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Royal Decree 640/2021, of July 27, on the creation, recognition and authorization of universities and university centers, and institutional accreditation of university centers.

Ministry of Universities  
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## CONSOLIDATED TEXT

### Last modification: August 02, 2022

Since the approval of Organic Law 11/1983, of August 25, 1983, on University Reform, up to the present day, in the second half of the year 2020, university institutions in our country have progressively configured a powerful and dynamic university system, with levels of teaching and research quality, and increasingly also in terms of knowledge transfer and innovation, comparable to those of the countries of our European environment. The full incorporation of the European Higher Education Area from 2007 onwards reinforced this transforming process, converging the teaching structures with those prevailing in Europe, all of which accelerated in the same way the academic and research interconnections of teaching and research staff with other higher education centers abroad. These processes also opened up new challenges for the Spanish university system, including the attraction of international talent.

The legislation on university policy that has followed since then, through the enactment of Organic Law 6/2001, of December 21, 2001, on Universities, amended by Organic Law 4/2007, of April 12, 2007, has built the legal and jurisdictional framework that has led this vast process of modernization of the university fabric in Spain.

Some of the main transformations that the university has undergone in recent years have been the change in the structure and organization of teaching when adopting the principles of the European Higher Education Area; a greater interrelation with social, institutional and economic actors; a considerable development of research activity that has been driven by research groups and institutes whose number and quality is increasing; and a growing presence of the university institution in society. To these two important facts must be added: the notable increase in the number of students (between 1983 and 2020 the number of students has doubled, data that corroborate the efforts of society as a whole to broaden the access of citizens to university studies) and a very considerable increase in the number of universities and higher education centers and departments. Indeed, in 1983 a total of thirty-three public universities and four private universities were active in Spain, while in the year 2020, our country had fifty public universities and thirty-seven private and Catholic Church universities. These institutions of higher education totaled 770 faculties and schools in 1983, which in 2020 amounted to 1,061.

This complexity of the Spanish university system has led various governments, in recent years, to establish specific legal regulations on the creation of universities, as a development of the organic legislation in force at any given time on university matters. This would be the sense, both of Royal Decree 557/1991, of April 12, on the creation and recognition of universities and university centers, and of the regulation that succeeded it, which was Royal Decree 420/2015, of May 29, on the creation, recognition, authorization and accreditation of universities and university centers.

A new regulation is now required to provide public administrations with regulatory instruments to manage, organize and plan with greater capacity the growing initiatives for the creation of universities or university centers. Likewise, this regulation is necessary so that the management of university structures can be extended to the new types of universities that are emerging related to virtual or non face-to-face teaching, and which, by their very nature, mean that their students can reside anywhere in Spain or abroad.

The present regulation, which replaces Royal Decree 420/2015, of May 29, is therefore based on a key principle: Public administrations must ensure the quality of the project and the academic activities of the universities under their jurisdiction, whether they are public or private, or are basically face-to-face, virtual and hybrid. To this end, it is necessary that the regulations facilitate this action to promote and assure the quality institutionally considered as adequate for the entire Spanish university system.

It also allows existing universities and new project initiatives to have prior knowledge of the quality requirements established for the entire system and which affect the creation of a new faculty or school in an existing university, the affiliation of a center to a public or private university, or the creation of a new university. It also provides a framework within which the Autonomous Communities can plan and order the present and future development of the higher education structures in the territory in which they develop their competences.

From this approach, these quality requirements for the entire university system are based on contemplating the fundamental functions that universities perform in contemporary societies, such as: training future professionals, research, knowledge transfer, training citizens, fostering innovation, contributing to social, cultural, economic and territorial development, and generating critical thinking: The training of future professionals, research, knowledge transfer, the formation of citizens, the promotion of innovation, the contribution to social, cultural, economic and territorial development, and the generation of critical thinking. These functions are what give ultimate meaning to the University as a multidimensional institution at the service of society as a whole. For all these reasons, this holistic vision of today's university implies that the quality requirements of the university system must guarantee adequate levels, especially in teaching and research, essential functions from which the rest of the functions undertaken by university institutions converge. It is not possible to conceive, within the Spanish university system, of a university that does not fully develop its teaching and research activities.

The establishment of these requirements in this regulation is carried out under the parameters of quality assurance, rationalization and simplification of procedures, their effectiveness and viability, weighting in its proposal, and transparency in all processes of creation, recognition, authorization and accreditation of universities and university centers.

At the same time, it is worth adding a second important principle in this regulation, that of co-responsibility in the management and assurance of quality, in which the administrations, quality assurance agencies and universities participate. This co-responsibility is based, primarily, on the process of institutional accreditation, based on the recognition of the capacity to guarantee the academic quality of the internal systems that universities and centers have for this purpose. This recognition is certified by the quality assurance agencies of our country, and enables universities (the institution as such, and each of the centers that comprise them) to develop their own policies, programs and procedures to ensure the academic quality that should characterize the entire system. All of which must be guided by the guidelines established in this regard by the quality assurance agencies and which follow the European guidelines on this subject.

The strengthening of institutional accreditation is essential to streamline and make more transparent and efficient the processes of verification (or ex-ante accreditation) and renewal of accreditation for official university degrees. The importance of this fact means that this regulation specifies in the proposal for the creation of a new university or center, or the affiliation of a center to a university, the commitment to develop an internal quality assurance system that, once certified, will allow the different centers to achieve this level of institutional accreditation.

This royal decree is structured in four chapters grouping seventeen articles, together with an initial explanatory memorandum, the provisions and four annexes. Chapter I, dedicated to the general provisions, focuses on setting out the principles and objectives that structure this royal decree. Chapter II deals with the universities that offer courses leading to degrees, their creation or recognition. Chapter III sets out the essential foundations and procedures for institutional accreditation. Chapter IV delimits the main characteristics that must be met by the centers that offer degrees leading to foreign degrees and degrees similar to university degrees. Finally, a set of provisions is added to complement the regulation. These are accompanied by four annexes explaining the requirements established.

The royal decree complies with the principles of good regulation set forth in Article 129 of Law 39/2015, of October 1, 2015, on the Common Administrative Procedure for Public Administrations and respects the full exercise of its powers by

the Autonomous Communities. Thus, it responds to the principle of necessity, insofar as it pursues a general interest by facilitating a regulatory clarification that benefits the entire Spanish university system, relying on the consensus of its main actors. In relation to the principles of effectiveness, legal certainty and efficiency, the new regulation provides a regulatory framework for the creation, authorization, recognition and accreditation of universities and university centers that follows the principles of the European Higher Education Area, being otherwise consistent with the Spanish legal system and allowing a more efficient management of public resources. With respect to the principle of proportionality, there is no regulatory alternative that is less restrictive of rights. Finally, as regards the principle of transparency, the active participation of potential beneficiaries has been facilitated during the drafting of the regulation through the public consultation, hearing and public information procedures.

This Royal Decree is issued in application of the mandate contained in paragraph 3 of Article 4 and Article 86 of Organic Law 6/2001, of December 21, 2001, and in use of the regulatory development powers granted to the Government by the third final provision of said Organic Law.

This Royal Decree has been informed by the Council of Universities, by the State University Students Council, by the General Conference on University Policy, and the quality assurance agencies have been consulted.

This Royal Decree is based on the provisions of Rules 1 and 30 of Article 149.1, which grant the State the power to regulate the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights and in the fulfillment of their constitutional duties, and on the basic rules for the development of Article 27 of the Spanish Constitution, in order to guarantee the fulfillment of the obligations of the public authorities in this educational matter, respectively.

