraordinary meeting of the academic council shall be convened if so requested by not less than one third of the academic council members. In this case the meeting shall be presided over by the academic council member elected as a meeting chairman.

5. The academic council shall exercise such principal functions:

- 1) adopt and present to the Government for approval a college statute and amendments thereof;
- 2) appoint representatives to the college council;
- 3) approve or elect the heads of the college units in a manner prescribed by the statute;
- 4) establish a procedure for the performance evaluation of the academic staff and for the organisation of competitions to hold the post;
- 5) present study programmes to the Ministry for approval;
- 6) establish the procedure for quality assurance of studies and control the quality of studies;
- 7) consider the programmes of the development of applied research and (or) development;
- 8) consider a draft of a long-term plan of the college development and, upon the receipt of the approval of the college council, present it to the Ministry;

9) consider annual college director's reports, annual income and expenditure estimates as well as reports on their fulfilment, and, upon the receipt of the college council, approve them;

10) approve rules of the internal order of the college and documents regulating the administration of academic affairs

11) in accordance with the procedure established by the statute, convene meetings of the academic community of the college to discuss important college activity issues;

12) exercise other functions provided for in the statute.

6. The academic council shall inform the academic community about its decisions in a manner prescribed by the statute and shall report to it on the academic council's activities once a year.

Article 24. The State University Council. The State College Council

1. The State university council and the State college council (hereinafter referred to as the council) shall:

1) prepare conclusions concerning a draft of a long-term plan of the higher education establishment development;

2) present recommendations on study programmes, programmes related to research and the development thereof, as well as on structural changes necessary for the implementation of such programmes;

3) make arrangements for the provision of support to a higher education establishment;

4) 2 months prior to the expiry of the office, as well as in the case provided for in this Law and (or) the statute when the powers are terminated before the expiry of the office, announce elections of a senate (academic council) and a rector (college director);

5) consider and prepare conclusions regarding annual reports of the rector (college director), annual income and expenditure forecasts and a report on whether those forecasts have been met/on the actual figures;

6) evaluate how a higher education establishment carries out its tasks contributes to the economic, social and cultural development of the State;

7) evaluate how the higher education establishment property and the funds allocated by the State or received otherwise are used; may propose to the Ministry the initiation of auditing of the economic and financial activities of a higher education establishment;

8) announce to the public the results of the evaluation of the activities of a higher education establishment;

2. The college council shall elect a college director.

3. The council shall have the right to obtain from a higher education establishment and the Ministry the information necessary to exercise the functions. The college members may attend all sittings of higher education establishment self-government and management institutions. A higher education establishment must provide the council with premises and render it technical services.

4. The council shall be formed for a period of 4 years from not less than 9, but not more than 21 members. The council shall be formed from three parts: one-third of the council members is, appointed by the senate (academic council), in a manner prescribed by the statute, another third of the council members (not the employees of a higher education establishment) representing the spheres of science, culture, art and economy, local self-government institutions or public authorities, is appointed by the Minister; the remaining third of the council members is appointed by consensus of the rector. The rector (college director) and at least one representative of students elected by the students' government organisation, and if there is no such organisation - by the general meeting (conference) of students must be among the members appointed by the senate (academic council) of a higher education establishment. The Minister shall, by his order,

announce the composition of the council and, taking into consideration the recommendation of the rector (college director), appoint its chairman. The person working in that higher education establishment may not be the council chairman.

5. The Seimas and the Government members, civil servants of political (personal) confidence may not be council members.

6. The council shall approve its working regulations. The council shall adopt decisions by a majority of votes of all council members. Sitzings of the council shall be lawful if not less than 2/3 of the council members attend them.

7. If the senate (academic council) does not approve of the council's conclusions and proposals concerning annual income and expenditure estimates and their implementation accounts, the council shall consider them repeatedly and, if it adopts the same decision again, such decision shall become mandatory to the senate (academic council).

8. If a council member does not properly perform his duties provided for in the council regulations, the council chairman shall have the right to appeal to the Minister, the senate (academic council) or the rector (college director) with a request to dismiss the appointed (elected) council member. Upon the receipt of the senate's consent, the rector shall have the right to submit a request to the Minister to change a council chairman.

9. In a manner prescribed by the council regulations, the council shall each year inform the senate (academic council), the academic community and the public about its activities and present reports to the Minister.

Article 25. University Rector

1. The university rector shall head the university, represent it and act on its behalf.
2. The university rector shall:

1) be responsible for the compliance of the university activities with the laws of the Republic of Lithuania, the university statute and other legal acts;

2) issue orders;

3) employ and dismiss employees, announce competitions to hold positions, appoint persons to these positions and dismiss them from them;

4) approve the rules regulating the internal order of a higher education establishment;

3) approve higher education establishment documents;

4) enrol and expel students;

5) give incentives employees and students and impose disciplinary penalties on them as well as announce this fact publicly;

6) be responsible for the financial activities of the university, the proper management, use and disposal of the property;

7) be concerned with due quality of higher education provided, research, cultural and artistic activities;

8) publicly announce and submit to the senate and the Ministry an annual report on the university activity, an annual income and expenditure estimate and its implementation account;

9) exercise other functions assigned to him by the laws, the statute and other legal acts.

3. The rector may, in a manner prescribed by the statute, delegate part of his functions to vice rectors.

4. The State university rector shall be elected by the senate for a period not exceeding five years and for not more than two subsequent terms of office by way of an open competition, by secret ballot in accordance with the procedure prescribed by the statute. Only a scientist or a distinguished artist possessing the title of professor may participate in the competition to hold the office of a rector.

