

## Law of Georgia on Vocational Education

### Chapter I. General Provisions

#### **Article 1. Purpose and Scope of the Law**

1. The purpose of this Law is to develop vocational education system of the country and to define and support the implementation of state vocational education policy.
2. The Law defines the legal framework of vocational education system, sets the basic principles of vocational education management and the legal basis for work in the vocational education, and regulates other main issues related to this field.

#### **Article 2. State Policy Goals in the Field of Vocational Education**

1. State Policy Goals in the Field of Vocational Education are:
  - a) Support economic development of the country;
  - b) Support social inclusion, personal and professional development of an individual;
  - c) Support life-long learning;
  - d) Approximation and compatibility of the vocational education system of Georgia with a single European educational space;
2. In order to achieve the State Policy Goals in the field of vocational education, the State will ensure:
  - a) Equal access to vocational education for all;
  - b) Diverse forms of teaching-learning (work-based teaching and more) and innovative approaches, including technical development;
  - c) Ensuring linkage of vocational education to general, higher education, and flexibility of vocational education system;
  - d) Meeting the current and future requirements of labor market and preparing an individual for employment and entrepreneurial activity;
  - e) Development of National Qualification Framework, creating non-formal education recognition mechanisms; development of credit accumulation and transfer system;
  - f) Development of internal and external mechanisms for vocational education quality assurance;
  - g) Support person's compatibility on the labor market through professional training and re-training;
  - h) Support social partnership in the field of vocational education;
  - i) Development of professional orientation, consulting and carrier planning system in the formal education;
  - j) Development of the system of vocational education teacher preparation, their professional development and carrier advancement;
  - k) Support the mobility of vocational education students and teachers;
  - l) Sharing and implementation of the best international practices.

#### **Article 3. Definition of Terms**

The terms used in this Law have the following meaning:

- A) authorization – the procedure of acquiring the status of a college in order to meet the standards necessary for the implementation of the relevant activities to issue documents certifying education, recognised by the state;
- B) Informal education - a part of a lifelong learning system that implies acquisition of "knowledge and understanding" and / or "skills" and / or "liability and autonomy" beyond formal education.
- C) Associate degree - qualification, which is awarded to the person upon successful completion of the short cycle educational program and accumulation of the number of relevant credits;

- D) Diploma – a document confirming the qualification awarded by an authorized institution;
- E) Appendix to the Diploma/Certificate – a document, issued by the educational institution together with the Diploma/Certificate to certify the content of the education received by the vocational student;
- F) Inclusive vocational education - equally accessible educational process within the scope of which all vocational students and trainees are educated in accordance with the individual educational needs and possibilities;
- G) Individual curriculum - the curriculum tailored to the needs of vocational students or trainees (including special educational needs and / or disabilities of a vocational student or a trainee) aimed at reaching the program learning outcomes, which is based on the vocational education program / short-cycle educational program / vocational training / retraining / state language training program and along with other elements describes the learning outcomes of vocational student and trainee and sets individual ways to reach those outcomes;
- H) Qualification - formal outcome of assessment and confirmation of the achievement of the learning outcome by the authorized institution (s) which is confirmed by State-recognized Certificate, by the state document confirming higher or vocational education – Diploma, or by the state document certifying the general education;
- I) Competence - the ability to adequately utilize learning outcomes in the relevant context (in the process of study or activity, in personal and professional development);
- J) Credit - a unit that includes a combination of confirmed learning outcomes that may be recognized in accordance with the legislation of Georgia, in order to receive one or more qualifications;
- K) Module - a component within the vocational educational standard or developed independently, which combines logically related learning outcomes, and describes ways of their achievement, means and conditions of confirmation;
- L) Short-cycle education program - the program of generalized learning outcomes relevant to the fifth level of National Qualifications Framework, which is based on vocational educational standards and is linked to bachelor's degree program or the seventh level of National Qualification Framework, which also achieves the sixth level of the generalized learning outcomes of National Qualifications Framework;
- M) Trainee - a person studying at the vocational training and / or retraining program and / or state language training program;
- N) Mobility of a vocational student - free movement of vocational students to participate in the learning process both in Georgia and abroad accompanied by recognition of education, credits or qualifications received during the study period;
- O) Vocational education - education that ensures development of person's competence / competences which is required for a specific profession and / or labor market and is directed towards the lifelong professional, social and personal development of a person;
- P) Profession standard - a combination of tasks and responsibilities related to a particular profession;
- Q) Vocational education standard - a document that defines qualification / qualifications to be granted, number of credits required for the relevant qualification / qualifications, learning outcomes to be achieved, the combination of those modules the learning outcomes of which are necessary to achieve for the qualification / qualifications to be granted, and prerequisites for admission and implementation of the relevant education program/programs, as well as the areas of employment and requirements for development and implementation of educational program / programs (if any);
- R) Vocational education program - a combination of learning objectives, learning outcomes, module / modules, relevant credits, teaching methods, assessment forms and organizational characteristics. The vocational education program is completed with awarding the qualification relevant to the 3<sup>rd</sup> / 4<sup>th</sup> / 5<sup>th</sup> level of National Qualification Framework and issuance of the diploma;
- S) Document certifying vocational education - diploma and certificate;

