Republic of Latvia

Cabinet

Regulation No. 795

Adopted 11 December 2018

**Regulations Regarding Licensing of Study Programmes**

*Issued pursuant to*

*Section 55.1, Paragraph three and Section 55.2, Paragraph twelve of the Law on Higher Education Institutions and Section 14, Paragraph eleven of the Education Law*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the procedures for licensing study programmes, including joint study programmes;

1.2. the sample of the licence for a study programme;

1.3. the conditions and procedures for the establishment of the Higher Education Quality Commission (including the requirements for experts) as well as the rights and obligations in licensing study programmes;

1.4. the conditions and procedures for the establishment of the Appeals Commission (including the requirements for experts) as well as the rights and obligations in licensing study programmes.

2. The Academic Information Centre (hereinafter – the Centre) shall develop the following documents for ensuring the licensing of study programmes:

2.1. methodologies and procedures for the assessment of study programmes which comply with the standards and guidelines for the quality assurance in the European Higher Education Area developed by the European Association for Quality Assurance in Higher Education;

2.2. the criteria for assessing the requirements referred to in Section 55.2, Paragraph five of the Law on Higher Education Institutions and publish these on the website of the Centre;

2.3. the guidelines for preparing the submission for licencing study programmes and description of study programmes in conformity with the requirements for the development and implementation of study programmes specified in the Law on Higher Education Institutions and other laws and regulations and publish them on the website of the Centre;

2.4. the guidelines for the development of the joint opinion of experts and publish these on the website of the Centre.

**II. Procedures for the Establishment of the Higher Education Quality Commission and the Appeals Commission, the Obligations and Rights Thereof**

3. The candidates for the experts of the Higher Education Quality Commission and the Appeals Commission shall be selected by the Centre.

4. An expert of the Higher Education Quality Commission shall have experience in at least one of the fields referred to in this Paragraph. The Centre shall ensure that, in general, experts of the Higher Education Quality Commission have experience in the following fields:

4.1. in the assessment of the quality of higher education;

4.2. in the organising of the study process of higher education;

4.3. in the progress of European Higher Education Area (the Bologna process) or other international higher education processes;

4.4. in the organisation and promotion of scientific research or artistic creation, cooperation of higher education and labour market.

5. The term of office of the Higher Education Quality Commission shall be five years and it shall operate in accordance with the by-law of the Higher Education Quality Commission drawn up by the Centre and approved by the Higher Education Quality Assurance Council.

6. The Higher Education Quality Commission:

6.1. in conformity with Section 55.2, Paragraphs three and four of the Law on Higher Education Institutions, shall take the decision to license a study programme or to refuse to license a study programme;

6.2. shall decide on the making of amendments to the licence of a study programme, if the information referred to in Paragraph 12 (except for Sub-paragraph 12.10 of this Regulation) and Paragraph 14 of this Regulation has changed;

6.3. may take the decision to revoke the licence of a study programme in the cases specified in Section 55.2, Paragraph eight of the Law on Higher Education Institutions, including if during the accreditation of the study field the study programme has received the grade “unsatisfactory”, the decision shall specify the time period from which the licence has been revoked;

6.4. is entitled to request such information from higher education institutions or colleges and State authorities that is necessary for licensing;

6.5. is entitled to visit a higher education institution or a college, including branches, in order to become acquainted with the study base, informative base (including the library), financial base and facilities corresponding to the study programme.

7. The composition of the Appeals Commission shall comprise:

7.1. two higher education experts who have experience in general in the fields referred to in Paragraph 4 of this Regulation;

7.2. two experts with higher education in law and at least five years of professional experience in the administrative procedure, including in the preparation of administrative acts.

8. The Appeals Commission shall examine the applications for contesting the decisions of the Higher Education Quality Commission and shall take a decision in accordance with the procedures laid down in the Administrative Procedure Law.

9. The Higher Education Quality Assurance Council is a collegial institution established by the Centre and comprises one representative of the Centre, the Ministry of Education and Science, the Free Trade Union Confederation of Latvia, the Employers’ Confederation of Latvia, the Colleges Association of Latvia, the Student Union of Latvia, the Latvian Chamber of Commerce and Industry, and the Council of Rectors.