By virtue thereof, at the proposal of the Minister of Universities, with the prior approval of the Minister of Territorial Policy and Public Function, in agreement with the Council of State and after deliberation of the Council of Ministers at its meeting of July 27, 2021,

PROVIDED:

## CHAPTER I

### General Provisions

#### **Article 1. Object.**

1. The purpose of this Royal Decree is to establish the basic requirements for the creation of public universities and the recognition of private universities, as well as for the creation and recognition of university centers, whose purpose is the teaching of official university degrees and the generation and transfer of scientific, technological and humanistic knowledge through research activities, as well as the development of the other functions provided for in current legislation. The Royal Decree also regulates the procedure for authorizing the commencement of academic activities.

2. The purpose of this Royal Decree is also to determine the basic requirements for the affiliation of a center to a public or private university, to regulate the procedure for the institutional accreditation of university centers, and to establish the procedure for obtaining authorization for universities and centers to teach courses leading to the award of a foreign university degree.

#### **Article 2. Denominations: University and university centers.**

1. Only those institutions that have been created or recognized as such under the Organic Law 6/2001, of December 21, 2001, on Universities, and that comply with the provisions of this Royal Decree, may be called "universities".

2. Those centers that have been created or recognized as such under the Organic Law 6/2001, of December 21, 2001, and whose names may be Schools, Faculties, University Institutes of Higher Education or University Institutes of Higher Education, may be called "university centers", and their names may be those of Schools, Faculties, University Institutes of Higher Education or University Institutes of Higher Education.

Research and Doctoral Schools, as well as those other centers or structures necessary for the development of the university's functions. These centers may be its own or attached.

3. The denomination of "university" and "university centers" refers exclusively to what is stipulated in paragraphs 1 and 2 of this article. Under no circumstances may these or any other names be used which, due to their meaning, may lead to confusion on the part of any natural or legal persons, public or private, which do not comply with the provisions of this Royal Decree.

## CHAPTER II

### **Universities offering courses leading to official degrees of the Spanish university system**

#### **Article 3. *Creation and recognition of universities.***

1. The creation of public universities and the recognition of private universities, which in the latter case will be of a constitutive nature, in accordance with the provisions of Organic Law 6/2001, of December 21, 2001, will be carried out:

a) By Law of the Legislative Assembly of the Autonomous Community in whose territory it is to be located, following a mandatory report by the General Conference on University Policy. The proposal of said report will be prepared by the Ministry of Universities.

b) By Law of the Cortes Generales at the proposal of the Government, in agreement with the Governing Council of the Autonomous Community in whose territorial area they are to be established in the case of universities with special characteristics, and following a mandatory report from the General Conference on University Policy. The proposal of said report shall be prepared by the Ministry of Universities.

2. The report of the General Conference on University Policy, which shall pronounce itself in terms favorable or unfavorable to the creation of a public university or the recognition of a private university, shall take into account the conditions and requirements established in this Royal Decree and, likewise, the regulations established by the Autonomous Communities in the exercise of their powers.

#### ***Conditions and requirements for the creation and recognition of a university or university center in the Spanish university system.***

1. In addition to the provisions of Organic Law 6/2001, of December 21, 2001, for the creation or recognition, as appropriate, of a university and the regulations, if any, established by the Autonomous Communities in the exercise of their powers, the conditions and requirements established in this Royal Decree in relation to its teaching activity, its research and knowledge transfer activity, its teaching and research staff, and the availability and characteristics of the facilities and equipment must be complied with.

2. In order to initiate the process of creation or recognition of a university, or, as the case may be, of a university center, and its subsequent authorization for the commencement of academic activities, a report or documentation (hereinafter referred to as Report) must be submitted justifying compliance with the conditions and requirements demanded by this Royal Decree and, likewise, by the regulations of the Autonomous Community in which the headquarters of the university or, as the case may be, the center is to be located. Said Report must be submitted to the competent body of the corresponding Autonomous Community, except for the creation of a state-wide university, in which case it must be submitted to the Ministry of Universities. In the event that the procedure is initiated before an Autonomous Community, the latter shall request the report from the General Conference on University Policy referred to in Article 3.1, and shall send a copy of the Report to the Ministry of Universities, which shall forward it to the General Conference on University Policy.



**Article 5. Conditions and requirements for the creation and recognition of a university in the field of teaching activity.**

1. Universities must have an academic offer made up of official undergraduate, master's and doctoral degrees. Specifically, it is a requirement in the Spanish university system that a university must offer at least ten official bachelor's degrees, six official master's degrees and two official doctoral programs.

At least three of the five major branches of knowledge (Arts and Humanities, Sciences, Health Sciences, Social and Legal Sciences and Engineering and Architecture, which in turn group together the various fields of knowledge) will be represented in this offer, without prejudice to the provisions of the regional regulations applicable to this matter.

2. Degrees may be taught in face-to-face, virtual and hybrid teaching modalities. For these purposes, the expression virtual teaching modality refers to the non-face-to-face teaching modality, and the hybrid teaching modality refers to the blended teaching modality, which combines the face-to-face and virtual teaching modalities.

3. The Report must include a plan for the development of the university program that includes both the degrees that will be offered at the beginning of the official academic activity, as well as those others that will make up a five-year planning of the teaching activity. Likewise, this plan must indicate at least: the calendar for the implementation of the academic offer, the start-up of the centers in whose offerings the various degrees will be incorporated, the number of places for each degree to be offered, and the facilities and equipment necessary for the adequate and quality development of the educational activity. Likewise, the procedures and bodies responsible for issuing the annual quality monitoring reports for each of the official degrees will be established.

4. In any case, after five years from the beginning of the official academic activities of a university, undergraduate students (and double degrees) must account for at least 50 percent of the total number of students enrolled in official courses at that institution of higher education. In order to promote the internationalization of the universities, in the case of those universities in which the percentage of foreign students enrolled in the set of official Master's degrees offered is higher than 50 percent of the total number of students enrolled in these official studies, the minimum limit of students enrolled in official undergraduate degrees (and double degrees) in relation to the total number of students enrolled in the set of official studies at that university is established at 35 percent.

5. Universities whose teaching offer will be mainly taught in virtual mode must specify for each official degree: whether it will be taught synchronously or asynchronously, or combining the two modalities; the technological platform that will be used as a virtual teaching campus and its main technical and functional characteristics; the type of technological equipment and facilities that will be available for the operation of the training activity; the computer equipment that the students must have for the adequate development of their activity; the systems of general evaluation of student learning and progress; the systems of external academic practices, indicating whether they will be virtual or on-site; and the program that will be deployed from the beginning and in the following years for teacher training in technical skills and non-face-to-face teaching competencies. Likewise, the quality requirements and demands of the virtual or hybrid university offerings as a whole, and the way in which the monitoring of the degrees and the academic coordination of each one of them will be articulated, must be set out in detail.

6. The universities, in the exercise of their competences and the development of their lifelong learning functions, may also promote their own teaching, especially lifelong learning programs. In this sense, the number of students enrolled in a university's own lifelong learning degrees may not exceed twice the number of students enrolled in official degrees. This rule will be applied in the case of newly created universities five years after the beginning of their activity. Likewise, the university's own degrees of continuing education with rank and

The Master's Degree must have, prior to its approval and activation by the university, a favorable report from the internal quality assurance system of the corresponding university or center.

7. The universities must ensure the quality of all their academic offerings (official and their own, including lifelong learning) through internal quality assurance systems, which must be certified by the National Agency for Quality Assessment and Accreditation (hereinafter, ANECA) or by the quality agencies created by Law of the Autonomous Communities in whose territory the university has been established. Specifically, in the report of the proposal for the creation or recognition of a university, the commitment to implement this system within a maximum period of five years and the time frame and specific functions of the same will be included.

