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I. GENERAL PROVISIONS

STATE HEADQUARTERS

7500 *Organic Law 2/2023, of March 22, of the University System.*

FELIPE VI

KING OF SPAIN

To all who see and understand this document.

Be it known: That the Cortes Generales have approved and I come to sanction the following organic law:

PREAMBLE I

The University is a fundamental institution in the knowledge society in which we live. On the University, and on the educational system as a whole, depends the advanced education of people, and what this entails in relation to equal opportunities for all and the economic, scientific and technological development of our society in times of climate emergency. In addition, the university community has constituted throughout history a space for intellectual freedom, critical spirit, tolerance, dialogue, debate, affirmation of ethical and humanist values, learning to respect the environment and cultural preservation and creation, open to the diversity of expressions of the human spirit.

The University has been, is and should be a source of knowledge, material welfare, social justice, inclusion, opportunities and cultural freedom for all ages.

As a secular institution, it has demonstrated its capacity to combine the maintenance of its essential values with adaptation to the changes that have taken place. The time has now come for it to once again demonstrate its strength by adapting to and accompanying the social, cultural, technological, environmental, scientific and institutional transformations and challenges that characterize the changing times we are living through.

Since the restoration of democracy, society has undergone a multidimensional transformation on a global scale. The scientific and technological revolution has deepened, particularly in the field of information and communication. Society has benefited from increasing digitalization. Globalization has increased the interdependence of countries and regions at all levels. Feminism has changed human relations in terms of gender equity, profoundly changing people's education and contributing to the majority feminization of the university student body. The ecological transition, the climate emergency and the demographic challenge have taken on an extraordinary prominence. The international mobility of people and talent is bringing about a cultural interrelationship that revalues diversity and opens up new perspectives for creativity. New pedagogical models have emerged that incorporate digital methodologies in the teaching activity, re-qualify distance education and force to enhance the value of presence. The growing importance and social significance of lifelong learning complements university education for young people. The autonomy of learning in a digital environment allows teachers to focus on guiding reflection and innovating the teaching experience, thus complementing the traditional role focused primarily on the control of memorization, given the availability and accessibility of information via the Internet.

In line with these transformations, the State university system, complex and multilevel, has made a continuous effort of transformation and democratization, moving away from a socially elitist conception to embrace ever wider sectors of the population, and from a closed and exclusive intellectual conception of knowledge, to establish a relationship of dialogue and collaboration, through knowledge, critical thinking and research, with society as a whole, with entities, companies and social agents. This dialogue and collaboration contribute to the construction of an advanced democratic society in a regulatory framework characterized by an increasingly present and expansive European Higher Education Area, and by university autonomy and the development of the State of the autonomous regions that has been enriching and diversifying our university system. Universities are, today more than ever, not only repositories of knowledge, but also producers of that knowledge. Teaching, research and the capacity to share and transfer this knowledge are central functions of their activity. Indeed, the University of the 21st century cannot withdraw into an ivory tower, but must continue the work it has already undertaken and continue to deepen its insertion, significance and service capacity in relation to the social, cultural and economic fabric. Likewise, the growing multilevel governance of the system requires intense coordination and cooperation efforts among the actors. The university legal framework has been developing over the last four decades. Two milestones should be highlighted: Organic Law 11/1983, of August 25, 1983, on University Reform, and Organic Law 6/2001, of December 21, 2001, on Universities, including the modification of the latter by Organic Law 4/2007, of April 12, 2007. The first of these laws laid the foundations of a university system proper to a social and democratic State governed by the rule of law, guaranteeing university autonomy, while the law passed in 2001 developed this system and reformed the organization of university education in line with the European Higher Education Area.

Two decades have passed since the promulgation of Organic Law 6/2001, of December 21, 2001, and not only have there been the general changes and transformations already mentioned, which require a renewal of the bases of the system, but also significant evolutions in our university panorama. In recent decades there has been a considerable increase in the number of universities, particularly private universities. Although this has allowed an expansion of the educational offer, the requirements for the creation and operation of these universities must be able to ensure the quality criteria required of institutions of this type. The economic crisis that began at the end of the first decade of the 21st century posed unprecedented challenges to all educational institutions, subjecting, especially public universities, to very deep budgetary tensions and limitations, the effects of which still persist. Although the number of university students has doubled in the last four decades to well over 1.5 million, insufficient public funding, the increase in university fees, dysfunctions in the configuration of its teaching staff due to low replacement rates, the precariousness of part of the associate, interim, substitute or visiting professors and the aging of university staff, as well as the deepening of social inequalities, have put the sustainability and quality of the system at risk.

In the second decade of this century, public spending on university education fell twice as much as general educational spending and three times more than spending on non-university education. In fact, disinvestment in university education has been more accentuated and prolonged over time than in non-university education. Moreover, in the university sphere, there has been a significantly greater reduction in public funding and, simultaneously, an increase in private funding of universities through a significant increase in the public prices borne by families. Thus, public university funding has distanced us from the average investment of our closest European environment. More public funding should imply a greater capacity for service and alliances with all social sectors.

that they can benefit from this source of training and knowledge that the University has always been and wants to continue to be.

Our university system has been reinforcing and intensifying its integration into the European Higher Education Area. It is no longer possible to imagine that we can articulate and guide the future of universities in Spain without incorporating the perspective, initiatives and regulations coming from the European Union. The Europeanization of the Spanish university system should not prevent us from extending the internationalization process to other areas of cooperation, especially with the Ibero-American Higher Education and Knowledge Area, which has a common language base of nearly 600 million people. All this has entailed and will continue to entail structural and institutional adaptations in the academic offer, the organization of teaching, the recognition of degrees, quality assurance in accordance with shared criteria or the strengthening of international inter-university cooperation. The most recent European Strategy in this respect sets very specific objectives and paces along these lines. In this regard, it should be noted that, although Spain has been the leading destination for students in the Erasmus program in recent years and one of the main senders of students in this program, the number of foreign students in Spain is, in relative terms, lower than that of many countries in our European environment. On the other hand, barely three percent of university teaching and research staff have a nationality other than Spanish when, on the other hand, nearly 15 percent of those living in Spain were born outside the country. The significant and growing presence of Spanish universities in European university alliances shows us the way forward in this unstoppable process of sharing knowledge, teaching and research on a European scale, with universities being the most obvious expression of the values of humanism, defense of democratic rights and values, freedom of thought and creation, which Europe wants to project to the world.

II

In this context, essential reforms related to the mismatch between the university system and the needs of society must be addressed.

In order to face these structural challenges, it is necessary and opportune to address a comprehensive reform of the legal framework of the university system. In the context of multilevel governance, the university system must, based on digital transformation through multidisciplinary services and teams, promote an organizational and documentary maturity that favors such governance and allows it to guarantee, expand and update the set of public services of quality higher education, through an autonomous and internationalized University, which guarantees and encourages both teaching and research and the exchange and transfer of knowledge, and which is effectively accessible, equitable, democratic and participatory. A University that, as the main producer and disseminator of knowledge, is at the service of society, contributes to sustainable social and economic development, promotes an inclusive and diverse society committed to the rights of the most vulnerable groups and that constitutes a space of freedom, of debate between cultural perspectives, without hierarchies, promoting personal development, with adequate and sufficient human and financial resources.

Universities are a privileged place for training and knowledge and at the same time a critical space in which to address the challenges we face, experiment with answers and generate bridges of collaboration and action with the closest social environment and with many other universities and research centers around the world. This organic law aims to provide instruments and enable spaces and dynamics so that universities can continue to be a space for experimentation, innovation and participation. The aim is to achieve universities at the service of the society in which they are inserted; networked universities to link

communities, share knowledge, create new ideas and tools for a new society.

Likewise, this organic law develops an academic model that ensures advanced and broad comprehensive training and the development of personal and professional skills, both teaching and research, to develop critical thinking and to access quality jobs.

Along with the essential task of promoting research and generating knowledge, contributing to its dissemination and contrast with the scientific community, it is also about making this knowledge socially useful, generating links with the social actors closest to the subject matter of each researcher, each group and research center, starting from the specialty of each one, but seeking in interdisciplinarity and multidisciplinary the ways to respond to the growing complexity of the challenges we face as humanity. We need an Open Science, which assumes that knowledge as a common good, accessible and non-commercialized, a Citizen Science in which knowledge is built in a shared way, assuming the complexity of research in a collective way. Therefore, this organic law promotes joint work with society in the creation and dissemination of knowledge, promoting Open and Citizen Science through access to publications, data, codes and methodologies that guarantee the communication of research.

Universities have essentially been spaces of formation for young people. We must now go further, reinforcing the capacity to serve society as a whole to achieve a University for all ages; a place where lifelong learning for any person and group is a basic objective; a University where the experience of face-to-face and shared teaching is a central and differential value; a place where scientists, students, professionals seeking to update their skills, specialists and social agents converge and interact, all seeking to reinforce knowledge, build skills and propose paths of transformation and innovation in a shared manner.

Therefore, this organic law includes lifelong learning as an essential dimension of the teaching function of the University. It also establishes formulas for transfer and connection between higher vocational training and the University in the service of the work and personal updating processes of the population as a whole.

In addition to the aforementioned full integration into the European Higher Education Area, it is considered necessary to encourage knowledge and shared training networks with the Ibero-American Higher Education and Knowledge Area, and to reinforce the dynamics of collaboration opened in the Mediterranean basin or in the opening of new links with higher education centers in North America, Asia and Oceania. To this end, this organic law incorporates, for the first time, a title dedicated to internationalization, and promotes a university system of quality, with agile and reliable mechanisms for its evaluation, in line with what the European Union proposes. It also provides for the elaboration of internationalization strategies by the different Public Administrations and the universities themselves, the creation of inter-university alliances and the participation in international, supranational and Euroregional projects. On the other hand, the mobility of the university community as a whole is promoted, incentives are given for doctorates in international co-supervision and the Public Administrations are urged to eliminate obstacles to the attraction of international talent, speeding up and facilitating the procedures for the recognition and homologation of degrees, admission to universities or migration procedures.

This organic law does not seek to impose solutions or to outline concrete ways in which all this should be resolved. It seeks to open up possibilities, to facilitate connections, based on a commitment by the public authorities to adequately finance this new scenario.

of transformation and change. Spanish public universities have persistently suffered from insufficient public funding over the last decade, and a great precariousness and deterioration of working conditions, which have gone socially unnoticed without this having generated a social reaction commensurate with the setback suffered. Recovering adequate levels of funding must go hand in hand with a greater presence of universities in the social environments in which they are based and a greater and more visible contribution to the needs of all the people and groups in the country, more involvement in the dynamics of local development, in the search for alternatives to the demographic challenge or the climate emergency. Achieving a minimum of public funding of 1% of GDP, as stated in this organic law, should be a demand of all. But it should also be reinforcing teaching, improving the training processes of citizens regardless of age, origin, gender or economic capacity, working for employability or generating more and better research from a logic of transfer and exchange.

Students, whatever their age, must play a leading role. With this objective in mind, this organic law reinforces teaching, that is to say, it is concerned with the training and updating of the capacities of the teaching staff, with generating spaces to ensure the adequacy of contents and teaching formats, with facilitating that the students themselves take on tutoring, mentoring and effective practical experiences, with the emotional health of the student body, also promoting their participation in the government of the university in its different units and in the management of services. In addition, and in defense of the rights of students, the law makes it possible to advance towards the horizon of free public university higher education, by reducing public prices, as well as reducing the disparity between Autonomous Communities and the conception of the scholarship as a subjective right linked to the socioeconomic situation of the applicants. The law also incorporates substantial modifications in the provisions relating to the student body. On the one hand, the statute of the student body is incorporated into this regulation, consolidating and extending a catalog of rights and duties which until now had been included in a regulatory regulation, and adding academic unemployment as a right of the student body. On the other hand, greater publicity is given to the academic offer and the regime of access and admission is clarified. Likewise, each university is expected to encourage student participation in all services and aspects that affect their academic and life trajectory, the quality and intensity of the university experience and the recognition of academic credits for student involvement in social and university activities is proposed.

The construction of an equitable university permeates the content of the entire law. Thus, requirements are established in terms of equality between women and men prior to the creation of a university, such as equality plans, or the elimination of the salary gap and all forms of harassment. In turn, the law establishes that collegiate bodies and evaluation and selection commissions in universities will guarantee a balanced composition between women and men, affirmative action measures in competitions and in favor of conciliation and the promotion of shared responsibility for care, among many other actions. In terms of accessibility, universities must guarantee universal access for people with disabilities to buildings and their physical and virtual environments, as well as to the teaching-learning and evaluation process. This regulation is committed to a university as a space for freedom, cultural debate and personal development. To this end, the universities are promoted as agents of cultural creation and reflection, as well as of protection, conservation and dissemination of the historical and cultural heritage of which they are the depositories. On the other hand, the universities are configured as key actors in the promotion and encouragement of the diversity and linguistic richness of the State, in local development and in the territorial cohesion in the context of the fight against climate change.

This standard is based on the recognition of the human resources of the university system as the core of its strength. Regarding teaching and research staff,

One of the main objectives of this organic law is the elimination of precariousness in university employment and the establishment of a stable and predictable academic career. Three levels of progression are established, as opposed to the four in force until now. Thus, the academic career will follow the stages of incorporation, consolidation and promotion. On the other hand, the maximum number of temporary contracts for teaching and research staff that can be in force in public universities is reduced from 40 to 8 percent. The aim of this regulation is to put an end to the precariousness associated with certain types of labor teaching staff, offering those who find themselves in this situation suitable entry routes for them to continue their academic career if they meet certain requirements. Likewise, stabilization and promotion programs are encouraged on a transitional basis and the equal academic rights and duties of civil servant and permanent labor teaching staff are guaranteed. Finally, in the area of research personnel, this regulation establishes gateways between the research career and the University. Among other issues, the attraction of research personnel from programs of excellence is encouraged through the reservation of a percentage of certain university vacancies.

This new law revalues the figure of technical, management and administration and services personnel as a key player in the efficient and effective functioning of the university institution. In line with this objective, it incorporates the horizontal professional career of such personnel, as well as the framework for the evaluation of their performance. As in the case of teaching and research staff, the regulation seeks to reduce temporary employment and encourages the training and mobility of such staff.

In order to ensure an autonomous, democratic and participatory University, in which, simultaneously, decision-making and management can be carried out in an effective and efficient manner, the Law enshrines transparency and accountability of public universities, in correlation with the development and protection of their autonomy. As part of the institutional public sector, the autonomy-transparency binomial must govern all its activity, especially in relation to its economic and financial regime and the selection of its personnel. Thus, in the latter case, objectivity is reinforced in the access to the teaching bodies and to the modalities of employment contracts by establishing that the majority of the members of the selection commissions should not belong to the university and that they should be chosen by lottery.

With regard to the internal structures and governance of the University, the law reinforces university autonomy within the framework of the common bases of the university system, the necessary connection and collaboration with the environment in which the university is inserted through the Social Council, while adopting innovations in relation to the election of the Rector, and in relation to the limits of the terms of office of the holders of the elected unipersonal bodies. Finally, this organic law promotes multidisciplinary and interdisciplinary through an internal structure that allows cooperation between its different elements.

On the other hand, the participation of the different sectors of the university community is a defining component of public universities. Thus, it is committed to the development of participatory processes, consultations and other mechanisms for the participation of the university community as a whole, ensuring equal opportunities and non-discrimination. In addition, among other aspects, it increases the minimum representation of the student body in various university governing bodies, and mandates the creation of a Student Council in each university.

The set of reforms approved is based on full respect for the principle of university autonomy, integrated in the fundamental right to education recognized in Article 27 of the Spanish Constitution. Likewise, these reforms are based on the recognition of the distribution of powers between the State and the Autonomous Communities in matters of university policy and management. In this line, the law establishes a minimum common denominator, allowing a wide margin for the development of its provisions through the normative work of the Autonomous Communities.

Autonomous Communities and the specific provisions of the statutes and rules of organization and operation of the universities themselves.

III

The content of this organic law is divided into 100 articles, which are articulated in a preliminary title followed by ten titles. Title I regulates the functions of the university system and the autonomy of the universities, while Title II is dedicated to their creation and recognition, as well as to the quality of the university system. Title III deals with the teaching function and the organization of teaching. Title IV deals with research, the transfer and exchange of knowledge and innovation, and Title V organizes coordination, cooperation and participation in the university system. Titles VI and VII deal with the interweaving of the University with society and culture, as well as the internationalization of the university system, respectively. Title VIII incorporates the status of the student body in the university system, followed by the title on public universities. Title IX, in its five chapters, deals with the legal regime and structure of these universities, their governance, their economic and financial regime, their teaching and research staff and their technical, management and administration and services staff, respectively. Finally, Title X of this organic law deals with the specific regime of private universities.

On the other hand, the final part of the organic law is divided into seventeen additional provisions, twelve transitory provisions, one derogatory provision and twelve final provisions. Thus, the additional provisions contain particular determinations with respect to the regulations contained in the articles, which mostly refer to university institutions with elements that make them unique.

The main purpose of the transitional provisions is to facilitate the transition to the legal regime provided for by the new regulation, both for the university institutions and for the personnel who work in them.

For its part, the repealing provision expressly leaves without effect, for greater legal certainty, three regulations of legal rank: Organic Law 6/2001, of December 21, 2001, on Universities; Organic Law 4/2007, of April 12, 2007, amending Organic Law 6/2001, of December 21, 2001, on Universities, except for its second and fourth final provisions, and Royal Decree-Law 14/2012, of April 20, 2012, on urgent measures to rationalize public expenditure in the field of education.

The final provisions, in addition to the typical determinations, include the modification of Law 53/1984, of December 26, 1984, on Incompatibilities of the personnel in the service of the Public Administrations, with the purpose of authorizing the compatibility for the performance of a teaching position as Associate University Professor on a part-time basis; Law 14/1986, of April 25, 1986, General Health Law, with regard to the linking of university teaching personnel in the service of the labor market; Organic Law 4/2000, of January 11, 2000, on the rights and freedoms of foreigners in Spain and their social integration, with regard to the validity of initial authorizations of stay for higher education studies whose duration extends beyond one academic year and to the extensions of authorizations of other categories, as well as with regard to the places of presentation of applications and the requirement of personal appearance; Law 33/2011, of October 4, 2011, General Law on Public Health, to clarify the regulation regarding the requirements for the professional practice of psychology in the health field, and Law 14/2013, of September 27, 2013, on support for entrepreneurs and their internationalization, to extend the periods of effectiveness of residence permits for students seeking employment and residence permits for internships.

IV

In the drafting and processing of this organic law, the principles of necessity, effectiveness, proportionality, legal certainty, transparency and efficiency, required by Article 129 of Law 39/2015, of October 1, of the Common Administrative Procedure of Public Administrations, have been observed. Thus, its necessity results from the challenges to be faced by the university system already described. The law complies with the principles of effectiveness and proportionality since it addresses such challenges through suitable and necessary regulatory innovations to carry out the transformations required by the university system to adapt to what is demanded of it in the 21st century. It also complies with the principle of legal certainty, since its content is consistent with the rest of the national and European Union legal system, as well as with the international legal system, particularly with the European Higher Education Area and, on the other hand, it offers a systematic, orderly and clear regulatory framework to facilitate decision-making by individuals and the management of their resources by the Public Administrations with competences in this area. Likewise, in application of the principle of efficiency, this organic law limits administrative burdens to those essential for the achievement of the purposes described above, always within the framework of the national, European Union and international legal system. Finally, for the sake of the principle of transparency, in addition to the performance of the procedures of prior consultation and public hearing and information, and in order to obtain the greatest possible participation of the interested parties, the participation of society and of the other Public Administrations has been made possible; participation which has been reinforced with the information to the Council of Universities, the General Conference of University Policy and the Council of University Students of the State.

This organic law is enacted under the protection of the 30th and 1st rules of Article 149.1 of the Spanish Constitution, which reserve to the State the power to approve 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 and the regulation of the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights, as well as in the fulfillment of their constitutional duties, respectively.

Exceptions to the foregoing are Title IV, Article 56.4, Article 57.7 and Articles 60, 61, 62 and 63, which are dictated under Article 149.1.15.^a of the Constitution, which attributes to the State the promotion and general coordination of scientific and technical research, as well as the first final provision modifying Law 53/1984, of December 26, 1984, on Incompatibilities of personnel in the service of the Public Administrations; the second final provision modifying Law 14/1986, of April 25, 1986, General Health Law; the third final provision amending Organic Law 4/2000, of January 11, on the rights and freedoms of foreigners in Spain and their social integration; the fourth final provision amending Law 33/2011, of October 4, General Public Health, and the fifth final provision amending Law 14/2013, of September 27, on support for entrepreneurs and their internationalization, which are included in the powers expressed in the laws subject to amendment.

INTRODUCTORY TITLE

General Provisions

Article 1. *Object.*

1. The purpose of this organic law is to regulate the university system, as well as the mechanisms of coordination, cooperation and collaboration between the Public Administrations with competence in university matters.

2. For the purposes of this organic law, the university system is understood to be the set of universities, both public and private, and the centers and structures that serve them for the development of their functions.