5. If an annual report of the State university rector or an annual account on the implementation of an income and expenditure estimate is not approved by a majority of votes of all senate members, the powers of the rector shall be terminated. If it is established that the rector has grossly violated laws and (or) the statute, the senate may, on its own initiative or on the advice of the council, dismiss the rector from his position. Until the election of a new rector, the senate shall appoint another senate member to exercise the powers of rector.

6. The rector of a university not belonging to the State shall be elected or appointed in accordance with the procedure established by the statute.

Article 26. College Director

1. The college director shall head the college, act on behalf of it and represent it.

2. The college director shall:

1) be responsible for the compliance of the college activities with the laws of the Republic of Lithuania, the university statute and other legal acts;

2) issue orders;

3) employ and dismiss employees, announce competitions to positions of teachers, appoint persons to these positions and dismiss them from them;

4) set up a commission for the selection of applicants, enrol and expel students;

5) give incentives to employees and students and impose disciplinary penalties on them as well as announce this fact publicly;

6) be responsible for the financial activities of the college, the proper management, use and disposal of the property;

7) be concerned with due quality of studies and the level of higher education provided;

8) publicly announce and submit to the academic council and the Ministry an annual report on the college activity, an annual income and expenditure estimate and its implementation account;

9) exercise other functions assigned to him.

3. The college director may, in a manner prescribed by the statute, delegate part of his functions to deputy directors.

4. The State college director shall be elected by the college council for a period not exceeding five years and for not more than two subsequent terms of office by way of an open competition, by secret ballot in accordance with the procedure prescribed by the Ministry. A candidate shall be considered for election if not less than half of all college council members vote for him. A person who was involved in organisational or pedagogical work and who usually has a research degree may participate in the competition to hold the office of a college director.

5. A State college director shall begin holding his office after the Ministry approves his candidature.

6. If the Minister does not approve of an elected State college director, the council shall announce a new election of college director.

7. If an annual report of the college director or an annual account on the implementation of an income and expenditure estimate is not approved by a majority of votes of all academic council members, as well as it is established that the director has grossly violated laws and (or) the statute, upon the council's recommendation, the

Minister may dismiss such State college director prior to the expiry of his term of office and ask the council to announce new elections of director. Upon dismissal of the director and until the election of a new director, the Minister shall appoint another academic council member to exercise the powers of director.

6. The director of a college not belonging to the State shall be elected or appointed in accordance with the procedure established by the statute.

Chapter IV

HIGHER EDUCATION ESTABLISHMENT STAFF

Article 27. Higher Education Establishment Staff

1. The higher education establishment staff shall consist of the academic staff, research workers, the administration and other employees. Their working conditions and social guarantees shall be established by this Law and other legal acts.

2. A person who wishes to work in a higher education establishment as an additional workplace, must, together with an application for employment as a teacher or a research worker, specify his position (activities) in the main workplace and all additional workplaces.

3. The Government or an institution authorised by it shall establish the minimum requirements for job qualification of the academic staff and research workers, except postdoctoral fellows, the procedure for organising competitions to hold such offices, and for performance evaluation of the academic staff and research workers, except postdoctoral fellows. When assessing the results of a repeat performance evaluation of the academic staff, students' evaluation must be taken into account. Other requirements for positions of the academic staff and research workers, except postdoctoral fellows,

shall be set out by higher education establishments. The said requirements may not be lesser than the minimum requirements for job qualification of the academic staff and research workers, except postdoctoral fellows.

4. Requirements for job qualification of postdoctoral fellows, procedure for appointing to such office as well as the procedure for financing the period postdoctoral fellows hold this office shall be laid down by the Government.

Article 28. The Academic Staff

1. The positions of the academic staff of a higher education establishment shall be as follows: professor, docent, lecturer, and assistant lecturer.

2. Teachers having a research degree, alongside the pedagogical work must participate in research and (or) development as well as methodical activities, and artists-teachers - in research and (or) professional artistic activities as well as methodical activities.

3. A scientist or a distinguished artist may hold the office of a professor. Such persons must meet the requirements for the position of professor and have fulfilled the requirements for the Habilitation. The Government, taking into account proposals of the Science Council of Lithuania, Lithuanian Universities Rectors' Conference and the Higher Education Council, shall establish the procedure of the Habilitation.

4. A scientist holding the office of a professor must prepare scientists, teach students, form research trends and direct them, announce research results in reviewed scientific publications. A distinguished artist acting in holding the office of a professor must prepare professional artists, teach students, participate in artistic activities and (or) form art research trends and direct them, announce research results.

5. A scientist or distinguished artist may qualify for a position of a docent. These persons must meet the requirements for the position of docent. Upon the approval of the

academic council, a person with a master's qualification degree or the equivalent higher education may occupy a position of a docent for not more than one term of office in the college.

6. A scientist holding the position of a docent must teach students, carry out research, and announce research results in reviewed scientific publications. A distinguished artist holding the position of a docent must prepare professional artists, teach students, and participate in artistic activities.

7. A candidate for the position of a lecturer may be a scientist or a person with master's qualification degree or equivalent higher education. A lecturer must teach students and be involved in methodical activities.

8. A candidate for the position of an assistant lecturer may be a person with at least a master's qualification degree or the equivalent higher education. An assistant lecturer must direct practical training of students (practical work, practical trainings, internship) and help in carrying out research. The latter requirement may not apply to assistant lecturers of university art studies, as well as college assistant lecturers.

9. The academic staff shall follow the code of ethics of the academic staff, which is drawn up and approved by a higher education establishment in accordance with the recommendations of the Ministry.