T) Vocational education institution / college - legal entity that pursuant to the rules of Georgian legislation is authorized to carry out vocational education programs, short cycle educational programs, professional training and retraining programs, as well as state language programs;

U) Vocational student - a person studying at vocational education program or a short cycle educational program;

V) Regulated profession - the activity, the prerequisite of which is obtaining the relevant qualification and/or passing the state certification exam and/or for carrying out of which the relevant examination envisaged by the legislation of Georgia must be passed and/or professional re-training must be completed;

W) Education institution – a general education institution authorized to implement basic and secondary vocational education programs and professional training/re-training programs, a college authorized to implement all types of vocational education programs, short-cycle educational programs and professional training/re-training programs, and a higher education institution;

X) Educational enterprise – any entity/person that has been granted the right to implement vocational education programs/short-cycle education programs together with an educational institution, on the basis of work-based teaching method;

Y) Work-based teaching – a form of implementation of vocational education program/short-cycle education program/vocational training program/vocational retraining program, which envisions achievement of some of the learning outcomes defined by the program in a simulation and/or real working environment (including dual learning);

Z) Learning outcome – a statement regarding the "knowledge and understanding" (which implies results of assimilation of information, facts, principles, theory, theoretical and practical methods of learning or activities) and "skills" (which implies the ability of using the appropriate knowledge to carry out specific assignment and solve the problems), and / or the "responsibility and autonomy" (which means the use of knowledge and skills by the person through appropriate level of values and independence);

Z<sup>1</sup>) A person with a special educational need - a person who has difficulties and / or limited abilities related to learning and also needs adaptation of the learning process, which implies modification/drafting of individual curriculum/adjustment of learning environment and conditions and/or adding special education services for vocational education program / short cycle educational program / vocational training / vocational retraining programs/ state language training program;

Z<sup>2</sup>) State Language Training Program / module - educational program / module aimed at teaching state language for tackling the goals of the vocational program / short-cycle educational program / vocational training / retraining program and / or for supporting the civil integration of those for whom Georgian is not a native language;

Z<sup>3</sup>) Certificate – the document issued by the authorized institution, which certifies the vocational training or retraining of a person or achievement of the learning outcomes foreseen by the separate modules of professional development program;

Z<sup>4</sup>) Professional Orientation, Counseling and Career Planning System in Formal Education - a wide spectrum of measures that help the person at any stage of formal education determine his/her capabilities, competences and interests in decision-making with respect to education and choice of the profession, as well as helps manage his/her career;

Z<sup>5</sup>) Formal education - part of the lifetime learning system, which implies the acquisition of "knowledge and understanding", "skills", "responsibility and autonomy" and which is varified with a certificate recognized by the state, by state document certifying higher or vocational education – diploma, or by state document certifying general education.

#### **Article 4. Right to Vocational Education and Basic Guarantees**

1. Everyone has a right without discrimination to exercise the right to vocational education as determined by Georgian legislation.

2. Vocational education students and trainees, as well as vocational education teachers and their unions have the right without discrimination to exercise the rights granted by the Georgian legislation as well as the rights and freedom granted by educational institutions.
3. The educational institutions shall ensure individually adjusted learning process, special educational services and accessibility of the learning environment of the educational institution for the persons with special educational needs and with disabilities.

#### **Article 5. Teaching Language**

1. Teaching language in the institutions is Georgian, while on the territory of Autonomous Republic of Abkhazia – Abkhazian as well.
2. In the institutions where:
  - a) Vocational education students and trainees have hearing disabilities, in case of necessity Georgian sign language shall be used;
  - b) Vocational education students and trainees have visual impairment, in case of necessity Braille system shall be used.
3. Teaching in other languages except the languages envisaged in the paragraphs 1 and 2 of this Article is permitted if it is foreseen by international treaties or teaching in another language is agreed with the Ministry.

### **Chapter II. Vocational Education System**

#### **Article 6. Vocational Education**

Vocational education is implemented:

- a) Through vocational education programs, the types of which are:
  - a.a) Basic vocational education program, which is completed by granting the qualification relevant to 3<sup>rd</sup> level of National Qualification Framework
  - a.b) Secondary vocational education program, which is completed by granting the qualification relevant to 4<sup>th</sup> level of National Qualification Framework
  - a.c) Higher vocational education program, which is completed by granting the qualification relevant to 5<sup>th</sup> level of National Qualification Framework
- b) Through vocational training program, that prepares a person to perform individual tasks and obligations related to the profession. Learning outcomes under the Vocational Training Program may conform to the 2<sup>nd</sup> / 3<sup>rd</sup> / 4<sup>th</sup> / 5<sup>th</sup> levels of the National Qualification Framework;
- c) Through vocational retraining program aimed at acquiring and / or developing competencies in the same field for professional activities. The learning outcomes provided by the vocational retraining program may comply with 2<sup>nd</sup> / 3<sup>rd</sup> / 4<sup>th</sup> / 5<sup>th</sup> levels of the National Qualification Framework.