Universities are understood to be those public or private institutions that carry out the central functions of teaching, research and knowledge transfer and exchange, in addition to those set forth in Article 2.2, and which offer official university degrees, Master's Degrees and Doctorates in most branches of knowledge, and may also carry out other educational activities.

TITLE I

Functions of the university system and university autonomy

Article 2. Functions of the university system.

1. The university system provides and guarantees the public service of university higher education through teaching, research and knowledge transfer.

2. These are functions of the universities:

a) The education and training of students through the creation, development, transmission and critical evaluation of scientific, technological, social, humanistic, artistic and cultural knowledge, as well as the capabilities, competencies and skills inherent to it.

b) Preparation for the exercise of professional activities that require the application and updating of scientific, technological, social, humanistic, cultural and artistic knowledge and methods.

c) The generation, development, dissemination, transfer and exchange of knowledge and the applicability of research in all scientific, technological, social, humanistic, artistic and cultural fields.

d) The promotion of innovation based on knowledge in the social, economic, environmental, technological and institutional fields.

e) The contribution to social welfare, economic progress and cohesion of society and the territorial environment in which they are inserted, as well as the promotion of the official languages of the same, through training, research, transfer and exchange of knowledge and the culture of entrepreneurship, both individual and collective, from conventional corporate formulas or social economy.

f) The generation of spaces for the creation and dissemination of critical thinking.

g) The transfer and exchange of knowledge and culture to society as a whole through university activity and lifelong learning for all citizens.

h) The formation of citizenship through the transmission of democratic values and principles.

i) Encouraging the participation of the university community and citizens in activities promoted by volunteer and third sector organizations that are in line with the principles and values of the university system.

j) Other functions legally attributed to them.

3. The exercise of the aforementioned functions will be based on human and fundamental rights, democratic memory, the promotion of equity and equality, the promotion of sustainability, the fight against climate change and the values derived from the Sustainable Development Goals.

Article 3. *Autonomy of the universities.*

1. The universities are endowed with legal personality and carry out their functions under a system of autonomy by virtue of the fundamental right recognized in Article 27.10 of the Spanish Constitution.

2. Under the terms of this organic law, the autonomy of the universities includes and requires:

a) The establishment of the university's strategic lines, among others, in teaching, research and innovation, quality assurance, financial management, personnel, student, cultural and internationalization policies.

b) The elaboration of their Statutes, in the case of public universities, and of their rules of organization and operation, in the case of private universities, as well as other internal rules.

c) The determination of its organization and structures, including the creation of agencies and entities to support its activities.

d) The election, appointment and removal of the members of the corresponding governing and representative bodies.

e) Economic and financial autonomy.

f) The proposal and determination of the structure and organization of the offer of official university education, as well as university education, including lifelong learning.

g) The preparation and approval of study plans leading to the award of official university degrees of Bachelor's or Master's degrees, or leading to the award of their own degrees, as well as the offer of Doctorate programs.

h) The issuance of degrees corresponding to official university education, as well as own degrees, including lifelong learning.

i) The establishment and implementation of research, knowledge transfer and exchange and innovation programs.

j) The selection, training and promotion of teaching and research personnel and technical, management and administration and services personnel, as well as the determination of the conditions under which they are to carry out their activities and the characteristics of these activities.

k) The establishment of their job descriptions or staffing tables, and their eventual modification.

l) The admission of the student body, the regime of permanence, the verification of knowledge, competencies and skills, and the management of their academic records.

m) The promotion and management of its own mobility programs or those promoted by the Public Administrations.

n) The organization and development of academic tutoring and student support activities.

ñ) The promotion of specific scholarship and aid programs for students, as well as, where appropriate, collaboration in the management of these when they are established by the Public Administrations.

o) The definition, structuring and development of internal quality assurance systems for academic activities.

p) The definition, structuring and development of its own policies that contribute to the internationalization of the University.

q) The establishment of relationships with other universities, institutions, organizations, Public Law Corporations, Public Administrations or local, national and international companies and entities, in order to develop some of the functions that are proper to the University.

r) The development of coexistence rules and mediation mechanisms for the alternative solution of conflicts in the university environment.

s) Any other competence or action necessary for the adequate fulfillment of the functions stipulated in article 2.

3. University autonomy guarantees the academic freedom of the faculty, which manifests itself in freedom in teaching, research and study.

4. For the effective development of university autonomy, all Public Administrations with competence in this area shall ensure the financial sufficiency and stability of public universities in accordance with the provisions of Title IX.

5. In the exercise of their autonomy, universities must be accountable to society for the use of their human, material and economic means and resources, develop their activities through transparent management and offer a quality public service.

TITLE II

Establishment and recognition of universities and quality of the university system

Article 4. Creation and recognition of universities.

1. The creation of public universities and the recognition of private universities in the Spanish university system 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.

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, following a mandatory report by the General Conference on University Policy.

In the case of the latter universities, the references made in this organic law to the Autonomous Communities and their bodies shall be understood as references to the Ministry of Universities.

2. In order to guarantee the quality of the university system and, in particular, of teaching and research, the Government, by means of a Royal Decree, will determine the basic conditions and requirements for the creation of public universities and the recognition of private universities, as well as for the development of their activities. The competent bodies of the Autonomous Community in which the university is located will be responsible for granting authorization for the commencement of its activities once compliance with the established conditions and requirements has been verified, as well as for the supervision and periodic control of their fulfillment. Serious non-compliance with the conditions and requirements of the authorization will be cause for its revocation, under the terms established in the regulations.

3. In any case, as a requirement for their creation and recognition, universities must have plans that guarantee gender equality in all their activities, measures to correct the salary gap between women and men, conditions of accessibility and reasonable adjustments for people with disabilities, and measures for prevention and response to violence, discrimination or harassment covered by Law 3/2022, of February 24, on university coexistence.

Article 5. The quality of the university system.

1. The university system must guarantee levels of good governance and quality comparable to internationally recognized standards, in particular, with the criteria and guidelines established for quality assurance in the European Higher Education Area.

2. The promotion and assurance of this quality is a shared responsibility of the universities, the evaluation agencies and the Public Administrations with competences in this area.

Quality assurance will be effective under the conditions and through the evaluation, certification and accreditation procedures established by the Government, by Royal Decree, following a report by the General Conference on University Policy.

3. The universities will guarantee the academic quality of the activities of their centers, through internal quality assurance systems.

4. The functions of accreditation and evaluation of university teaching staff, institutional accreditation, evaluation of university degrees, monitoring of results and reports in the university field, and any other functions attributed to them by state and autonomous community laws, correspond to the National Agency for Quality Assessment and Accreditation (hereinafter ANECA) and to the evaluation agencies of the Autonomous Communities registered in the European Register of Quality Agencies (EQAR), within the scope of their respective competences, ANECA) and to the evaluation agencies of the Autonomous Communities registered in the European Quality Assurance Register (EQAR), within the scope of their respective competences, without prejudice to the international collaboration agreements in the field of quality assurance, as well as to the role which quality agencies of other Member States registered in EQAR may develop within the framework of the European Higher Education Area.

The evaluation agencies mentioned above must have equality measures related to their evaluation processes and, if they have more than 50 employees, an equality plan related to their organization.

5. The Government shall regulate the procedure and conditions for the institutional accreditation of university centers, based on the recognition of the university's capacity to guarantee their academic quality.

TITLE III

Teaching organization

Article 6. *The teaching function.*

1. Teaching and training are fundamental functions of universities and should be understood as the orderly transmission of scientific, technological, humanistic and artistic knowledge, and of the competencies and skills inherent to it. The teaching function is carried out by university professors.

Teaching is also a right and a duty of the teaching and research staff, with no limits other than those established in the Constitution and the laws and those derived from the organization of teaching in their universities. Such teaching shall be exercised guaranteeing academic freedom under the terms of Article 3.3.

The teaching, preferably face-to-face, may also be given virtually or in hybrid mode.

2. The full and effective participation of the student body in the development, monitoring and updating of the study plans and their effects on the teaching guides must be guaranteed.

3. Innovation in the ways of teaching and learning should be a fundamental principle in the development of university teaching and training activities.

4. The universities will develop initial and continuous training for the performance of the teaching activities of the teaching staff and will provide the necessary tools and resources to achieve quality teaching.

5. The universities shall permanently evaluate the quality of the teaching activity. The students of each university shall be guaranteed effective participation in this evaluation.

6. University teaching and training are structured, on the one hand, into official teaching with validity and effectiveness throughout the State, made up of Bachelor's, Master's and Doctorate degrees, and, on the other hand, into degrees

own. In both cases, these degrees may be organized as joint degrees between Spanish universities or between Spanish and foreign universities.

The degrees may also be established jointly between universities and the Public Administration, with the aim of orienting their content to the specific characteristics and needs of certain groups.

7. University teaching and training form part of the education system as a whole. The Public Administrations, in accordance with their competences, will guarantee the interrelation between all the stages that make up this system, especially from the perspective of lifelong learning.

Article 7. University degrees.

1. The universities shall teach courses leading to official university degrees, valid and effective throughout the State, and may teach courses leading to their own degrees, including lifelong learning, under the terms established by regulation.

2. All university degrees must meet the quality standards established in the European Higher Education Area.

3. Official university degrees must be registered in the Registry of Universities, Centers and Degrees. This inscription will have constitutive effects with respect to the creation of official university degrees and will carry with it the initial consideration of an accredited degree for the legal and regulatory purposes established. Other non-official degrees may also be registered for information purposes.

The Government shall regulate the procedure and conditions for the registration of university degrees.

4. The universities and other centers of higher studies must avoid that the denomination or format of their own degrees may lead to confusion with respect to official university degrees. Universities should inform students of the official or proper nature of their degrees.

5. Lifelong learning may be developed through different learning modalities, including micro-credentials, micro-modules or other short-term programs.

Article 8. Official university degrees.

1. The Government, by Royal Decree, following a report from the General Conference on University Policy and the Council of Universities, shall establish the guidelines and conditions for the awarding and issuing of official university degrees. These shall be issued, in the name of the King, by the Rector of the university.

2. The initiative to provide an education requires a mandatory and favorable report on the academic and social need and viability of the implementation of the official university degree by the competent Autonomous Community, a favorable report on the verification of the quality of the curriculum report by the corresponding quality agency, the verification of the curriculum by the Council of Universities and the authorization of its implementation by the Autonomous Community.

3. Once the above procedures have been completed, the Government will establish the official nature of the degree and will order its registration in the Registry of Universities, Centers and Degrees, after which the Rector will order the publication of the study plan in the "Official State Gazette" and in the official gazette of the competent Autonomous Community.

4. It is incumbent upon the Government, by means of a royal decree, to establish the maximum period that the university will have to implement and start teaching from the official publication of the degree syllabus, as well as the effects of non-compliance.

Article 9. Structure of the official teachings.

1. Official university studies are structured in three cycles: Bachelor's Degree, Master's Degree and Doctorate. Successful completion of these courses will entitle the student to obtain the corresponding official degrees.

2. The purpose of undergraduate studies is to provide students with basic and general training in a given discipline.

3. The objective of the Master's Degree studies is to provide advanced training, specialized thematically, or of a multidisciplinary or interdisciplinary nature, aimed at academic or professional specialization, or aimed at initiation in research tasks.

4. Doctoral studies are aimed at acquiring competencies and skills related to research in a field of scientific, technical, humanistic, artistic or cultural knowledge.

5. External academic internships in undergraduate and master's degree programs are an activity of a fully formative nature whose purpose is to complement academic training.

6. The general guidelines for the design of curricula for undergraduate and master's degree programs, including the number of European Credit Transfer System (ECTS) credits that comprise them, will be established by the Government by regulation.

7. Doctoral studies will be organized in the manner determined by the Statutes or rules of organization and operation of the respective universities, in accordance with the criteria for obtaining the title of Doctor or Doctor approved by the Government, by Royal Decree, following a report by the Council of Universities. This royal decree will regulate, among others, the international and industrial mentions in the title of Doctor.

The doctorate with industrial mention, which will require in any case an agreement with the university, may be developed through the pre-doctoral contract provided for in Article 21 of Law 14/2011, of June 1, on Science, Technology and Innovation, either by public entities, or by companies or private entities when they are beneficiaries of public aid or subsidies aimed at hiring pre-doctoral personnel for this type of doctorate.

8. In relation to curricular structures in official university courses, the universities, in the exercise of their autonomy, may develop specific teaching innovation strategies, such as official degrees with open itinerary, dual mention, double degrees or other modalities, in the manner to be developed by regulation.

Article 10. Validation or adaptation of studies, homologation and declaration of equivalence of foreign degrees, validation of experience and recognition of credits.

The Government, after a report from the Council of Universities, shall regulate:

a) The general criteria to be followed by universities in the validation and adaptation of studies taken in Spanish or foreign academic centers. This procedure must be structured on the basis of the principles underpinning the European Higher Education Area, as regards the mutual recognition of academic degrees in the countries that have implemented it, as well as in accordance with the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (number 165 of the Council of Europe), signed in Lisbon on April 11, 1997.

b) The conditions for the homologation of official foreign higher education degrees with official Spanish university degrees.

c) The conditions for the declaration of equivalence of an official foreign higher education degree in relation to the official university academic level of Bachelor's or Master's degree are set out below.

of University Master's Degree. Bachelor's degrees issued by universities in the Member States of the European Union will be equivalent, for all purposes, to those issued by Spanish universities.

d) The conditions for academic recognition of work or professional experience, as well as lifelong learning.

e) The system of validation and recognition of credits between official university courses and other higher education courses.

TITLE IV

Research and knowledge transfer and exchange and innovation

Article 11. General rules.

1. Research is one of the fundamental functions of universities.
 2. Research, like teaching, is a right and a duty of the teaching and research staff. Therefore, teaching and research staff may develop them with different intensities throughout their academic career, without prejudice to the rules established in each university.
 3. University research should cover all fields of knowledge, whether scientific, technological, humanistic, artistic or cultural.
 4. The universities will promote structures for research and for the transfer and exchange of knowledge and innovation that facilitate interdisciplinarity and multidisciplinary. Similarly, university research may be carried out jointly with other public bodies or administrations, as well as with public, private and social economy entities and companies.
 5. The universities will promote the relationship between university research, social and cultural needs and their articulation with the productive system, paying special attention to the social and economic structure of the territory in which they are located. At the same time, they will promote initiatives to share, disseminate and divulge the results of research to society as a whole through various channels, in particular lifelong learning spaces. They will also promote research, knowledge transfer and exchange in the official languages of their territories.
 6. Research, knowledge transfer, knowledge exchange and innovation activities carried out by teaching and research personnel will be considered evaluable concepts for remuneration and promotion purposes.
 7. Interdisciplinarity or multidisciplinary in research will constitute a merit in the evaluation of the activity of the teaching and research staff.
- The universities will promote the formation of research networks between groups, departments, centers, institutions, entities and companies.

Article 12. Promotion of Open Science and Citizen Science.

1. Scientific knowledge will be considered a common good. Public Administrations and universities will actively promote and contribute to Open Science through open access to scientific publications, data, codes and methodologies that guarantee the communication of research, in order to achieve the objectives of responsible research and innovation promoted by the scientific community, as well as the objectives of free circulation of scientific knowledge and technologies promulgated by the European policy of research and technological development.
2. The teaching and research staff must deposit a copy of the final version accepted for publication and the data associated with it in institutional or thematic open access repositories, simultaneously with the date of publication.

3. The digital version of academic publications will be deposited in institutional repositories, without prejudice to other repositories of a thematic or general nature.

4. The Ministries of Universities and of Science and Innovation and the corresponding bodies of the Autonomous Communities, each in its own sphere of action, will promote other initiatives aimed at facilitating free access to data generated by research (open data) and at developing open infrastructures and platforms.

5. Data, understood as those primary sources necessary to validate research results, should follow the FAIR principles (data that are easy to find, accessible, interoperable and reusable) and, whenever possible, be disseminated in open access.

6. Universities should promote transparency in subscription agreements with scientific publishers.

7. Libraries and other university units will facilitate citizen access to digital and non-digital information resources, as well as the necessary training to promote the dissemination of Open Science in the university community and in society as a whole.

8. The state and regional quality agencies will include among their evaluation criteria and requirements the open accessibility of the scientific results of teaching and research staff.

9. The quality agencies will use institutional repositories as a form of access to documentation, to guarantee the agility of the evaluation procedures.

10. Citizen Science will be promoted as a field of shared knowledge generation between citizens and the university research system. With the aim of promoting scientific, technological, humanistic, artistic and cultural reflection and its application to social challenges, the universities will favor and promote collaboration with social actors, and with the Public Administrations, especially with the Autonomous Communities and the Local Administration.

11. The above will be compatible with the possibility of taking the appropriate measures to protect, prior to scientific publication, the rights over the results of the research, development and innovation activity, in accordance with national and European regulations on intellectual and industrial property, plant varieties or trade secrets.

Article 13. Development of projects for research, creation and transfer and exchange of knowledge.

1. The Public Administrations will promote research and, likewise, technological development in the university field, without prejudice to the development of the universities' own programs, by means of, among others, the following actions:

a) Connect universities with other educational, cultural and scientific centers to encourage research and strengthen scientific educational activities and scientific vocations. In the development of these activities, special attention will be paid to criteria of income, origin, territory and gender.

b) Promote calls for research programs leading to the hiring of research personnel to obtain a doctorate degree and that allow the subsequent incorporation of young researchers into the academic career.

c) Promote calls for the development of research projects, doctoral programs and lifelong learning programs, which are carried out in universities and entities or companies in a collaborative manner, prioritizing those of the local environment, to contribute to the creation and transfer and exchange of knowledge, as well as to promote the incorporation of talent in the social and economic fabric.

d) Promote calls for proposals to guarantee the leadership of young researchers in research projects.

e) To promote research activities among the university faculty as a whole, fostering the quality and international competitiveness of the research carried out by Spanish universities.

f) To develop interdisciplinary and transdisciplinary research among the various fields of knowledge, also facilitating compatibility between research and teaching activities.

g) Promote cooperation programs between universities and university research institutes to promote joint actions and programs for research, transfer and exchange of knowledge and innovation.

h) Promote programs to attract talent through the incorporation of researchers of special relevance within the research initiatives implemented by the universities.

i) Promote national and international mobility programs for researchers and research groups for the formation of teams and centers of excellence.

j) Promote programs that encourage joint research activities, transfer and exchange of knowledge and innovation between Spanish and international university groups and institutes.

k) Promote policies for the creation of patents and the generation of knowledge-based entities or companies, as well as the encouragement of the processes of transfer and exchange of scientific, technological, humanistic, social and cultural university knowledge and its transformation into innovation processes in the productive system both locally and internationally.

l) To strengthen and develop structures, services and units that provide technical support for research, knowledge transfer and exchange, and innovation activities.

2. The composition of the evaluation and selection commissions of all these calls and projects will be adjusted to the principle of balanced composition between men and women, and mechanisms will be included to avoid gender bias. In turn, the promotion of scientific projects with a gender perspective, gender parity in research teams and mechanisms to facilitate the promotion of a greater number of female principal investigators will be encouraged.

TITLE V

Cooperation, coordination and participation in the university system

Article 14. Cooperation and coordination in the university system.

1. The General Conference on University Policy and the Council of Universities are the bodies for cooperation and coordination between the universities and the Public Administrations with competencies in university policy, for the proper functioning of the university system.

2. The universities, within the framework of their own functions, will promote cooperation and collaboration among themselves, with other institutions of higher education, with public research bodies, with research bodies of other Public Administrations, with other bodies or Public Administrations, with entities, companies, social agents and organizations of civil society and with other agents of the Spanish Science, Technology and Innovation System or of the European research and innovation system, or belonging to other countries, by means of, among other instruments, the creation of strategic alliances and collaboration networks.

Without prejudice to the respect and full development of the constitutional principle of university autonomy, the Government and the Autonomous Communities are responsible for the development of the tasks of coordination of the universities in their respective areas of competence.

Article 15. The General Conference on University Policy.

1. The General Conference on University Policy, without prejudice to the functions attributed to the university coordination bodies of the Autonomous Communities, is the body for cooperation and coordination of university policy between the different Public Administrations, to which correspond the functions of:

- a) To plan, inform, consult and advise on the general and multi-year programming of university education.
- b) To report on the legal and regulatory provisions that affect the university system as a whole.
- c) To formulate proposals to ensure the transparency, evaluation, debureaucratization and efficiency of the main teaching, research, financing and human and economic resource management processes carried out in universities.
- d) To report on a mandatory basis on the creation and recognition of universities.
- e) Approve, for each academic year, the general offer of courses and places in the official degrees of the university system.
- f) To propose measures and actions that guarantee access to, continuity in and completion of university studies under equal conditions for all students.
- g) Formulate proposals and inform plans to foster the relationship between the university system and the social and economic environment.
- h) To prepare reports on the application of the principle of gender equality, and of anti-discrimination policies or policies for the recognition of diversity in all aspects of university life.
- i) To establish and assess the general lines of university policy, its internationalization and, in particular, its articulation in the European Higher Education Area and its interrelation with scientific and technological research policies.
- j) To perform any other functions attributed to it by the legal system.

2. Under the chairmanship of the Minister of Universities, it shall be composed of the persons responsible for university education in the Governing Councils of the Autonomous Communities.