10. The Higher Education Quality Assurance Council shall approve the composition, chairperson, and deputy of the Higher Education Quality Commission and the composition, chairperson, and deputy of the Appeals Commission.

**III. Procedures for the Licensing of Study Programmes**

11. In order to receive a licence, the higher education institution or college shall lodge a submission to the Centre in accordance with the guidelines referred to in Sub-paragraph 2.3 of this Regulation.

12. The following shall be indicated in the submission:

12.1. the name of the higher education institution or college and the number of the registration certificate of the higher education institution or college;

12.2. the legal address, telephone number, electronic mail address, and official electronic address of the higher education institution or college, if the official electronic address account has been activated for the higher education institution or college;

12.3. the name of the study programme;

12.4. the name of the study field corresponding to the study programme;

12.5. the code of the study programme according to the Latvian Classification of Education;

12.6. the extent of the study programme, the duration of implementation of the study programme, the type and form of studies, in particular indicating distance learning and the language of implementation;

12.7. the admission requirements;

12.8. the name of the degrees to be acquired, the vocational qualifications or degrees to be awarded, and the vocational qualifications;

12.9. the address at which the study programme will be implemented, indicating whether the study programme will be implemented by a higher education institution, a branch of a higher education institution, a college or a branch of a college;

12.10. the given name, surname, contact information of the intended director of the study programme, and also the given name, surname, position, and contact information of the person who has been authorised by a higher education institution or a college to organise the issues related to the licensing of the study programme.

13. The following shall be attached to the submission:

13.1. the information specified in the guidelines referred to in Sub-paragraph 2.3 of this Regulation;

13.2. a statement of the higher education institution or college regarding the relevant foreign language skills of the teaching staff to be involved in the implementation of the study programme, at least at level B2, if the study programme or part thereof is intended to be implemented in a foreign language, or Latvian language skills at least at level B2, if the study programme or part thereof is intended to be implemented in Latvian and the teacher has not obtained a secondary or higher education in Latvian;

13.3. documents attesting that the higher education institution or college students will be provided with opportunities to continue the acquisition of education in another study programme or another higher education institution or college (a contract with another accredited higher education institution or college) if the implementation of the study programme will be discontinued;

13.4. a document attesting that the higher education institution or college shall guarantee compensation for students if the study programme is not accredited due to the action (activity or failure to act) of the higher education institution or college or the licence of the study programme is revoked and the student does not wish to continue studies in another study programme;

13.5. the opinion of the Ministry of Health in the field of health care and the opinion of the institution which performs the certification of persons in the field of regulated professions regarding the conformity of the developed study programme with the requirements specified for the regulated profession, provided that the study programme to be licensed will prepare specialists in the regulated profession;

13.6. information regarding the financial resources which are intended to be used for the financing of the implementation of the study programme.

14. The following documents shall be appended to the submission for licensing of the joint study programme in addition to the documents referred to in Paragraph 13 of this Regulation:

14.1. information regarding the conformity of the study programme with the conditions of Section 55.1, Paragraphs two and three of the Law on Higher Education Institutions;

14.2. a written agreement with the higher education institution or college involved in the implementation of the study programme regarding the development and implementation of the joint study programme.

15. The following shall be appended to the submission for the licensing of a study programme which conforms to the new study field of higher education or college (except for the State-established higher education institution or college):

15.1. the decision on opening a new study field in which the resources available for opening a new study field have been assessed, including containing information on the financial investments made and planned for the development of the study field, as well as information on the facilities, the financial base, and information resources necessary for the implementation of the study field;

15.2. the list of all members of the teaching staff to be involved in the implementation of the study field. The list shall indicate the vocational qualification, position, vocational, academic or scientific degree of the member of the teaching staff, including the scientific publications of the last six years related to the study field in peer-reviewed publications, or achievements of research or artistic creation, as well as the study courses and study modules to be implemented by the teaching staff;

15.3. the following opinions:

15.3.1. the opinions of the Ministry of Economics, the Cross-Sectoral Coordination Centre, the Council of Higher Education and those ministries the competence of which conforms to the study field to be opened on the conformity of the new study field of a State-founded higher education institution or college with the Sustainable Development Strategy of Latvia, the National Development Plan and other development planning documents, including evaluating the required human resources in the relevant field and the professional competence thereof based on what specialists are intended to be prepared within the framework of the new study field in the implementation of the planned study programme;

15.3.2. according to the competence, the opinion of the Employers’ Confederation of Latvia on the required human resources in the relevant field and the professional competence thereof based on what specialists will be prepared within the framework of the new study field in the implementation of the planned study programme;

15.3.3. an opinion of the Ministry of Education and Science on the issues referred to in Sub-paragraph 15.3.1 of this Regulation, including the usefulness of opening the study field, on the basis of the data of monitoring of the quality of education.

