

Students' Rights Law – 2007

Part I: Explanations

Definitions

1. In this law:

“Student union” is defined as the body elected by the students in accordance with the procedures described in Part IV.

“The Council for Higher Education” refers to the Israeli Council for Higher Education which is defined in the Council for Higher Education Law – 1958¹ (hereinafter referred to as the Council for Higher Education Law).

“Institution” refers to any one of the following:

- A. An institution which is accredited in accordance with clause 9 of the Council for Higher Education Law;
- B. An institution which has received a permit in accordance with clause 21a of the Council for Higher Education Law;
- C. An institution which grants degrees that are accredited in accordance with clause 28a of the Council for Higher Education Law;
- D. An institution which has received a license in accordance with clauses 25c and 25d of the Council for Higher Education Law or a temporary license in accordance with clause 25i of the Council for Higher Education Law;
- E. An institution for training engineers and technicians which is under the jurisdiction of the Ministry of Industry, Trade and Labor;
- F. An institution for training educational personnel in Israel;
- G. An academic preparatory program at one of the institutions listed in clauses A-F.

“Applicant” refers to an applicant to study at an institution.

“Student” refers to a student at an institution.

“Application for studies” refers to an applicant’s formal request to be accepted to study at an institution.

“The minister” refers to the minister of education.

Part II: Basic Principles

Goal

2. The goal of this law is to set out the principles regarding the right of the Israeli citizen and the Israeli resident to have access to higher education and the principles regarding

¹ Israel Code 1958, p. 191. (Hebrew)

the rights of the student out of recognition for Israeli society's commitment to these rights and to equality of opportunity in higher education.

The Right to Higher Education

3. All Israeli citizens and residents have the right to an equal opportunity to be accepted to study at an institution in order to obtain a higher education and a post-high-school education, in accordance with this law.

Ban on Discrimination

4. A. An institution will not discriminate against applicants or students due to their ethnicity, country of origin, parents' country of origin, socioeconomic status, religion, nationality, sex or place of residence in all of the following:
 1. Application and admission to study at the institution;
 2. Admission to fields of study; and
 3. Admission to special study tracks.
- B. The existence of separate institutions or programs of study for men and women for religious reasons will not be considered discrimination under clause 4A. The existence of special, separate study tracks to advance specific sectors of the population and easier admissions standards in accordance with clause 9B will not be considered discrimination under clause 4A.
- C. Application forms for academic programs will not require applicants to provide information regarding their country of origin, parents' country of origin, religion or nationality. This clause does not intend to prevent requests for this information on a separate form, with the applicants' consent, and on applications to programs for men and women that are operated separately for religious reasons, applications to separate study tracks to advance specific sectors of the population, or in the case of easier admissions standards in accordance with clause 9B.

Freedom of Expression for Students

5. Without prejudice to the rights granted by law, all students have the right to express their opinions, positions and worldview regarding the content of the study material and the values conveyed in it. This clause does not limit an institution's right to organize the process of expressing one's opinions, positions or worldviews in order to guarantee the proper functioning of the educational process.

Freedom of Organization for Students

6. All students have the right to organize and demonstrate over any topic or issue, including issues related to students and their rights, in accordance with the rules that each institution sets in its regulations.

Realization of Rights

7. An institution will not prevent an applicant or student from realizing the rights described in parts II-V of this law.

Publication of the Provisions of the Law

8. A. An institution will publicize the provisions of this law at the beginning of the academic year on its website (if it has one), in its yearbook or handbook, and on bulletin boards in a central location at the institution's facility.

- B. The head of an institution will bring the gist of this law to the attention of all of the institution's faculty members and administrative staff in writing at the beginning of each academic year.

Part III: Applying for Studies, Acceptance to Institutions and Provisions Regarding Studies

Admission Criteria

- 9. A. The admission criteria an institution sets will not discriminate against applicants and will be based on standards that the institution sets for different areas of study and academic tracks. The provisions of this clause are not intended to impinge upon the provisions of the Council for Higher Education Law.
- B. Despite what is written above in clause 9A, an institution has the authority to ease admission standards in order to facilitate access to higher education for applicants from certain sectors of the population, including from certain socioeconomic groups.

Application Fee

- 10. There will be a fee for applying to study. It will be a uniform fee that will not exceed NIS 350. The amount mentioned in this clause will be linked to the consumer price index that the Central Bureau of Statistics publishes regularly at times the minister will set in regulations and will be publicized by the institutions.

Provision of Information by the Applicant

- 11. A. An applicant to an institution will act in accordance with the institution's requests and provide it with all documents and other information required for the institution's application and admissions process, in accordance with the provisions of clause 4C.
- B. An institution will not make any use of the documents and information mentioned above in clause 11A other than that needed for the admissions process of the applicant or another use which has been approved by the applicant.

Right to Choose a Field of Studies

- 12. Applicants have the right to choose the field of studies in which they enroll, based on their personal inclinations and interests. They will not have to face restrictions and admission criteria that violate the provisions of this law.

Student Card

- 13. An institution or a student union acting on its behalf will issue a student card (hereinafter a student card) to each student at the institution. The student card will serve as the student's identity card for realizing his or her rights in accordance with this law.

Scholarships

- 14. Scholarships granted by an institution will be awarded based on criteria that are brought to the attention of the institution's student body and of applicants to the institution. In awarding scholarships, priority will be given to awarding financial aid based on socioeconomic criteria and academic achievement and scholarships based on excellence. The provisions of this clause are not intended to hinder the awarding of scholarships based on other criteria.

Exams and Papers

- 15. A. An institution will publish the times of all final exams for different courses (hereinafter in this clause exams) around the time of registration for courses. All changes in the exam schedule will be brought to students' attention.