3. The organization and operation of the Conference shall be established in its internal regulations, within the framework of the provisions of Law 40/2015, of October 1, on the Legal Regime of the Public Sector.

Article 16. The Council of Universities.

1. The Council of Universities is the academic coordination body of the Spanish university system, as well as the body responsible for cooperation, consultation and proposals in university matters. It is attached to the Ministry of Universities and has the following functions, which it performs with full functional autonomy:

- a) To serve as a space for collaboration, cooperation and coordination in the academic field among universities.
- b) To report on the legal and regulatory provisions that affect the university system as a whole.
- c) To provide such advice on university matters as may be required by the Ministry of Universities and the General Conference on University Policy or, as the case may be, by the Autonomous Communities.

- d) To formulate proposals to the Government and the General Conference on University Policy on matters relating to the university system.
- e) Verify the adequacy of the curricula, in accordance with the provisions of Article 8.
- f) To coordinate the characteristics to be followed in the different teaching modalities in the university system as a whole, in order to guarantee their quality.
- g) To perform such other tasks as may be entrusted to it by the laws and their implementing provisions.

2. The Council of Universities shall be chaired by the Minister of Universities and shall be composed of the following members:

- a) The Rectors of the universities of the university system.
- b) Five members appointed by the President of the Council, one of whom shall be a person belonging to the Conference of Social Councils of Spanish Universities and another to the State University Student Council, at the proposal of these representative bodies, and another a representative at the proposal of the most representative trade unions in the university field. Of the remaining two, one will be the head of a management body of the Ministry, who will act as secretary, and the other will be a professional of recognized prestige. In all cases, a balanced presence of women and men shall be ensured.

3. The organization and functioning of the Council of Universities will be regulated by Royal Decree of the Council of Ministers. In matters exclusively affecting the public universities, the President of the Council, the Rectors of the public universities and the five members of the Council appointed by the President shall have the right to vote.

Article 17. The State University Student Council.

- 1. The State Council of University Students is the organ of participation, deliberation and consultation of university students before the Ministry of Universities.
- 2. The State University Student Council is attached to the Ministry of Universities.
- 3. The following functions pertain to the State University Student Council:
 - a) To be an interlocutor with the Ministry of Universities in matters concerning the student body.
 - b) To report on the criteria of the Government's proposals on university students and on those matters on which it is required to report.
 - c) Actively contribute to the defense of student rights, cooperating with student associations and student representative bodies.
 - d) To oversee the proper performance of the governing bodies of the universities with regard to the rights and duties of the student body as established in the Statutes of each of them.
 - e) To submit proposals to the Government on matters related to its competence.
 - f) To pronounce on any matter for which it is required by the Ministry of Universities.
 - g) To represent the university student body and to participate in the establishment of criteria for the granting of scholarships and other aid, within the scope of the competencies of the State.
 - h) Encourage student associations and student participation in university life.
 - i) To perform any other functions assigned to it by law or regulation.

4. The composition, as well as the organization and functioning of the State University Student Council shall be determined by regulation. In any case, all universities will be represented and it will be chaired by the Minister of Universities. The Secretary General of Universities will act as First Vice-President, and the second vice-presidency will correspond to the student body.

TITLE VI

University, society and culture

Article 18. Social and territorial cohesion.

1. Universities will encourage the participation of the university community in activities and projects related to the promotion of democracy, equality, social justice, peace and inclusion, as well as the Sustainable Development Goals.

2. Universities will ensure that their campuses are climate sustainable by developing a Climate Change Mitigation and Adaptation Strategy, and will share their knowledge with society to address the climate emergency and its effects.

3. Universities will be directly involved in the development of their environment and, in particular, will contribute to reversing the depopulation dynamics of certain territories.

4. Universities will promote equitable, inclusive and sustainable economic and social development that can favor the creation of quality employment and improve the welfare standards of the territory in which they are located. To this end, they will strengthen collaboration with Local Administrations and with the social actors in their environment through Citizen Science and service-learning projects, among other mechanisms.

5. Universities shall promote university volunteering in accordance with Law 45/2015, of October 14, 2015, on Volunteering, and the regulations of the Autonomous Communities on the matter.

Article 19. Culture at the University.

1. The creation and transmission of university culture in all its diversity constitutes a fundamental mission of the University. To this end, the universities shall ensure that the cultural dimension of all their activities is maintained and strengthened, also promoting its openness, transmission and dissemination to the social environment with an intercultural perspective, lifelong learning and democratization of knowledge.

2. The universities shall encourage the active participation of the student body in university life, favoring integral learning through university activities of a cultural, sports, student representation, solidarity, volunteering and cooperation for development nature.

3. The universities shall adopt the appropriate measures to ensure student access, participation and contribution in such activities, as well as cultural and linguistic diversity in their design and implementation.

Article 20. University and linguistic diversity.

The universities shall promote and facilitate the knowledge and use of the official languages of their territories as the language of university transmission, in accordance with the provisions of their Statutes and the specific regulations of the autonomous communities, developing specific plans in this regard.

The Public Administrations shall support and facilitate the development of university policies aimed at co-officiality and linguistic diversity. With regard to

to public universities, linguistic uniqueness shall be the object of financing, under the terms of the provisions of article 56.

Article 21. The historical, artistic and cultural heritage of the university and the libraries.

1. The universities shall conserve and protect their historical, artistic, cultural and documentary heritage, in all its variants, in accordance with the applicable legislation on the subject. To this end, they shall register and catalog, with scientific criteria, the tangible and intangible assets that comprise it.

2. The universities will make this heritage known and accessible to the public. To this end, they will promote its public exhibition through collections, exhibitions and museums.

3. The universities will seek to collaborate among themselves and with other entities responsible for cultural heritage, in order to better achieve their objectives.

4. Universities will progressively digitize and make their archives and library collections accessible in order to democratize access to scientific and cultural knowledge.

5. The archives, libraries, museums and other university cultural entities, in the manner determined by each university, will be the instrumental agents that will contribute to the achievement of these objectives within the scope of their competencies and in the development of their functions.

Article 22. Sport and physical activity at the University.

1. Universities will promote the practice of sport and physical activity in a cross-cutting manner throughout its scope of action and, where appropriate, will provide instruments to promote the effective compatibility of this practice with the academic training of students. Likewise, sports activities must be accessible to all people, with special attention to inequalities due to socioeconomic reasons and disability.

2. Universities are responsible for the planning and organization of sports activities and competitions in their respective areas and, where appropriate, for the formulation of formulas to make the studies of high-level athletes compatible with their sports activities.

TITLE VII

Internationalization of the university system

Article 23. Promotion of the internationalization of the university system.

1. The universities shall promote the internationalization of teaching, research, transfer and exchange of knowledge, training and curricula, as well as their international accreditation, especially in the European Higher Education Area. They shall also promote the internationalization of their personnel and all their activities.

Universities shall encourage and facilitate the knowledge and use of foreign languages in all their activities. Likewise, they shall ensure that the process of internationalization does not lead to segregation of the student body for economic reasons.

2. The Ministry of Universities, without prejudice to the competences of the Autonomous Communities and the universities themselves, will articulate the measures necessary to promote the internationalization of the university system in all areas of its activity and, in particular, its articulation in the European Higher Education Area. Likewise, it will promote the Ibero-American Higher Education and Knowledge Area and other areas of regional cooperation.

The Ministry of Universities, the Ministry of Science and Innovation, the Autonomous Communities and the universities themselves will promote the participation of researchers, research groups and centers in international research networks, as well as their competitive participation in international projects.

3. In accordance with the provisions of Article 26.2 of Law 2/2014, of 25 March, on Action and the State Foreign Service, the Foreign Action in educational matters will collaborate with the internationalization strategies of Spanish universities. The universities, in order to achieve these goals, may support and implement their actions through the Foreign Service.

They may also collaborate with other Public Administrations in their external dimension.

Article 24. Internationalization Strategy of the University System.

1. The Government, in collaboration with the Autonomous Communities and the universities, will approve the Strategy for the Internationalization of the University System, paying special attention to the full incorporation into the European Higher Education Area and also promoting its relationship with the Ibero-American Higher Education and Knowledge Area, the Pyrenees-Mediterranean Euroregion, and other areas of international cooperation in the field of Higher Education.

This strategy will define the basic principles and the general and specific objectives, as well as the indicators for monitoring and evaluating results, taking into account the current External Action Strategy.

2. The universities shall draw up their own internationalization strategies or plans, taking into consideration the objectives established in the strategy referred to in paragraph 1 and in the strategies that, as the case may be, have been adopted by the Autonomous Communities in this matter. The implementation of the plans or strategies and their level of compliance shall constitute criteria for funding by objectives, in accordance with Article 56.

Article 25. Inter-university alliances.

The Public Administrations and the universities, within the scope of their respective competencies, shall encourage and facilitate the creation of and participation in inter-university alliances, as well as participation in international, supranational or Euroregional projects with higher education institutions and research bodies belonging to other countries or international organizations.

Article 26. Joint Titles and Programs.

1. The universities will promote and facilitate the internationalization of their academic offerings, both official and their own degrees, through, among other measures, the creation of joint degrees and programs. Likewise, they will promote the development of joint degrees and programs that incorporate the use of foreign languages as an option.

2. Universities will encourage international co-supervised doctorates.

3. The Ministry of Universities and the Autonomous Communities, within the scope of their respective competencies, will promote and facilitate the creation and recognition of such joint degrees and programs.

Article 27. International mobility of the university community.

1. The Government, the Autonomous Communities and the universities themselves shall promote mobility and exchange programs for students, teaching and research staff and technical, management and administration and services staff, ensuring equal opportunities and non-discrimination. To this end, they will promote

scholarship and grant programs for study and lifelong learning that may be targeted to specific geographic areas and strategic areas of knowledge.

2. The Ministry of Universities, the Autonomous Communities and the universities themselves will promote and disseminate mobility programs financed with European Union funds, with particular reference to the Erasmus+ program, as well as other publicly funded mobility programs, ensuring equal opportunities, non-discrimination and the inclusion of the official languages of the Spanish State.

3. The Ministry of Universities, the Autonomous Communities and the universities themselves will promote the presence of universities, students and the different bodies of the Spanish university system in the bodies and forums of international university representation.

Article 28. Attraction of talent.

1. The Government, the Autonomous Communities and the universities themselves will cooperate to promote the attraction of international talent to the university system.

To this end, information, reception, orientation, accompaniment and training programs will be promoted, as well as any other measures to facilitate the incorporation of international students, teaching and research staff, and technical, management and administration and services personnel.

2. The Government will streamline and simplify the procedures for the homologation and declaration of equivalence of degrees issued abroad and the procedures for access to universities, in accordance with the principle of reciprocity. Likewise, the Government will streamline the legally established immigration procedures for international students, teaching and research staff and technical, management and administration and services personnel.

Article 29. Centers abroad.

1. The universities may create centers abroad, which teach courses leading to university degrees of an official nature and valid and effective throughout the State or their own degrees, on their own or by means of agreements with other national, supranational or foreign institutions, which shall have the structure and regime established in the applicable regulations.

2. The centers abroad may act as agents of internationalization of the universities that have created them, in collaboration with the State Foreign Service, in exercise of the powers of external action in educational matters provided for in their specific regulations.

3. The proposal for the creation and suppression of the centers provided for in paragraph 1 shall correspond to the Governing Council of the university and shall be approved by the competent Autonomous Community, following a favorable report from the Ministries of Universities and of Foreign Affairs, European Union and Cooperation.

Article 30. International university cooperation for solidarity and development.

The universities will promote the implementation of activities aimed at achieving the Sustainable Development Goals, in accordance with the relevant regulations.

TITLE VIII

The student body in the University System

Article 31. *Right of access.*

1. The right of access to university studies, in accordance with Article 27 of the Constitution, is exercised under the terms established by the legal system. The Public Administrations must guarantee equal opportunities and conditions in the exercise of this right to all persons, without discrimination in accordance with the provisions of Article 37.

2. The Government, following a report from the General Conference on University Policy and the University Student Council, is responsible, by means of a Royal Decree, for establishing the basic rules for student access to official university education, always respecting the principles of equality, merit and ability and, in any case, in accordance with Article 38 of the Organic Law 2/2006, of May 3, on Education, as well as with the rest of the basic rules applicable to it.

3. In order to facilitate the updating of professional training and retraining, the Government, after a report from the Council of Universities, shall establish by regulation the conditions and regulate the procedures for access to the University for those who, having accredited a certain work or professional experience, do not have the academic degree required by law for this purpose in general.

In relation to access to the University for persons over 25 years of age and those with degrees in sports, plastic arts and design and Vocational Training, the provisions of Organic Law 2/2006, of May 3, and the rest of the basic regulations applicable to them will apply.

4. The Autonomous Communities will carry out the programming of the teaching offer of the universities under their jurisdiction and their different centers, in agreement with them and in accordance with the procedures they establish. Said offer will be communicated to the General Conference of University Policy for its study and approval, and the Ministry of Universities will publicize it. In said offer, the universities shall reserve, at least, 5 percent of the places offered in official university degrees of Bachelor's, Master's and Doctorate for students with disabilities, in the manner to be established by regulation.

5. In accordance with the European Framework Convention on cross-border cooperation between communities and territorial authorities (Madrid, May 21, 1980), and within the geographical scope of the respective cross-border cooperation agreements signed, the right of students to have access to transparent mechanisms that facilitate the automatic recognition of studies, in accordance with the principles of equality, reciprocity and non-discrimination, is recognized.

The Autonomous Communities participating in the Euroregions formed by the aforementioned agreements will establish the aforementioned mechanisms, which will be sent to the General Conference on University Policy for its knowledge, ratification and dissemination.

6. The Government, with the prior agreement of the General Conference on University Policy, may establish maximum limits for the admission of students to the studies in question in order to comply with the requirements derived from the European Union or International Law, or for reasons of general interest also agreed upon at said Conference. Such limits shall affect all public and private universities.

Article 32. *Scholarships and study grants.*

1. Equality of opportunity in access to the University and in the continuity of university education shall be guaranteed for students, regardless of the economic capacity of individuals or families and their place of residence. To this end,

The subjective right of university students to access scholarships and study aids is recognized, provided that they comply with the requirements set forth in the rules regulating the same, and in accordance with the fundamental principles of equality and non-discrimination.

2. The State will establish, with charge to its general budgets and without prejudice to the competences of the Autonomous Communities, a general system of scholarships and study aids.

The Autonomous Communities, in the exercise of their powers, may offer and regulate their own system of scholarships and study aids charged to their budgets. Likewise, the universities, within the scope of their competencies, may establish their own system of scholarships and study aids to be charged to their budgets.

3. The Government shall regulate as a basic minimum the modalities and amounts of the scholarships and study aids referred to in the preceding paragraph, the economic and academic conditions to be met by the beneficiaries, as well as the cases of incompatibility, revocation, reimbursement and any other requirements necessary to ensure equal access to such scholarships and aids, preserving the powers of the Autonomous Communities which, with charge to their budgets, regulate and manage a system of scholarships and study aids.

To ensure the efficiency of the system and decentralized management, the appropriate mechanisms for information, coordination and cooperation between the General State Administration and the Administrations of the Autonomous Communities will be established.

4. The granting of scholarships and study aids referred to in sections 2 and 3 shall respond primarily and fundamentally to socioeconomic criteria, without prejudice to academic criteria and other criteria which, in accordance with the principles of equality and inclusion, may, where appropriate, be established in the regulatory bases, taking into account disability and its support needs, national and ethnic origin, social circumstances, family burdens, situations of gender violence and other forms of violence against women, as well as other specific characteristics of the student body.

In particular, the distance to the mainland and insularity and the need to move between the different islands and between them and the mainland will be taken into account in order to promote mobility and the exercise of the right of access and continuity of students in university education under equal conditions.

5. Independently of the general system of scholarships referred to in the preceding paragraphs, the Autonomous Communities may offer scholarships and aid for the promotion of study from their own funds, in accordance with the provisions of their corresponding Statutes of Autonomy.

6. In order to guarantee access to and permanence in university studies, the public universities may establish, with charge to their own budgets, modalities of partial or total exemption from the payment of public prices and fees for the provision of academic services which, in any case, will take into consideration the diversity of the family nucleus according to socioeconomic criteria. Students with disabilities and victims of gender violence and other forms of violence against women shall be entitled to a total discount for university academic services paid in the enrollment under the terms established in the specific regulations and by means of formal accreditation.

Article 33. *Rights related to academic training.*

In relation to their academic training, students shall have the following rights, without prejudice to those recognized by the university student statute approved by the Government:

a) To an inclusive education in the university of their choice, under the terms and conditions established by law.

- b) To an inclusive academic training of quality, which promotes the acquisition of knowledge and academic and professional skills programmed in each cycle of education, for the studies in question.
- c) To know the teaching plans of the subjects in which he/she plans to enroll and to be informed of the language of instruction.
- d) To be informed prior to the enrollment period of the modalities, face-to-face, virtual or hybrid, of teaching and evaluation.
- e) To tutoring and counseling, psycho-pedagogical guidance and mental and emotional health care, under the terms provided by university regulations.
- f) To an objective evaluation and to the publicity of the rules governing the procedures for the evaluation and verification of knowledge, including the procedure for the review of qualifications and the available complaint mechanisms.
- g) To the publicity of the norms that regulate the progress and permanence of the student body in the university, in accordance with the characteristics of the respective studies.
- h) To guidance and information on the activities that affect them and, in particular, to a guidance service that facilitates their training itinerary and their social and labor insertion.
- i) Priority access to refresher and lifelong learning courses offered by their home university.
- j) To access and participate in national and international mobility programs under conditions that guarantee equal opportunities, paying special attention to inequalities due to socioeconomic reasons and disability.
- k) To academic recognition and to favor the compatibility of their participation in university activities of mentoring, service-learning, citizen science, cultural, sports, student representation, university associations, solidarity, cooperation and the creation of new social and business initiatives.
- l) Access to training for the development of digital skills, as well as to digital resources and infrastructure.
- m) To the security of digital media and the guarantee of fundamental rights on the Internet.
- n) To a design of academic activities that facilitates the reconciliation of studies with work and family life.
- ñ) Access to and, where appropriate, management of the various university services for students.
- o) To Social Security protection, under the terms and conditions established by current legislation.
- p) To the academic strike, respecting the right to education of the student body. The universities shall develop the conditions for the exercise of said right and the procedure for the declaration of the academic strike, which shall be carried out by the student body. The academic stoppage may be total or partial.
- q) To the universal accessibility of buildings and their physical and virtual environments, as well as services, procedures, supplies and communication of information, educational materials and teaching-learning and evaluation processes.

Rights of participation and representation.

1. Universities shall guarantee the student body an active, free and meaningful participation in the design, implementation and evaluation of university policy, as well as the effective exercise of freedom of expression and the rights of assembly, demonstration and association, under the terms established in the Constitution and the rest of the legal system.

2. The universities shall promote and facilitate the participation of the student body in student representation and association activities, as well as their active involvement in university life and activities. Likewise, they will guarantee their participation in:

- a) The creation of knowledge and its concretization in the curricula,
- b) the evaluation of university degrees and teaching,
- c) the management of services related to university life,
- d) active promotion of teaching innovation,
- e) linkage with society and the local and international environment,
- f) and university coexistence and mediation and alternative conflict resolution.

3. The student body shall have the right to active, meaningful and participatory representation in the governing and representative bodies of the university, as well as in the processes for their election, in particular, in the student councils of their university and in the University Student Council of the State, as well as, if these exist, in the autonomous student councils.

4. The universities shall guarantee the student body real access to information and adequate mechanisms for the effective exercise of the rights of participation and representation, including mechanisms for monitoring and evaluation.

They shall also adopt measures to ensure that these rights are compatible with their academic activity, such as the recognition of credits for their involvement in university policies, activities and management, including student associations and representation, cultural, solidarity, cooperation and collaboration with the environment.

Article 35. Effectiveness and guarantee of rights.

1. Universities shall guarantee students the exercise of their rights in the university environment, both individually and collectively. To this end, they will ensure the availability of adequate procedures for their effective implementation and compliance.

2. Universities shall inform students of their rights in the university environment.

3. Universities must guarantee the participation of student representation in the elaboration of the different regulations that affect the student body.

Article 36. Duties of the student body.

The university student body is subject to the following duties:

- a) Participate actively and responsibly in teaching and other university activities.
- b) Respect university regulations, including those regulating coexistence in the university environment, in the terms set forth in the specific regulations.
- c) Observe the directives of the faculty and university authorities.
- d) Respect the members of the university community, as well as the personnel of collaborating entities or those who provide services to the university.
- e) Exercise, as the case may be, the responsibilities inherent to the positions of representation.

Article 37. Equity and non-discrimination.

1. Universities shall guarantee students that in the exercise of their rights and the fulfillment of their duties they will not be discriminated against on the basis of birth, racial or ethnic origin, sex, sexual orientation, gender identity, religion, conviction or opinion, age, disability, nationality, illness, condition

socioeconomic, linguistic, political and union affinity, by reason of their appearance, or by reason of any other personal or social condition or circumstance.