Article 29. Research Workers

1. For the execution of its functions, a higher education establishment may have research workers. Research workers shall be:

1) scientists holding the positions of chief researcher, senior researcher and researcher;

2) postdoctoral fellows;

- 3) persons with higher education, holding the position of junior researcher.
2. A scientist may hold the position of chief researcher if he meets the requirements for this position and the requirements for the Habilitation. The chief researcher must prepare scientists, direct research trends, announce research results in reviewed scientific publications.
3. A scientist may hold the position of senior researcher. The senior researcher must direct research and announce research results in reviewed scientific publications.
4. A scientist may hold the position of researcher. The researcher must carry out research and announce research results in reviewed scientific publications.
5. A person with not less than a master's qualification degree or equivalent higher education may hold the position of junior researcher. The junior researcher must carry out or help to carry out research, prepare for doctoral studies.
6. All researchers at the university must carry out pedagogical work in the manner prescribed by the university statute.
7. The person may hold the position of postdoctoral fellow in the institution other than that in which he prepared a dissertation, provided he defended the dissertation not earlier than 3 years before the appointment to this position.

Article 30. Administration and other Employees

1. Higher education establishments must have the administration necessary for the execution of administrative functions of higher education establishments and their units, as well as other employees necessary for the implementation of academic and house administration tasks of higher education establishments.
2. The higher education establishment administration shall consist of the heads of those institutions and of their structural units, as well as their deputies.
3. The higher education establishment shall establish the number of other employees (not the administration) of that institution, their duties and functions.

Article 31. Procedure for Appointment to the Positions

1. Main positions of higher education establishment teachers and research workers, except postdoctoral fellows, shall be occupied by way of open competition for a term of office not exceeding 5 years. Persons shall be appointed to the position of postdoctoral fellow in the manner prescribed by the Government for a term of office not exceeding 2 years. This period may be extended by one year.
2. Two months before the termination of the term of office of a higher education establishment teacher or research worker, an open competition shall be announced for holding such position. The person who holds that position may also take part in such competition.
3. If a professor wins a competition for the third term of his office, he shall acquire the right to hold to hold this position in that higher education establishment without any competition until he reaches the age of 65 years.
4. By the decision of the senate (academic council), an extraordinary performance evaluation of a higher education establishment teacher or research worker may be carried out. The higher education establishment teacher or research worker, who receives a negative performance evaluation, shall be dismissed in accordance with the procedure established by law.
5. Higher education establishment teachers and research workers over 65 years of age may work in a higher education establishment if the senate (academic council) consents that a fixed-term employment contract for the period not longer than three years is concluded with them. By the decision of the senate (academic council) such contract may be concluded repeatedly.
6. Persons not over 65 years of age may be elected (appointed) to the positions of heads or deputy heads of higher education establishments as well as their units. The persons over 65 years of age may be elected (appointed) to the positions of heads or deputy heads of higher education establishments or their units, if the council, the senate (academic council) and students' representatives approve that. The persons over 65 years of age who hold the position of heads or deputy heads of higher education establishments or their units and whose

term of office has not yet expired shall not be subject to the requirements laid down in paragraph 5 of this Law until the expiry of their term of office.

7. For a period not exceeding one year, the rector (college director) may, without competition, employ teachers for a part-time position to carry out pedagogical activities in accordance with a fixed-term employment contract. These higher education establishment teachers shall be subject to the qualification requirements for appropriate positions as specified in Article 28 of this Law, except the requirement to carry out research.

Article 32. Professor Emeritus

1. The senate may, for significant services to science or arts, award professors and chief research workers older than 65 years of age, who have carried out active research and pedagogical work at the university, the title of professor emeritus. The professor emeritus shall, in a manner prescribed by the university statute, be provided with the conditions to participate in university research and other activities. The professor emeritus shall, in the manner prescribed by a higher education establishment, be paid a monthly benefit of the professor emeritus in the amount fixed by the university senate.

Article 33. Invited Teachers and Research Workers

A higher education establishment may, for a period not exceeding 2 years, invite teachers and research workers from other states to carry out research and (or) pedagogical work under a fixed-term contract. The procedure for the appointment to positions provided for in this Law shall not apply to invited teachers or scientists.

Article 34. Improvement in the Scientific and Professional Qualification of the Academic Staff

Higher education establishment teachers may be released every 5 years for a period up to one year from pedagogical work for carrying out research work and improvement of their research and professional qualifications. Within that period the teacher shall be paid his average salary.

Chapter V

SCIENTIFIC AND ARTISTIC ACTIVITIES

Article 35. Higher Education Establishment Scientific Activities

1. Fundamental and applied research, development at higher education establishments must provide students with methodological skills of research, improve qualifications of higher education establishment academic staff and research workers, provide possibilities to constantly supplement the subjects taught with the most advanced scientific and practical knowledge.

2. Higher education establishments shall be entitled to undertake research and carry out development in accordance with agreements with Lithuanian and foreign natural and legal persons, and also to participate in the international and foreign research programmes.

Article 36. University Scientific Activities

1. Scientific activities at universities must ensure the integral unity of science and studies.

2. The State shall allocate funds from the budget to finance research carried out at universities, acquisition of research apparatus, equipment and equipping of research laboratories.

3. Trends and volumes, topics and terms of research conducted at universities shall be established by universities themselves taking into consideration the needs of the State, the importance of research for the education, culture and economy, scientific co-operation programmes, as well as the qualification of research workers, and financial resources possessed by the university. State university research trends and time limits shall be specified in a prospective plan of the university development. Development and the applied research related thereto, carried out under target programmes, shall be financed from the State budget, and also from the funds of clients.

4. Scientific activities shall be carried out at university departments, laboratories, and other research units. At State universities major, long-term, international-level fundamental and applied research of separate trends or fields of sciences may be conducted in the research institutions of these universities.

5. University research shall be co-ordinated by the Ministry, in co-operation with the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences) and the Lithuanian Academy of Sciences.