#### **Article 7. Prerequisites for admission to Vocational Education**

1. Persons who possess the document certifying at least the general education are eligible for the Basic Vocational Education Program.
2. Persons who have:
  - a) A document certifying at least basic general education, are eligible for secondary vocational education program in which the learning outcomes of secondary education are integrated;
  - b) A document certifying at least complete general education or its equivalent, shall be admitted to a secondary vocational education program.
3. The persons with the document certifying the complete general education or its equivalent shall be admitted to the higher vocational education program.

4. The persons who meet the conditions defined by the program will be admitted to vocation training or retraining programs.

#### **Article 8. Profession Standard and Vocational Education Standard**

1. Profession Standard/Standards is the basis for creation of vocation education standard/standards.
2. Vocational education standard is the basis for developing vocational education program/programs and short-cycle education program.
3. The rule for developing and approving the profession standard/standards is set by the Government of Georgia.
4. The rule for defining, developing and approving the vocational education standard and module/modules is defined by the Ministry.
5. Pursuant to the rule on defining, developing and approving vocational education standard and module/modules, in case of cancellation of vocational education standard or removal of one of the qualifications from vocational education standard, the institution is entitled to let the students admitted to that program finish their education and grant them with professional qualification foreseen by the given program.
6. In the case envisioned under paragraph 5 above, the educational institution is not authorized to admit new vocational students.
7. Pursuant to the rule on defining, developing and approving vocational education standard and module/modules, in case of change of vocational education standard, the institution is obliged to ensure the compliance of vocational education program/short-cycle education program with the changed vocational education standard. The institution is entitled to make a substantiated decision to continue implementation of the previously existing vocational education program/short-cycle education program in parallel with the changed vocational education program/short-cycle education program only with respect to those students who had been admitted to vocational education program/short-cycle program prior to the change of the program.

#### **Article 9. Vocational Education Program**

1. Vocational education program is developed and approved by the relevant institution.
2. Vocational education program shall be calculated with credits.
3. Secondary vocational education program shall cover the learning outcomes of the secondary level of general education, as defined by the Ministry.
4. The rules and conditions for admission to vocational education program are defined by the Ministry.
5. Vocational education program may be jointly implemented by a Georgian education institution and the legal entity authorized to implement vocational training/retraining programs – only to the extent of the part/module which it is authorized to implement.

#### **Article 10. Short-Cycle Education Program**

1. Short-cycle education program is developed and approved by the college and/or higher education institution.
2. Short-cycle education program shall be calculated with credits.
3. Short-cycle education program can be implemented:
  - a) According to the Law of Georgia on Higher Education, within the Bachelor's Degree education program or the education program relevant to the 7<sup>th</sup> level of National Qualification Framework, which also goes through the generalized learning outcomes of the sixth level of the National Qualification Framework;
  - b) In the form of a separate education program in accordance with the present Law.
4. The rule and conditions for admission to the short-cycle education program foreseen by the sub-paragraph "a" of paragraph 3 of the present Article are defined by the Law of Georgia on Higher Education.
5. The rule and conditions for admission to the short-cycle education program foreseen by the sub-paragraph "b" of paragraph 3 of the present Article are defined by the Ministry.

6. The short-cycle education program may be jointly implemented by a Georgian education institution and the legal entity authorised to implement vocational training/retraining programs – only to the extent of the part/module which it is authorised to implement.

#### **Article 11. Work-Based Teaching**

1. Work-based teaching method shall be used to implement vocational education programs/short cycle programs/vocational training programs/vocational retraining programs.
2. Certain learning outcomes of the vocational education programs/short-cycle programs/vocational training programs/vocational retraining programs can be achieved in real working environment through practice or internship, as well as by training in the educational enterprise.
3. Certain learning outcomes of the vocational education programs/short-cycle programs/vocational training programs/vocational retraining programs can be achieved through a simulated working environment – within the education institution.
4. The rule and conditions for implementation of vocational education programs/shortcycle programs/vocational training programs/vocational retraining programs by means of work-based teaching is determined by the Government of Georgia based on the application of the Ministry.
5. In the course of the work-based teaching, work safety must be ensured pursuant to the Georgian legislation.