2. Universities will encourage the curricular structures of university education to be inclusive and accessible. In particular, they will adopt positive action measures so that students with disabilities can enjoy an inclusive, accessible and adaptable university education, on an equal footing with the rest of the student body, making reasonable adjustments, both curricular and methodological, to teaching materials, teaching methods and the evaluation system.

The universities shall facilitate the use of sign languages by sign language users when necessary.

Universities shall promote access to university studies for persons with intellectual disabilities and for other reasons of disability by promoting their own studies adapted to their abilities.

TITLE IX

Specific regime for public universities

CHAPTER I

Legal regime and structure of public universities

Article 38. Legal Regime.

1. The public universities shall be governed by this organic law, by the law of their creation and by their Statutes, which shall be drawn up by them and approved, subject to prior control of their legality, by the Autonomous Community, as well as by the regulations issued by the State and the Autonomous Communities in the exercise of their respective powers insofar as they are applicable to them.

2. The Autonomous Community will have a period of four months to prepare the legality report.

3. Once approved by the corresponding Autonomous Community, the Bylaws will be published in the official gazette of the Autonomous Community. They will also be published in the "Official State Gazette".

In particular, when the Statutes only have to be approved by Royal Decree of the Council of Ministers because the university is one of those provided for in Article 4.1.b), they shall only be published in the "Official State Gazette".

4. The resolutions of the Rector and the agreements of the Social Council, the Governing Council and the University Senate put an end to administrative proceedings. The Bylaws may replace the previous appeal for reconsideration by any of the procedures listed in Article 112.2 of Law 39/2015, of October 1, of the Common Administrative Procedure of the Public Administrations, respecting its optional nature for the interested party, as well as the principles, guarantees and deadlines that said law recognizes to the persons and interested parties in any administrative procedure, all without prejudice to the possibility of challenging it directly before the Contentious-Administrative Jurisdiction.

Accountability, transparency and integrity.

1. The universities, in the exercise of their autonomy, shall establish mechanisms for accountability and transparency in management, in accordance with the regulations of the corresponding Autonomous Community, or of the State, in the case contemplated in Article 4.1.b).

2. In particular, the universities must establish in their Statutes the mechanisms of accountability with respect to the management of economic and personnel resources, the quality and evaluation of teaching and student performance,

research and knowledge transfer and exchange activities, the attraction of resources for their development, the internationalization policy, and the quality of the management and availability of university services.

3. Universities must have a transparency portal and guarantee the right of access to the information they consider institutionally relevant, in accordance with the specific regulations on the matter.

4. The universities shall ensure compliance with the principles of ethics and academic integrity, as well as with the anti-fraud guidelines that should guide teaching and research, in collaboration with the bodies and plans that each university has for this purpose.

Article 40. Centers and structures.

1. Universities may be structured, as determined by their Statutes, into campuses, faculties, schools, departments, university research institutes, doctoral schools or other centers or structures necessary for the development of their own functions.

2. The Statutes shall establish the functions of the centers or structures that make up the university to propose and organize the official university courses and the academic, administrative and management procedures leading to the award of the corresponding degrees, to propose and organize the courses leading to the award of its own degrees and the structures responsible for their management, as well as, where appropriate, those specifically created to develop, transfer, exchange and promote scientific, technological, humanistic, social, cultural or artistic creation research.

These centers and structures shall promote cooperation, multidisciplinary and interdisciplinarity, as well as integrated administrative management, and shall have the necessary means to adequately and effectively carry out their assigned functions.

Creation, modification and suppression of centers and structures.

1. The creation, modification and suppression of faculties and schools will be agreed upon by the Autonomous Community, at the initiative of the university by means of a proposal and approval of its Governing Council.

2. The creation, modification and suppression of departments, institutes, doctoral schools and other centers or structures correspond to the university, in accordance with the provisions of this organic law and its implementing regulations, as well as its Statutes.

Article 42. Assignment of centers.

1. The assignment of university teaching centers will require the prior execution of an agreement with the university, in accordance with the provisions of the Statutes of said university, and with the regulations established by the Government, which will also establish the basic requirements to be met by the assigned centers.

2. The assignment of teaching centers to public universities will require the approval of the Autonomous Community corresponding to the territorial area in which the centers are located. The proposal will be submitted by the Governing Council of the university, once the Social Council has been informed and the need justifying the assignment is known.

3. The centers, which may be of a public or private nature, may only be attached to a single university. Exceptionally, this condition may be waived, by law or regulation, if a center or certain types of centers have particular characteristics that justify it.

Article 43. *Basic units.*

1. Universities shall have equality and diversity units, which may be constituted jointly or separately, university ombudsman's office and inspection services, as well as health services and psychological and pedagogical support and career guidance services, with sufficient human and financial resources.

2. The equality units will be responsible for advising, coordinating and evaluating the transversal incorporation of equality between women and men in the development of university policies, as well as for including the gender perspective in all university activities and functions. The Statutes of the university shall establish the operating regime of this unit.

3. The diversity units will be in charge of coordinating and including in a transversal manner the development of the university policies of inclusion and anti-discrimination in all the activities and functions of the university. These units shall have a disability service.

It is the responsibility of the University Statutes to establish the operating regime of this unit.

4. The University Ombudsman's Office will be responsible for ensuring respect for the rights and freedoms of the faculty, students and technical, management and administration and services staff, in relation to the actions of the different university bodies and services, and may assume mediation, conciliation and good offices tasks. Its actions shall be governed by the principles of independence, autonomy and confidentiality.

The Statutes of the university shall establish the operating regime and structure of the university ombudsman's office, whose highest office may be a unipersonal or collegiate body, as well as the procedure for its election by the University Senate.

5. The universities, in collaboration with the Autonomous Communities in which they are located, will offer free services aimed at psycho-pedagogical guidance, prevention and promotion of the emotional wellbeing of their university community and, in particular, of the student body, as well as professional guidance services.

6. The inspection of services shall be governed by the principles of independence and autonomy. Its function will be to ensure the proper functioning of the services provided by the university institution in accordance with the laws and regulations that govern them. Likewise, within the framework of the applicable legislation on the matter, it will have the functions of initiation and instruction of disciplinary proceedings affecting members of the university community.

The management of this service will be attributed to technical, management and administration and services personnel of the university with the necessary qualifications to perform the functions entrusted to this inspection.

The inspection of services shall act *motu proprio*, at the request of the various governing bodies of the university or following a written complaint filed by a member of the university community.

CHAPTER II

Governance of public universities

Article 44. *General rules of governance, representation and participation in public universities.*

1. The Statutes of the universities shall establish and regulate the following collegiate bodies: University Senate, Governing Council and Student Council. They shall also establish the Social Council and may establish and regulate the following bodies

School and Faculty Councils, Department Councils or other specific bodies to be determined.

2. The Statutes of the universities shall establish and regulate, among others, the following unipersonal bodies: Rector, Vice Rectors, Vice Rectors, Secretary General, Manager, as well as, where appropriate, Deans of Faculties, Directors of Schools, of Departments, or other specific bodies for the centers or structures determined by the Statutes.

3. The term of office of the holders of elected unipersonal bodies shall be, in all cases, six years, non-renewable and non-extendable. The full-time dedication of university faculty shall be a necessary requirement for the performance of unipersonal governing bodies. In no case may the tenure of more than one position be exercised simultaneously.

4. The election of the representatives of the different sectors of the university community in the University Senate or, in the case of faculties, schools or departments, in the Faculty or School Councils or Boards and in the Department Councils shall be carried out by universal, free, equal, direct and secret suffrage.

5. The Bylaws shall establish the applicable electoral rules, which shall guarantee in all collegiate bodies the principle of balanced composition, between women and men, as indicated in the first additional provision of Organic Law 3/2007, of March 22, for the effective equality of women and men.

6. The Statutes will establish mechanisms to encourage the participation and representation of the different sectors of the university community in the governing bodies of the university, centers, departments and institutes, with special attention to the participation of the student body, and with updated information on the transparency portals of the spaces for participation that are enabled at any given time. To this end, they may develop participatory processes, consultations and other mechanisms for the participation of the university community as a whole.

Article 45. *The University Senate.*

1. The University Senate is the highest representative and participatory body of the university community.

2. The fundamental functions of the Senate are:

a) To draw up and approve the University Statutes and, where appropriate, to amend them, without prejudice to the provisions of Article 38.1, as well as the general regulations of centers and structures, and other rules.

b) To debate and make proposals on university policy to be submitted to the Governing Team. When these proposals may have a normative nature, they shall be submitted to the Governing Council.

c) Elaborate and modify its operating regulations.

d) To elect the representatives of the Senate in other governing bodies of the university.

e) To call, on an extraordinary basis, elections for the Rector at the initiative of one third of its members, including at least 30 percent of the staff of the university teaching staff and Permanent Labor Professors. The approval of the initiative by at least two thirds of the Senate shall lead to its dissolution and the dismissal of the Rector, who shall continue in office until the new Rector takes office. If the initiative is not approved, none of the applicants may participate in the presentation of another initiative of this nature until one year has elapsed since the vote was taken.

f) Exercise any other function established by the university's bylaws.

g) Analyze and discuss other issues of special importance.

3. The Statutes shall establish the duration of the term of office and the number of members of the Senate.

Secretary General and the Manager. The Statutes of each university shall establish the percentages of representation of the non-permanent teaching and research staff, non-permanent research staff, associated teaching staff, student body and technical, management and administration and services staff, ensuring a minimum of 25 percent representation of the student body. The staff of the civil servant university teaching bodies and permanent labor professors and lecturers will have a representation of 51 percent of the members of the Senate.

Article 46. The Governing Council.

1. The Governing Council is the highest governing body of the university.
2. The following functions correspond to the Governing Council:
 - a) Promote and approve the strategic plans of the university as proposed by the Governing Team.
 - b) To set the fundamental guidelines and procedures for the implementation of all university policies.
 - c) Propose to the Social Council for its approval the Pluriannual Financing Plan.
 - d) Approve the university's teaching offerings and scheduling.
 - e) Approve the announcements of vacancies and the list of job positions, and their modification, for teaching and research personnel and technical, management and administration and services personnel, which must be finally approved by the Autonomous Communities.
 - f) To propose to the Social Council for its approval the budgets of the university and its dependent entities, and the annual accounts of the university.
 - g) Approve agreements for the affiliation of public and private higher education institutions to the university.
 - h) Approve the collaboration and academic and research cooperation agreements signed between the university and other national or foreign universities, as well as with other institutions, organizations, entities or companies for academic or research purposes, unless such power is attributed to other statutory bodies through internal mechanisms of distribution of powers of the university.
 - i) Define and approve plans for recruitment, stabilization and promotion of teaching and research personnel.
 - j) Define and promote, in coordination with the equality unit, a gender equality plan for the entire university community.
 - k) Report on the approval of the Equality Plan negotiated with the representation of the university and the legal representation of male and female workers, which shall contain at least the matters set forth in Article 46.2 of Organic Law 3/2007, of March 22.
 - l) Define and promote, in coordination with the diversity unit, a plan for inclusion and non-discrimination of all university personnel and sectors on the grounds of disability, ethnic and national origin, sexual orientation and gender identity, and any other social or personal condition, draw up protocols and develop measures for prevention and response to violence, harassment at work or discrimination.
 - m) Define and promote a Climate Change Mitigation Strategy that includes plans for energy efficiency and substitution to renewable energies, sustainable and local food, and mobility.
 - n) Approve the regulations for the operation of the services inspection and the procedures for rendering annual accounts of the same.
 - ñ) To perform any other function of governance of the University established in its Bylaws.
3. The Statutes shall establish the number of members of the Governing Council.

Secretary General and the Manager. The composition shall ensure the representation of the structures that make up the university and of the teaching and research staff, the student body, the technical, management and administration and services staff, and the Social Council. The representatives of the staff and the student body shall be elected by the Senate. In the event that there are several campuses in different locations, representation of these shall be sought in the Governing Council.

The Statutes of each university will establish the duration and the way in which the representation of all the aforementioned sectors is materialized, guaranteeing a majority of personnel from the university teaching bodies and Permanent Labor Faculty and ensuring the presence of other non-permanent teaching figures, non-permanent research personnel and associated faculty. A minimum of 10 percent of the Governing Council must be representatives of the student body and another minimum of 10 percent must be representatives of the technical, management and administration and services staff. In any case, one third of the members of the Governing Council shall be elected by the Rector, including the ex officio members.

Article 47. *The Social Council.*

1. The Social Council is the body of participation and representation of society, a space for collaboration and accountability in which institutions, social organizations and the productive fabric interrelate with the university. Its composition must adequately reflect the plurality of the social environment in which it is located.

2. The following essential functions correspond to the Social Council:

a) To draw up, approve and evaluate a three-year action plan aimed primarily at fostering interrelationships and cooperation between the university, its alumni and its cultural, professional, scientific, business, social and territorial environment, as well as its institutional development. A joint session of the Social Council and the Governing Council of each university will be held, with the frequency determined by the Statutes, in order to monitor the plan and, if necessary, establish the necessary modifications.

b) To report, in advance, on the offer of official degrees and continuing education, as well as the creation and suppression of its own and foreign centers.

c) Promote actions to facilitate the connection of the university with society and to strengthen lifelong learning activities developed by universities.

d) To promote the attraction of economic resources for the financing of the university, from the various social, business and institutional local, national and international spheres.

e) Analyze and evaluate the performance of academic activities and propose improvement actions.

f) To inform about the norms that regulate the progress and permanence of the student body in the university.

g) Contribute to the incorporation of the forecasts of the three-year action plan in the budgets, and approve them, as well as supervise the economic activities of the university and approve the annual accounts of the university institution and the entities that depend on it, without prejudice to the commercial or other legislation to which such entities may be subject depending on their legal status.

h) To create, by mutual agreement with the Governing Council of each university, joint commissions to promote, deploy and evaluate initiatives aimed at strengthening the role of the University in the social environment.

i) To approve, at the proposal of the Governing Council, the University's Multi-year Financing Plan and to monitor it.

j) Approve the allocation of compensation allowances.

k) To participate, with voice and vote, in the Governing Council in accordance with the provisions of the Bylaws.

l) To ensure compliance with the principles of ethics and academic integrity, as well as with the anti-fraud guidelines that should guide teaching and research, in collaboration with the bodies and plans that each university has for this purpose.

m) Exercise such other functions as the law of the Autonomous Community may determine.

3. The composition of the Social Council shall be regulated by law of the Autonomous Community, ensuring that its operation is effective and efficient. Said law shall establish the statute of its members. The law shall guarantee the presence of persons proposed by the different representative sectors of the economic, social and cultural life of the area, knowledgeable of university activity and dynamics, as well as the absence of conflict of interest with the university. The autonomous law will also regulate the duration of its term of office and the procedure for the appointment of its members by the Legislative Assembly, having heard the university. In addition, the members of the Social Council will be the Rector, the Manager, the Secretary General, as well as a representative of the teaching and research staff, another of the technical, management and administration and services staff, elected by the Governing Council from among its members, and a third from the Student Council, elected by the Council itself, all of them with voice and vote.

4. For the proper fulfillment of its functions, the Social Council shall have a support organization with sufficient resources. The law establishing its composition and operation may provide for the endowment of the Social Council's own budget, as well as its autonomous economic-budgetary management.

Article 48. *The Student Council.*

1. The Student Council is the highest collegiate body of representation and coordination of the student body within the university. Its members shall be elected from among students from the different centers, for the term and in the manner determined by the University Statutes.

2. The Student Council shall enjoy full autonomy for the fulfillment of its purposes within the University's own regulations, and the University shall provide it with the necessary means and spaces for the development of its functions.

The Statutes shall contemplate the possibility of establishing student councils in the different organizational structures of the university of which the student body forms part.

3. The following functions correspond to the Student Council:

- a) Defend the interests of the student body in the governing bodies.
- b) To ensure compliance with and respect for their rights and duties.
- c) To make proposals to the governing bodies on matters related to its competencies for inclusion in the agenda.
- d) Promote student associations and student participation in university life.
- e) Any other functions assigned to it by the Bylaws of the University.

Article 49. *Other collegiate bodies.*

1. In the case of faculties, schools or departments, these structures will have a Council as the governing body, which will be chaired by the Dean, in the first case, or the Director, in the other cases.

2. The universities may create other collegiate bodies.

3. The Statutes shall determine the functions of the bodies referred to in the preceding paragraphs, their composition, the duration of their functions and the procedure for the election of their members, who must be in the majority from the university teaching staff and Permanent Labor Professors and Lecturers of the university. Likewise, they shall establish the conditions under which its members may combine their tasks with the development of their training, teaching and research careers.

The regulation of each collegiate body shall guarantee its effective functioning and a representation of the student body that reaches at least 25 percent of its composition.

The Rector and his or her Governing Team.

1. The Rector exercises the functions of direction, governance and management of the university and represents it before other universities, organizations, institutions, public administrations or local, national and international social or business entities. It also exercises the functions of the highest academic body of the university. It also has the powers not expressly attributed to other bodies of the university.

As a support unit for the Rector, a Governing Team shall be formed, which shall be presided over by him or her, and which shall be composed of the Vice Rectors, the Manager and the Secretary General, as well as any other member established by the Statutes of each university.

The Vice Chancellors shall be appointed from among the university teaching staff and permanent professors, for the development of university policies. The person in charge of the General Secretariat shall be appointed from among the teaching and research staff of the university teaching and research staff or the technical, management and administration and services staff with a university degree who provide services at the university, and shall act as a trustee and preside over the Electoral Commission. The Manager shall be appointed, in agreement with the Social Council, according to criteria of professional competence and management experience, and shall be responsible for the management of the administrative and economic services of the University and of human resources. The Manager may not, once in office, perform teaching or research functions.

2. The functions of the Rector shall be as follows:

- a) To exercise the overall direction of the university.
- b) Coordinate the activities and policies of the university's Governing Team.
- c) To promote the main axes of university policy.
- d) Define the fundamental guidelines for the university's strategic planning.
- e) To develop the lines of action approved by the corresponding collegiate bodies and to execute their agreements, especially with regard to the programming and development of teaching, research, transfer and exchange of knowledge and innovation, management of economic resources and personnel, internationalization, university culture and promotion, and institutional relations.
- f) Appoint and dismiss the members of the Government Team.

3. The Bylaws shall establish the mechanism for the temporary replacement of the Rector.

4. The Rector may also appoint temporary staff to perform the functions provided for and under the conditions established in Article 12 of the revised text of the Basic Statute of the Public Employee Law, approved by Royal Legislative Decree 5/2015, of October 30. The maximum number of temporary personnel shall be as follows

in the Bylaws in accordance with the provisions of the regulations of the corresponding Autonomous Community. This number and the remuneration conditions shall be public.

5. The Rector may appoint those representatives of the university in various bodies, entities and institutions in which the university is represented.

6. During his or her term of office, the Rector may not apply for any academic promotion process or be a member of a promotion committee.

Article 51. The election of the Rector.

1. Candidates must be full time permanent doctoral teaching and research staff and meet the merits of research, teaching and university management experience as determined by the Statutes. In any case, such merits must guarantee a high research capacity, a proven teaching career as well as sufficient university management experience in a unipersonal position.

2. The Rector shall be elected by direct election by weighted universal suffrage by all members of the university community. In accordance with the provisions of Article 44.3, the duration of his or her term of office shall be six years, non-renewable and non-extendable.

The Bylaws shall establish the procedure for their election and shall establish the percentages and weighting procedure for each sector, taking care to encourage the participation of all sectors and ensuring that, in any case, the representation of the university teaching staff and permanent professors of the university shall not be less than 51 percent.

The candidate who obtains the support of more than half of the votes validly cast, after applying the weightings contemplated in the Bylaws, shall be proclaimed Rector in the first round. If more than one candidate for Rector is presented and no candidate achieves this, a second ballot shall be held between the two candidates who have obtained the highest number of votes in the first round, taking into account the aforementioned weightings. In the second round, the candidate who obtains the simple majority of votes shall be proclaimed, according to the same weightings.

3. The Rector shall be appointed by the corresponding body of the Autonomous Community.

Article 52. Other unipersonal bodies.

1. Universities with faculties, schools or departments will have the following single-person bodies, which will represent their centers and will exercise their ordinary management and administration functions: Dean of Faculty, Director of School, and Director of Department.

Likewise, these unipersonal bodies shall appoint the members of the Management Team of their centers in accordance with the provisions of the University Statutes, and shall elect a Secretary of the center who shall act as a notary public of the decisions made by the Faculty, School or Department Council.

The Deans of the Faculty and the School Directors shall be elected by direct election by universal suffrage in the manner established by statute, from among the personnel of the university teaching staff and permanent professors of the university.

The Department Directors shall be elected by direct election by universal suffrage by all the members of the Department Council from among the personnel of the university teaching staff and permanent professors of the university.

2. The Bylaws shall establish the mechanisms for temporary replacement of the office and the procedure for calling, on an extraordinary basis, elections to the same, as well as their effects on the Faculty or School Councils.

3. The universities must also have directors in all the structures defined in their Statutes and a Secretary who will act as a trustee. They shall be elected in the manner set forth in the statutes, in accordance with the provisions of the affiliation agreement for university research institutes attached to public universities.

CHAPTER III

Economic and financial regime of public universities

Article 53. Regulatory framework.