Article 37. University Scientific Institute

- 1. The university research institute (hereinafter referred to as the institute) shall be a legal person. The institute, in accordance with an agreement with the university, shall establish a research base for university students' studies and for the preparation of scientists in doctoral studies, as well as for the improvement of research qualification of the academic staff. These activities of the institute shall be financed from the funds provided for in the university's expenditure estimate.

- 2. The institute shall prepare a long-term 5-year activity plan which, upon the approval of the senate and university council, shall be included into the university development long-term plan.

- 3. On the joint advice of the Ministry and the university, the Government shall found, reorganise and abolish an institute, taking into consideration the conclusions and recommendations of the Science Council of Lithuania and the interested State and science and higher education institutions.

- 4. The institute statutes prepared on the basis of the Government approved regulations of a university research institute, and basic trends of research activities shall, on the advice of the university senate and institute council, be approved by the Government, taking into consideration conclusions of the Science Council of Lithuania.

- 5. Two-thirds of the institute council members shall be the members elected by institute scientists, and one-third shall be members appointed by the senate. The Government may also fix a different ratio of scientists elected by the institute and council members appointed by the senate, moreover, it may establish the procedure for including representatives of the interested institutions, agencies and organisation in the institute council.

- 6. The commission consisting of the equal number of representatives of the institute council and the university senate as well as a representative of the Government shall elect institute director from scientists by way of an open competition by secret ballot for a term of office not exceeding 5 years and not longer than two terms of office in succession. The Ministry shall lay down the procedure of the competition and setting-up of the commission. The rector shall conclude with the elected director a fixed-duration contract of employment. The institute director shall be an ex officio institute council member.

- 7. The institute shall use gratuitously the assets entrusted to it by the State. State budget funds shall be allocated for financing research the institute conducts in the same procedure as for State research institutes. Upon receipt of the conclusion of the university council, the senate shall approve an annual report on institute's activities and the implementation of an income and expenditure estimate.

Article 38. Artistic Activities

1. Alongside research activities, professional artistic activities of artists-teachers and students, oriented to the artistic education of the society and the unity of art practice and studies shall be developed at higher education establishments of arts, art study faculties of other higher education establishments. A higher education establishment shall establish type, volume and requirements for such activities.

2. The State shall allocate budgetary funds to finance artistic activities of state higher education establishments of arts, art study faculties of other higher education

establishments, and to acquire instruments and equipment and to equip new creative studios.

Chapter VI

STUDIES

Article 39. Study Type, Levels and Forms

1. Higher education establishments shall provide the following two types of studies:

1) sequential studies;

2) selective studies.

2. University sequential studies shall have the following stages:

1) undergraduate studies (first stage),

2) master studies, special professional studies (second stage);

3) integrated studies (the first and second stages are being harmonised);

4) residency, art postgraduate studies, doctoral studies (third stage).

3. The main forms of sequential studies shall be as follows: full-time, part-time and extramural studies. Forms of a concrete subject area of sequential studies of the first stage shall be established by guidelines for an appropriate subject area. Descriptions of study forms shall be approved by the Ministry, taking into consideration recommendations of the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), the Directors'

Conference (Conferences) of Lithuanian Colleges, the conclusions of the Higher Education Council and the Union (Unions) of Representations of the Lithuanian Students.

4. Forms of selective studies shall be established by a higher education establishment itself.

5. The Ministry shall establish equating of the studies, finished in Lithuanian higher education establishments prior to the entry into force of the Law on Higher Education according to a single-stage higher education system, with the sequential studies of appropriate stages.

Article 40. Subject Areas

1. The general list of subject areas of university and non-university studies in accordance with which sequential studies are carried out in Lithuanian higher education establishments shall be approved by the Government.

2. A procedure for adopting or abolishing new subject areas in higher education establishments shall be approved by the Ministry, taking into consideration the conclusions of the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), the Directors' Conference (Conferences) of Lithuanian Colleges, and the conclusions of the Higher Education Council.

Article 41. Volume and Duration of Studies

1. The volume and duration of sequential undergraduate studies shall be established by the guidelines for a subject area. The average volume of one-year full-time studies shall be 40 credits.

2. The volume of university undergraduate studies shall be not less than 160 credits and not more than 180 credits, and volume of non-university undergraduate studies shall be not less than 120 credits and not more than 160 credits.

3. The volume of integrated studies shall be not less than 180 credits (when professional qualification is granted) or 200 credits (when Master's qualification degree is granted), but not more than 240 credits, except studies of medicine the volume of which shall be not more than 280 credits. The first part of studies (160 credits) shall be attributed to the first stage of undergraduate studies, and the remaining part of studies (20-80 credits; 80-120 credits for studies of medicine) shall be attributed to the second stage of sequential studies.

4. The volume of special professional studies shall be not less than 40 credits and not more than 80 credits.

5. The volume of master's studies shall be not less than 60 credits and not more than 80 credits.

6. The duration of doctoral studies shall be not exceed 4 years.

7. The duration of art postgraduate studies shall not exceed 2 years.

8. The volume and duration of residency studies shall be set out by guidelines for residency. The Government shall approve guidelines for residency.

Article 42. General Requirements for Study Programmes

1. The programme of undergraduate studies shall be intended to provide the theoretical basis to a profession and to form professional skills necessary for independent work. Graduates of undergraduate university studies shall be awarded a professional qualification and (or) a bachelor's degree, and graduates of non-university undergraduate studies - a professional qualification.

2. Undergraduate and integrated study programmes must be in compliance with the guidelines for a subject area approved by the Ministry. The guidelines for a subject area shall establish all general requirements of study programmes of that area, the ratio of

the basis of a sphere of general social sciences and humanities (or natural sciences and mathematics and informatics) or a sphere of arts and the subjects of special education of a science or art trend, general requirements for the formation of practical skill, basic qualification requirements for the academic and professional staff.