8. The universities must include in the Annual Report a strategy and programming to promote the internationalization of their academic activities and the mobility of students and faculty.

*Conditions and requirements for the creation and recognition of a university in research and knowledge transfer activities.*

1. Universities must develop the research and knowledge transfer activities of their teaching and research staff.

2. The Report must include a multi-year program of research activity, the scientific areas of which must be coherent with the undergraduate and master's degrees and, especially, with the doctoral programs to be developed.

3. This program must include the research groups that will initially be set up, the scientific and technical equipment and infrastructure available and those that are planned in such a way as to make feasible and guarantee the development of the multi-year research program, participation in competitive research projects (regional, state and international) and the mechanisms to provide incentives for teaching and research staff, the budgetary resources allocated to the promotion of research, the measures that are intended to be implemented to attract talent, the strategies for collaboration with the productive and institutional sectors through the transfer of knowledge and innovation, and, finally, it must detail the system of indicators that the university will develop for the monitoring of research activities, which must be comparable with the criteria used by ANECA, the National Commission for the Evaluation of Research Activity (CNEAI) or the agencies of the Autonomous Communities for the accreditation of university teaching staff and the evaluation of their research activity.

4. In this sense, the universities must dedicate at least 5% of their budget to a program or programs to encourage research, since this activity constitutes one of their essential purposes. This percentage may include the costs derived from the contracting of human resources essentially dedicated to research and knowledge transfer tasks and not to teaching, from their own calls for projects, from investments in scientific and technical infrastructure, from the amortization of research equipment and from the acquisition of physical or virtual bibliographic and documentary resources for research, as well as personnel hired on a temporary basis. Costs derived from the remuneration of the salaries of the teaching and research staff and administrative and service personnel cannot be included. The Report must indicate both the values and percentages at the moment of starting the activity, as well as its projection for the following five years.

**Article 7.** *Conditions and requirements for the creation and recognition of a university in relation to teaching and research personnel.*

1. References in this article to teaching and research personnel shall be understood to be limited to those personnel who teach and carry out the rest of the activities that are proper to university teaching staff.

2. The teaching and research staff of the universities shall be governed by the provisions of Title IX of Organic Law 6/2001, of December 21, 2001, and by the provisions contained in this article.

3. The number of teaching and research personnel with temporary employment contracts may not exceed 40 percent of the teaching staff of the universities and university centers.

4. The total number of teaching and research staff at a university shall not be less than that resulting from applying the ratio 1/25 with respect to the total number of students enrolled in official university studies. This ratio shall be understood to refer to teaching and research staff computed on a full-time or equivalent part-time basis.

5. The ratio established in section 4 above may be modulated when the university teaches in the virtual modality, and may oscillate between 1/25 and 1/50 depending on the level of experimentality of the degrees and the greater or lesser presence - justified exceptions may be established, which in no case may exceed the ratio 1/100, which must have the express authorization of the competent administration-. This criterion will be applied in the non-attendance part of the degrees taught in hybrid mode.

6. The teaching and research staff teaching at the universities shall be composed, as a minimum, of:

a) 50 percent of male and female doctors for all courses of study leading to an official university bachelor's degree and for all courses of study leading to an official university master's degree.

b) All university professors in charge of teaching doctoral studies must hold a doctoral degree.

c) The doctors referred to in the previous sections must belong to fields of knowledge that are consistent with the university's teaching and research program.

7. For these purposes, the total number of faculty members will be computed on the equivalent in full-time dedication. Likewise, in accordance with the provisions of the twelfth additional provision of Organic Law 6/2001, of December 21, in the field of Health Sciences, the number of associate teaching staff positions determined in the agreements between the universities and the health institutions shall not be taken into consideration for the purposes of the percentages indicated in this article.

8. Teachers who do not hold a doctoral degree must hold, at least, the degree of bachelor's degree, architect, engineer, graduate, or equivalent, except when the teaching activity to be carried out corresponds to areas of knowledge for which the Council of Universities has determined, in general, the sufficiency of the degree of graduate, technical architect, technical engineer or technical engineer. In this case, and for the teaching activity in these specific areas and in a manner consistent with the academic nature of the subjects to be taught, it will be sufficient for the teaching staff to hold one of the latter degrees.

9. The teaching staff of private universities and private university teaching centers attached to universities may not be civil servants of a university teaching body in active status and assigned to a public university, nor may they be full-time teaching and research staff in the same situation.

10. In order to accredit the requirements foreseen in this article, the Report must detail the teaching and research staff that will be available at the beginning of the official academic activity, as well as the forecast and explicit commitment to its annual increase until the total implementation of the corresponding courses, indicating the main characteristics of the teaching staff that make up the initial and final staff once the official degrees that are put into operation with the beginning of the activity of the university have been deployed. In this case, staff is understood to be the non-nominal list of teaching and research staff positions, their category, area of knowledge or specialization and dedication regime.

11. In order to ensure the research experience of the teaching and research staff joining the new university, at the end of the fifth year from the date of joining the new university, the following conditions shall apply

When the authorization to start activities is obtained from the competent body of the Autonomous Community in whose territory it is located, the institution will have the obligation to attach to the Report initially submitted in the process of creation or recognition, the following information on its staff that teaches in official Bachelor's, Master's and Doctorate degrees:

a) List of doctoral teaching and research personnel who have obtained a positive evaluation of their research activity by the CNEAI or by the agencies of the Autonomous Communities with competence in such evaluation. It will be considered a minimum value that 60 percent of all the teaching and research staff with a doctoral degree have obtained a positive evaluation at some point in the period of development of their activity as teaching and research staff.

b) List of the main indicators of the research production developed by the teaching and research staff. For this purpose, the scientific publications referred to in the main world databases of bibliographic references and citations of periodicals will be considered, as well as the publications recognized in the different fields of knowledge, in accordance with the general and specific evaluation criteria by scientific fields considered by the CNEAI or by the agencies of the Autonomous Communities with competence in such evaluation. The minimum number will be six publications accumulated during the last three years for every three full-time professors. Likewise, patents resulting directly from the research carried out by the teaching and research staff, licensed by companies, entities, organizations or institutions, may be included. To accredit this requirement, the university will provide a list of the main indicators of the research production developed by the teaching and research staff in accordance with the above criteria.

c) Demonstrated participation by the university's teaching and research staff in the application for competitive research projects at regional, national and international level, or in collaborative research activities with companies, entities, organizations or institutions, which must be consistent with the fundamental lines of research of the university's doctoral programs. This participation will involve having submitted at least five research project proposals annually in national and international programs, at least one of which must be of the latter nature. Likewise, after five years from the start of activities, the university must demonstrate the award of at least five national or international research projects. To accredit this requirement, the university will provide the list of competitive research project proposals submitted and, if applicable, those awarded, as well as collaborative research activities with companies, entities, organizations or institutions.

**Article 8. *Conditions and requirements for the creation and recognition of a university in relation to facilities and equipment.***

1. The universities, both public and private, must have adequate teaching, research, transfer, service and management facilities and equipment for the quality development of their functions, especially for the development of teaching and research activities. This information must be made explicit in the Report.