16. The submission and the documents appended thereto shall be submitted in electronic form and signed by a secure electronic signature in accordance with the provisions laid down in the Electronic Documents Law.

17. Following the receipt of a submission, the Centre shall verify the conformity of the submitted documents with the requirements referred to in Paragraphs 12, 13, 14, and 15 of this Regulation. If a higher education institution or a college has not submitted all the necessary information, the Centre shall request in writing that the higher education institution or college submit the missing information. The higher education institution or college shall submit the abovementioned information to the Centre within 20 days following the request thereof.

18. Data regarding a higher education institution or college necessary for the licensing of the study programme and included in the national registers and registers of the Ministry of Education and Science shall be requested and received by the Centre from these registers.

19. The Centre may ask the appropriate sectoral expert council, the professional sector organisation or the sectoral ministry of the study programme to be licensed, under the supervision of which the relevant field exists, if an appropriate sectoral expert council has not been established, to provide an opinion within 10 working days regarding the conformity of the study programme submitted for licensing with the development needs of the sector and regarding the employment forecasts of the specialists prepared in the implementation of the study programme to be licensed.

20. The Centre shall request the State Education Quality Service to provide information within 10 working days regarding the violations of the laws and regulations determined in the activities of a higher education institution or college during the previous year and the prevention thereof within the time period specified by the State Education Quality Service.

21. If a higher education institution has submitted an academic doctoral study programme for licensing, the Centre shall request the Latvian Council of Science to provide an opinion on the academic doctoral study programme submitted for licensing in accordance with Section 16, Clause 7 of the Law on Scientific Activity.

22. The Centre shall leave the submission without consideration, informing the submitter thereof, in the following cases:

22.1. the payment for the licensing of the study programme has not been made within the time period indicated by the Centre;

22.2. not all the information requested in accordance with Paragraph 17 of this Regulation has been submitted;

22.3. the documents have not been drawn up in accordance with the requirements of the laws and regulations regarding the drawing up of documents.

23. For the assessment of the study programme the Centre shall select and approve three study programme assessment experts (hereinafter – the assessment experts) – one delegated representative of the Student Union of Latvia, one delegated representative of the sectoral expert council, if a vocational study programme has been submitted for licensing and an appropriate sectoral expert council has been established, or a delegated representative of the Employers’ Confederation of Latvia, if an appropriate sectoral expert council has not been established or an academic study programme has been submitted for licensing, and one expert in the field in which the licensing of the study programme has been applied. The Centre shall organise the work of the assessment experts, including organising visits of assessment experts to higher education institutions, colleges, the branches thereof and participate therein. Observers delegated by the Student Union of Latvia and the Latvian Trade Union of Education and Science Employees shall participate in the work of a group of experts of higher education institutions or colleges without voting rights. The observers shall operate in accordance with the procedures established by the Centre and shall cover the costs from their own resources.

24. Within three working days of the approval of the assessment experts, the Centre shall inform the relevant higher education institution or college of the approved assessment experts. A higher education institution or college may, within three working days, express a rejection of the assessment experts by submitting a reasoned written rejection to the Centre and indicating the reasons for the rejection of each rejected assessment expert. Within ten working days following the receipt of the rejection, the Centre shall examine it and, if the rejection is recognised as justified, approve other assessment experts.

25. Assessment experts shall visit a higher education institution or college, including branches in which the implementation of the study programme submitted for licensing is intended, assess the study programme and submit to the Centre a joint opinion of experts in accordance with the guidelines referred to in Sub-paragraph 2.4 of this Regulation. When preparing the joint opinion of experts, the assessment experts shall agree on the assessment of the requirements referred to in Section 55.2, Paragraph five of the Law on Higher Education Institutions. If the opinion of the assessment experts regarding one of the requirements referred to in Section 55.2, Paragraph five of the Law on Higher Education Institutions differs, the differing opinion shall be indicated in the joint opinion of the assessment experts.