#### **Article 12. Joint Vocational Education Programs/Short-Cycle Education Programs**

1. For consolidation of resources and their optimal distribution as well as for the international integration, the vocational education programs / short-cycle education programs can be carried out jointly by several institutions of Georgia and / or the educational institutions recognized in accordance with foreign legislation.
2. Upon completion of joint vocational education program/short-cycle education program, the joint diploma is granted.
3. The Rule and conditions of development and implementation of joint vocational education programs/short-cycle education programs is defined by the Ministry.
4. Georgian citizen shall be enrolled into the joint vocational education program/short-cycle education program in accordance with the rule defined by the Georgian legislation. The other person shall be enrolled in a joint vocational educational program / short-cycle educational program according to the rule established by the legislation of the respective country, in one of the educational institutions determined by the preliminary agreement of the educational institutions implementing the program.
5. A vocational student enrolled in the joint vocational education program / short-cycle education program of several institutions of Georgia, shall be included in the total number of vocational students of each institution.

#### **Article 13. Exchange Vocational Education Programs/Short-Cycle Education Programs**

1. Exchange vocational educational programs / short-cycle education programs shall be implemented by educational institutions recognized in accordance with Georgian and foreign legislation.
2. Rule and conditions for developing and implementation of exchange vocational education programs/short-cycle educational programs shall be established by the Ministry.
3. A vocational student participating in the exchange vocational education program/short-cycle education program of the educational institution recognized in accordance with legislation of the foreign country, who has obtained a status of a vocational student in a foreign country recognized educational institution, continues studying in Georgian partner institution based on the act issued by the head of the Georgian institution.
4. A vocational student participating in the exchange vocational education program / short-cycle education program, who has obtained a status of a vocational student in the institution of Georgia, continues studying in the foreign country educational institution in accordance with the legislation of that country.

5. It is impermissible to suspend the status of a vocational student who has left Georgia within the framework of the exchange vocational education program / short-cycle education program.
6. The vocational student who has arrived to Georgia from foreign countries within the exchange vocational education program / short-cycle education program shall not be counted in the total number of vocational students of the Georgian institution.

#### **Article 14. Program/Module for State Language Training**

1. The program / module for training in the state language shall be developed and implemented in accordance with the procedure established by the Ministry.
2. Module for training in the state language can be implemented as a part of a vocational education program, short -cycle education program, vocational training program or vocational retraining program.
3. The program for training in the state language is separate from the vocational education program, short-cycle education program, vocational training program or vocational retraining program.
4. The procedure and conditions of enrollment in the state language training program shall be established by the Ministry.
5. The state language training program / module will be evidenced by the relevant certificate.

#### **Article 15. Vocational Training and Retraining Programs**

1. Vocational training and retraining programs are developed and approved by the legal entity authorized for their implementation.
2. The rule for elaboration and approval of vocational training and retraining programs is determined by the Ministry.
3. Obtaining the right to carry out vocational training and retraining programs by a legal entity is voluntary and is done in accordance with the rules and conditions envisaged by the Government of Georgia in order to issue a certificate – a state recognized document certifying the vocational education.
4. The rules and conditions for admission to vocational training and retraining programs shall be set by the Ministry.

#### **Article 16. Confirmation of Learning Outcomes**

1. As a result of completion of primary /general and higher vocational educational programs, a person is granted with the qualification of the 3rd / 4th / 5th level of the National Qualification Framework, which is confirmed by the diploma and appendix of the diploma.
2. Diploma, which has been issued upon completion of secondary vocational education programs in which the learning outcomes of general education are integrated, equals to a document certifying complete general education.
3. The prerequisite for issuing the diploma envisaged by paragraph 2 of the present Article is verification of the learning outcomes of the secondary level of general education by the student in accordance with the procedure established by the Ministry.
4. Upon completion of the short-cycle education program, the person is granted with the qualification of the 5<sup>th</sup> level of the National Qualification Framework – an associate qualification certified by issuing the relevant diploma and its appendix.
5. The achievement of the learning outcomes of the vocational training or vocational retraining program is certified by the certificate and its appendix.
6. The achievement of learning outcomes defined by the module will be attested, if requested, by certificate and its appendix.

7. In case of failure to fully verify the learning outcomes defined by the module, the institution implementing the corresponding module is obliged, upon request, to issue the reference letter regarding the verified learning outcomes within the module.

#### **Article 17. Recognition of Formal and Informal Education**

1. Recognition of learning outcomes achieved through informal and formal education is carried out by the rules established by the Ministry.
2. Recognition of non-formal education related to regulated professions shall be done in accordance with the rules and conditions set by the Government of Georgia.
3. In the course of recognition of the learning outcomes achieved within the formal education, as a result of the assessment of the content of the training components, the components of learning outcomes of one education program may be found conforming to the components of the learning outcome of another education program, irrespective of the differences in their names.
4. A formal education received within the short-cycle education program foreseen by the Ssub-paragraph "b" of paragraph 3 of Article 10 of the present Law, may be recognized through Bachelor's Degree program or through the educational program with the generalized learning outcomes relevant to the 7<sup>th</sup> level of the National Qualification Framework, which also goes to the generalized learning outcomes of the 6<sup>th</sup> level of the National Qualification Framework, if the right to education is obtained through the procedure established by the Georgian legislation.