2. The buildings, facilities and equipment must be adapted to the nature of the academic activity and the functional conditions of the undergraduate, master's and doctoral degrees to be taught, as well as to the number of students enrolled or expected to enroll, guaranteeing their quality. In any case, they must have:

a) Teaching and research spaces. Their number, surface area and equipment will be determined, in the case of teaching activities, by the number of students who are expected to use them simultaneously, once the entire academic offer has been deployed, and bearing in mind the nature of the various official university degrees offered. In the case of research activities, by the number of researchers and the number of students expected to use them simultaneously, once the entire academic offer is deployed, and bearing in mind the nature of the various official university degrees offered.

and the research groups that will use them, taking into account the characteristics and needs of their research. Annex II includes minimum modules for the evaluation of the adequacy of the facilities.

b) Complementary academic spaces. Complementary academic spaces will be those that are intended for teaching and research purposes and have a specific and complementary use for such purposes, such as the Learning and Research Resources Center (CRAI), which includes library and documentation services, laboratories and scientific-technical services, and sports facilities. In the specific case of the building or buildings corresponding to university library services, they must be coherent and consistent with the total number of students enrolled in official degrees. On the other hand, when degrees in the field of Health Sciences are taught, the facilities and equipment that the university has, or will have, as stipulated by current regulations for this type of university education, and whose main elements are included in Annex III, must be made explicit.

c) Computer and telematic equipment. Classrooms and general computer, telematic and audiovisual services that guarantee adequate connectivity to the network through the creation of the institution's wifi space, and the availability of an adequate number of computer equipment in computer classrooms for students to carry out academic activities and the development of practices and academic work, as well as to ensure access, via web services, to the institutional teaching and scientific requirements for the university community such as the virtual teaching campus, intranet, among others, and whose main elements are included in Annex IV.

d) In the case of a university that basically articulates its offerings in non-face-to-face official university degrees or in hybrid mode, the Report must detail and explain in detail these facilities that are inherent and specific to the characteristics of this educational offering.

3. In any case, university facilities must meet the occupational risk prevention, acoustic and habitability requirements established by current legislation on these matters.

4. Likewise, all university facilities and equipment must have architectural and accessibility conditions that, in accordance with the provisions of the applicable regulations, enable access and mobility for people with disabilities.

#### **Article 9. *Guarantee of activity and sustainability of the university.***

In the process of creating a public university and in the process of recognizing a private university, the universities must explicitly express in the Annual Report their commitment to maintain their fundamental academic activities (teaching, research, management) for the time necessary to achieve the teaching and research objectives established in their programming, and for these purposes:

1. Public universities must provide an agreement of the Governing Council of the Autonomous Community where it is located, by which it commits to the maintenance of its activities and its economic sustainability. In the case of state universities, an agreement of the Council of Ministers must be provided.

2. Private universities must provide documentary guarantees to ensure their economic sustainability, which must be especially consistent with the number of official degrees offered and the number of students enrolled or expected to enroll, as well as an economic-financial viability plan and a closure plan in the event that their academic activity proves to be unviable. The Autonomous Communities will regulate how the plan for the termination of the activity of a university or center should be developed, as the case may be, and will establish a system of responsibilities in the event of non-compliance with said plan.

3. The universities must provide a commitment to maintain their schools and faculties, doctoral school and the necessary complementary academic spaces in operation for a minimum period of time that makes it possible to effectively complete their

The mechanisms must also be established to guarantee the completion of students' studies in the event of termination of any of the official or in-house degrees, or doctoral programs, as the case may be, or doctoral programs. Likewise, they must establish the mechanisms that guarantee the completion of the students' studies in the event of termination of any of the degrees, whether official or their own, or doctoral programs, as the case may be, as a consequence of a decision of the university itself, or due to non-renewal of the accreditation of the degree decided by the public administrations, as well as due to the termination of the university or center itself.

4. The universities must have a plan for investment in resources and infrastructure, to be included in the Annual Report, consistent with the proposed and programmed teaching and research planning.

**Article 10. Statutes and rules of organization and operation of the universities.**

1. The public universities must have Statutes, proposed and drawn up by the University Senate and approved by the Governing Council of the corresponding autonomous community, in accordance with the provisions of Organic Law 6/2001, of December 21, 2001. These Statutes, once approved, will be published in the official gazette of the corresponding autonomous community, and also in the "Official State Gazette".

2. Private universities, on the other hand, must have Rules of Organization and Operation governing all academic and management activities and relations within the university community, which must be approved by their governing bodies.

3. The Statutes and the Rules of Organization and Functioning must be drawn up on the basis of democratic constitutional principles and, therefore, effectively guarantee the full exercise of the principle of academic freedom by the university community, which is manifested in the freedoms of teaching, research and study. Likewise, they shall establish the principles of coexistence within the university community.

4. The Statutes and the Rules of Organization and Operation shall also include the provisions contained in Organic Law 6/2001, of December 21, 2001, and other regulations on university matters, and shall at least specify:

- a) Nature, functions and competencies of the university.
- b) Legal, personnel and economic-financial regime.
- c) Structure (centers, departments, research institutes, doctoral school)
- d) Governing and representative bodies.
- e) Procedure for the election of the rector of the university -or for his or her appointment, as the case may be-, the duration of his or her term of office, his or her functions, and the procedure for removal.
- f) Mechanism for the participation of the university community in the different governing bodies.
- g) Rights and duties of faculty, students and administrative and service personnel.
- h) Procedure for the election or appointment of the University Ombudsman, the duration of his or her term of office and dedication, as well as his or her operating regime.
- i) Rules of coexistence of the entire university community.
- j) Equality regulations. An equality plan for women and men, a protocol against sexual harassment and harassment based on sex at work, and a salary register must be in place.

5. For the purpose of accrediting the requirements set forth in this article at the time of the beginning of the process of creation or recognition, as well as in the subsequent procedure of authorization to start the activity, the universities must provide:

- a) The form of government, the structure and the rules of organization and operation that will govern until the definitive approval, as the case may be, of their Statutes or of the Rules of Operation and Organization, depending on whether they are public or private universities, respectively.



b) The locality or localities where the university and its centers (schools, faculties and research institutes) are located, and in any case the locality where the corporate headquarters are located.

c) The structure of the centers, their names, and the initial official studies that will be taught in them and the forecast of those that will be developed in the future, within the educational programming and planning, as well as the name of the departments that may be established in said centers.

**Article 11. *Authorization for the commencement of activities of a university.***

1. The authorization for the commencement of the activities of the universities will correspond to the competent body of the Autonomous Community in which the facilities of the future university are located, except for the authorization of a state-wide university, in which case it will correspond to the Ministry of Universities. In both cases, the authorization will be granted, once the fulfillment of the conditions and requirements for its creation or recognition established by the regulations in force, in its law of creation or recognition approved by the Assembly of the Autonomous Community or by the Cortes Generales, has been verified. The Ministry of Universities and the General Conference on University Policy will be informed of this authorization for the commencement of activities.

2. The authorization procedure shall be initiated at the request of the natural or legal person promoting the university. The application, which must comply with the provisions of Law 39/2015, of October 1, of the Common Administrative Procedure of the Public Administrations, and, where appropriate, with the development regulations of the Autonomous Community, together with the stipulated documentation, shall be addressed to the competent body of the Autonomous Community. The maximum period for requesting such authorization shall be two years from the date of entry into force of the law creating or recognizing the university, if such law has not set a time limit.

3. The resolution of the procedure must be reasoned. The term to resolve and notify said resolution will be a maximum of six months. Once this period has elapsed, and in the event that the corresponding resolution of authorization or denial of the initiation of the activity has not been issued, the sense of the administrative silence will be favorable. The resolution shall state the appeals that may be filed against it, the administrative and judicial body before which they must be filed and the deadline for filing them in accordance with the provisions of Law 39/2015, of October 1, and, where appropriate, in the implementing regulations of the Autonomous Community.