- B. Undergraduate students have the right to take each exam, including exams for required courses, on two dates that are set by the institution in the year that students take the course, regardless of the students' achievements on previous exams in the same conditions and without infringing upon the students' rights. This right will be realized in accordance with an institution's operating procedures, including those regarding registering for an exam and the determining grade.
- C. An institution will make it possible for students to examine all exam booklets for exams they have taken and all final papers they have written after they were graded and their grades publicized. The students also have the right to receive a copy of them in exchange for the cost of producing a copy.
- D. Students have the right to appeal their grades on exams or papers, as written in clause 15C, and to examine exam booklets or papers prior to filing an appeal.

Right to Temporarily Suspend Studies

- 16. Students have the right to temporarily suspend their undergraduate studies for a period of up to two academic years, without these years being counted in the number of years it takes to complete their studies. Students must inform the institution of their decision to temporarily suspend their studies in accordance with the institutions' operating procedures for doing so.

Behavioral Code and Disciplinary Regulations

- 17. An institution will establish and publicize, in accordance with the provisions of this law, a behavioral code for the behavior of applicants and students regarding their studies at the institution, including behavior during class and while at the institution's facilities, as well as in the student dormitories. The behavioral code will include disciplinary regulations that detail the expected punishments for violating the behavioral code (hereinafter disciplinary infractions).

Disciplinary Committee and Appeals Committee

- 18. An institution will establish a disciplinary committee and an appeals committee to try disciplinary infractions and will publicize their composition. The appeals committee will be composed of representatives of the institution's faculty and student union; if the institution does not have a student union, the committee will include representatives of the institution's students.

Disciplinary Procedures, Right to Present One's Case and Right to Appeal

- 19. A. A disciplinary committee or an appeals committee will not convene without the participation of the student whose actions are being considered unless the student waived this right in advance or was invited to the hearing and did not show up for reasons that are not justifiable.
- B. Neither applicants nor students will be convicted of a disciplinary infraction before receiving the opportunity to present their case, in accordance with the institution's procedures, and will not be suspended from studies unless they receive the opportunity to present their case before a disciplinary committee and the right to appeal the decision to the appeals committee.

Part IV: The Student Union as an Institution

Student Union Elections

- 20. An institution will facilitate elections for a student union at the institution at a set time in coordination with the institution's administration.

Student Union Regulations

21. The student union will operate in accordance with the student union regulations that will be publicized to the institution's entire student body and will be available for students to examine at the student union's office.

Part V: Commissioner of Student Complaints

Commissioner of Student Complaints

22. Each institution will have a commissioner of student complaints. All applicants to and students at an institution have the right to lodge a complaint with the commissioner of student complaints or another body at the institution that is authorized to clarify complaints (hereinafter the commissioner) if they think that the rights they are guaranteed in this law have been infringed upon, including the disciplinary process described in Part IV, or that the institution's academic or administrative staff did not treat them appropriately. The commissioner will check and clarify all complaints that he or she receives and respond to the complainant. The commissioner is authorized to pass on his or her recommendations regarding the complaint to any authorized body at the institution and also will report to the head of the institution every year on his or her activities to clarify the complaints submitted that year.

Part VI: Various Provisions

Upholding the Law

23. The provisions of this law do not hamper the provisions of any other law, including the 1998 law guaranteeing equality to people with limitations.²

Implementation and Amendments

24. The minister is responsible for implementing this law and has the authority to amend it in any way related to its implementation, provided that the amendments that effect institutions under the jurisdiction of the Ministry of Industry, Trade and Labor are made with the consent of the minister of industry, trade and labor.

Amendment to the Law for Higher Education

25. The end of clause 25a of the 1958 Law for Higher Education³ will be amended to read, "in addition for the issue of being accepted for a job, the rank of an employee and his rank, salary and employment conditions."

² Israel Code 1998, p. 152. (Hebrew)

³ Israel Code 1958, p. 191; 2006, p. 322. (Hebrew)

Amendment to the Income Tax Code

26. In the Income Tax Code⁴:

- 1) In Clause 40c:
 - (a.) Subsection will be replaced with:

“(a) in calculating the taxes of an individual who is an Israeli resident (hereinafter an individual), one tax credit will be given if the individual is a candidate to receive an undergraduate degree from an institution of higher education and one half of a tax credit if the individual is a candidate to receive a graduate degree from an institution of higher education.”
 - (b.) In subsection (b), the words “one half of a tax credit as written in this clause” will be replaced by the words “one tax credit or one half of a tax credit as written in this clause, depending on the case.”
 - (c.) In subsection (c), the words “one half of a tax credit” will be replaced by the words “one tax credit” and the phrase “and in return” by “and one half of a tax credit as written in this clause in return.”
 - (d.) (1) In paragraph (1), the words “one half of a tax credit in five tax years” will be replaced by the words “one tax credit in three tax years and one half of a tax credit in two tax years.”

(2) In paragraph (2), the words “one half of a tax credit as written in paragraph (1)” will be replaced by the words “one tax credit.”
 - (e.) In subsection (e), the words “one half of a tax credit as written in this clause” will be replaced by the words “one tax credit or one half of a tax credit as written in this clause, depending on the case.”
- 2) In clause 40e, the final clause that begins with the words “to half of a tax credit” will be replaced by “to select whether to take into account in calculating his taxes one tax credit or one half of a tax credit, depending on the case, in accordance with clause 40c, or one half of a tax credit in accordance with clause 40d.”

Date of Implementation

27. A. This law, with the exception of clause 26, will take effect on September 1, 2007.

⁴ Laws of the State of Israel, New Version 6, p. 120; Israel Code 2007, p. 143. (Hebrew)