#### **Article 18. Recognition of the Education Received Abroad**

1. Recognition of the qualifications obtained in the foreign education institution or of the learning outcomes achieved in the foreign education institution is carried out in accordance with the procedure established by the Ministry.
2. Admission of a person with a foreign education document to the vocational education program / short-cycle education program is done in accordance with the procedure established by the relevant institution, on the basis of the document of recognition of education received abroad.

#### **Article 19. Regulated Professions**

1. Regulated professions are high risk professions related to human health, personal development and / or high public interest.
2. A list of regulated professions requiring relevant vocational education and/or state certification examination or where granting of the qualification for implementation of the corresponding professional activities requires passing of the respective exam or continuing professional retraining, may only be determined by Law.
3. The rule and conditions of conducting state certification exam in regulated professions, as well as the rule and conditions for continuing professional retraining, shall be determined by the relevant legislation.

### **Chapter III. Management of Vocational Education System**

#### **Article 20. Principles of Management of Vocational Education System**

Management of vocational education system is carried out based on the principles of publicity and transparency.

#### **Article 21. Government of Georgia**

In the field of vocational education, the Government of Georgia:

- a) Implements the state policy in the field of vocational education;
- b) Approves the Vocational Education Development Strategy submitted by the Ministry;



- c) Approves the rules and conditions for obtaining the right to carry out vocational training and retraining programs as well as the rules and conditions for recognition of the vocational training and retraining programs approved by the state, upon submission by the Ministry;
- d) Upon submission of the Ministry sets the rules and conditions for implementation of the vocational education programs/short-cycle education program/vocational training programs/vocational retraining programs in the form of work-based teaching;
- e) Upon submission of the Ministry, approves the rules and conditions for granting the status of the educational enterprise;
- f) Upon submission of the Ministry, approves the rules and conditions for obtaining authorization for recognition of information education;
- g) Upon submission of the Ministry, approves the rules and conditions for recognition of informal education related to regulated professions;
- h) Upon submission of the Ministry, establishes the conditions and rules for financing vocational education, short-cycle education and state language training programs;
- i) Upon the submission of the Ministry, establishes the rules and conditions for setting the fees for the products created/services rendered in the course of the educational activities carried out by institutions established by the state or with its participation, as well as the rules and conditions of disposal of the revenue received from such activities;
- j) Upon submission of the Ministry, establishes the advisory body based on the principles of social partnership in the field of vocational education and approves its charter;
- k) Based on the proposal of the Ministry, approves the rule for obtaining student discount on the basis of student ID card by the vocational student's identity (residence) card;
- l) Defines the rule of elaboration and approval of the profession standard / standards;
- m) Upon submission of the Ministry, determines the rules and conditions for agreement with the founding authority of the college established by the State or with its participation, on the establishment of the entrepreneurial or non-entrepreneurial (non-commercial) legal entity such college.
- n) Carries out other responsibilities defined by the legislation of Georgia.

## **Article 22. Ministry of Education and Science of Georgian**

1. In the field of vocational education, the Ministry:

- a) Implements the State policy;
- b) In the process of vocational education reform is authorized to carry out piloting approaches / models;
- c) In order to carry out vocational education programs / short cycle of educational programs, vocational training programs / vocational retraining programs / State language training programs establishes the legal entities of public law and approves their charters, conducts state control over them and is entitled to carry out their merger, reorganization and liquidation;
- d) Establishes non-profit (non-commercial) legal entities of private law in order to carry out vocational training programs / vocational retraining programs / State language programs, vocational education programs / short cycle educational programs;
- e) Approves the statute of authorization of educational institutions;
- f) Approves the rules of recognition of the learning outcomes achieved within the informal and formal education;
- g) Approves the credit system in the field of vocational education;
- h) Approves the rules and conditions for integrating learning outcomes of secondary education in secondary vocational education program;
- i) Approves the rules for elaboration, development and approval of vocational education standards and module / modules;