**Article 12. *Supervision and control.***

1. The competent bodies of the Autonomous Community, as well as the competent bodies of the General State Administration in the case of state universities, are responsible for the supervision and periodic control of the universities' compliance with the requirements for their creation, in the case of public initiatives, or recognition, in the case of private initiatives. To this end, the universities shall submit annually to the competent body of the Autonomous Community or of the General State Administration a comprehensive report on their teaching and research activities, carried out within the framework of the multi-year program.

2. Supervision will mainly take into account the requirements set forth in this Royal Decree, those established by the Autonomous Communities in the exercise of their powers, and any other requirements set forth in the legal system.

3. If, after the commencement of its activities, it is found that a university fails to comply with the aforementioned requirements and the commitments acquired when applying for its creation or recognition, the competent body of the Autonomous Community will require the university to regularize the situation. To this end, the university must present a corrective measures plan within a maximum period of three months from the day following the day on which the requirement was made, and will have a maximum period of two years to develop said plan and, consequently, to remedy the requirements.

4. If the deadlines in the previous section have elapsed without the university having submitted the required plan of measures or without having complied with the requirements, the

The competent body of the Autonomous Community will initiate ex officio the procedure for the revocation of the authorization to commence its activity, after hearing the interested parties. The scope of the revocation will be determined by the revocatory resolution and may affect the entire university or limit its effects to any of its centers (its own or affiliated) in which the non-compliance has been found.

5. It will be a motive for revocation of the authorization to initiate academic activities, if these have not begun two years after having obtained it, and the competent body of the Autonomous Community must initiate ex officio the revocation procedure, in which the interested persons will be heard. If this is the case, the individual or legal entity proposing its creation or recognition may not reapply for authorization until two years have elapsed since the revocation has become final.

6. In the event that a university has at least one third of its official university degrees not accredited, or withdrawn prior to the accreditation process due to its inability to meet the required conditions because of clear structural problems, it will not be allowed to submit new degrees until these deficiencies have been remedied.

7. If in the processes of renewal of the accreditation of university degrees, according to the provisions of the regulations governing official university education, the number of degrees that remain active in the university is less than that referred to in Article 5.1 of this Royal Decree, the competent authority of the Autonomous Community shall initiate ex officio the procedure for the revocation of the authorization for the commencement of activity of the university. The resolution shall be reasoned and after hearing the interested parties.

**Article 13. *Basic conditions and requirements for the assignment and operation of teaching centers attached to universities.***

1. The purpose of the affiliation of a center to a university will be to provide teaching leading to the award of official bachelor's and/or master's and/or doctoral degrees, as well as, where appropriate, to carry out research and knowledge transfer activities.

2. The centers may have a public or private nature when they are attached to a public university, and a private nature when they are attached to a private university. For these purposes, an affiliated center can only be affiliated to a single university -although the official degrees it imparts may be joint or double degrees with centers of this or other universities-.

3. In accordance with the provisions of Organic Law 6/2001, of December 21, 2001, the assignment of university teaching centers shall require the prior execution of an agreement with the university, in accordance with the provisions of the Statutes or Rules of Operation and Organization of said university and with the provisions of this Royal Decree.

4. The affiliation agreements shall be signed by the Rector of the university and the legal representative of the entity that owns the center that intends to be affiliated.

5. The assignment agreement shall include, as a minimum, the following:

- a) The list of official university courses to be taught in the affiliated center;
- b) the criteria for admission to the courses;
- c) the provisions relating to the economic regime that shall govern the relationship between the affiliated center and the university;
- d) the rules for the appointment of the Director of the associated center and of the management team;
- e) the determination of the governing bodies of the center;
- f) the procedure for requesting from the university the "venia docendi" of its faculty;
- g) the structure, number and typology of the teachers that make up and/or will make up the center's staff;
- h) programming for the development and implementation of an internal quality assurance system and the achievement of its certification by ANECA or the corresponding quality agency;
- i) the possibility of providing continuing education degrees;



j) planning the development of the research activity of its teaching and research staff;  
k) the facilities and main equipment that the center has or will have to fulfill its academic functions adequately and with quality.

6. The distribution of the number of students enrolled in an affiliated center according to whether they are students of courses leading to official degrees or to its own continuing education degrees, five years after the beginning of its affiliation to a university, must guarantee that the number of students enrolled in its own continuing education degrees may not exceed twice the number of students enrolled in official degrees.

7. The assignment of a center to a university will require the approval of the corresponding Autonomous Community, except in the case of assignment to a state university, in which case it will correspond to the Ministry of Universities. In the case of public universities, the proposal will be submitted by the Governing Council, following a favorable report from the Social Council. In the case of private universities, the request will be submitted after approval by their governing body.

8. The approval of the proposal for affiliation must be registered in the Registry of Universities, Centers and Degrees (RUCT) and communicated to the General Conference on University Policy by the Ministry of Universities. If the proposal is approved by the Autonomous Community, the latter must inform the aforementioned Ministry of the affiliation, for the purposes of registration and communication.

9. University degrees corresponding to official courses taught in centers attached to a university shall be subject to the quality assurance procedures established by the university to which they are attached and shall be issued by the Rector of the university.

10. The teaching staff of the centers attached to universities must meet the requirements established in article 7, sections 4, 5, 6, 7 and 8, of this Royal Decree.

### CHAPTER III

#### **Institutional accreditation of university centers**

**Article 14.** *Procedure for the institutional accreditation of public and private university centers.*

1. Institutional accreditation as a mechanism to guarantee the overall academic quality of a university center is implemented through the internal quality assurance system, which must ensure training with a level of competence and compliance with standardized quality criteria of the teaching service provided, and must respond to the demands of the student body and society. This procedure must be transparent and include accountability mechanisms.

2. The institutional accreditation of a university center shall entail the renewal of the accreditation of all the official university degrees offered therein, provided that the requirements set forth in this article are met.

3. The requirements to be fulfilled by the university centers in order to obtain institutional accreditation are the following:

a) To have renewed the initial accreditation of at least half of the official bachelor's degrees, half of the official master's degrees and half of the official doctoral degrees that they offer in accordance with the procedure established in article 27 bis of Royal Decree 1393/2007, of 29 October. In the case of Doctoral Schools or similar centers in terms of functions, they must have renewed the initial accreditation of at least half of their doctoral programs.

b) To have the certification of the implementation of its internal quality assurance system, in accordance with the provisions of section 9 of Annex I of Royal Decree 1393/2007, of October 29, 2007, and in accordance with the criteria established for quality assurance in the European Higher Education Area and the protocols and guidelines developed by ANECA or by the corresponding quality agencies. This certificate may be issued by the Spanish quality agencies.

that are registered in the European Quality Assurance Register (EQAR). The procedure for issuing the certificate must follow the protocol that, at the proposal of the Ministry of Universities, is approved by the General Conference on University Policy.

4. Public and private university centers, whether their own or affiliated, may participate in this procedure.

5. The university will request the institutional accreditation of one or several of its centers to the Council of Universities which, through the General Secretariat of Universities, will transfer it to ANECA or to the corresponding quality agency of the Autonomous Community, and which are registered in the European Quality Assurance Register (hereinafter, EQAR), for the issuance of the report referred to in the following section.

6. The Council of Universities will issue the accreditation resolution, after a binding evaluation report from ANECA or the corresponding evaluation body, which will be notified to the university and to the corresponding evaluation agency, and will be sent to the Autonomous Community and to the Ministry of Universities, for the purpose, if it is favorable, of the registration of the accredited centers in the RUCT. The term for resolving and notifying said resolution will be a maximum of six months. Once this period has elapsed, and in the event that the corresponding accreditation resolution has not been issued, the sense of the administrative silence will be favorable. In the event that a rejection decision is issued, this must be reasoned and shall state the appeals that may be filed against it, the administrative or judicial body before which they must be filed and the deadline for filing them.