3. Higher education establishments may implement joint study programmes together with other higher education establishments and grant a joint qualification degree or a joint professional qualification. The Ministry shall lay down general requirements of these programmes.

4. The senate shall approve university study programmes. College study programmes shall be approved by the Ministry on the advice of the college academic council.

5. A Master study programme shall be intended to prepare for independent research or artistic activities or activities for which deeper scientific knowledge and stronger abilities are required. Master studies shall be carried out at universities where research corresponding to a subject area is conducted. The Ministry shall approve general requirements for master study programmes.

6. Special professional studies shall be intended to better prepare for activities that require special practical ability. The Ministry shall approve requirements of special professional study programmes.

7. Studies in residency shall be intended for persons who have acquired qualifications of subject areas set by the Government, to prepare for independent practical action.

8. Doctoral studies shall culminate in the preparation of a thesis. Theses shall be presented at the councils of scientific trends which function at the universities. The procedure for doctoral studies, dissertation presentation and awarding of research degrees shall be established by guidelines for doctoral studies which are approved by the Government, taking into consideration the proposals of the

Science Council of Lithuania, the Lithuanian Academy of Sciences, the Lithuanian Universities Rectors' Conference (Conferences), and the conclusions of the Higher Education Council.

9. Art postgraduate studies shall be carried out in accordance with the guidelines for art postgraduate studies, which are approved by the Government, taking into consideration proposals of the Science Council of Lithuania, the Lithuanian Universities Rectors' Conference (Conferences), and conclusions of the Higher Education Council.

10. In the cases when study programmes provide for a student's internship, an enterprise or an establishment in which the internship takes place and the student and the higher education establishment in which he studies, shall conclude a contract of practical training. The Ministry shall set out the content, form and procedure of registration of a contract.

Article 43. Continuing Studies

1. In order to meet the needs of the public and economy a higher education establishment may organise studies intended for the re-qualification of a person, improvement of his qualification as well as professional skills. These studies shall be carried out in accordance with sequential or selective study programmes under the conditions established by a higher education establishment.

2. Results of continuing studies may be evaluated by credits in a manner prescribed by a higher education establishment. The person who gets a required number of credits in accordance with an appropriate study programme, may, in a manner prescribed by the Government, be recognised as having higher education and be awarded a qualification.

Article 44. Registration and Evaluation of Study Programmes

1. In the Republic of Lithuania sequential studies shall be carried out in accordance with study programmes which are included in the Register of Study and Training Programmes. Study and training programmes shall be registered in a manner prescribed by the Ministry.

2. The quality of study programmes shall be periodically assessed. The assessment shall be carried out by the Centre for Quality Assessment in Higher Education in the manner prescribed by the Government. The said institution shall publicly announce its conclusions. The Ministry shall take into consideration these conclusions in the manner prescribed by the Government.

Article 45. Individual Study Programme

1. Higher education establishments may create conditions for a student to study according to the individual study programme drawn up in a manner prescribed by a higher education establishment.

Article 46. Recognition of the Results of Studies at other Higher Education Establishment

1. The following shall be recognised at Lithuanian higher education establishments:

1) results of studies of higher education establishment students at a higher education establishment of a foreign state, if such higher education establishment is recognised in a manner prescribed by laws of that state;

2) results of studies of students of a higher education establishment of a foreign state, who have come to study at Lithuanian higher education establishments, at a higher education establishment of a foreign state, if such higher education establishment is recognised in a manner prescribed by laws of that state;

3) results of studies of students of a Lithuanian higher education establishment at another Lithuanian higher education establishment of the same or different type;

4) results of studies of students in accordance with another study programme of the same higher education establishment.

2. The procedure for the recognition of results shall be established by the Ministry, taking into consideration proposals of the Lithuanian Universities Rectors' Conference (Conferences), the Directors' Conference (Conferences) of Lithuanian Colleges and international agreements.

Article 47. Admission to State Higher Education Establishments

1. Persons who have completed, as a minimum, their secondary education may be accepted into a higher education establishment.

2. Higher education establishment admission conditions shall be established by a higher education establishment. The said conditions must be co-ordinated with the Ministry in the manner prescribed by the Government. The conditions for admission to undergraduate and integrated studies concerning competitive subjects according to subject areas and principles of formation of a competitive grade shall be co-ordinated in the manner prescribed by the Government and announced at least 2 years prior to the beginning of enrolment. Applicants shall have the right to submit an application to enrol in several higher education establishments.

3. Students shall enrol in a higher education establishment by way of competition. A competitive grade of undergraduate and integrated studies must consist of the results of studying of not more than four subjects (where not more than three of them are the results of secondary school graduation examinations of the subjects taught). Not more than two examinations or tests may be additionally organised by higher education establishments for identification of special abilities. If an institution authorised by the Ministry organises and administrates a graduation examination of a subject taught, a higher education establishment shall not organise an examination or test of such subject.

When admitting to studies of the second and the third stages, account must be taken of the results of studies of a lower or the same stage, as well as of other criteria set by a higher education establishment.

4. The total maximum number of students admitted to higher education establishments according to study stages, forms and type of financing shall be annually approved by the Government prior to 1 March, taking into consideration the demand of specialists, quality of training of specialists by a concrete higher education establishment, as well as to funds of the state budget appropriated to higher education establishments.

5. Persons who agree to pay the full price of studies, may be accepted to part-time or extramural studies of all stages and full-time residency studies, and, prior to 2005-2006, to full-time studies of the second stage.

6. A higher education establishment shall conclude a study agreement with the students enrolled in the manner laid down in paragraph 5 of this Article. The Ministry shall set out model terms and conditions of a study agreement.

7. The Ministry may establish higher education establishment enrolment quotas and procedure for foreign citizens and stateless persons whose studies are fully or partly compensated from the State Budget of Lithuania.