26. The Higher Education Quality Commission shall assess the study programme in accordance with the requirements referred to in Section 55.2, Paragraph five of the Law on Higher Education Institutions and, in conformity with Section 55.2, Paragraphs six and seven of the Law on Higher Education Institutions, shall take the decision to licence the study programme or to refuse to license the study programme. When taking the decision to licence the study programme or to refuse to license the study programme, the Higher Education Quality Commission shall take into account the submission of the higher education institution or college and the documents appended thereto, the joint opinion of the assessment experts, and other information at its disposal.

27. The coordinator for the recognition of vocational qualification shall, within one month following receipt of the request of the Centre, provide an opinion on the study programme in the regulated profession. The coordinator for the recognition of vocational qualification is obliged to participate in the meetings of the Higher Education Quality Commission as an observer, if the study programme is related to the regulated profession.

28. The Centre shall, within 10 working days after taking of the decision of the Higher Education Quality Commission, send the relevant decision to the higher education institution or college and a copy of the decision – to the Ministry of Education and Science. If the Higher Education Quality Commission has taken the decision to license the study programme, the Centre shall, concurrently with the decision regarding the licensing of the study programme, send to the higher education institution or college a licence of the study programme signed by the chairperson of the Higher Education Quality Commission (Annex). The licence of the study programme is valid for an indefinite period of time or valid until the revocation thereof in the cases laid down in the Law on Higher Education Institutions. The Centre shall publish information on the licensing and the joint opinion of experts on the website of the Centre.

29. If the Higher Education Quality Commission has taken the decision to license a joint study programme, the Centre shall prepare the licence of a study programme for each higher education institution or college implementing the joint study programmes and register the licence for such study programmes with one number.

30. If in study programmes which are not accredited the information referred to in Paragraph 12 (except for Sub-paragraph 12.10 of this Regulation) and Paragraph 14 of this Regulation changes, the higher education institution or college shall submit to the Centre the submission on the changes to the study programme licence within 30 days after the taking of the changes.

**IV. Closing Provisions**

31. Cabinet Regulation No. 408 of 14 July 2015, Regulations Regarding Licensing of Study Programmes (*Latvijas Vēstnesis*, 2015, No. 146; 2017, No. 148 and No. 243), is repealed.

32. If the submission for licensing a study programme has been submitted until 31 December 2018, Cabinet Regulation No. 408 of 14 July 2015, Regulations Regarding Licensing of Study Programmes, shall be applied, but the licence for the study programme indicated in the Annex to this Regulation shall be issued.

33. The licence of a study programme issued prior to the coming into force of this Regulation shall be valid for an indefinite period of time or valid until the revocation thereof in the cases laid down in the Law on Higher Education Institutions.

34. The Centre shall draw up and publish the documents referred to in Sub-paragraphs 2.2, 2.3, and 2.4 of this Regulation on its website until 1 February 2019.

35. This Regulation shall come into force on 1 January 2019.

Prime Minister Māris Kučinskis

Acting for the Minister for Education and Science,

Minister for Welfare Jānis Reirs

**Annex**

Cabinet Regulation No. 795

11 December 2018

(Large Coat of Arms of Latvia)

**LICENCE**

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| for the right to implement | | | |  | | | | | |
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| (name of the study programme, names of the degree to be obtained or the vocational qualification to be awarded, or the names of the degrees and vocational qualifications) | | | | | | | | | |
| in the study field | |  | | | | | | | |
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| Duration and amount of the study programme | | | | | | |  | | |
| Place of implementation of the study programme | | | | | | |  | | |
|  | | | | | | | (city, state) | | |
| Type of implementation of the study programme | | | | | | |  | | |
| Method of implementation of the study programme,  in particular indicating distance learning | | | | | | |  | | |
| Language of implementation of the study programme | | | | | | |  | | |
| Justification: Higher Education Quality Commission:  meeting dated \_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ Decision No. \_\_\_\_\_\_\_\_\_\_\_ | | | | | | | | | |
| Chairperson of the Higher Education Quality Commission | | | | | | | |  | |
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Acting for the Minister for Education and Science,

Minister for Welfare Jānis Reirs