7. The institutional accreditation of university centers must be renewed within six years from the date on which the last accreditation resolution was obtained.

8. In the evaluation procedure for the renewal of the institutional accreditation, a report must be issued by a panel of external and independent experts of the institution requesting the accreditation, appointed by ANECA or by the corresponding quality agency. The procedure developed by the agencies to carry out the renewal of the institutional accreditation of centers will follow the general protocol which, at the proposal of the Ministry of Universities, is established within the General Conference of University Policy. Likewise, all the monitoring reports of the different official degrees offered in the center must be taken into account, as well as the reports of ANECA and of the corresponding quality agency issued in that six-year period in relation to the different official degrees offered. ANECA and the external evaluation bodies of the Autonomous Communities will provide each other with information related to such evaluations.

9. The Council of Universities must resolve and notify its resolution on the renewal within a maximum of six months from the presentation of the corresponding application. Once this period has elapsed, the administrative silence will be affirmative. In the event of a decision rejecting the application, which must be reasoned, the decision shall state the appeals that may be lodged against it, the administrative or judicial body before which they must be presented and the time limit for filing them.

10. In the event that the Council of Universities issues a resolution rejecting institutional accreditation or its renewal, the university center involved must apply for the renewal of the corresponding accreditation of each of the official degrees it offers, within the period established in relation to the start of their activity or the last renewal of accreditation.

11. The evaluation agencies, by consensus, through their institutional accreditation protocols for university centers, will establish the specific procedure for the case of joint degrees promoted by two or more centers, whether they belong to the same university or to different universities.

## CHAPTER IV

### **Centers offering courses of study leading to foreign university and higher education degrees similar to university degrees**

*Authorization of centers that teach according to foreign educational systems.*

1. The provision of university and higher education teachings -diplomas or certificates- of similar scope to the university in our country developed by centers according to foreign educational systems, will require the authorization of the competent body of the corresponding Autonomous Community in which the university or center is located, according to the provisions of article 86 of the Organic Law 6/2001, of December 21, 2001. In no case do higher education courses of similar scope to university education refer to Spanish degrees corresponding to non-university higher education.

2. The authorization of the corresponding body of the Autonomous Community will be required in the following cases:

a) When the degrees are taught by a teaching center belonging to or attached to a university created or recognized in accordance with Spanish legislation.

b) When the degrees are offered by a center belonging to a foreign university or institution of higher education, located in Spanish territory, which must be duly constituted in accordance with the legislation of the country whose educational system intends to offer such degrees or of the country in which its governing body is located.

3. The Autonomous Community, once the authorization has been granted, will communicate it to the Ministry of Universities within a maximum period of one month, which will proceed to its inclusion in a specific register within the RUCT, which will include both the authorized centers and the degrees of such centers, and will also inform the General Conference on University Policy. This information shall include at least The name of the university and center of delivery and if it is foreign the country of origin, the name of the degrees offered and their number of places, the teaching model of each degree (classroom, virtual or hybrid), the time duration and the load in ECTS credits -European Credit Transfer and Accumulation System-; as well as, if the degree has been favorably evaluated by a Spanish quality assurance agency or in its case of the country of origin of the center or university and the date of the renewal of the accreditation. In the case of degrees whose accreditation report has been carried out by a quality agency registered in the EQAR and external to the Spanish State, this agency must have specifically included in its scope, and therefore evaluated, the Spanish teaching center.

4. The Ministry of Foreign Affairs, European Union and Cooperation must issue a report on the advisability of this authorization, based on the existence of international treaties or agreements signed by Spain and, failing that, on the principle of reciprocity.

#### **Article 16. Authorization requirements.**

1. The university or centers that provide university and higher education courses of similar scope to the university under foreign educational systems must comply with the provisions of the following paragraphs in order to obtain administrative authorization, in addition to accrediting their legal personality:

a) Submit a plan for the development of its teaching offer, detailing the degrees, the type and level, the places offered, the duration, the credit load, the forecast of the starting year for the teaching of each degree, the main characteristics of the teaching staff that will be responsible for its teaching and that must meet the requirements established in article 7, sections 4, 5, 6, 7 and 8, as well as the details of the study plan in which they will teach.

b) Proof that the university and higher education courses similar to the university level are effectively implemented and active in the foreign university or higher education institution issuing the degree, certificate or diploma.

c) To certify that the curricula of the different degrees correspond in structure, duration and content to those offered by the parent university or institution of higher education in their country of origin.

d) Prove that the courses taught lead to the award of degrees that have the same official academic validity in the country of origin and the same denomination as those issued by the parent university or institution of higher education abroad for such studies.

e) Submit the degrees offered at the university level to evaluation, accreditation and/or inspection processes by the competent bodies of the corresponding foreign university system, in accordance with the certificate established in section 2 of this same article. Those courses that have not previously undergone an evaluation process by the quality body or agency of the country of origin may not be authorized.

f) Provide a written commitment of continuity of the studies offered in case of cessation of activity of the university or center, until the appropriate completion of such teachings by the enrolled students.

2. The requirements established in the previous paragraph shall be accredited by means of a certificate issued for this purpose by the accredited representation in Spain of the country in accordance with whose educational system the education is to be imparted.

#### **Article 17. *Effects of obtaining the administrative authorization.***

1. Universities or institutions of higher education authorized to grant degrees in accordance with foreign systems of higher education shall have the name that corresponds to the courses they teach, and may not use names which, because of their meaning or because they use a foreign language, may lead to confusion as to the nature of the center, the courses taught therein, or the nature, validity and effects of the academic degrees, certificates or diplomas to which they lead.

2. The authorized university courses will be subject to evaluation by the corresponding quality agencies. These agencies will provide each other with information related to these evaluations.

3. The quality agencies will coordinate to elaborate and publish a specific protocol for this type of university education or equivalent, taking into account its specificities, in order to proceed with its evaluation.

4. The degrees, certificates or diplomas leading to the authorized teachings will only have the effects granted by the legislation of the State of origin, in accordance with article 86.4 of Organic Law 6/2001, of December 21. The recognition of effects in Spain shall be in accordance with the specific regulations governing the recognition of foreign higher education studies and degrees.

5. The university or center through which these courses are taught shall be obliged to duly inform students, at the time of enrollment, of the provisions of the preceding paragraph.

6. Failure to comply with the requirements in accordance with which the authorization was granted by the competent body of the autonomous community established in article 16, the obtaining of unfavorable evaluations referred to in paragraph 2 of this article of at least half of the university or equivalent courses evaluated, as well as incorrect information on the courses taught and on the degrees, certificates or diplomas to which they lead, may constitute grounds for revocation of the authorization. The revocation will correspond to the competent organ of the Autonomous Community and will have to be motivated and previous hearing of the representatives of the center.

**First additional provision. *Universities with academic specificities.***

Considering their specific academic nature, the Menéndez Pelayo International University and the International University of Andalusia are excluded from the application of Article 5, paragraphs 1 and 4, and Articles 6 and 7 of this Royal Decree.

**Second additional provision. *National University of Distance Education.***

All references in this Royal Decree to the Administrations of the Autonomous Communities and their bodies shall be understood to refer, in the case of the Universidad Nacional de Educación a Distancia (UNED), to the Ministry of Universities, in view of its special characteristics and the scope of its activities.