- j) Approves the rules and conditions for development and implementation of joint vocational education programs / short-cycle educational programs, as well as of exchange vocational education programs / short-cycle educational programs;
  - k) Approves the procedure for elaboration and implementation of the training program in the State language;
  - l) Approves the rules and conditions for enrollment in the vocational education program / short-cycle educational program and in the State language training program;
  - m) Approves the rules and conditions for enrollment in the professional training and retraining programs;
  - n) Approves the forms of documents certifying the vocational education and their appendixes, as well as the forms of diploma and their appendixes;
  - o) Approves the rules of mobility of vocational students;
  - p) Approves the professional standard of vocational education teacher;
  - q) Approves the Code of Ethics of the vocational education teacher;
  - r) Approves the rules and conditions of commencing activity, professional development and career advancement of vocational education teacher;
  - s) Approves the rules and conditions for remuneration of the professional education teacher in the institutions established by the State or with its participation;
  - t) Develops the rules and conditions for identification of a person's special education needs and the implementation of inclusive vocational education;
  - u) Approves the procedure for verifying the learning outcomes of the general level of general education in the vocational education program (in which the learning outcomes of general education are integrated); The Ministry is authorized to set deadlines and rules for submitting and reviewing administrative complaints different from the those set in the General Administrative Code of Georgia;
  - v) Approves the strategy of vocational orientation, counseling and career planning in formal education;
  - w) Approves the rules and conditions for creation and administration of the vocational education information management system.
  - x) Exercises other powers defined by the legislation of Georgia.
2. For the purpose of implementing unified State policy in the field of vocational education the Ministry sets up legal entities.
  3. The Ministry shall be authorized to determine legal entity / entities within its system authorized to elaborate and submit to the Ministry legal acts envisaged by Article 21 of the present Law and paragraph 1 of this Article.

#### **Chapter IV. Legal Basis of College Activities**

##### **Article 23. Establishment of College, Obtaining Status and Implementation of Educational Activities**

1. The College is established and operates in the form of a legal entity of public or private law.
2. To carry out vocational educational activities the executive bodies of Government of Georgia shall be entitled to establish a legal entity of public law or non-entrepreneurial (non-commercial) legal entity of private law by agreement with the Ministry.
3. To carry out vocational educational activities, the municipalities shall be entitled to establish a legal entity of public law or non-entrepreneurial (non-commercial) legal entity of private law by agreement with the Ministry, in compliance with the Organic Law of Georgia – Code of Local Self-Government.
4. The legal entities authorized by the law - colleges have the right to carry out a vocational education program, a short-cycle educational program or State language training program. The colleges are entitled, without obtaining additional authorization, to implement vocational training program and / or vocational retraining program within the vocational education program / short-cycle educational program they have been authorized to carry out.

5. The general education institution is authorized to carry out only basic and secondary vocational education programs, State language training programs, vocational training programs and / or vocational retraining programs without creating an independent legal entity.
6. Higher education institution is authorized to carry out any type of vocational educational programs, State language training programs, vocational training programs and / or vocational retraining programs without creating an independent legal entity.
7. To carry out vocational education programs and/or short-cycle education programs, a higher education institution may establish non-enterpreneurial (non-commercial) legal entity.
8. Chapter X of this Law shall not apply to institutions existing in the form of a legal entity of private law, except for educational institutions created with State participation, taking into account their content.

#### **Article 24. Merger, Reorganization and Liquidation of the college**

The merger, reorganization and liquidation of the college is carried out / implemented by its founder / founders in accordance with the rules established by the legislation of Georgia.

### **Chapter V. Managing the College**

#### **Article 25. Principles and Obligation of Managing the College**

1. The college management is based on the principle of openness and transparency.
2. The College is obliged to:
  - a) Cooperate with employers and / or their associations in the development and implementation of vocational education programs / short-cycle educational programs;
  - b) Ensure participation of vocational students and trainees, vocational education teachers and social partners in the decision-making processes related to the development of an educational institution;
  - c) Ensure availability of adopted decisions to the stakeholders in accordance with the rules established by the legislation of Georgia;
  - d) Ensure equal enjoyment of the rights established by the legislation of Georgia by the vocational students and trainees;
  - e) In accordance with the procedure for creation, development and approval of the vocational education standard and module/modules, in case of abolishment of the vocational education standard, or abstraction of one of the qualifications from the vocational education standard, as well as in case of change of the vocational education program, inform the vocational student in writing and explain to him/her the rights envisioned by paragraph 3 of Article 29 of this Law;
  - f) Provide a safe environment for health, life and property;
  - g) Create all the necessary conditions for the study process;
  - h) Take into account the educational needs of youngsters and adults while planning and implementing the learning process;
  - i) Carry out the measures envisaged by the legislation of Georgia in the framework of professional orientation, counseling and career planning system in formal education;
  - j) Create conditions for inclusive vocational education. If necessary, develop a separate curriculum for vocational students and trainees with special educational needs, according to which the study process of vocational students and trainees, their social adaptation and integration into social life will be implemented;
  - k) Ensure fulfillment of other obligations under the Georgian legislation and the relevant college charter.
3. The management bodies, procedure for their election/appointment, requirements towards them, their authorities and rules of activity shall be set by the charter of the college.

4. The college is authorized to conclude a service contract with the Legal Entity of Public Law – Office of Resource Officers of Educational Institutions.