Chapter VII

STUDENTS

Article 48. Higher Education Establishment Students and Unclassified Students

1. Higher education establishment students shall be persons studying in accordance with sequential study programmes.

2. Students shall be issued students' certificates of an established form, the procedure of issuance whereof shall be set by the Ministry.

3. Unclassified students of selective studies may study at higher education establishments. Conditions of studies of unclassified students, their rights and duties shall be established in their agreements with a higher education establishment.

Article 49. Students' Rights and Duties

1. Students shall be entitled:

1) during their studies to use study rooms, libraries, laboratories, other equipment and facilities for studies;

2) to select a study programme, teaching staff (when that same subject is taught by several teaching staff members), or study according to individual study programmes;

3) to evaluate the quality of a study programme and its implementation, as well as to appeal to the administration (if necessary, even that of a higher education establishment) of the faculty, for evaluation of knowledge;

4) to discontinue and renew studies in accordance with the procedure established by the statute;

5) to receive all information relevant to studies;

6) to express their thoughts and views freely;

7) to participate in the management of the higher education establishment;

8) to elect the students' representation and be elected a member thereof;

9) to join freely clubs, associations and student public organisations;

10) to appeal to dispute settlement commission regarding violation of one's interests;

11) to use the rights established by laws, statutes of higher education establishments and other rights of other legal acts;

2. A student who fails to pass an examination, a credit or otherwise account for the subjects provided for in the study programme, shall have the right to retake (account for) them pursuant to the procedure prescribed by the higher education establishment, which must be laid down taking into account proposals of the students' representation. This provision shall not apply in the higher education establishments which use an accumulative system of knowledge assessment and have received the approval of the students' representation for that matter.

3. Students must:

1) fulfil tasks prescribed in the programme of studies;

2) observe regulations set forth by this Law, the statute of the higher education establishment, other legal acts and regulations of internal procedure;

3) implement decisions of the self-government institutions, rector (college director) of the higher education establishment;

4) return the granted loan in cases set forth by legal acts.

5) act in compliance with the code of student ethics which, pursuant to the recommendations prepared by the Ministry, is drafted and approved by the higher education establishment upon co-ordination with the students' representation.

4. The State shall arrange for students who are studying at a location other than their permanent place of residency, conditions to select an individual health care institution or physicians, in accordance with the procedure established by the Law On the Health System.

5. Republic of Lithuania citizens, enrolled in higher education establishments, shall be provided opportunities to acquire a military preparation, which shall be counted as initial mandatory military service.

6. Higher education establishment heads or their authorised representatives, upon receiving the written applications or claims of the students, concerning the violations of their rights or legal interests established by this Law or other legal acts, must examine such within thirty days and give a written reply to the applicants.

7. Standing commissions for consideration of disputes, which settle the disputes between the students and the school administration, operate at higher education establishments. The commissions for consideration of disputes shall consist of an equal number of the higher education establishment administration representatives and representatives authorised by a students' representation. A student shall have the right to apply to the commission for settling of disputes, if he is dissatisfied with the answer of the school head or his authorised person to the application or claim, or if he did not receive it within the period established in paragraph 6 of this Article. The higher education establishment statute shall establish the procedure for the formation of the commission, consideration of disputes and implementation of decisions.

Article 50. Disciplinary Penalties on Students

1. For violations of the student duties the higher education establishment may impose disciplinary penalties on students:

- 1) a warning;
- 2) a reprimand;
- 3) a severe reprimand;
- 4) exclusion from a higher education establishment.

2. The procedure for imposition of disciplinary penalties shall be established by the statute of the higher education establishment.

3. If a disciplinary penalty is imposed upon a member of the students' representation, its consent shall be received, with the exception of cases when the disciplinary penalty is imposed for non-fulfilment of the study programme requirements.

If the consent of the students' representation is lacking, a disciplinary penalty cannot be imposed on the representation member by a decision of the senate/academic council.

4. A student may be expelled from a higher learning establishment if:

1) the student severely violated the statute of the higher education establishment of and regulating acts of internal order thereof;

2) the student does not fulfil the requirements established by the study programme.

Article 51. Student Participation in Self-government of the Higher Education Establishment

1. The interests of higher education establishment students shall be represented by the students' representation. The students' representation shall be comprised of the students elected by the general meeting of students (conference).

Principles of formation of a students' representation and its activity shall be established in the statute of the higher education establishment. The students' representation shall operate in compliance with the Republic of Lithuania Law on Associations and other legal acts, unless otherwise provided for by this Law, as well as in compliance with the statute of the higher education establishment and the regulations approved by the general meeting of students (conference).

2. The general meeting of students (conference) shall be deemed as having taken place, if more than one half of the students (of the delegates of the conference) attend it. The decisions of the general meeting of students (conference) shall be considered adopted, if more than one half of students who attended the meeting (conference) voted in favour of them.

Article 52. Students' Representation

1. The procedure of delegation of students to self-government of the higher education establishment or branches thereof must be set forth in the regulations of a students' representation. Student representatives shall participate in the activities of the students' representation with the right of a deciding vote.

2. The students' representation shall have the right to obtain information and explanations from the self-government institutions of the higher education establishments and branches thereof on all studies issues.

3. The higher education establishment shall support the students' representation and finance the activities thereof.

4. The students' representation shall have the right to voice its opinion on all issues of concern to students and according to the statute of the higher education establishment, to request to re-examine once again, the decisions adopted by the self-government institutions of the higher education establishment.

Article 53. Union (Unions) of Representations of the Lithuanian Students

1. Higher education establishment students' representations may join associations or other confederations according to the procedure established by laws.

2. The Lithuanian students' representations and a union (unions) thereof may participate in the activities of international student organisations.

