



Ministry of Education Youth and Sports

No: 1435 អយក.ប្រក

Prakas

On

Conditions and Detail Criteria on the Establishment of Higher Educational Institutes



Senior Minister, Minister of the Ministry of Education Youth and Sports

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen the Royal decree NS/RKT/0704/124 dated July 15, 2004 on the formation of the Royal Government of the Kingdom of Cambodia
- Having seen the Law on Organization and Functioning of the Council of Ministers, promulgated by Kram 02/NS/94 dated July 20, 1994
- Having seen the Law on Establishment of the Ministry of Education Youth and Sports, promulgated by Kram NS/RKM 0196/01 dated January 24, 1996
- Having seen Royal decree NS/RKT/0303/129 on the Recognition of Accreditation of Higher Education
- Having seen Sub-decree 21 ANKr.BK on the Organization and Functioning of the Ministry of Education Youth and Sports dated March 23, 1998
- Having seen Sub-decree 01 ANKr.BK on the Organization and Management of Higher and Specialized Education Institutes dated January 20, 1992
- Having seen Sub-decree 54 ANKr.BK on the criteria of formation of University dated June 13, 2002
- Necessity of the Ministry of Education Youth and Sports

Hereby Decides
Chapter I
General Provisions

Article 1:

The purpose of this Sub-decree is to define detail criteria and conditions on the establishment of both public and private higher educational institutes in the Kingdom of Cambodia.

Article 2:

Legal public or private and/or physical personnel bear rights in proposing the establishment of higher educational institute.

Article 3:

Higher educational institutes shall be granted approval before the selection of students and its process.

Chapter II
Conditions and Detail Criteria in Establishment of Higher Educational Institutions

Part 1

General Conditions

Article 4:

Legal public or private and/or physical personnel intended to establish higher educational institutions shall respect and fulfill below conditions:

- Identification of name, trademarks and type of the higher educational institution
- Identification of mission of the higher educational institute
- Preparation of management and governance
- Curriculum and Teaching preparation
- Preparation of Teaching and Administrative personnel
- Preparation of location, buildings and basic physical materials
- Preparation of strategic plan and finance

Part 2

Name, Trademarks and Type of Higher Educational Institution

Article 5:

The name of the higher educational institution shall be clearly defined and not overlap or derived from the name of other higher educational institution.

Article 6:

Trademarks of the higher educational institution shall be clearly defined and not overlap or similar to the trademarks of other higher educational institution.

Article 7:

Type of higher educational institution shall be clearly defined in accordance to the sub-decree 54 ANK.BK dated June 13, 2002 on the criteria on the establishment of the university.

Part 3

Mission

Article 8:

Mission shall be clearly and properly defined contribute to the development of human resources possess of knowledge, know-how and morality. This mission shall be connected to the type of higher educational institution, the development of Cambodian society, demands of labor market as well as maintaining and promoting of culture and national identification.

Part 4

Management and Governance

Article 5:

There are two types of higher educational institution i.e. University and Institute. Educational structure of a university shall consist of colleges and departments in which subordinate to the subject colleges. A college shall consist of at least three (3) departments. An institute is a combination of a specialization or various.

Article 10:

Higher educational institution shall consist of office or some sectors to guarantee the process following works:

- Administration and Staffs
- Planning and Financial
- Studies and Student's affairs
- Research and Extension

- Cooperation and
- Other works as required by the higher educational institutions

Article 11:

Higher educational institution shall be lead by a Board of Director. For higher educational institution preparation of Board of Director shall be complied with Royal Decree NS/RKT/1297/91 on the judicial conditions of public administration institute. Preparation of a new Board of Director of private higher educational institution shall be approved by the Ministry of Education Youth and Sports. Board of Director of the private educational institution shall possess of five (5) members of the following components:

- Shareholders or representative
- Representative of staffs/lecturers
- High dignitary of higher educational knowledge and management experiences

Where there is a change of member of the Board of Director, Chairman of the Board shall inform to the Ministry of Education Youth and Sports.

Article 12:

Higher educational institution shall govern by a rector or director and amount of vice-rectors due to the necessity.

A college is governed by a dean and amount of vice-dean due to the necessity.

Department or office or sector shall lead by a chief and some vice-chief due to the necessity.

Article 13:

Nomination of officers at all level in the higher educational institution shall be complied to the Law on the Common Statute of Civil Servants and/or other principles defined by the Royal Government of Cambodia.

Article 14:

Rector or director of a higher educational institution shall be nominated by the Board of Director and submitted a list of name to the Ministry of Education Youth and Sports to be informed. Nomination other staffs at different level in the higher educational institution shall be done by rector or director with approval of the Board of Director. Above nomination shall be complied with the internal regulations of such higher educational institution.