## **Chapter VI. Authorization and Obtaining the Right of Implementation of Vocational Education Program / Short-Cycle Educational Program**

### **Article 26. Authorization**

1. As a result of authorization, a legal entity obtains a college status and is entitled to issue:

a) Document certifying the education recognized by the state - diploma;  
b) Document certifying the education recognized by the state - Certificate - for vocational training program and / or vocational retraining program, which is carried out within the framework of the vocational education program / short-cycle educational program that has authorization.

2. College authorization standards apply to:

a) Mission of the college and its strategic development;  
b) Educational programs;  
c) Vocational students and events supporting them;  
d) Human resources;  
e) Material, information and financial resources.

3. The College is authorized to carry out the vocational education program and short cycle educational indicated in its application for authorization, as well as the vocational education program and the short cycle educational program which it has added to its educational program in the period of operation of authorization by application for addition of the education program.

4. The College is authorized to carry out vocational training and / or retraining programs within the vocational educational programs without additional authorization.

### **Article 27. Obtaining the Right of Implementation of Vocational Education Program**

1. The general education institution shall have the right to implement basic and secondary vocational education programs, and the higher education institution shall be entitled to implement the vocational education programs and the short-cycle education programs in accordance with the rules established by the regulation of authorization of the institution.

2. A general educational institution implementing vocational education programs shall be authorized to add basic and secondary vocational education programs, while higher education institution – to add vocational education programs and short-cycle educational programs, during the validity period of authorization in accordance with the rules established by the regulation of authorization of the institution,.

3. The general education institution / higher education institution is authorized to carry out vocational training and / or retraining programs within the vocational educational programs the authorization of which it has obtained.

## **Chapter VII. Vocational Education Teacher**

### **Article 28. Vocational Education Teacher**

1. Vocational education teacher is a person who leads the study process within the vocational education.

2. The commencement of work, professional development and career advancement of the vocational education teacher is carried out in accordance with the rules and conditions of commandment of work, professional development and career advancement of vocational education teacher.
3. The procedures and conditions for commencement of work, professional development and career advancement of the vocational education teacher regulate:
  - a) The rules and conditions for commencing activities of vocational education teacher;
  - b) Types of vocational education teacher;
  - c) Rules and criteria for assessment of vocational education teacher;
  - d) Other issues of professional development and career advancement of vocational education teacher.

## **Chapter VIII. Vocational Student and Trainee**

### **Article 29. Rights of Vocational Student and of Trainee**

1. The vocational student and trainee shall have the right to:
  - a) Obtain quality vocational education;
  - b) In the manner prescribed by the legislation of Georgia and legal acts of the educational institution/legal entity, use the material-technical base of the institution, information resources, libraries and other educational resources;
  - c) Freely establish and / or join in professional and other student organizations within their interests;
  - d) Exercise other powers granted by the present Law and Georgian legislation.
2. The vocational student shall have the right to use mobility in accordance with the legislation of Georgia.
3. In accordance with the procedure for creation, development and approval of the vocational education standard and module/modules, in case of abolishment of the vocational education standard, or abstraction of one of the qualifications from the vocational education standard, as well as in case of change of the vocational education program, vocational education student shall be entitled to complete his/her education within the vocational education program/short-cycle education program which he/she is pursuing, or avail himself/herself with the right of mobility.
4. Disciplinary proceedings against a vocational student and a trainee shall be proportional to disciplinary misconduct and may only be carried out in the cases and in the manner stipulated by the statute or internal regulations of the institution/legal entity.
4. The vocational student and the trainee shall have the right to appeal the decision made by the institution / legal person in the court.

## **Chapter IX. Financing the Vocational Education, Short-Cycle Educational Programs, State Language Training Programs and Economic Activity of the Institution**

### **Article 30. Financing the Vocational Education, Short Cycle Educational Programs, State Language Training Programs**

1. Funding of vocational education, short-cycle educational programs and state language programs is carried out by state authorities, authorized ministries of the Autonomous Republics of Abkhazia and Adjara and municipalities in accordance with Georgian legislation. Financing of vocational education, short-cycle educational programs and state language training programs may also be done by other agencies and organizations in accordance with Georgian legislation.

2. The bodies envisaged by paragraph 1 of the present Article shall, in accordance with the rules set by the Government of Georgia, ensure financing of vocational education, short-cycle educational programs and state language training programs in the institutions established by the State / with its participation, as well as in the legal entities of private law – educational institutions - in accordance with the State policy and priorities.

3. The revenues and payments of the college established by the State shall be reflected in its budget. The college has an account in the State treasury and has a stamp.

4. Institutions established by State may be financed from other sources authorized by legislation.

5. Vocational education, short-cycle educational program and the State language training program can be financed by individuals and legal entities of private law.

#### **Article 31. Economic Activity of the Institution**

1. The institution established by the State / with its participation is authorized to carry out economic activities, including the training process, by selling products / services, as well as to raise funds permitted by law, including generating income from the economic activity that is not dangerous to human health and does not impact adversely the quality of teaching.