1. In the exercise of their economic-financial and budgetary activity, the universities shall be governed by the provisions of this organic law and the legislation applicable to the public sector in these matters.

2. The Autonomous Communities, within the framework of the provisions of this organic law and the legislation applicable to the public sector in these matters, shall establish and develop the rules and procedures for the preparation, development and execution of the budgets of the universities under their jurisdiction, as well as for the control of their expenses and income, by means of the corresponding auditing techniques, with the collaboration and supervision of the Social Councils.

Article 54. Economic and financial autonomy.

1. The universities shall have economic and financial autonomy under the terms established in this organic law and in the regulations of the Autonomous Communities.

2. Universities are responsible for the preparation, approval and management of their budgets and the administration of their assets.

Article 55. Financial Sufficiency.

1. The Public Administrations shall provide the universities with the necessary economic resources to guarantee the financial sufficiency that will allow them to comply with the provisions of this organic law and ensure the achievement of the objectives set forth therein.

2. Within the framework of the plan to increase public expenditure by 2030 provided for in Article 155.2 of Organic Law 2/2006, of May 3, the State, the Autonomous Communities and the universities share the objective of allocating at least 1 percent of the Gross Domestic Product to public expenditure on public university education in the State as a whole, thus enabling progressive equalization with the average investment of the Member States of the European Union and compliance with the objectives established in this organic law. In order to achieve this multi-year objective, the corresponding contributions shall be established in the Budgets of the Autonomous Communities, in those of the universities as a whole and in the General State Budgets, in accordance with the budgetary availabilities of each financial year.

Article 56. Programming and financing system.

1. The preparation of university budgets shall be framed within a medium-term budgetary framework, compatible with the principle of annuality governing the approval and execution of public sector budgets, in accordance with European regulations and with the relevant state or autonomous community regulations.

2. In this way, and within the regulatory framework they establish, the Autonomous Communities in whose territory the universities are located must draw up multi-year programs that can lead, in coordination with the universities, to the approval of programming and financing instruments that include the objectives to be achieved, the financial resources for this purpose and the mechanisms for evaluating the degree of attainment of these objectives.

3. Without prejudice to the competencies attributed to the Autonomous Communities, this multiannual programming must include the following financing axes, which will be based on specific, agreed, measurable and verifiable evaluation indicators:

a) Baseline structural funding. This funding must be sufficient to provide a quality public service and to cover the multiannual needs of personnel expenses, including the expenses of the multiannual staff stabilization plans, current expenses in goods and services and real investments, structural research and investments to guarantee the environmental sustainability of the universities.

b) Structural funding for singular needs. This additional financing will be established for certain universities based on unique needs such as insularity, territorial dispersion and presence in rural areas of their university centers, the level of specialization of the degrees offered, the linguistic plurality of the programs, including the promotion of the official languages of the Autonomous Communities, the existence of unique infrastructures, cultural or artistic heritage or the size of the institutions. Likewise, by mutual agreement between the universities and the Autonomous Communities, other unique functions that require specific financing may be established.

c) Financing by objectives. This additional funding will be established according to the fulfillment of strategic objectives that have been set in the multi-annual programming referred to in section 2. These objectives will be linked, among others, to the improvement of teaching, research, including Open Science and Citizen Science programs, transfer and exchange of knowledge, innovation, lifelong learning, internationalization, inter-university cooperation and participation in projects and networks, labor market insertion rate, effective equality between women and men, recognition of diversity and universal accessibility.

The degree of fulfillment of these objectives will be evaluated by the Autonomous Community and will serve as a basis for the next multiannual programming. The evaluation will be carried out with public, objective, transparent criteria and in accordance with the established regulatory framework.

Likewise, such compliance may constitute a criterion for the annual planning of the universities' public employment.

4. The model for financing university research, including pre-doctoral contracts, will involve structural financing of the universities by the competent Public Administrations and, likewise, specific financing for projects limited in time through the calls for proposals made by the corresponding institutions.

In addition, the Public Administrations will promote competitive funding programs to strengthen research capacity and teaching innovation.

Likewise, universities should dedicate sufficient resources to management and support services for research, knowledge transfer and exchange, and innovation.

Article 57. *Budget.*

1. The budget of the universities shall be public, single, balanced, and shall include all of their revenues and expenditures.

2. The universities must comply with the obligations established in budgetary matters regarding the approval of annual expenditure limits. The budgets and their liquidations shall make express reference to compliance with financial equilibrium and sustainability.

3. Gender and environmental impact reports shall be included in the budget preparation process.

4. The budget of the universities shall contain in its income statement:

a) Transfers for current and capital expenses set annually by the Autonomous Communities within a medium-term budgetary framework.

b) Income from public prices for academic services and other legally established fees. In the case of studies leading to official university degrees, public prices and fees will be set by the Autonomous Community or corresponding Administration, within a general framework of containment or progressive reduction of public prices.

Likewise, the compensation corresponding to the amounts derived from the exemptions and reductions legally provided for in terms of public prices and other fees will also be recorded.

c) Revenues from the prices of their own teaching, lifelong learning and those relating to other activities authorized to the universities, which must be approved together with the annual budgets in which they are to be applied.

d) Income from transfers and subsidies from international or supranational organizations, from the various public administrations and other public sector entities.

e) Income from transfers from private entities, as well as from inheritances, legacies or donations.

f) Income derived from patronage activities, as provided for in Law 49/2002, of December 23, 2002, on the tax regime for non-profit entities and tax incentives for patronage, including those derived from business collaboration agreements in activities of general interest that have been signed, for the purposes provided for in the aforementioned law.

g) Income from its assets and from other economic activities carried out in accordance with the provisions of this organic law and its own Bylaws, including income from the contracts provided for in Article 60, as well as income derived from advertising sponsorship contracts.

h) Cash surpluses and any other income.

i) The proceeds of the credit operations entered into, which must be offset in order to achieve the necessary budgetary balance of the Autonomous Community or corresponding Administration, which, in any case, must authorize any debt operation.

5. The structure of the budget of the universities, their accounting system and the documents comprising their annual accounts must be adapted, in any case, to the rules established in general for the public sector. Within this framework, for the purposes of accounting standardization, the Autonomous Communities may establish an accounting plan for the universities under their jurisdiction, as well as determine the time frame for the settlement of the budget and the annual accounts.

6. The statement of current expenses shall be accompanied by the list of jobs of all university personnel, specifying all the costs thereof and the elements included in Article 74 of the revised text of the Public Employee Statute Law, approved by Royal Legislative Decree 5/2015, of October 30, and including the proposed new positions. The universities may

to modify the list of posts of its personnel by enlargement of existing positions or by reduction or change of name of vacant positions, in the manner indicated in its Bylaws, without prejudice to the provisions of Article 71.

The costs of teaching and research personnel, as well as technical, management and administration and services personnel, must be authorized by the Autonomous Community, within the framework of the basic regulations on Public Employment Offering, except in the case of the contracts provided for in Law 14/2011, of June 1, on Science, Technology and Innovation, which do not require such authorization.

The appointment of interim civil servant personnel and the hiring of temporary labor personnel by the universities must comply with the specific regulations on the subject.

7. Universities shall dedicate a percentage of their budget of no less than 5 percent to their own research programs.

8. The preparation, approval, execution and liquidation of the budget shall be governed by the state and autonomous community regulations applicable to this matter.

In the event of liquidation of the budget with a negative cash surplus, the Social Council shall proceed to reduce the expenses of the new budget by an amount equal to the deficit produced. The aforementioned reduction may only be revoked by agreement of said body, at the proposal of the Rector, after a report from the Comptroller and authorization from the corresponding body of the Autonomous Community, when budgetary availability and the cash flow situation so permit. In any case, the Governing Council shall be informed of the reasons for such deficit and the possible alternatives for correcting it.

Transfers charged to the budgets of the Autonomous Community in favor, directly or indirectly, of the universities will require the approval and implementation of the reduction of expenses.

9. The universities shall send to the corresponding Autonomous Community or Administration the economic-financial information that they must provide in application of the budget stability regulations or other provisions of a state or autonomous community nature. Failure to submit the budget settlement, or failure to adopt measures in the event of settlement with a negative balance, shall entitle the Autonomous Community to adopt, within the scope of its powers, the necessary measures to guarantee the budgetary stability of the university.

Article 58. *Assets.*

1. The patrimony of each university consists of all its assets, rights and obligations.

2. The universities assume ownership of the public domain assets assigned to the fulfillment of their functions, as well as those which, in the future, may be assigned to these same purposes by the State or by the Autonomous Communities. Exceptions are, in any case, those assets that form part of the historical and cultural heritage.

When the assets referred to in the preceding paragraph cease to be necessary for the provision of the university service or are used in functions other than those of the university, the Administration of origin may claim their reversion or, if this is not possible, the reimbursement of their value at the time when the reversion was due.

The Public Administrations may assign property owned by them to the public universities for use in their own functions.

3. The administration and disposition of public domain assets, as well as patrimonial assets, shall be in accordance with the general rules governing this matter.

Without prejudice to the application of the provisions of the legislation on historical and cultural heritage, the acts of disposal of real estate and movable property of extraordinary value shall be agreed by the university, with the approval of its Social Council, in accordance with the rules that, in this regard, are determined by the Autonomous Community.

4. The industrial property and intellectual property rights owned by the university as a result of the performance by university personnel of their duties shall form part of the university's assets, as well as the following

as well as those derived from the execution of business collaboration agreements in activities of general interest provided for in Law 49/2002, of December 23rd. The administration and management of such assets shall be governed by the provisions of Law 14/2011, of June 1.

5. The assets assigned to the fulfillment of its purposes and the acts carried out for the immediate development of such purposes, as well as their income, will enjoy tax exemption.

Said tax exemption will be applied whenever the taxes and exemptions fall directly on the universities as legal taxpayers, unless it is legally possible to shift the tax burden.

6. Public universities shall be entitled to the tax benefits provided for in Law 49/2002, of December 23.

7. The research carried out by universities is an economic activity that is developed through basic and applied research, with the aim of transferring the technology and knowledge acquired to society.

Article 59. Transparency and accountability in economic and financial management.

1. The use of the economic-financial resources of the universities shall be subject to the principles of transparency and accountability.

2. The universities are obliged to render accounts of their activity before the external control body of the respective Autonomous Community, without prejudice to the competences of the Court of Auditors.

3. The universities shall be subject to the public auditing system determined by the regional or, where appropriate, state regulations.

Likewise, the universities shall develop a system of internal control, which shall include, in any case, an internal audit system. The body responsible for this control shall have functional autonomy in its work and may not depend on the unipersonal governing bodies of the university.

4. Universities shall implement an analytical accounting system or equivalent.

Collaboration with other entities or individuals.

1. The research groups recognized by the university, the departments and the university research institutes, as well as their faculty both through the above and through the bodies, centers, foundations or similar organizational structures of the university dedicated to the channeling of the research initiatives of the faculty and the transfer of research results, may enter into contracts with individuals, universities, or public and private entities for the performance of work of a scientific, technological, humanistic or artistic nature, as well as for specific training activities.

2. The governing bodies of the universities, within the framework of the basic rules issued by the Government, shall regulate the procedures for authorizing the work and entering into the contracts provided for in the preceding paragraph, as well as the criteria for determining the destination of the goods and resources obtained therefrom.

Article 61. Knowledge-based entities or companies.

1. Universities may create or participate in knowledge-based entities or companies developed from patents or results generated by research financed totally or partially with public funds and carried out in universities.

2. Such entities or companies in whose capital the universities have a majority shareholding are subject to the provisions of this chapter insofar as they are applicable to them.

In particular, it applies to the obligation of transparency and accountability within the same deadlines and through the same procedure as the universities themselves.

The instruments of creation of these entities or companies will determine the percentage of the industrial property and intellectual property rights whose ownership will correspond to the universities, as well as the distribution of the economic returns obtained, if any, by them. The administration and management of such assets shall be in accordance with the provisions of Law 14/2011, of June 1.

3. The civil servant teaching staff of the university teaching bodies, the Permanent Labor Professors and the technical, management and administration and services staff, civil servant or labor with permanent link, who base their participation in the research activities referred to in paragraph 1 may request authorization to join such company or entity participated by the university, by means of a temporary leave of absence.

The Government, by Royal Decree and after a report from the General Conference on University Policy, shall regulate the conditions and procedure for the granting of such leave of absence which, in any case, may only be granted for a maximum period of five years. During this period, the personnel on leave of absence shall be entitled to the reservation of the job position and to its computation for the purposes of seniority. If prior to the end of the period for which the leave of absence was granted, the person concerned does not request reinstatement to active service, he/she shall be declared *ex officio* in a situation of voluntary leave of absence for private interest.

4. The limitations established in article four, as the case may be, and in articles twelve.1..b) and d) and sixteen of Law 53/1984, of December 26, 1984, on Incompatibilities of personnel in the service of the Public Administrations, shall not apply to civil servant professors of the university teaching bodies, to permanent labor faculty and to technical, management and administration and services civil servant and labor personnel when they participate in the knowledge-based entities or companies foreseen in this article, provided that there is an explicit agreement of the Governing Council of the university and it is authorized by the competent Public Administration.

Consideration of research, development and innovation projects as functional units.

Provided that they are autonomous in their object, research, development and innovation projects that have been entrusted to public universities through contracts, grant award resolutions or any other legal instrument shall be considered separate functional units within such universities, for the purposes of calculating the estimated value established in Article 101.6 of Law 9/2017, of November 8, on Public Sector Contracts.

Creation of public foundations and other public legal entities.

Without prejudice to the provisions of Article 61.2, the universities, for the promotion and development of their purposes, may participate and create, on their own or in collaboration with other public or private entities, and with the approval of the Social Council, public sector foundations or other legal entities of a public nature, in accordance with the provisions of the applicable public sector legislation, Law 2/2011, of March 4, on Sustainable Economy, as well as Law 14/2011, of June 1.

The founding endowment or the contribution to the capital stock and any other contributions to the entities provided for in the preceding paragraph, which are charged to the budgets of the university, shall be subject to the regulations in force on this matter.

The entities in whose capital or equivalent patrimonial fund the universities have a majority shareholding are subject to the provisions of this chapter and, in the event that the universities have a majority shareholding, are subject to the provisions of this chapter.

In particular, to the obligation of transparency and accountability on the same terms as the universities themselves.

The instruments of creation or participation in these entities will determine the percentage of the industrial property and intellectual property rights whose ownership will correspond to the universities, as well as the distribution of the economic returns obtained, if any, by them. The administration and management of such assets and the participation in the derived benefits will be in accordance with the provisions of Law 14/2011, of June 1.

CHAPTER IV

Teaching and research staff of public universities

Article 64. Teaching and research personnel.

1. The teaching and research staff will be composed of university teaching staff and labor faculty.

2. The civil servant personnel of a university teaching staff in active service status and assigned to a public university, as well as full-time contracted teaching and research staff, may not teach in private universities or in private teaching centers attached to universities, without prejudice to the provisions of Article 60.1.

3. Civil servant teaching staff will be the majority, calculated on a full-time equivalent basis, of the total number of teaching and research staff of the university. Those who do not have teaching responsibilities in the courses leading to official university degrees, nor the staff of the research institutes attached to the university and the doctoral schools, shall not be counted as employed teaching staff.

The number of teaching staff with temporary employment contracts may not exceed 8 percent of the total number of teaching and research staff. Associate professors in Health Sciences and doctoral assistant professors will not be counted for this purpose.

4. All positions of civil servant and labor teaching staff shall be assigned to areas of knowledge to be established by regulation by the Government, following a report by the Council of Universities. These areas shall be sufficiently broad to allow and encourage the mobility of the teaching staff and facilitate their professional careers.

Article 65. Promotion of equity among teaching and research personnel.

1. Affirmative action measures may be established in competitive examinations for access to teaching and research staff positions, both civil servant and labor, to favor the access of women. For this purpose, reservations and preferences may be established in the hiring conditions so that, under equal conditions of suitability, preference for hiring may be given to persons of the sex less represented in the teaching body or category in question.

2. The universities and the Autonomous Communities, within the scope of their respective competences, shall guarantee that the job offers at the University comply with the provisions established in Article 59 of the revised text of the Public Employee Statute Law regarding the reservation of quotas for persons with disabilities.

3. All competition and accreditation commissions and bodies referred to in Articles 69, 71 and 86 shall guarantee the principle of balanced composition between women and men.

4. Universities and Public Administrations, within the scope of their respective competencies, should favor co-responsibility in caregiving and ensure the effective exercise of the rights of reconciliation of personal, work and family life. To this end, they shall apply criteria that ensure effective equality of

all persons in the application of the dedication regime and access to mobility programs within its competence, and to analyze and correct inequalities based on gender, age, disability, national origin or ethnicity in the use of academic time.

Likewise, the accreditation procedures for civil servant and labor teachers must incorporate criteria that guarantee that equality and conciliation are effective.

Temporary mobility of teaching and research personnel.

1. Mobility constitutes a right, without prejudice to the provisions of Article 69. The regulation on mobility of research personnel provided for in Article 17 and concordant articles of Law 14/2011, of June 1, will be applicable to teaching and research staff of public universities. In matters not provided for by said legal norm, the regulations of each university, the agreements established between universities or institutions of higher education (national and international), and between these and other public or private research bodies, research institutes or knowledge-based entities or companies, and the agreements established between the Autonomous Communities shall be applied.

2. The linking of teaching and research staff to another public university, a publicly-owned affiliated center, public research body, research institute, R&D&I centers dependent on the Public Administrations or knowledge-based entities or companies may be full-time or part-time and, in both cases, the teaching and research staff will maintain, for all purposes, their affiliation to the university to which they belong.

Likewise, periods of secondment to another public university, public research organizations or R&D&I centers dependent on the Public Administrations will be counted for seniority purposes and will not impede career advancement.

3. The universities and the Public Administrations will provide adequate budgetary funding for mobility plans for the reinforcement of scientific, technological, humanistic, artistic, cultural and linguistic knowledge, creativity and the professional development of teaching and research staff. Their corresponding expenditure programs will take into account the singularity of the universities of the island territories and the distance to the peninsular territory.

Article 67. Training.

The universities will guarantee the initial and continuing education of their teaching staff. Likewise, they will establish initial and lifelong training plans that guarantee the professional improvement of their teaching and research staff, in the different areas of specialization of university activity, within the framework of the strategic planning and training priorities of the universities themselves.

Section 1.-Teaching staff of the university teaching bodies

Article 68. University teaching bodies.

1. Civil servant university faculty shall belong to the following teaching bodies:
 - a) University professors.
 - b) University Professors.

The teaching staff belonging to these bodies will have full teaching and research capacity.

2. Civil servant teaching staff shall be governed by the bases established in this organic law and in its implementing regulations, by the provisions issued by the Autonomous Communities by virtue of their powers, by the general civil service legislation applicable to them and by the Statutes of their university.

Article 69. *Accreditation of university teaching bodies.*

1. The access to the university teaching bodies will require, in addition to the Ph.D. degree, the previous obtaining of an accreditation by ANECA which, assessing the merits and competences of the applicants, guarantees the quality in the selection of the civil servant teaching staff in the country as a whole. ANECA will agree, by means of an agreement, the development of the evaluation of such merits and competences by the quality agencies of the Autonomous Communities.

In any case, in order to obtain accreditation, it will be a requirement to carry out research or teaching activities in universities and/or research centers other than the institution where the doctoral thesis was presented, in accordance with the criteria established in the regulations.

2. The accreditation procedure will ensure:

a) The principles of equality, merit and capacity, as well as those of publicity, transparency and impartiality of the members of the accreditation bodies.

b) The agility and the request for accessible documentation, in open, abbreviated and meaningful mode, using institutional repositories.

c) A qualitative and quantitative evaluation of teaching and research merits and, where appropriate, of knowledge transfer, with a wide range of indicators of scientific relevance and social impact.

d) An evaluation based on the specificity of the area or field of knowledge, taking into account, among other criteria, professional experience, especially in the case of regulated health professions, local relevance, linguistic pluralism and open access to scientific data and publications.

e) The adequacy of the required merits to the duration of the initial stage of the academic career established by this organic law.

f) The composition of the accreditation bodies by university teaching staff and experts, both national and foreign, of recognized prestige.

g) Detailed, objective and transparent justification of the outcome of the process.

3. The accreditation procedure shall be regulated by Royal Decree of the Council of Ministers, following a report from the Council of Universities. In these procedures the sense of administrative silence will be dismissive.

Article 70. *Personnel of the university teaching bodies who occupy a position linked to assistance and public health services of health institutions.*

1. The personnel of the university teaching bodies who occupy a position linked to the assistance and public health services of health institutions, in areas of knowledge of a clinical assistance and public health nature, in accordance with the provisions of article one hundred and five of Law 14/1986, of April 25, General Health, shall be governed by the provisions of this article and the others of this organic law that are applicable to them. Said position shall be considered, for all purposes, as a single job.

2. In view of the peculiarities of these positions, they shall also be governed, as far as applicable, by Law 14/1986, of April 25, 1986, and other health legislation, as well as by the rules that the Government, by Royal Decree, at the joint proposal of the heads of the Ministries of Health and Universities and, where appropriate, of Defense, establishes in relation to these civil servant personnel. In particular, in these

The exercise of powers over administrative situations shall be determined and the disciplinary regime of such personnel shall be specified. Independently of the foregoing, and at the joint initiative of the Ministers indicated above and at the proposal of the Minister of Finance and Public Function, the remuneration system applicable to the aforementioned personnel shall be established.