3. The Lithuanian students' representations and a union (unions) thereof shall submit proposals to the Seimas and the Government, organise joint student events of the

entire country and co-ordinate the activities of higher education establishment unions of representatives.

4. The Union (Unions) of Representations of the Lithuanian Students activities shall be financed by the funds designated in the State Budget for science and studies.

Chapter VIII

HIGHER EDUCATION ESTABLISHMENT FINANCING

Article 54. Allocation of the State Budgetary Funds to State Higher Education Establishments

1. The State budgetary funds shall be allocated by the Seimas to each state higher education establishment. The State budgetary funds shall be allocated to a higher education establishment in the general amount: common expenses (without singling out funds for wages) and State budgetary appropriations for extraordinary expenses provided for in the state investment programme.

2. State budgetary funds appropriated for a higher education establishment must be linked with the appropriate programmes and the results of assessment of higher education establishment activities. When necessary, the Ministry may initiate an audit of economic and financial activities of a higher education establishment.

Article 55. State Budget Funds for Not Belonging to the State Higher Education Establishments

The Ministry may form agreements with the higher education establishments, which do not belong to the State, in order to train specialists in certain subject areas, if

they are not being trained at State higher education establishments or if they are being trained in insufficient numbers, and to allocate State funds for that purpose.

Article 56. Higher Education Establishment Funds

1. The funds of a State higher education establishment shall consist of:

1) the State budgetary funds:

a) appropriated in accordance with the methodology for determining demand for the State budgetary funds and appropriating such funds to institutions of science and studies;

b) appropriated to cover tuition fees;

c) appropriated for student grants;

d) appropriated for the implementation of State investment and other programmes;

e) appropriated for the development of international exchange;

2) other State funds;

3) income from research activities;

4) income from economic activities and services rendered;

5) funds received from international and other foundations and organisations;

6) tuition fees;

7) funds received from the persons referred to in Article 61 of this Law;

8) other lawfully acquired funds.

2. Funds of a higher education establishment received as tuition fees as well as the funds received from the persons referred to in Article 61 of this Law, and the income from research and economic activities and services rendered shall, in the manner prescribed by the Government, be included in the State Budget accounting, however, they shall be used for financing special programmes of this higher education establishment. Higher education establishments shall independently administer, use and dispose of the funds of special programmes intended for implementation of the purposes and objectives laid down in their statutes.

3. The structure and designation of funds for higher education establishments not belonging to the State shall be established by their founders.

Article 57. Methodology for Determining Demand for the State Budgetary Funds and Appropriating such Funds to State Higher Education Establishments

1. Demand of the State budgetary funds for a State higher education establishment shall be determined in accordance with the methodology for determining demand for the State budgetary funds and appropriating such funds to institutions of science and studies. This methodology shall be approved by the Government, taking into account proposals of the Science Council of Lithuania, Lithuanian Universities Rectors' Conference (Conferences), the Directors' Conference (Conferences) of Lithuanian Colleges, and the Union (Unions) of Representations of the Lithuanian Students.

2. The methodology must provide for the following funds for:

1) studies;

2) development of research and artistic creative work;

3) administration and economy;

4) keeping-up of objects entered into the Register of Immovable Cultural Properties of the Republic of Lithuania and lists of cultural properties of Lithuania.

3. Funds for studies shall be appropriated on the basis of study expenses determined according to the methodology (according to subject areas, study stages and forms).

Article 58. Cost of Studies

1. The cost of studies in a State higher education establishment (according to a subject area, study stage and form) shall be determined in compliance with the methodology referred to in Article 57 of this Law.

2. The cost of studies shall include the funds required for organising studies and maintaining the scientific level thereof, i.e.:

1) funds to cover the salaries of the academic staff, researchers and other workers related to studies of the higher education establishment, as well as the State Social Insurance contributions;

2) funds to cover expenses of a higher education establishment, in connection with studies and goods and services needed to maintain the scientific level thereof;

3) funds for organising student cultural, sports and social activities.

3. The cost of studies at a State higher education establishment shall be indicated in the admission rules which are harmonised in the manner defined in paragraph 2 of Article 47 of this Law.

4. The study cost indicated in paragraph 3 of this Article for citizens of the Republic of Lithuania and other member states of the European Union may not be higher than the study cost determined in the manner prescribed in paragraphs 1 and 2 of this Article.

5. The study cost referred to in paragraph 3 of this Article for foreign nationals and stateless persons may not be less than the study cost determined in the manner prescribed in

paragraphs 1 and 2 of this Article, except where the treaties of the Republic of Lithuania or other legal acts provide otherwise.

6. The cost of studies at a higher education establishment not belonging to the State shall be determined by agreement.

Article 59. Tuition Fees

1. Each semester higher education establishment students of studies of undergraduate, integrated and second stages of various forms shall pay to the higher education establishment a tuition fee equal to the amount of 4 minimum standards of living fixed by the Government.

2. Apart from the tuition fee referred to in paragraph 1 of this Article or the cost of studies specified in a study agreement, students shall not be subjected to payment of any other fees to higher education establishments, which are directly related to the implementation of study programmes in the manner laid down by study guidelines of the higher education establishment, which have been harmonised with the students' representation.

3. Amounts of the fees which are not directly related to the implementation of study programmes shall be fixed by a higher education establishment upon co-ordination with the Ministry and the Union (Unions) of Representations of the Lithuanian Students

Article 60. Free Higher Education for Good Students of State Higher Education Establishments

1. Free education shall be guaranteed to good students of higher education establishments – their tuition fees shall be covered with the State funds. Good students shall be 30 per cent of students of every study programme of each semester, except the students referred to in Article 61 of this Law, who are selected each semester according to the best study results (in the first study semester – according to the enrolment results).