**Third additional provision. *Concordat Universities of the Catholic Church.***

1. In accordance with the provisions of Organic Law 6/2001, of December 21, 2001, the universities of the Catholic Church established in Spain prior to the Agreement of January 3, 1979, between the Spanish State and the Holy See on Education and Cultural Affairs, by virtue of the provisions of the Agreement between the Holy See and the Spanish State, of May 10, 1962, and the aforementioned Agreement, maintain their special procedures regarding the recognition of civil effects of study plans and degrees, in accordance with the specific applicable regulations, as long as they do not opt to transform themselves into private universities.

2. Without prejudice to the provisions of the preceding paragraph, and for the sole purpose of making these procedures effective, these universities shall apply to the Council of Universities for institutional accreditation of their centers, which shall be carried out once compliance with the requirements established by the generally applicable regulations has been verified.

3. Likewise, these universities must adapt to the requirements set forth in this Royal Decree in general and within the same deadlines.

**Fourth additional provision. *Defense University Centers.***

1. The Defense University Centers that, in accordance with Article 51 of Law 39/2007, of November 19, 2007, on the Military Career, are attached to a public university, will be considered as attached teaching centers for the purposes of Article 13 of this Royal Decree.

2. Given their academic, functional and legal nature, the Defense University Centers are exempted from the requirement established in Article 13 of this Royal Decree, regarding affiliation to a single university.

3. In accordance with Article 73 of Law 39/2007, of November 19, 2007, on the Military Career, the teachings corresponding to general and specific military training and fundamental specialties will be taught by military professors, and the undergraduate and postgraduate teachings will be taught by military personnel and by contracted personnel, who have the appropriate training in accordance with Organic Law 6/2001, of December 21, 2001.

4. The teaching and research staff of these university centers must comply with the provisions established by this Royal Decree.

5. Without prejudice to the ownership of the Ministry of Defense over these centers and its competences in military training, all references made in this Royal Decree to the Administrations of the Autonomous Communities and their bodies shall be understood to refer to the Ministry of Universities in the case of the Defense University Centers.

**Fifth additional provision. *University Centers of the Civil Guard.***

1. The University Center of the Civil Guard, attached to one or more public universities, in accordance with Article 41 of Law 29/2014, of November 28, on the Civil Guard Personnel Regime, shall be considered as an attached teaching center, for the purposes of Article 13 of this Royal Decree.

2. Given its academic, functional and legal nature, the Centro Universitario de la Guardia Civil is exempted from the requirement established in Article 13.2 regarding affiliation to a single university.

3. In accordance with Article 51 of Law 29/2014, of 28 November, the teachings corresponding to general military training and that of the security or technical corps will be taught by teaching staff belonging to the Civil Guard or by teaching staff outside the Corps referred to in paragraph 1 of the aforementioned article.

4. The official university teachings of Degree, University Master's Degree and Doctorate, as well as own university teachings (continuing education), may be taught, both by the personnel mentioned in the previous paragraph, and by the teaching staff belonging to the university or universities of attachment, in accordance with what is set out in the respective agreements, which will take into account the peculiarities of the professional career of the civil guards, as provided in Article 41.1 of Law 29/2014, of November 28.

5. In any case, the teaching and research staff of the University Center of the Civil Guard must comply with the provisions set forth in this Royal Decree, and have the appropriate training, in accordance with Organic Law 6/2001, of December 21.

**Fifth additional provision bis.** *Centro Universitario de Formación de la Policía Nacional, O.A. (University Training Center of the National Police).*

1. The University Training Center of the National Police, attached to one or more public universities, in accordance with paragraph four of the one hundred sixteenth additional provision of Law 22/2021, of December 28, on the General State Budget for the year 2022 and in paragraph 1 of Article 39 of Organic Law 9/2015, of July 28, on the Personnel Regime of the National Police, shall be considered as an attached teaching center, for the purposes of Article 13 of this Royal Decree.

2. Given its academic, functional and legal nature, the Centro Universitario de Formación de la Policía Nacional is exempted from the requirement established in Article 13.2 regarding affiliation to a single university.

3. The official university courses, as well as the university courses themselves, may be taught by officers of the National Police, as well as by teaching and research staff hired for this purpose, as well as by the teaching staff belonging to the university or universities of assignment, in accordance with what is set forth in the respective agreements.

4. In any case, the teaching and research staff of the University Training Center of the National Police must comply with the provisions set forth in this Royal Decree.

**Sixth additional provision.** *International treaties or agreements.*

The provisions of this Royal Decree, and in particular the provisions of Chapter IV, are without prejudice to the provisions of international treaties or conventions signed by Spain or, if applicable, to the application of the principle of reciprocity.

**Seventh additional provision.** *No increase in public expenditure.*

The measures included in this Royal Decree may not entail an increase in allocations or in remuneration or other personnel expenses.

**First transitory provision.** *Adaptation of universities and university centers to the requirements set forth in this Royal Decree.*

1. Universities and university centers which, at the time of entry into force of this Royal Decree, have their respective authorization, will have up to five years from said entry into force to adapt to the new requirements established.



2. Universities and centers already created or recognized, but not yet authorized, will have up to five years from the granting of the authorization to adapt to the new requirements established.

3. The universities or centers that provide university teachings or higher education degrees of similar scope to the university under foreign educational systems must adapt to the provisions of this Royal Decree within a maximum period of three years from its entry into force. These universities, centers or institutions must have registered the university degrees or equivalent degrees in a specific register of the RUCT, incorporating the information established in article 15.3 of this royal decree within a maximum period of one year from the entry into force of this royal decree.

**Second transitional provision.** *Personnel requirements during the progressive implementation of the courses.*

Until each of the official university studies to be taught by the university or center is fully implemented, the personnel requirements established in this Royal Decree for universities and university centers shall be understood to refer to the personnel required for the teaching of the course or courses of the corresponding official curriculum to be implemented at any given time.

**Third transitional provision.** *Centers attached to more than one university.*

In the event that a center is attached to more than one university at the time of the entry into force of this Royal Decree, it will have a maximum period of one year to definitively attach itself to a single university, which will require, where appropriate, the modification of the affiliation agreement between the two parties. The new affiliation, once approved by the different governing bodies of the university institutions involved, and authorized by the competent body of the respective Autonomous Community, will be communicated to the Ministry of Universities for its inclusion in the RUCT.

Exceptionally, duly justified and only for academic reasons related to the nature of the degrees taught, a center that is already attached to two universities at the time this Royal Decree enters into force may continue to be attached to the two universities if it has the explicit approval of the Department responsible for universities of the respective Autonomous Community.

**Sole derogatory provision.** *Repeal of regulations.*

1. Any provisions of equal or lower rank that oppose the provisions of this Royal Decree are hereby repealed.

2. In particular, Royal Decree 420/2015, of May 29, on the creation, recognition, authorization and accreditation of universities and university centers is repealed, with the exception of the second final provision and the third final provision.

**First final provision.** *Basic nature and powers.*

This Royal Decree has the nature of basic legislation and is issued under the provisions of rules 1 and 30 of Article 149.1 of the Constitution, which attribute to the State the powers to regulate the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights and the fulfillment of their constitutional duties and the approval of the basic rules for the development of Article 27 of the Constitution in order to guarantee the fulfillment of the obligations of the public authorities in this matter.

**Second final provision.** *Enabling regulations.*

The head of the Ministry of Universities is empowered to issue, within the scope of his powers, as many provisions as may be required for the development and execution of the provisions of this Royal Decree.

### **Third Final Provision. *Entry into force.***

This Royal Decree shall enter into force twenty days after its publication in the Official Gazette. "Boletín Oficial del Estado".

Given at the Embassy of Spain in Lima, on July 27, 2021.

FELIPE R.