Article 71. Competitive examinations for access to positions in the university teaching bodies.

1. The universities, in accordance with the provisions of their internal regulations, shall hold competitive examinations for access to positions in the university teaching bodies that are endowed in the statement of expenditure of their budget, as developed by regulations. In any case, such competitions shall contemplate the following conditions:

a) Teaching experience and research experience, including that of knowledge transfer and exchange, will have an analogous consideration in the set of evaluation criteria of the merits to be considered by the universities. The universities may establish other merits to be evaluated in the call for applications.

b) The selection commissions will be made up of a majority of members external to the organizing university, chosen by public draw from among all the teaching and research staff of equal or higher category to the position to be filled. This draw will be made from a qualified list of teaching and research staff drawn up by the university, in the terms to be developed in the internal regulations.

c) A reserve will be applied in the annual calculation, of a minimum of 15 percent of the total number of positions offered by the universities for the University teaching staff and permanent labor staff, for the incorporation of doctoral research personnel who have passed the evaluation of the Incentive Program for the Incorporation and Intensification of Research Activity (I3), or who have obtained the certificate as an established researcher (R3). The reserved positions that become vacant may be accumulated to the ordinary open call of the same year.

2. The universities shall establish internal promotion programs, which are endowed in the state of expenditure of their budget, for access from the category of University Professor and Permanent Labor Professor to another higher category. The vacancies of these programs may not exceed the maximum number of vacancies that are the object of the Public Employment Offer of free turn, in the same year, for the access to the teaching bodies of article 68 and of Permanent Labor Professors. Only professors who have rendered at least two years of effective service in the position of origin and who are accredited for the category to which they are promoted may access these positions. The university shall regulate, in its internal regulations, the procedure to be followed in internal promotion programs. In any case, the access procedure shall be by merit-based competition.

Article 72. Teacher mobility competitions.

1. Universities may call mobility competitions for the provision of vacant teaching positions endowed in the statement of expenditure of their budgets.

These announcements will be published in the "Official State Gazette" and in the official gazette of the corresponding Autonomous Community, and must contain, as a minimum, evaluation criteria of a curricular nature for the awarding of vacancies.

2. Those who have held the position of origin for at least two years and who are tenured university professors for the positions of tenured university professor and professors for the positions of professor, as well as the research personnel of the Public Research Organizations (OPIS) of the following institutions may participate in the competitions for the filling of vacancies

the categories to be determined in the calls for applications, provided they have the corresponding accreditation.

3. The position obtained after the competitive examination must be held for at least two years before being eligible to participate in a new competition for a different position at that or another university.

4. Vacancies filled in these competitions, insofar as they do not involve the entry of new personnel, shall not be counted for the purposes of the Public Employment Offer.

Article 73. Claims Commissions.

1. A complaint may be lodged with the Council of Universities against the resolutions of the accreditation commissions. A commission, the composition of which shall be determined by regulation, shall evaluate the complaint.

2. A complaint may be lodged with the Rector against the proposals of the selection process committees. A committee, the composition of which shall be determined by statute, shall evaluate the complaint, and its report shall be binding. The Government shall establish the requirements to be met by its members. Once the complaint has been admitted for processing, the appointments shall be suspended until its resolution.

3. The resolutions of the Council of Universities and of the Rector referred to in the preceding paragraphs put an end to administrative proceedings and may be challenged directly before the Contentious-Administrative Jurisdiction, in accordance with the provisions of Law 29/1998, of July 13, 1998, regulating the Contentious-Administrative Jurisdiction.

Article 74. Reinstatement of surplus to active service.

The reinstatement to active service of university teaching staff on voluntary leave of absence shall be in accordance with the provisions of the revised text of the Law of the Basic Statute of the Public Employee.

Article 75. Regime of dedication.

1. The teaching staff of the universities shall preferably perform their functions on a full-time basis, although it may be part-time at the request of the interested party, with the requirements, conditions and effects established by regulation. The dedication shall be, in any case, compatible with the performance of scientific, technological, humanistic or artistic work under the terms of Article 60.

2. Full-time tenured faculty shall be assigned a maximum of 240 and a minimum of 120 teaching hours per academic year within their annual workday. The university may modify this range for:

a) To correct inequalities between women and men derived from caregiving responsibilities.

b) To make it compatible with the exercise of unipersonal positions of government and with the tasks of responsibility in projects of interest to the university in the manner determined by the Bylaws.

c) Allow for faculty assignments representing the interests of public employees.

3. The annual individual dedication plans shall reflect the academic activities entrusted and shall respect the professional development and equality of opportunities and results of civil servant faculty.

4. The bases of the general regime of dedication of civil servant teaching and research personnel shall be regulated in the Statute of University Teaching and Research Personnel.

Article 76. Remuneration of civil servant teaching and research personnel.

1. The Government shall determine the remuneration system for university teaching and research staff belonging to the bodies of civil servants. Said system shall be that established by the general legislation on civil servants, specifically adapted to the characteristics of said personnel.

For these purposes, the regulation determining their remuneration system shall establish the intervals of levels or categories within each level corresponding to each teaching body, the requirements for promotion from one to another, as well as their remuneration consequences.

2. Regulations may establish additional remuneration linked to individual merits for the exercise of each of the following functions: teaching activity, research activity and activity of transfer and exchange of knowledge and innovation. For such purposes, teaching and research personnel may submit to evaluation the activity carried out in Spain or abroad, in universities or in public research centers or organizations.

Such remuneration complements derived from the development of such functions will be assigned after prior assessment by ANECA.

ANECA may agree with the regional quality agencies, by means of an agreement, the development of the evaluation of such individual merits.

Likewise, all the quality agencies will agree on common minimum criteria, in application of which ANECA will recognize the assessments made by the autonomous quality agencies in order to determine the salary complements of the labor teaching staff which accesses the university teaching bodies.

3. The Autonomous Communities may establish additional remuneration linked to individual merits for the exercise of the same functions as those indicated in section 2. The remuneration complements referred to in this section shall be assigned by the Social Council, at the proposal of the Governing Council, within the limits established for this purpose by the Autonomous Communities and by means of a transparent procedure.

4. Universities may establish additional remuneration linked to individual merit, through transparent procedures negotiated with the social partners.

Section 2.^a Labor teaching and research personnel

Article 77. General rules.

1. The public universities may hire teaching and research personnel under a labor regime, through the specific hiring modalities of the university field that are regulated in this organic law.

Likewise, they may hire, with internal university funding or with external funding, research personnel in the modalities of pre-doctoral contract, access contract for doctoral research personnel, distinguished researcher contract and contract for scientific-technical activities, under the terms provided by Law 14/2011, of June 1.

2. The legal regime applicable to these types of employment contracts shall be that established in this organic law and in its implementing regulations and, supplementarily, in the revised text of the Workers' Statute Law, approved by Royal Legislative Decree 2/2015, of October 23, and in its implementing regulations, as well as that derived from the applicable collective bargaining agreements and, if applicable, in the revised text of the Basic Statute of the Public Employee Law.

3. In relation to these personnel, the Autonomous Communities are responsible for regulating the matters expressly referred to in this organic law and any others that may correspond to them within the scope of their competencies.

4. The dedication regime of the labor personnel shall conform, in all cases, to the principles set forth in Article 75, except for the provisions of Article 79 regarding the dedication of Professors and Associate Professors.

5. The labor teaching and research staff will have the right to negotiate their remuneration conditions with the university, which will be established in the specific agreements and accords that are reached. Likewise, they will have the right to take part in the calls established by the Autonomous Communities to establish additional remuneration linked to individual merits for the exercise of teaching, research, knowledge transfer, innovation or management activities.

Article 78. Assistant Professors and Assistant Professors Doctoral Candidates.

The hiring of Assistant Professors and Assistant Professors shall be in accordance with the following rules:

a) Universities may hire under this modality persons holding the title of Doctor or Doctor without the need for accreditation. No person may be hired under this modality, in the same or a different university, for a period of more than six years.

b) The purpose of the contract will be to develop teaching and research skills and, where appropriate, knowledge transfer and exchange, and the performance of university governance functions. In order to develop their teaching capacity, Assistant Professors and Assistant Professors must take, in the first year of the contract, an initial teaching training course whose characteristics will be established by the universities, in agreement with their units responsible for the training and teaching innovation of the teaching staff.

c) Assistant Professors will carry out teaching tasks up to a maximum of 180 teaching hours per academic year, in such a way that the teaching activity is compatible with the development of research tasks in order to meet the requirements for future accreditation.

d) The contract will be of a temporary nature and will be full-time.

e) The duration of the contract will be six years. After the first three years of the contract, the university will carry out an orientative evaluation of the performance of the Professors and Assistant Professors, which may be entrusted to the competent quality agencies. The purpose of this evaluation will be to assess the progress and quality of the teaching and research activity and, where appropriate, the transfer and exchange of knowledge of the teaching staff, which should lead them to achieve the merits required to obtain the necessary accreditation to apply for a permanent teaching position after the end of the contract.

The computation of the term limit of the contract and its evaluation will be interrupted in situations of temporary disability and in the periods of time dedicated to the enjoyment of permits, leaves, flexitime and leaves of absence due to pregnancy, pregnancy, birth, adoption, foster care, breastfeeding, risk during pregnancy, pregnancy or breastfeeding, gender violence and other forms of violence against women, as well as for reasons of reconciliation or care of family members or dependents.

When the contract is made with a person with a disability, it may have a maximum duration of eight years, taking into account its purpose and the degree of limitations in the activity.

Likewise, when such situations give rise to a reduction in working hours, the contract shall be extended for a period equivalent to the reduced working hours.

Article 79. Professors and Associate Professors.

The hiring of Professors and Associate Professors shall be in accordance with the following rules:

- a) Universities may hire under this modality specialists and professionals of recognized competence who can prove that they carry out their main activity outside the university academic field when there are specific teaching needs related to their professional field.
- b) The purpose of the contract will be to develop teaching tasks through which they contribute their professional knowledge and experience to the university, in those areas in which this experience is relevant. Such teaching tasks may not include the performance of structural management and coordination functions. Associate professors may perform teaching duties up to a maximum of 120 teaching hours per academic year.
- c) The contract will be of an indefinite nature and will entail a part-time dedication, without its call being subject to the replacement rate of staff. The hiring of this teaching staff will not be part of the Public Employment Offer nor of the similar instruments of management of the personnel needs referred to in article 70 of the revised text of the Basic Statute of the Public Employee Law.
- d) The objective cause for termination of the contract shall be the supervening loss of any of the requirements established in paragraph a). In the event of cessation of the main activity, the termination of the contract shall take place at the end of the academic year in which the teaching activity is carried out.
- e) The dedication established in paragraph b) shall not apply to associate professors whose position and appointment are based on Article 105.2 of Law 14/1986, of April 25. The peculiarities of the duration of their contracts shall be regulated by the competent authorities.

Article 80. Substitute Professors and Substitute Teachers.

1. The hiring of teaching staff to replace teaching and research personnel with the right to reserve their job position who temporarily suspend the provision of their services due to the application of the system of permits, leaves or administrative situations, including long-term medical leaves, other than active service or which imply a reduction in their teaching activity, shall be governed by the general regulations applicable to these cases, with the following peculiarities:

- a) The selection of substitute teaching staff shall take place through the applicable public competition procedures, and the universities may establish specific instruments for their management and coverage, including employment exchanges.
- b) The contract shall include the teaching and non-teaching activities provided for in Article 75, and may not exceed that assigned to the professor being replaced, nor may it extend to university activities of another nature at the hiring university, such as research or the performance of structural management and coordination functions, unless they are directly related to the teaching activity.
- c) The duration of the contract, including its renewals or extensions, shall correspond to that of the objective cause that justified it.

2. The hiring of teachers to temporarily cover a job position until the end of the selection process for its definitive coverage shall be carried out in accordance with the constitutional principles of equality, merit and capacity and under the terms established in Law 20/2021, of December 28, of urgent measures for the reduction of temporary employment in public employment.

Article 81. *Emeritus Professors and Professors.*

The appointment of Emeritus Professors and Emeritus Professors shall be in accordance with the following rules:

- a) The universities, in accordance with their Statutes, may appoint Emeritus Professors and Emeritus Lecturers from among retired teaching and research staff, whether civil servants or retired employees, who have rendered outstanding services in the field of teaching, research or the transfer and exchange of knowledge and innovation at the same university.
- b) The purpose of this appointment will be to contribute from his experience to improve teaching and promote research and the transfer and exchange of knowledge and innovation.
- c) The requirements for performance and access to this modality, as well as the functions that may be performed, will be defined by each university.

Article 82. *Permanent Labor Professors and Professors.*

The hiring of Permanent Labor Professors and Lecturers shall be in accordance with the following rules:

- a) Universities may hire under this modality those persons who hold the title of Doctor or Doctorate and who have the corresponding accreditation, issued by ANECA or the quality agencies of the Autonomous Communities, in accordance with their competencies.
- b) The purpose of the contract will be to carry out teaching, research, knowledge transfer and exchange tasks and, where appropriate, to perform university governance functions.
- c) The contract shall be permanent and indefinite, with rights and duties of an academic nature and categories comparable to those of civil servant teaching and research personnel, and shall be full-time, although it may be part-time at the request of the interested party, subject to the requirements, conditions and effects established by regulation. The dedication shall be, in any case, compatible with the performance of scientific, technological, humanistic or artistic work under the terms of Article 60.

Article 83. *Visiting Professors and Visiting Lecturers.*

The hiring of Visiting Professors and Visiting Lecturers shall be subject to the following rules:

- a) Universities may hire under this modality teachers and researchers from other universities and research centers, both Spanish and foreign, who can contribute significantly to the performance of the university centers.
- b) The purpose of the contract will be to carry out teaching and/or research tasks, as well as, where appropriate, the transfer and exchange of knowledge and innovation, in the specialty in which the contracted person has excelled.
- c) The contract will have a maximum duration of two years, non-extendable and non-renewable, and will entail a part-time or full-time dedication, as agreed by the parties.

Article 84. *Distinguished Professors and Lecturers.*

The hiring of Distinguished Professors and Lecturers shall be in accordance with the following rules:

- a) Universities, in accordance with their bylaws and the selection procedures they establish, may hire teaching and research staff or researchers under this modality.

researchers, both Spanish and foreign, who are developing their academic or research career abroad, and whose excellence and scientific, technological, humanistic or artistic contribution, are significant and internationally recognized, determining the duration and conditions in accordance with the provisions of Law 14/2011, of June 1, for the modality of distinguished researcher.

b) The purpose of the contract will be to carry out teaching, research, knowledge transfer and exchange, innovation or management of groups, research centers and unique scientific and technological programs. Distinguished Professors and Lecturers may carry out teaching tasks for a maximum of 180 teaching hours per academic year.

Article 85. *Accreditation.*

1. The access of labor teaching and research personnel to the positions of Permanent Labor Professor and Professor and, if applicable, promotion within this contractual modality will require the prior obtaining of an accreditation, in accordance with the regulations of the Autonomous Community.

2. The Autonomous Communities must regulate the accreditation procedure. Such accreditation will be carried out by the autonomous quality agencies or, as the case may be, by ANECA.

3. The quality agencies, within the framework of the competences attributed to them by the state regulations and by the respective Autonomous Communities, will work on common minimum criteria for the accreditation of the figure of Permanent Labor Faculty. Likewise, from their institutional and technical independence, these quality agencies will establish agreements among themselves for the full recognition of accreditations, in order to avoid administrative burdens.

ANECA, in application of such minimum common criteria, will recognize the positive evaluation of the merits carried out by the autonomous quality agencies, for the purposes of accreditation for access to university teaching bodies.

In any case, with respect to the accreditation of the Permanent Labor Faculty, the provisions of Article 69.1 shall be applicable. Likewise, the accreditation procedure shall be in accordance with the provisions of paragraphs a) to e) of Article 69.2.

In these accreditation procedures the sense of the administrative silence will be dismissive.

Article 86 . *Competitive examinations for access to teaching and research staff positions.*

1. The selection of labor teaching and research personnel, except for the categories of Visiting Professors, Distinguished Professors and Emeritus Professors, as well as the categories provided for in Law 14/2011, of June 1, will be made through public competition, which will be given the necessary publicity and whose call will be communicated sufficiently in advance to the public registry of teaching and research personnel competitions of the Ministry of Universities.

The selection procedures for these labor personnel will be carried out in all cases through public calls in which the principles of equality, merit, capacity, publicity and concurrence are guaranteed, as well as the possibility of appeal to the university itself. Likewise, the composition of the selection committees shall guarantee the principles of objectivity, impartiality, neutrality, transparency and qualification.

2. The calls for applications shall comply with the provisions of Article 65 and Article 71.1, excluding the selection of Associate Professors, which shall be carried out through the evaluation of the merits of the candidates by a committee composed of members of the university.

Also excluded from this provision shall be the selection of teaching and research personnel from programs of excellence recognized as such by the Autonomous Communities. In this case, the committee will be composed of

The majority of the members shall be external to the university, chosen from a qualified list of teaching and research staff, duly justifying their selection and guaranteeing, in all cases, the publicity of the criteria for the selection of its members and the criteria for the evaluation of the candidates.

Article 87. Remuneration of labor teaching and research personnel.

1. The remuneration system for labor teaching and research personnel at public universities shall be determined in accordance with the regulations referred to in Article 77.2 and, in any case, within the framework of the applicable legislation of the autonomous community and by collective bargaining.

2. The Autonomous Communities may establish additional remuneration linked to individual merits for the exercise of each of the following functions: teaching activity, research activity, knowledge transfer and exchange and innovation activity, and management activity.

The remuneration allowances referred to in this section shall be assigned individually and personally by the Social Council, on proposal of the Governing Council, by means of a transparent procedure.

3. Notwithstanding the provisions of the preceding paragraph, the Government may establish incentive programs for labor teaching and research personnel for the exercise of the same functions referred to in paragraph 2.

The incentives referred to in this paragraph shall be assigned, individually and personally, through a transparent procedure.

4. Universities may establish additional remuneration linked to individual merit, through transparent procedures negotiated with the social partners.

Section 3. ^aThe teaching staff of the European Union

Article 88. European Union Teachers.

1. The teaching staff of the universities of the Member States of the European Union who have attained a position comparable to that of University Professor, University Professor or Permanent Labor Professor shall be considered accredited for the purposes provided for in this organic law, according to the procedure and conditions to be established by order of the head of the Ministry of Universities, following a report from the Council of Universities. In general, these recognitions of accreditation with other Member States shall be subject to the principle of mutual recognition.

2. For the purposes of the competition for accreditation procedures, competitions for access to university teaching bodies and calls for teaching contracts provided for in this organic law, nationals of European Union Member States shall enjoy the same treatment and with the same effects as Spanish nationals. The same criterion will be followed with respect to Spanish nationals who have studied in the European Union.

Likewise, the provisions of the preceding paragraph shall apply to nationals of those States to which, by virtue of international treaties entered into by the European Union and ratified by Spain, the free movement of workers is applicable in the terms defined in the Treaty on the Functioning of the European Union.

The provisions of the first paragraph of this section shall also be applicable to foreign persons who are regularly present in Spanish territory, as well as to third country nationals who are members of the family of Spanish persons or nationals of other Member States of the European Union under the terms established by the specific regulations on this matter.

3. The Public Administrations and the universities will promote the mobility of teaching staff in the European Higher Education Area through specific programs and agreements and through the programs of the European Union.

They will also promote the implementation of programs aimed at the methodological renewal of university education in order to meet the quality objectives of the European Higher Education Area.

CHAPTER V

Technical, management, administrative and service personnel of public universities

Technical, management and administrative and service personnel.

1. The technical, management and administration and services personnel of the public universities will be made up of civil servants and employees, sufficient to adequately develop the services and functions of the centers.

2. These personnel shall be specialized in one or more of the different areas of university activity. The universities shall determine the functions and profiles of such activities, as well as the qualifications necessary to ensure a fully effective and efficient performance, within the framework of the corresponding collective bargaining.

3. The technical, management and administration and services civil servants are governed by the provisions of this organic law and the revised text of the Basic Statute of the Public Employee Law, as well as by the Covenants and Agreements provided for in Article 38 thereof. In the case of the Autonomous Community of Navarre, the present regulations shall be applied under the terms established in Article 149.1.18 and the first additional provision of the Constitution and in Organic Law 13/1982, of August 10, on the reintegration and improvement of the Autonomous Regime of Navarre.

The technical, management and administration and services personnel are governed by the provisions of this organic law, by the revised text of the Workers' Statute Law, as well as by the revised text of the Basic Statute of the Public Employee Law, other labor legislation and applicable collective bargaining agreements.

Likewise, these civil servant and labor personnel shall be governed by the provisions of the university statutes.

In relation to these personnel, the Autonomous Communities are responsible for regulating the matters expressly referred to in this organic law and any others that may correspond to them within the scope of their competencies.

4. Universities may hire other personnel with external funding or funding from public aid calls in competitive competition in its entirety for scientific-technical management in accordance with the provisions of the revised text of the Workers' Statute Law and Article 23 bis of Law 14/2011, of June 1.