Article 15:

Managing personnel in the higher educational institution shall possess of the following competencies:

A- Rector or Director:

- Certificate of Master Degree issued by higher educational institution recognized by the government or accreditation committee of the subject country
- At least five (5) years experiences in higher educational sector and/or management
- Good moral and not in connection to any illegal acts

B- Dean and Department Chief:

- Certificate of Master Degree issued by higher educational institution recognized by the government or accreditation committee of the subject country
- At least three (3) years experiences in teaching at higher educational institution and/or management
- Appropriate skill to the managed college or department
- Good moral and not in connection to any illegal acts

Article 16:

Roles, responsibilities and management structure of the higher educational institution shall be clearly defined to ensure quality, effectiveness and transparency of the training and management. Identification of roles, responsibilities and management structure shall be complied with the judicial norms of the Ministry of Education Youth and Sports.

Article 17:

Statutes, internal regulation and other standards shall be defined to ensure the functioning and management of the higher educational institution. The statutes, internal regulation and standards consist of:

- Statutes of higher educational institutions
- Internal regulation for Board of Director
- Staffs and Lecturers Internal Regulation
- Internal Regulation for students
- Internal regulation and other standards as necessary deem required by the higher educational institution.

Statutes, internal regulation and those standards shall be complied with the judicial norms of the Ministry of Education Youth and Sports.

Part 5

Training Curriculum and Teaching

Article 18:

A technical committee and clear principles shall be established for the development of training curriculum of the higher educational institution.

Article 19:

Development of training curriculum shall be complied with the mission of the higher education institution and the declaration 04/04 K.T.K.SSR dated November 19, 2004 on the implementation of training program through credits and credits transfer system of the Accreditation Committee of Cambodia.

Article 20:

Training curriculum shall possess of purpose, description and integrated structure of each subject. Each subject of the training curriculum shall possess of purpose, description and number of credits.

Article 21:

Computer and any language course shall be added to the training curriculum. There should be enough lecturers for each subject of the training curriculum in respective colleges, textbook and other relevant references documents. All level of the training curriculum of the higher education institution shall be approved by the Ministry of Education Youth and Sports.

Article 22:

Any higher education institution granted license for the operation and supposed to provide foundation training at this beginning is not allowed to recruit students to attend besides this foundation courses.

Institute granted license for the operation and does not have foundation training program can recruit students of foundation certificate or qualified certificate to attend 2nd year of Bachelor degree but is not allowed to recruit students for the 3rd and 4th year at this beginning.

Article 23:

Higher education institution wishes to propose training in Master or doctoral degree unless such institution has at least graduated first batch of bachelor or master degree and shall have a report to demonstrate the firmness and progress of the institution.

Part 6

Administrative Staffs and Lecturers

Article 24:

Higher education institution shall have criteria and principles in recruiting and developing of administrative staffs and lectures conforms to the law in force.

Article 25:

Higher education institution shall have full time lecture at least 25% of the total lecturers. A full time lecturer of a higher education institute or a full time staff of an entity can not be a full time lecture at another higher educational institution.

Article 26:

Ratio between lecturer and students is 1:30. A lecturer at the higher education institution can not teach more than three (3) subjects per semester. Those subjects should be conformed to the skills and qualifications of the lecturer. Maximum teaching hour for a lecturer at the higher education institution is twenty four (24) hours per week.

Article 27:

Lectures at higher education institution shall own higher certificate than teaching subject at least one level. For those lecturers bear certificate at the same teaching level shall possess teaching experiences and/or professional experiences of at least three (3) years. For inexperienced bachelor holder can be an assistant lecturer.

Article 28:

Higher education institution shall submit list of lectures to higher educational department of the Ministry of Education Youth and Sports by the end of first semester of each academic year.

Part 7

Location Buildings and Basic Physical Equipments

Article 29:

The location shall occupy of good learning environment of appropriate land area for building, experimental room, workshop, canteen, parking lot and leisure arena.

Article 30:

The construction work shall be done with master plan, location plan and building construction plan of classroom, administration room, experimental room, library, canteen, dormitory, exercise room and playground. Location and construction plan shall be indicated with legal architecture and

engineer, detail budget, construction duration and detail layout of water, electric and sewage system, security and other system connecting to the building.

Article 31:

Higher education institution shall have enough buildings, classrooms, administration office, meeting room, computer lab, experimental room, lecturer room, rest room, water and electricity in responding to the mission and recruitment planning of the higher education institution. The building should be clearly divided between college and/or department. The buildings and rooms shall be conformed to pedagogical standards in which of light, good ventilation, no disturbing noise and in a safety manner.