2. State funds shall cover tuition fees of not less than 50 per cent of full-time students, except the students referred to in Article 61 of this Law, who selected pursuant to the competition procedure of a higher education establishment according to study results (in the first

semester – according to the enrolment results). Each year the Government shall determine the number of the students, who that year enrolled in a higher education establishment according to study stages and forms, the tuition fees of whom shall be covered with the State budgetary funds. The number of students fixed during the admission to a higher education establishment, whose tuition fees are covered with the State budgetary funds, shall remain constant during the whole established period of studies.

3. For poor progress students shall be struck off the list of students of a higher education establishment in the manner prescribed by that higher education establishment.

4. The following persons who study in the same study programme of the same study year (except the persons referred to in subparagraphs 1-3 of paragraph 1 of Article 61 of this Law) shall qualify to fill vacancies according to the progress and in the order of priority:

1) students of the same study form;

2) students of other study forms.

5. If it is impossible to fill vacancies in the manner prescribed in paragraph 4 of this Article, the State budgetary funds, intended to finance such vacancies, may be used to finance the same study-year's programmes of studies which cost not less.

Article 61. Paid Studies at State Higher Education Establishments

1. The following shall pay the full price for studies at a State higher education establishment:

1) persons studying according to the study programme of the same or lower stage which they have completed at a State higher education establishment, if they paid the full price for not more than half of the credits of the completed study programme, except the cases set out by the Government;

2) persons who simultaneously study according to two or more study programmes of the same level, if their studies according to at least one of these study programmes are

fully or partly paid with the State budgetary funds (they pay for the second and other study programmes);

3) foreign nationals, unless treaties of the Republic of Lithuania or other legal acts provide otherwise;

4) persons admitted to study in the manner laid down in paragraph 5 of Article 47 of this Law.

2. The following shall pay the price proportionate to the scope of a subject for the studies at a higher education establishment:

1) persons who do not do sequential studies;

2) persons who repeat separate subjects of a sequential study programme.

Article 62. Support Provided to Students

1. Students of undergraduate, integrated and second-stage studies of State higher education establishments and higher education establishments not belonging to the State may receive State loans:

1) to pay tuition fees if they have not been paid with the State budgetary funds;

2) to cover living expenses;

3) for part studies under treaties and international agreements.

2. Full-time students of undergraduate, integrated and second-stage studies at state higher education establishments, doctoral studies students and postgraduate art students may receive student grants in the manner prescribed by the Government. Funds for student grants shall be assigned from the State budgetary appropriations provided for higher education establishments.

3. Students shall be entitled to other support which is provided in the manner prescribed by the Government.

4. The Government shall establish the procedure of State assistance for studying studies abroad as well as support to residents.

Article 63. Administering of Loans

1. The Lithuanian State Science and Studies Foundation shall administer State loans to students. Grants shall be allocated from the State Budget funds provided for that purpose, from the funds amassed by the Foundation from loan repayments, interest and surcharges for late payment, funds of supporters and other funds.

2. Persons who have been granted loans must begin to return the loan and to pay interest at least two years after the completion or discontinuation of their studies and repay it within a period of time which is not more than three times longer than the duration of the studies to cover the tuition fees of which the loans have been granted. The time limit of loan repayment shall be related to the monthly income of the persons to whom the loans have been granted.

3. The Government shall establish the procedure for granting, administering and repaying State loans. The time limits of loan repayment may be extended or persons may be exempted from loan repayment, taking into consideration their social situation.

Article 64. Repealed

Article 65. Repealed

Article 66. Financial Accountability of Higher Education Establishments

1. State higher education establishments shall administer expenditures and income according to the estimate approved by the senate (academic council).

2. Higher education establishments shall annually (at least by March) publish a record of income and expenditures for the preceding year.

3. Higher education establishments must draw up an estimate of the use of funds appropriated from the State Budget. Higher education establishments shall account for the use of State budgetary funds in the manner prescribed by the Government. The National Audit Office of Lithuania shall control the expediency of the use of funds. Higher education establishments shall also account to other institutions from which they received funding.

4. The procedure for use of higher education establishments which do not belong to the State shall be established by laws and regulations of higher education establishments that do not belong to the State.

Chapter IX

FINAL PROVISIONS

Article 67. Implementation of Law

1. The Government shall adopt or amend the legal acts required for implementation of the Law on Higher Education by 1 September 2003.

2. By 1 July 2002 higher education establishments must co-ordinate their statutes with the provisions of this Law and submit amendments of the statutes to the Seimas for approval.

3. The procedure for paying tuition fees, laid down in this Law, shall commence on 1 September 2002, and the procedure for granting loans for the payment of tuition fees shall commence on 1 January 2003. The procedure for paying tuition fees and the procedure for granting loans for the payment of tuition fees as well as the provisions of paragraphs 1 and 2 of Article 60 of this Law shall apply to students of undergraduate and integrated studies from the 2002-2003 study year, and to students of the studies of the second stage – from the 2006-2007 study year, except students who concluded contracts with a higher education establishment before the year 2002.

4. Until the establishment of councils of scientific trends at the universities, which are provided for in paragraph 8 of Article 42 of this Law, doctoral thesis shall be defended and research degrees shall be conferred in the manner prescribed by the Government.

5. Upon the accession of the Republic of Lithuania to the European Union, the provisions of paragraph 2 of Article 3, paragraph 7 of Article 47 and paragraph 5 of Article 58 of this Law shall not apply to citizens of the Member States of the European Union.

6. On the recommendation of the Ministry of Science and Education, the Government of the Republic of Lithuania shall set out the exceptional cases of the procedure for regulating non-university studies, referred to in this Law.

7. Procedures for founding higher education establishments, commenced in the manner prescribed by the Government prior to the entry into force of this Law, shall be completed in compliance with the provisions of the Law on Higher Education.

Article 68. Repealed

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

VALDAS ADMKUS