5. The technical, management and administration and services personnel, both civil servants and employees, have the right to free and meaningful participation in the design, implementation and evaluation of university policy, and the right to representation in the governing and representative bodies of the university, in accordance with the provisions of this organic law and the Statutes of the universities.

6. The universities shall ensure the effective exercise of the rights of reconciliation of personal, work and family life of their technical, management and administration and services personnel, both civil servants and employees. To this end, they shall adopt the necessary measures to ensure, in accordance with the principle of transparent remuneration, effective equality in the application of the dedication regime, as well as in the participation in training and mobility plans and programs.

Article 90. Professional career.

1. The universities shall establish scales of technical, management and administration and services personnel, in accordance with the degree groups required by the general civil service legislation, and taking into account the level of specialization in the different areas of university activity.

2. These personnel will be able to develop their professional career, through the progression of grade, category, scale or level, without the need to change their job position and with the corresponding remuneration for each one of them, based on their professional career and performance, the quality of the work performed, the knowledge acquired, the accredited training and the evaluation of their performance.

Likewise, he/she may develop his/her professional career through promotion in the job structure, based on the assessment of his/her merits, his/her degree of specialization and aptitudes due to the specific nature of the function he/she performs and the experience he/she has acquired.

3. In any case, in the professional career of these personnel, the principles of transparent remuneration and effective equality in the professional promotion processes shall be observed.

Article 91. Access to positions of technical, management and administrative and service personnel of public universities.

1. The selection of technical, management and administration and services personnel, both civil servants and employees, will be carried out by passing selective entrance examinations, in the terms established by the applicable regulations and by the university statutes and, in all cases, in accordance with the principles of equality, merit, capacity, transparency, publicity and competition, as well as the possibility of appeal to the university itself.

2. The notices relating to such selection processes must be published in the "Official State Gazette" and in the official gazette of the respective Autonomous Community. Likewise, the universities shall guarantee the transparency and objectivity of the processes, the impartiality and independence of the selection bodies, as well as a balanced composition between women and men in the same, the adequacy of the contents of the selective tests to the functions and tasks to be performed, and the availability of mechanisms for the review of the results in accordance with the provisions of the applicable regulations and collective bargaining.

Article 92. Provision of jobs.

1. In the provision of jobs, the universities shall attend to the needs of the service and shall guarantee the principles of publicity, transparency, equality, merit and capacity.

2. The filling of technical, management and administration and services staff positions in the universities will be carried out by means of the competitive system and both their own personnel and personnel from other universities may compete, as well as, under the conditions to be determined by regulations, personnel belonging to bodies and scales of the Public Administrations.

3. Only those civil servant positions determined by the universities in accordance with the nature of their functions, and in accordance with the general civil service regulations, may be filled by the free designation system.

4. The universities and the Autonomous Communities shall guarantee that job offers at the University comply with the provisions established in the regulations that, in general, are applicable to the public sector regarding the reservation of quotas for persons with disabilities.

Article 93. *Remuneration.*

1. The technical, management and administration and services personnel, both civil servants and employees, will be paid from the budgets of their respective universities.

2. The remuneration system for civil servant and labor personnel shall be determined in accordance with the provisions of Article 89.3, within the maximum limits determined by the Autonomous Community, by means of collective bargaining and within the framework of the bases established by the State.

3. The Government, the Autonomous Communities and the universities may establish incentive programs for these personnel linked to their individual merits and their contribution to the improvement of the activity they perform in relation to teaching, research, transfer and exchange of knowledge or the management and provision of specialized services.

In any case, the economic incentives will be assigned by means of a procedure that guarantees their publicity, and in accordance with the principles of objectivity and impartiality of the evaluating body, and of transparency of remuneration.

Article 94. *Training and mobility.*

1. The universities shall establish multi-year life-long training plans that guarantee the professional improvement of their technical, management and administrative and service personnel, in the different areas of specialization of university activity.

2. The universities shall also implement multi-year plans for the mobility of their technical, management and administration and services personnel for the performance of their functions in other universities or public administrations and, to this end, shall formalize agreements to ensure reciprocity.

The universities will include in these plans international mobility, in coordination with the Public Administrations, and through specific programs and agreements, including those instituted by the European Union, through stays for training purposes in higher education institutions, entities or companies.

TITLE X

Specific regime for private universities

Article 95. *Legal Regime.*

1. Private universities shall have their own legal personality in any of the legally existing forms, and may be profit-making or social entities, including cooperative societies. Their exclusive corporate purpose shall be higher education and research and, where appropriate, the transfer and exchange of knowledge. They shall perform all the functions referred to in Article 2.2.

2. Their legal regime results from the provisions of the precepts of this organic law that apply to them and the rules that develop them. In addition to the provisions of this Title X, the provisions of the Preliminary Titles, I, II, III, IV, except for Article 13, V, VI, VII and VIII, as well as the fourth, seventh, eighth and ninth additional provisions shall also apply to them.

However, whenever possible, the programs for the promotion of projects for research, creation and transfer and exchange of knowledge promoted by the Public Administrations in accordance with the provision contained in Article 13, shall facilitate the participation of social and non-profit universities declared to be of public interest.

3. Likewise, these universities, to which the rules corresponding to the type of legal personality adopted shall also apply, shall be governed by the law of their recognition, by the rules issued by the State and by the Autonomous Communities of Spain, and by the regulations issued by the State and the Autonomous Communities of Spain.

Autonomous Communities, in the exercise of their respective competencies and by their own rules of organization and operation.

The rules of organization and operation of private universities shall be drawn up by the universities themselves, subject to constitutional principles and with effective guarantee of the principle of academic freedom under the terms of Article 3.3.

4. These universities shall be organized in such a way as to ensure the participation and representation in their bodies of the different sectors of the university community.

Creation of universities and university centers.

1. Individuals or legal entities may establish private universities or private university centers, in compliance with constitutional principles and subject to the provisions of this organic law and the implementing regulations, if any, issued by the State and the Autonomous Communities within the scope of their respective competences.

2. Such universities or university centers may not be established by those who serve in an educational administration, have a criminal record for fraudulent offenses or who have been administratively sanctioned for a very serious or serious infraction in educational or professional matters.

This prohibition shall be understood to apply to legal entities whose administrators, representatives or governing positions, or whose founders, promoters or holders of 20 percent or more of their capital, by themselves or through an interposed person, are in any of the circumstances set forth in the preceding paragraph.

3. The performance of acts and legal transactions that modify the legal personality or structure of the private university, or that imply the transfer or assignment, *inter vivos*, in whole or in part, for valuable consideration or free of charge, of the direct or indirect ownership that individuals or legal entities hold over private universities or private university centers attached to public universities, must be previously communicated to the corresponding Autonomous Community. In order to be legally effective, such acts and transactions must have the consent of the said Autonomous Community.

In the event of a change of ownership, the new owner shall be subrogated to all the rights and obligations of the previous owner.

4. Failure to comply with the provisions of the preceding paragraphs shall imply a modification of the essential conditions of the recognition or approval of the assignment and shall be cause for its revocation by the competent Autonomous Community, under the terms established in the regulations.

5. The private university centers must be integrated as centers of a private university, or attached to a public or private university. In the case of a private center being attached to a public university, the provisions of article 42 shall apply.

6. These centers must be attached to a single university. However, this condition may be waived, in accordance with the law or regulations, if a center or certain types of centers have particular characteristics that justify it.

Article 97. Centers and structures.

1. Private universities shall be structured in the manner determined by their rules of organization and operation.

2. Private universities must have a university ombudsman's office, and equality and diversity units.

3. The creation, modification and suppression of the structures referred to in paragraph 1 shall be carried out at the proposal of the university, under the terms provided for in Article 41.

Article 98. Governing Bodies.

1. The rules of organization and operation of private universities shall establish their governing, participatory and representative bodies, as well as the procedures for their appointment and removal, guaranteeing the presence in them of representatives of the teaching and research staff, technical, management and administration and services staff, and of the student body, and guaranteeing the principle of balanced composition between women and men. In any case, the rules of organization and operation must guarantee that decisions of a strictly academic nature are adopted by bodies in which the teaching and research staff has a majority representation.

2. The unipersonal governing bodies of private universities may have the same denomination as that established for those of public universities.

3. The rules of organization and operation of private universities must specify the mechanism and procedure for the appointment and dismissal of the Rector or equivalent. Likewise, they must guarantee that the teaching and research staff, the technical, management and administration and services staff, and the student body are consulted in the appointment of this position.

Article 99. Teaching and research personnel.

1. The teaching and research staff of private universities and private centers attached to public and private universities shall be governed by the revised text of the Workers' Statute Law and its implementing regulations, as well as by the applicable collective bargaining agreements.

2. Such personnel must be in possession of the appropriate academic qualifications for the teaching of the different official university degrees.

3. Independently of the general conditions established in accordance with Article 4.3 and of the regulations that the Government may establish in this respect, in private universities and in private centers attached to public and private universities, the same percentage of the teaching staff holding a Doctorate or Doctorate degree must be in possession of the same degree as that required for public universities and, at least, 60 percent of the total number of their doctorate teaching staff must have obtained the positive evaluation of the ANECA or of the external evaluation body determined by the law of the Autonomous Community. For these purposes, the total number of teaching staff will be computed on the equivalent in full-time dedication of the teaching staff teaching the set of courses corresponding to the obtaining of an official university degree of Bachelor or Master's Degree.

4. The teaching and research staff, whose research activity is mainly financed with public funds, will make public a digital version with the final contents that have been accepted for publication in journals and other scientific publications, within the period provided for in Article 37 of Law 14/2011, of June 1.

Article 100. Economic and Financial Regime.

1. The economic-financial regime of private universities and private centers attached to public universities shall be governed, in general, by the provisions of the applicable regulations according to their respective legal nature, with the particularities set forth in the rules for the recognition of such universities.

2. Private universities and the services they provide shall be subject to the tax regime applicable to them according to their legal status and the services they provide.

3. Private universities shall dedicate a percentage of their budget of no less than 5 percent to their own research programs.

4. Private universities partially financed with public funds and private centers attached to public universities must implement an analytical accounting system or equivalent.

5. Within the framework of state regulations, the Autonomous Communities shall regulate the necessary inspection mechanisms for private universities and may require, for such purpose, any type of economic-financial information from them and from private centers attached to public universities.

Similarly, they may regulate transparency obligations in the management of private universities.

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

1. The Universidad Nacional de Educación a Distancia is an institution that is part of the Spanish university system, whose main purpose is the development of non face-to-face and hybrid academic activities, being its scope of action the whole of Spain and those places abroad where it can legally develop its activity.

2. The Cortes Generales and the Government shall exercise the powers that this organic law attributes, respectively, to the Legislative Assembly and to the Governing Council of the Autonomous Communities with respect to the National University of Distance Education.

3. The Government will regulate the particularities of the regimes of the teaching and research staff, of the technical, management and administration and services staff, as well as of the tutors, and the conditions of the associated centers of the Universidad Nacional de Educación a Distancia, promoting their relationship with the environment in which they are located.

Likewise, without prejudice to the provisions of article 56.3, it shall regulate its financing, taking into consideration the particularities of the National Distance Education University, whose budgets shall be included in the General State Budget. In any case, recourse to indebtedness by the Universidad Nacional de Educación a Distancia shall be authorized by the General State Budget Law. However, throughout the budgetary year, in order to meet temporary cash shortages, the Universidad Nacional de Educación a Distancia may resort to the contracting of credit policies or loans, in an amount that shall not exceed 5 percent of its budget, which must be cancelled before December 31 of each year.

4. In all other areas, the Universidad Nacional de Educación a Distancia will have the same rights and obligations as the rest of the Spanish public universities, and will be governed by the principle of university autonomy and by the provisions of its Statutes.

5. Within one year of the approval of this organic law, the Government will regulate the regime of the tutor teaching staff of the centers associated with the Universidad Nacional de Educación a Distancia (National University of Distance Education).

Second additional provision. *Menéndez Pelayo International University.*

1. The Menéndez Pelayo International University is an institution that is part of the Spanish university system, whose main purpose is to contribute to the generation, dissemination and diffusion of scientific, technological, humanistic and artistic knowledge through the organization of advanced courses and cultural activities, as well as the development of postgraduate and lifelong learning programs.

2. In accordance with its purpose and given its specific nature within the Spanish university system, the Menéndez Pelayo International University is an autonomous body attached to the Ministry of Universities, with legal personality and assets.

The company is fully capable of organizing the human and material resources to carry out its activities, with no other limitations than those established by law and the required quality criteria.

3. The Menéndez Pelayo International University will be governed by the principle of university autonomy in relation to the planning, organization and development of its academic activities. The collaboration of teaching staff from public universities for the development of the functions of the Menéndez Pelayo International University in the terms determined in its Statutes, will be compatible with the dedication of said teaching staff.

4. The economic and financial activity of the Menéndez Pelayo International University will follow an annual budget, which will be included in the General State Budget. The financing of the University will take into consideration the academic objectives defined and programmed. The economic-financial regime will be that established in Law 47/2003, of 26 November, General Budgetary Law, for autonomous bodies. The Delegated Intervention of the General Intervention of the State Administration will carry out the internal control of the economic-financial management of the Menéndez Pelayo International University.

5. Given its specificity, the Government shall regulate the mechanism for the election and appointment of the Rector of the Menéndez Pelayo International University.

6. The Menéndez Pelayo International University may enter into academic collaboration agreements with universities, higher education institutions, research institutions, organizations and entities, both national and foreign.

Third additional provision: *Other public universities with academic specificities.*

1. The creation of public universities with academic specificity shall be regulated by their law of creation, within the general principles established by this organic law, and shall be governed by the principle of university autonomy.

2. It will be the Autonomous Communities in whose territory they are located which, in the exercise of their powers in university matters, will regulate the mechanisms for the election and appointment of the Rector of these universities, as well as the mechanisms of governance and the economic and patrimonial regime.

Fourth additional provision. *Universities of the Catholic Church.*

1. In application of this organic law, 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, shall maintain their special procedures regarding the recognition of civil effects of curricula and degrees, insofar as they do not opt to become private universities.

However, these universities and their affiliated centers must adapt to the other requirements and conditions established by law in general.

2. Universities established or to be established in Spain by the Catholic Church after the Agreement between the Spanish State and the Holy See of January 3, 1979, and their affiliated centers, must comply with the conditions and requirements established in this organic law and in its regulatory norms of development and execution, specifically for private universities or in general for all universities.

Fifth additional provision. *Defense University Centers.*

1. The Defense University Centers, attached to a public university, will offer undergraduate degrees of the general education system, as well as studies leading to official postgraduate degrees, thus contributing to the training of future officers of the Armed Forces. Likewise, these Defense University Centers will develop lines of research considered of interest in the field of defense.

2. The Defense University Centers shall be governed, in addition to their own rules of organization and operation, by the provisions of this organic law, the basic state regulations and other applicable rules, as well as by the agreements contained in each assignment agreement.

3. All references made in this organic law to the Autonomous Communities and their bodies shall be understood to refer, in the case of the Defense University Centers, to the Ministry of Universities, which shall regulate the particularities of the teachings to be imparted, without prejudice to the competences of the Ministry of Defense regarding the regimes of the teaching and research staff and of the technical, management and administration and services staff of the Defense University Centers. To such effects, the figures of the teaching and research personnel in the University Centers of the Defense will be those contemplated in this organic law, together with those of the military personnel who meet the applicable requirements.

Sixth additional provision. *University Center of the Civil Guard and University Training Center of the National Police.*

1. The University Center of the Guardia Civil, attached to one or more public universities, will provide undergraduate and graduate degrees of the general education system, and will promote training activities that facilitate the civil guards to obtain undergraduate degrees. It will also develop lines of research considered to be of interest to public safety.

2. The University Training Center of the National Police, attached to one or more public universities, will provide undergraduate and graduate degrees of the general education system, and may promote training activities that facilitate members of the National Police Corps to obtain undergraduate degrees. It will also develop lines of research considered to be of interest to public safety.

3. The University Center of the Civil Guard and the University Training Center of the National Police shall be governed, in addition to their own rules of organization and operation, by the provisions of this organic law, in the basic state regulations and in the other rules applicable to them, as well as by the agreements contained in each assignment agreement. Likewise, the University Center of the Civil Guard shall be governed by the provisions of Law 29/2014, of 28 November, on the Civil Guard Personnel Regime and the University Training Center of the National Police by the provisions of Organic Law 9/2015, of 28 July, on the Personnel Regime of the National Police and its law of creation.

4. All references made in this organic law to the Autonomous Communities and their bodies, shall be understood to be made in the cases of the University Center of the Civil Guard and the University Training Center of the National Police, to the Ministry of Universities, which shall regulate the particularities of the teachings to be imparted, without prejudice to the competences of the Ministry of the Interior regarding the regimes of its teaching and research staff and technical, management and administration and services staff. To such effects, the figures of the teaching and research personnel in the university centers referred to in this article shall be those contemplated in this organic law, together with those of the military personnel who meet the requirements demandable for the University Center of the Civil Guard.

Seventh additional provision. *Colleges.*

1. The colleges are centers that, integrated into the University, provide housing for university students and promote cultural and scientific outreach activities that strengthen the integral formation of their students. These colleges are university institutions.

2. University halls of residence may only be managed and promoted by non-profit entities.

3. The universities, by means of their Statutes, shall establish the rules for the creation, suppression and operation of the colleges of residence of direct foundation, and the procedure for the affiliation of the affiliated colleges of residence, which shall enjoy the tax benefits or exemptions of the university in which they are integrated.

4. Private colleges of higher education that have a non-coeducational or segregated regime may not be attached to a public university. Those agreements that are in force at the entry into force of this organic law may be maintained until their expiration, but may not be renewed.

Eighth additional provision. *Non-university private higher education teaching centers.*

1. The Autonomous Communities, in the exercise of their powers, shall approve the criteria for the creation, suppression and operation of private higher education teaching centers in their territorial area that provide non-official education at a level similar to university level and that are not attached to any public or private university.

2. The names of non-university higher education degrees may not be used that may lead to confusion with the names of university degrees, both official and proper, especially those of lifelong learning, without prejudice to those established by Organic Law 2/2006, of May 3, 2006, on Education, for the teachings regulated therein, as well as by the legal system applicable to Artistic, Sports and Vocational Training teachings.

Ninth additional provision. *Tutorial functions in non-face-to-face universities.*

1. The non-face-to-face universities have their own teaching staff and, in certain cases due to their special characteristics, also collaborating teaching staff that carry out teaching support functions and carry out guidance and accompaniment activities for student learning, on a part-time basis, externally, with full independence and organizational autonomy, and with the contribution of the necessary means and their technical and professional experience. These collaborators must prove that their main activity is outside the academic university environment.

2. The non-face-to-face universities, promoted or participated by the public sector and which operate with public prices, in view of their special characteristics and needs, may avail themselves of the employment contracting modality for associate professors, under the terms in which this category of professors is regulated by Article 79.

3. Notwithstanding the provisions of Article 64.2, the teaching staff of public universities may perform tutoring functions in non-face-to-face universities, public or partially financed by the Autonomous Communities, and which operate with public prices.

Tenth additional provision: *Acquired rights of university degrees from previous academic ordinances.*

The university degrees of Diplomado Universitario, Arquitecto Técnico, Ingeniero Técnico, Licenciado, Arquitecto and Ingeniero will maintain their full academic, administrative and professional validity in the same terms in which they were established.

First Additional Provision Ten.1.

1. Upon request addressed to the Rector of the University, the civil servants holding a Doctorate from the Corps of University School Professors may join the Corps of University Professors in the same positions they occupy, maintaining all their rights, and the date of entry into the Corps of University Professors being calculated as the date of entry into the Corps of University Professors in the same position they had in the corps of origin.

Those who do not request such integration will maintain their status as university professors and will retain their full teaching and, where appropriate, research, knowledge transfer and exchange and innovation capacity.

Likewise, they may submit the application to obtain the accreditation for University Professor provided for in Article 69.

2. Full University School Professors who, at the entry into force of this organic law, hold the title of doctor or doctorate or subsequently obtain it, and are specifically accredited within the framework of the provisions of Article 69, will have direct access to the Corps of Full University Professors, in their own positions. For the accreditation of University Professors as Full University Professors, teaching will be particularly valued, as well as research and, where appropriate, management.

Those who do not accede to the status of Full Professor of University will remain in their current situation, maintaining all their rights and retaining their full teaching capacity and, where appropriate, research, transfer and exchange of knowledge and innovation.

3. The mobility requirement, referred to in Article 69.1, shall not apply to the teaching staff referred to in this additional provision.

Second Additional Provision Twelfth: *Social Security System for Associate, Emeritus, Visiting and Distinguished Professors and Lecturers.*

1. The application of the Social Security system to Associate Professors, Visiting Professors and Distinguished Professors shall proceed as follows:

a) Those who are civil servants subject to the passive class regime of the State will continue with their respective regime, without being registered in the general regime of the Social Security, due to their condition of teacher.

b) Those who are subject to the General Social Security Regime or to any special Regime other than that indicated in paragraph a) will be registered in the General Social Security Regime.

c) Those who are not subject to any mandatory social security system will be registered in the General Social Security System.