Article 32:

Land areas and buildings shall be verified with rights of possession and uses of those lands. In case that it was rent from other possessors, the rent duration shall be at least five (5) years.

Article 33:

Higher education institution shall be equipped with enough modern tangible equipment and learning resources to support to the training curriculum.

Article 34:

Library shall be properly established to serve learning and research works of the students and lecturers and consists of the following:

- Enough space for keeping and arrangement of textbooks and other documents
- Space or room availability for library staffs
- Proper and available space for reading regarding to the number of students
- Necessary furniture and other equipments serving the needs of the library
- One librarian at least with minimum certificate of bachelor degree and undertook training in library sector, at least two assistants with minimum certificate of associate degree
- Universal recognized system on the arrangement of textbooks and related documents
- Internal regulation for the library
- Minimum opening hours shall be equaled to learning hours
- Reserving at least two different textbooks of the same subject. Each subject shall have at least five textbooks. Those textbooks shall have a minimum lifespan of ten years.
- Magazines, bulletins, newspapers and other educational documents for at least two sets in each subject.
- A program to help/support students to effectively uses of the library

- Photocopies machine for the uses of students and lecturers

Article 35:

The institutional shall be equipped with internet and computers for the uses of students and lecturers. Ration of computers and students is 1:4 for a related computer subject. For non-computer based subject, the institutional shall prepare appropriate computers to the increasing number of students and the training program.

Article 36:

In the computer room shall be equipped with printer machine for the uses of students and lecturers. There shall be one printer in a room of less than twenty computers and two printers for a room of more than twenty computers. There should be no more than thirty computers in a room.

Part 8

Strategic plan and Financial Aspects

Article 37:

There should be long term, medium term strategic plan and annual action plan to effectively develop higher education institution with quality and sustainability. The preparation of the plan shall be conformed to mission and resources of the higher education institution.

Article 38:

There should be long term financial plan and annual budget plan for the operation and development of the higher education institution.

Article 39:

Every year, two months by the end of the second semester the higher education institution shall submit three copies of annual report to the Ministry of Education Youth and Sports.

Chapter III

Proposed documents/Application on the establishment of Higher Education Institution

Article 40:

Two copies of proposed documents on the establishment of higher education institution shall be submitted the Ministry of Education Youth and Sports in which contain of the following:

- Application forms on the establishment of higher education institution to Minister of the Ministry of Education Youth and Sports clearly stated of purposes, level and training subject
- Management and governance documents attached with management structure, related internal regulation and standards
- A resume of rector, director, dean, department and office chief with the indication of certificate, skills and work experiences and a competent copies of original certificate
- Detail training curriculum of each level and skills
- A report on the location, area, building and other physical infrastructure
- A report of basic equipments such as tables, chairs, whiteboards, computers, textbooks, educational documents, materials and other equipments
- A list of staffs/lecturers with the indication of certificate, skills, work experiences and the attachment of resume and competent copies of original certificate and employment contract between rector/director with staffs/lecturers
- Long term, medium term plan and annual action plan of the higher education institution
- Conditions and Rules in appointment of rector

Chapter IV

Opening of branches, new college, new skills and/or new training level

Article 41:

Opening/establishing of new branches, new college, new skills and/or new training level shall be complied with the conditions and detail criteria stated in chapter 2 of this declaration.

Article 42:

Proposed documents/application on the opening/establishing of new college, new skills and/or new level of training shall be conformed to the contents chapter 3 stated in this declaration.

Chapter V

Monitoring and Evaluation

Article 43:

Higher education institution shall have an office or section of internal education quality assurance to make self-evaluation on the implementation of teaching, learning, research and other activities to the mission and objective set.

Article 44:

Concerned departments of the Ministry of Education Youth and Sports shall have mechanism in monitoring and evaluation the performance of higher education institution conforms to the criteria stated in this declaration to ensure and promote the quality and effectiveness of education in higher education institution.

Chapter VI

Final Provision

Article 14:

Any provisions that are contrary to this declaration shall be deemed abrogated.

Article 15:

General Directorate of Higher Education, General Directorate of Administration and Finance, Department of Higher Education, Department of Science Research, concerned departments and higher education institutions shall effectively implement this declaration from the date of signature.

Phnom Penh, 12 September 2007

Senior Minister, Minister of Ministry of Education Youth & Sports

Receivers:

- Council of Ministers
- Accreditations Committee of Cambodia
- Subordinated entities under MoEYS
- Association of Higher Education Institutions
 “To be informed”
- As in article 46 “To be implemented”
- Documentations

Kol Pheng