The Minister of Universities,  
MANUEL CASTELLS OLIVÁN

## **ANNEX I**

### **Justification report for the creation of public universities and recognition of private universities and their subsequent authorization.**

1. Report containing the fundamental data of the project for which the creation of a public university or the recognition of a private university is requested: Name; institutions, bodies, entities or companies and private companies that promote it; legal personality; geographical location of the facilities and location of the headquarters; financing; the fundamental academic objectives (training, research, transfer and innovation) that guarantee the fulfillment of the functions of the university established in the Organic Law 6/2001, of December 21, and in accordance with what is regulated in this Royal Decree.

2. This report must include a detailed plan for the development and programming of teaching, as set forth in Article 5 of this Royal Decree, and a multi-annual research program in accordance with the provisions of Article 5 of this Royal Decree, and a multi-annual research program in accordance with the provisions of Article 5 of this Royal Decree.

6 of this standard. In both cases, the level of detail established in these articles must be provided. Specifically, the number of places and the enrollment forecast for the official undergraduate, master's and doctoral degrees initially offered and those that will be progressively implemented must be included.

3. Likewise, the Report will include the initial offer, and the foreseeable development, of continuing education, indicating, among other elements, the number and type of degrees, the number of places offered and the forecast of students enrolled.

4. Documentation justifying the guarantee of continuity and sustainability of the activity of the university or center referred to in Article 9 of this Royal Decree.

5. The documentation that accredits the requirements of organization and operation foreseen in article 10 of the present Royal Decree.

6. Justification of the staff (understood as the list of jobs in public institutions) of the teaching and research staff at the beginning of the activity, and explicit and argued commitment to develop it coherently with the deployment of the official academic offer and the implementation of the multi-year research program, in the terms provided in article 6 of this regulation, and in accordance with the requirements established by the Organic Law 6/2001, of December 21, and the present royal decree on the teaching staff. The detail of the initial staff and that which will be coherently developed with the committed deployment in teaching and research will be that stipulated in article 5 of this royal decree.

7. Justification of the staff (understood as the list of jobs in public institutions) of administrative and service personnel at the beginning of the activity, as well as the forecast of its annual increase until the total implementation of the corresponding teaching, research activities and services of the university or center.

8. Structure of the centers in which the university is initially articulated, and will be articulated once all its activity is deployed, as well as the initial offer and the foreseen offer of official degrees that will be taught in them. Their name and geographical location will be indicated, detailing the facilities and main academic, research and service equipment they will have.

9. Justification of compliance with the conditions and requirements related to infrastructure and adequate and sufficient material means for the development of its activities.



teaching and research functions, taking into account the provisions of Chapter II and Annexes II, III and IV of this Royal Decree. In this sense, a plan for investment in infrastructure and equipment consistent with the programming of the development of teaching and research explained in the Report will be specifically added.

10. In the case of official bachelor's and master's degree programs that require mandatory external academic internships, agreements with institutions, organizations, entities or companies that guarantee their initial development must be included.

11. Commitment to implement the internal quality assurance system.

12. The strategy and programming to promote the internationalization of academic activities and student and faculty mobility.

13. Specifically, private universities must accredit that they have their own legal personality and carry out their functions under a system of autonomy, in accordance with the provisions of Organic Law 6/2001, of December 21.

## **ANNEX II**

### **Minimum modules of teaching and research areas**

The number and surface area of the teaching and research spaces will be determined by the number of students expected to use them simultaneously, according to the following modules:

a) Classrooms: Up to forty students: 1 meter and fifty square centimeters per student. Forty students and up: 1 meter and twenty-five square centimeters per student.

b) Teaching laboratories: Five square meters per student assigned to a teaching group. This module may be adapted according to the practical teaching needs corresponding to the official courses taught. In this space, an area or furniture must be reserved for the storage of laboratory clothing and protective garments. These laboratories must be independent spaces of the classrooms and tutorial rooms.

c) Research laboratories: Between 10 and 15 square meters per teacher or researcher. These laboratories must be separated from the passage of students and must not be shared for teaching purposes.

Teaching and research spaces must have the necessary spatial and furniture flexibility to adapt to the different teaching-learning modalities.

Faculty offices will be equipped with appropriate computer and communications equipment.

All academic spaces must comply with current accessibility regulations.

## **ANNEX III**

### **Special requirements for teaching in the field of Health Sciences.**

1. In the teaching of Medicine, Nursing, and Physiotherapy, it must be guaranteed:

a) Universities must have at least one general hospital and three health centers (publicly or privately owned), authorized in accordance with Royal Decree 1277/2003, of October 10, 2003, which establishes the general bases for the authorization of health centers, services and establishments, based on an agreement in the case of public universities or an agreement in the case of private universities.

b) The health institutions will have to meet the requirements (provision of personal and material resources) established by joint order of the Ministries of Health and Universities.

c) The agreement or agreement will indicate the services of the health institutions that are agreed upon and the university departments or units that are related to them.

d) The term "University Hospital" will be used when the agreement refers to the hospital as a whole or when it covers most of its services and/or care units. "University Associated Hospital". The same shall apply to health centers.

2. For the rest of the university courses of the professions regulated in articles 6 and 7 of Law 44/2003, of November 21, on the regulation of health professions, which require assistance elements, the availability of the necessary clinical resources - centers, services or health facilities - must be guaranteed, both from the university itself and those available through agreements with public administrations, public bodies and public law entities or with private law entities that have these assistance services which, in any case, must be authorized by the corresponding public administration.

3. Universities and health institutions shall ensure that students and residents of Health Sciences degrees comply with the regulations that include the basic guidelines aimed at ensuring and protecting the patient's right to privacy.

## **ANNEX IV**

### **Minimum technological, computer and audio-visual requirements**

In accordance with Article 8.2 of this Royal Decree, public and private universities must have:

1. Network and Internet connection with maximum capacity, speed and latency allowed by the technology at any given time, in accordance with the volume of students, faculty and administrative and services personnel at the university or center, and, in the case of new centers, with the forecast of these once the deployment of the entire teaching offer and research planning programmed and set forth in the Report is completed.

2. Virtual teaching campus, which is a vehicle for academic relations and the training activity of each subject and degree, and guarantees students and faculty a quality mechanism for the development of their academic interrelationship in accordance with the teaching modality of each of the official degrees. In the case of a university whose teaching modality is fundamentally non-face-to-face, this virtual campus and the technological platform that supports it must have the technical specificities and essential capacity to guarantee the quality development of non-face-to-face teaching.

3. Intranet, a utility that should allow the virtual management of the set of relationships and services that make up the administrative, technical and economic management of the university and center, specifically of its staff (PDI and PAS) and the different units that compose it.

4. Institutional Web and of the different centers, departments, research institutes, university services aimed at students and the rest of the university community, with the technological quality and accessibility necessary to the function of being conceived as information spaces for the university community and society as a whole.

5. Provision of audiovisual, computer and internet network equipment throughout the classroom and in the laboratories for the development of academic practices, to ensure that the technological needs that the implementation of teaching may require are met. This equipment must respond to the specific needs of the different teaching modalities (classroom, hybrid, non-classroom) in which the different official degrees offered or to be offered are implemented.

6. Provision of computer classrooms for students to receive instruction, as well as to prepare papers, documents or search for information related to their academic activity.

7. A library and documentation service whose equipment and capacity must be at least thematically coherent with the degree, master's and doctoral programs offered and their information and bibliographic needs, as well as with the number of students.

enrolled. Likewise, they must have systems or virtual environments developed to guarantee the management of requests and loans, and the availability and access to information and documentation in virtual support.

8. Provision of laboratories and scientific-technical services in accordance with the multi-year research program established in the Report. Specifically, this must be coherent with the strategic research axes established and the research groups that are declared to be promoted or are already fully operational.