2. Emeritus Professors and Lecturers will not be registered in the general Social Security system.

Third additional tenth provision. *Qualifying titles for the exercise of a health profession or a specialty in Health Sciences.*

The university degrees, both official and proper, may not lead to confusion or coincide in their denomination and contents with those of the university degrees that enable the exercise of a health profession or with the specialist degrees in Health Sciences regulated in Law 44/2003, of November 21, on the regulation of the health professions.

Fourteenth additional provision. *Plan to increase public spending.*

The commission that will establish the public expenditure increase plan referred to in Article 55.2 shall be created within a maximum period of one year as from the entry into force of this organic law.

Fifteenth additional provision: *Guarantee of the scope of competence of the universities and the Autonomous Communities.*

The application and development of the provisions of this organic law shall respect the university autonomy constitutionally recognized in Article 27.10 of the Constitution, as well as the competences attributed to the Autonomous Communities by their respective Statutes of Autonomy.

Sixteenth additional provision. *Principle of "no significant harm".*

In accordance with the provisions of the Recovery, Transformation and Resilience Plan, Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021, establishing the Recovery and Resilience Mechanism, and its implementing regulations, the Communication from the Commission Technical Guide (2021/C 58/01) on the application of the "no significant harm" principle, as well as the requirements of the Council Implementing Decision on the approval of the evaluation of the Spanish recovery and resilience plan, all actions to be carried out in compliance with this organic law must respect the principle of not causing significant damage to the environment.

This obligation includes compliance with the specific conditions set forth in Component 21 "Modernization and digitalization of the education system, including early education from 0 to 3 years of age", in particular in Measure R3 "Comprehensive reform of the university system" of the Recovery, Transformation and Resilience Plan, in which these actions are framed.

Seventeenth additional provision. *Access to continuing education and lifelong learning degrees.*

Persons who do not have any university degree that qualifies them to access continuing education degrees and who can accredit work or professional experience with a level of competence equivalent to university academic training, may access university continuing education courses by means of a procedure for the recognition of professional experience.

First Transitory Provision. *Approval of the Bylaws, constitution of organs and unipersonal positions.*

1. The public universities shall have a maximum period of two years, as from the entry into force of this organic law, to approve the new Statutes and constitute the new Senate and Governing Council, in accordance with the provisions of this organic law.

2. The single-member elected officials who, upon the entry into force of this organic law, were in their first four-year term of office, may complete the same and stand for re-election for a non-renewable, non-extendable term of six years. In the case of those who are in their second four-year term of office, they may finish the same and, in accordance with the limitation of terms of office already applicable to them, may not stand for re-election.

3. Until the Statutes are adapted to the provisions of Article 51.1 and the University determines the merits of research, teaching and university management experience to be met by candidates for Rector, a minimum of three six-year research periods, three five-year teaching periods and four years of university management experience in some unipersonal position shall be required.

Second transitory provision. *Implementation of analytical accounting systems or equivalent.*

Public universities shall have a period of two years from the entry into force of this organic law, without prejudice to the autonomous regulation, for the implementation and start-up of the analytical accounting system or equivalent referred to in Article 59.4.

Third transitory provision. *Adaptation of current accreditations.*

1. The current accreditation of Assistant Professor Doctor or the equivalent figure in the regional regulations, will be considered as a preferential merit, during the four years following the approval of this organic law, for the purposes of access to the figure of Assistant Professor Doctor.

2. The current accreditation of Hired Doctoral Professor or the equivalent figure in the autonomous community regulations shall be valid for the figure of Permanent Labor Professor referred to in article 82.

3. The accreditation procedure for the position of Hired Doctoral Professor shall continue to be applicable until the provisions of Article 85, as well as the provisions of the fourth transitory provision, become effective.

Transitional provision four. *Adaptation of the new accreditations.*

1. ANECA and the regional quality agencies will have a period of one year from the entry into force of this organic law to adapt the criteria for accreditation as University Professor and Permanent Labor Professor to the duration of the initial stage of the academic career established by this organic law.

2. Within one year from the entry into force of this organic law, ANECA will agree with the quality agencies of the Autonomous Communities the agreements referred to in Article 69.1.

Transitional provision five: *Adaptation of certain current figures of labor teaching and research personnel.*

1. Teaching and research personnel with a temporary contract at the entry into force of this organic law will remain in the same situation until the termination of the contract and will continue to be subject to the specific rules that correspond to each of the contractual modalities in force at the time when their employment contract was entered into. In the case of visiting professors, the duration of the contract may not exceed two years from the entry into force of this organic law.

2. To professors who, at the entry into force of this organic law, are hired as Assistant Doctors and who, at the end of their contract, have not yet been hired for a period of three years.

The contract will be extended for an additional year if they have obtained the accreditation for the position of Permanent Labor Professor.

3. Those who, at the entry into force of this organic law, have an accreditation for University Professor or have initiated the procedure for obtaining it or are hired as Assistant Professor Doctor, Collaborating Professors on an indefinite basis or Hired Professor Doctor, will not have to accredit the requirement of mobility stays in universities and/or research centers referred to in articles 69 and 85. This same provision shall be applicable to interim Hired Doctoral Professors, as well as to other temporary hires with accreditation for these positions.

4. The professors who, upon the entry into force of this organic law, have a contract as a Hired Doctoral Professor will maintain the rights and duties set forth in the aforementioned contract. Upon application, the Hired Doctoral Professors may be integrated in the modality of Permanent Labor Professors, in the same positions they occupy, and the date of entry shall be calculated as the date of entry in the modality of origin. Likewise, the universities will promote stabilization processes to the position of Permanent Labor Professor for all those positions of interim Hired Doctoral Professor under the terms of Law 20/2021, of December 28th.

5. The public universities will promote competitions for positions as University Professors for the access of those hired Doctoral Professors who have achieved the corresponding accreditation as University Professor. This same provision shall be applicable to interim tenured professors.

6. Those who at the entry into force of this organic law are hired as Collaborating Professors and Lecturers in accordance with Organic Law 6/2001, of December 21, 2001, may continue to perform their teaching and research functions in accordance with the provisions of their contract.

7. Likewise, those who are hired as Collaborators on an indefinite basis, hold the title of Doctor or obtain it after the entry into force of this organic law and receive the positive evaluation referred to in article 82.a), will have direct access to the position of Permanent Labor Professor, in their own positions.

Sixth Transitional Provision. Adaptation of the teaching and research staff to the provisions of Article 64.

The majority of civil servant teaching staff established in Article 64.3 shall be met within the period provided for in Article 155.2 of Organic Law 2/2006, of May 3, regarding the plan to increase public spending on education.

Seventh transitional provision. Stabilization process for positions of Associate Professors and Lecturers in public universities.

1. Before December 31, 2024 and in accordance with the provisions of Law 20/2021, of December 28, the public universities shall articulate stabilization processes for the positions of Professors and Associate Professors, in accordance with the professional conditions and teaching dedication provided for in Article 79.b). The selection system in these processes shall be that of competition, guaranteeing the principles of equality, merit, capacity, publicity and concurrence, with the particularities of article 86.2. These positions shall not be included in the replacement rate.

The resolution of these processes shall not result, in any case, in an increase in the number of employees.

2. The contracts of Professors and Associate Professors in force at the entry into force of this organic law may be renewed under the same conditions and with the same teaching dedication until the positions are included in a stabilization process.

of those provided for in Law 20/2021, of December 28, and in any case before December 31, 2024.

3. Within the period established in the previous paragraph, and in the case of Associate Professor positions with a teaching dedication greater than that provided for in the aforementioned article 79.b), the public universities may articulate stabilization processes for these positions through specific actions that favor the transition of Associate Professor with a Doctorate degree to the position of Assistant Professor Doctorate.

Eighth transitional provision: *Adaptation mechanisms for certain teaching and research personnel at public universities.*

In accordance with the implementation of the plan to increase public spending on education for the period foreseen in article 155.2 of Organic Law 2/2006, of May 3, universities that have more than 20 percent of their teaching staff, calculated on a headcount basis, with employment contracts for substitute professors, visiting professors, distinguished professors and associate professors, excluding associate professors in the Health Sciences, will implement the following adaptation mechanisms:

a) They will establish as a preferential merit, in the competitions for access to the positions of Assistant Doctor or equivalent figures of the regional regulations, to have carried out teaching activities in Spanish public universities during at least five academic years of the last seven years through associate professor contracts or other contracts of a duration equal to or less than one year provided for in Organic Law 6/2001, of December 21. These universities will determine the number of positions subject to this regime and will link them to the departments and centers that exceed this percentage.

b) They will use the pre-doctoral contract modality for non-doctoral professors who have been linked to the university for at least five academic years of the last seven years through associate professor contracts or other contracts of a duration equal to or less than one year provided for in Organic Law 6/2001, of December 21.

c) They will establish a program for internal promotion to Permanent Labor Professor or equivalent figures of the autonomic regulations for those who, being hired on an indefinite basis and having the accreditation, have performed on the date of publication of the call teaching activities in Spanish public universities for at least five academic years of the last seven years through associate professor contracts or other contracts of duration equal to or less than one year provided for in the Organic Law 6/2001, of December 21. These promotion positions will not be counted for the purposes of the replacement rate.

Ninth transitional provision. *Stabilization process for technical, management and administration and services staff positions in public universities.*

Before December 31, 2024 and in accordance with the provisions of Law 20/2021, of December 28, the public universities must articulate stabilization processes for the positions of their technical, management and administration and services personnel. The selection system in these processes will be that of competition or competitive examination, guaranteeing the principles of equality, merit, capacity, publicity and competition. These vacancies will not be included in the replacement rate. The resolution of these processes shall not result, in any case, in an increase in the number of employees.

Tenth transitional provision. *Adaptation of the official degrees with dual mention prior to the legal regulation of the training contracting model in alternation.*

Universities that at the entry into force of this organic law have official degrees with dual mention, will have a transitional period until the academic year 2026-2027, for the adaptation of their training activity in the collaborating entity to the model of training labor contracting in alternation. All this, without prejudice to the application of article 11 of the revised text of the Law of the Statute of Workers to the university system.

First Tenth Transitional Provision:
Competitive examinations for the coverage of teaching and research staff positions.

The calls for the coverage of teaching and research staff positions officially published before December 31, 2023, may be governed by the regulations in force before the entry into force of this organic law.

Second Transitional Provision Twelfth Transitional Provision:
Adaptation of the regime of dedication of permanent teaching and research personnel.

The universities must adapt the regime of dedication of their permanent teaching and research staff to the provisions of this organic law for its application from the beginning of the 2024-2025 academic year. The provisions of the seventh transitional provision shall apply to associate teaching staff.

Sole derogatory provision. *Repeal of regulations.*

1. They are expressly repealed:

- a) Organic Law 6/2001, of December 21, 2001, on Universities.
- b) Organic Law 4/2007, of April 12, 2007, which amends Organic Law 6/2001, of December 21, 2001, on Universities, except for its second and fourth final provisions.
- c) Royal Decree-Law 14/2012, of April 20, 2012, on urgent measures to rationalize public spending in the educational field.

2. All provisions of equal or lower rank are likewise repealed insofar as they oppose the provisions of this organic law.

Amendment of Law 53/1984, of December 26, 1984, on Incompatibilities of personnel in the service of the Public Administration.

Paragraph 1 of article four of Law 53/1984, of December 26, 1984, on Incompatibilities of personnel in the service of the Public Administrations, shall read as follows:

"1. Compatibility may be authorized, once the remaining requirements of this organic law have been met, for the performance of a teaching position as an Associate University Professor on a part-time basis".

Second final provision: *Modification of Law 14/1986, of April 25, 1986, General Health Law.*

Article one hundred and five of Law 14/1986, of April 25, 1986, General Health Law, is worded as follows:

"Article one hundred and five.

1. Within the framework of the healthcare and teaching planning of the Public Administrations, the system of agreements between Universities and healthcare institutions may establish the linking of certain healthcare and public health positions of the healthcare institution with any of the modalities of university teaching staff.

2. In the case of the teaching staff of the university teaching bodies, the linked positions shall be filled by competition among those who have been selected in the competitions for access to the corresponding university teaching bodies, in accordance with their own rules.

Those who participate in the national accreditation processes, prior to the aforementioned competitions, in addition to meeting the requirements demanded in the aforementioned rules, shall certify that they hold the degree that enables them to practice the corresponding health profession and, if applicable, Specialist in Health Sciences, in addition to meeting the requirements regarding their qualification as determined by regulations.

The title of specialist in Health Sciences will be essential in the case of persons with a university degree in Medicine. Likewise, the commissions must evaluate the merits and academic and research record and those of the candidates' healthcare work, in the manner to be established by regulation.

In the commissions that resolve the aforementioned access competitions, two of its members will be chosen by public lottery by the corresponding health institution. These commissions shall evaluate the care activity of the candidates in the manner to be determined by regulation.

3. The associate professors shall be governed by the rules of the university's Associate Professors, with the exception of time dedication, with the peculiarities that are established by regulation regarding the temporary regime of their contracts. In addition to meeting the requirements demanded in the aforementioned rules, they shall comply with the requirements regarding their qualification as determined by regulations. Likewise, in the case of persons who hold the qualification that enables them to exercise the medical profession, they shall accredit that they hold the title of Specialist in Health Sciences."

Third final provision: *Modification of Organic Law 4/2000, of January 11, 2000, on the rights and freedoms of foreigners in Spain and their social integration.*

Organic Law 4/2000, of January 11, 2000, on the rights and freedoms of foreigners in Spain and their social integration, is amended as follows:

One. The heading of Chapter IV of Title II shall read as follows:

"CHAPTER IV

Fees for administrative authorizations and for processing visa applications and public prices".

Paragraphs 1, 2 and 3 of article 33 are reworded as follows:

"A foreigner whose sole or main purpose is to carry out one of the following activities of a non-working nature may be authorized to stay in accordance with the provisions of this law:

- a) Pursuing or furthering studies.
- b) To carry out research or training activities, without prejudice to the special regime for researchers.
- c) Participate in student exchange programs in any officially recognized public or private educational or scientific center.
- d) Non-work internships.
- e) Perform volunteer services.

2. The validity of the authorization will coincide with the duration of the course for which he/she is enrolled, of the research work, of the student exchange, of the internship or of the volunteer service. In the case of higher studies, in those cases in which the applicant is going to study for more than one academic year, the validity of the authorization will coincide with the official duration of the studies under the conditions to be determined by regulation, which will include the maintenance and verification of the requirements that gave rise to the granting of the authorization.

3. The authorization will be extended with a limit of one year in each extension in the terms and with the periods of each activity in accordance with its specific legislation as long as the holder demonstrates that it continues to meet the conditions required in the initial authorization and that it complies with the requirements demanded in general and those specific to each one of them."

Three. Paragraph 3 of article 44 shall be worded as follows:

"3. Public prices may be established for the provision of visa processing services by external service providers, in accordance with applicable regulations."

The first paragraph of paragraph 2 of the third additional provision shall be worded as follows:

"When the entitled person is in foreign territory, the presentation of visa applications and their collection shall be made in person before the diplomatic mission or consular post in whose demarcation he/she resides. Exceptionally, when the interested party does not reside in the town in which the diplomatic mission or consular post has its headquarters and there are proven reasons that hinder travel, such as remoteness from the mission or post or transportation difficulties that make travel particularly burdensome, it may be agreed that the visa application may be submitted by a duly accredited representative. Visa applications may also be submitted electronically by means of existing specific processing applications. They may also be submitted at the premises of an external service provider with which the Ministry of Foreign Affairs, European Union and Cooperation maintains a service concession contract, subject to the conditions provided for in Community regulations on visas."

Fourth final provision: *Modification of Law 33/2011, of October 4, 2011, General Law on Public Health.*

Law 33/2011, of October 4, 2011, General Law on Public Health, is amended as follows:

Paragraph a) of paragraph 2 of the seventh additional provision shall read as follows:

"a) The curricula corresponding to the official Master's degree in General Health Psychology shall guarantee the acquisition of the competencies necessary to perform the activities of the health profession of General Health Psychologist specified in section 1. To this end, the degree qualifying for the profession of General Health Psychologist shall accredit the passing of at least 180 ECTS credits of specifically health content in the set of university courses taken, in accordance with the specification to be determined by regulation."

Paragraph a) of paragraph 3 of the seventh additional provision shall read as follows:

"(a) The Bachelor's Degree in Psychology, which shall not, by itself, qualify for the practice of psychology in the health sector, shall constitute a necessary requirement for access to the Master's Degree in General Health Psychology, as well as any other official foreign university degree in Psychology that complies with the requirements established in Order CNU/1309/2018, of December 5, regulating the general conditions to which the curricula of the Degree in Psychology will be adjusted, in particular with regard to the compulsory subjects linked to Health Psychology."

Fifth final provision. *Modification of Law 14/2013, of September 27, of support to entrepreneurs and their internationalization.*

Law 14/2013, of September 27, 2013, on support for entrepreneurs and their internationalization, is amended as follows:

Paragraph 1 of the seventeenth additional provision shall now read as follows:

"1. Upon completion of studies at a higher education institution, foreigners who have reached at least Level 6 according to the European Qualifications Framework, corresponding to the degree accreditation, may remain in Spain for a maximum non-extendable period of twenty-four months in order to seek employment appropriate to the level of studies completed or to undertake a business project."

Paragraph 6 of the eighteenth additional provision shall be worded as follows:

"6. The period of validity of this residence authorization for internships shall be twelve months or equal to the duration of the internship agreement, if shorter. This authorization may be renewed only once, and the total period of the initial authorization and its extension may not exceed two years. In the case of an internship employment contract, the duration shall be that provided for therein governed by the labor legislation applicable at any given time."

Sixth final provision. *Competent title.*

1. This organic law is enacted pursuant to the 1st and 30th rules of Article 149.1 of the Spanish Constitution, which reserve to the State the exclusive competence for the regulation of the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights, as well as in 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, respectively.

2. Title IV, article 56.4, article 57.7 and articles 60, 61, 62 and 63, which are dictated under article 149.1.15.^a of the Constitution, which attributes to the State the promotion and general coordination of scientific and technical research, and the first final provision modifying Law 53/1984, of December 26, 1984, on Incompatibilities of personnel in the service of the Public Administrations; the second final provision modifying Law 14/1986, of April 25, 1986, General Health Law; the third final provision amending Organic Law 4/2000, of January 11, on the rights and freedoms of foreigners in Spain and their social integration; the fourth final provision amending Law 33/2011, of October 4, General Public Health, and the fifth final provision amending Law 14/2013, of September 27, on support for entrepreneurs and their internationalization, which are included in the powers

expressed in the laws subject to amendment.

Seventh final provision. *Nature of organic law.*

The following are of an organic nature: Article 1.2, Title I, Title II - with the exception of Article 5.4 -, Article 6 - with the exception of paragraph 2 -, Article 7.1 and 2, article 9 - with the exception of paragraphs 6 to 8-, article 11 -with the exception of paragraphs 4 and 5-, article 29, title VIII -with the exception of articles 32.2, 3, 4 and 5, 33.o) and 37.2-, title X, the fourth, eighth and ninth additional provisions and the third final provision, paragraphs two and four.

Eighth final provision. *Enabling regulations.*

The Government is empowered to issue, within the scope of its competences, the necessary provisions for the application, execution and development of the provisions of this organic law.

Ninth final provision: *Bases regulating the system of agreements between universities and health institutions.*

1. It is incumbent upon the Government, at the proposal of the heads of the Ministries of Universities and Health, following a report from the Council of Universities, to establish the general bases for the system of agreements between the universities of the Spanish university system and the health institutions and health establishments in which university education is to be provided, for the purpose of guaranteeing the practical teaching of the degrees in Health Sciences that so require.

2. These general bases will provide for the participation of the Autonomous Communities in the agreements signed between universities and health institutions.

Tenth final provision. *Statute of teaching and research personnel.*

Within six months of the entry into force of this organic law, the Government will submit to the Congress of Deputies a draft law on the statute of university teaching and research personnel.

Tenth final provision one.
degrees.

Recognition of civil effects of certain academic

1. The Government, at the proposal of the heads of the Ministries of Universities and of the Presidency, Relations with the Courts and Democratic Memory, in application of the provisions of the Cooperation Agreements between the State and the Federation of Evangelical Religious Entities of Spain, approved by Law 24/1992, of November 10, the Federation of Israelite Communities of Spain, approved by Law 25/1992, of November 10, of November 10, and the Islamic Commission of Spain, approved by Law 26/1992, of November 10, 1992, will regulate the conditions for the recognition of civil effects of the academic titles relative to teachings of university level, of theological character and of formation of ministers of cult, given in educational centers of superior level dependent on the mentioned religious entities.

2. Likewise, other agreements may be recognized provided that they include this possibility.

Twelfth Final Provision.

Entry into force.

This organic law shall enter into force on the twentieth day following its publication in the Official Gazette. "Boletín Oficial del Estado".

Therefore,
I command all Spaniards, individuals and authorities, to keep and enforce this organic law.

Madrid, March 22, 2023.

FELIPE R.

The President of the Government,
PEDRO SÁNCHEZ PÉREZ-CASTEJÓN