2. The economic activity carried out by the institution established by the State / with its participant shall serve only the purpose of development of its learning process, its economic sustainability, acquisition of additional funds to finance its educational process and improvement of the quality of its product / services.

3. The funds attracted from the realization of the goods / services within its educational process and from the auxiliary economic activities shall be used only for the purposes of implementation of the goals of the institution and performance of its functions.

#### **Article 32 Creation of Other Legal Person by the College**

1. In order to achieve the goals set out by the Charter, the College is entitled to establish an entrepreneurial or non-entrepreneurial (non-commercial) legal entity. In case of entrepreneurial or non-entrepreneurial (non-commercial) legal entity established by the State / with its participation, the college shall own at least 50% share.

2. If the college is established by the state /with its participation, implementation of powers envisaged by paragraph 1 of the present Article requires agreement with the founding body / organs of the college.

### **Chapter X State Control, Property, Reporting and Accounting of the College Established by the State**

#### **Article 33. State Control**

1. State control over state-founded college is exercised by the relevant founding authority.

2. State control means supervision of legality, feasibility and efficiency of the activities carried out by the college (compliance to the requirements of Georgian legislation and of the individual administrative-legal acts of State control body), as well as of its financial-economic activities.

3. The College shall submit a report related to its previous year's compliance with Georgian legislation and to the study process, to the bodies exercising State control. Forms and terms of submission of the report shall be determined by an individual administrative-legal act of the body exercising state control.

4. In order to carry out State control, the appropriate authority may request the submission of materials or information or may examine on the ground the compliance with the requirements of the Georgian legislation and the fulfillment of individual administrative-legal acts by the college.

#### **Article 34. Property of the College**

1. Upon establishment of a college, the State shall transfer to it the relevant property in accordance with the Georgian legislation.

2. The buildings and facilities in the use of the college, and the corresponding land plot, are State property.

3. The college shall dispose the property transferred to it by the State with the consent of the State control body in accordance with the procedure established by the legislation of Georgia.

4. Upon agreement with the authority carrying out the State control over the college, the College is entitled to transfer the right of use of the property purchased with the income generated from the economic activity to the entrepreneurial or non-entrepreneurial (non-commercial) legal entity established by the college for free or for a certain fee. The property remaining after liquidation of the entrepreneurial or non-entrepreneurial (non-commercial) legal entity, which was transferred in accordance with the procedure prescribed by the given Article, shall be returned to the respective college at the end of the liquidation.
5. The property left after the liquidation of the college established by the state shall be returned to the State in compliance with the legislation of Georgia.

#### **Article 37. College Accounting**

College accounting procedure is determined by the College Charter.

### **Chapter XI. Vocational Education Management Information System**

#### **Article 36. Vocational Education Management Information System**

1. Vocational Education Management Information System shall reflect information related to educational institution, respective educational programs, personnel implementing the program and personal information of persons authorized to be enrolled/enrolled in the program, including, in cases determined by the Georgian legislation, the data related to health condition, as well as other information determined by Georgian legislation.
2. Collection, storage, processing, analysis and administration of information in the vocational education management information system shall be carried out by the legal entity of public law within the system of the Ministry, in compliance with the requirements of the Law of Georgia on Personal Data Protection and in accordance with the set rules.
3. The legal entity of public law envisioned in paragraph 2 of the present Article, for the purposes of carrying out the functions envisioned in the same paragraph above, shall be authorized to obtain and use personal data available in other legal entities of public law within the system of the Ministry.

#### **Article 37. Obligations of the Educational Institution and Presumption of Validity of the Data of the Vocational Education Management Information System**

1. Educational institution is obliged to enter the corresponding data in the vocational education management information system within the time frames set by the legislation.
2. Failure by the educational institution to timely enter the information in the vocational education management information system may be the basis for refusal or stay of performance of the activity that is to be carried out on the basis of the data of the vocational education management information system.
3. In case of inconsistency between the information in the legal acts of the educational institution and information reflected in the vocational education management information system, the data of the vocational education management information system shall be taken into account.
4. In cases envisioned by Georgian legislation, the form of attestation of information entered in the vocational education management information system may be established.

#### **Article 38. Liability for accuracy and completeness of information entered in the vocational education management information system**

1. Liability for the accuracy and completeness of information entered in the vocational education management information system shall rest with the person responsible for entering such information.

## Chapter XI. Transitional and Final Provisions

### Article 39. Transitional Provisions

1. Vocational education institutions - vocational and public colleges authorized in accordance with the Law of Georgia on Vocational Education (Tbilisi, March 28, 2007, №4528\_Is) shall be considered as colleges with authorization in accordance with the present Law for the remaining period of authorization and their vocational education programs shall be considered as authorized college vocational educational programs, whereas:

a) Only in case of vocational education programs based on professional standards, the college is entitled to let the vocational students enrolled in this program complete the study process and to award them the qualification as provided by this program. The College is not entitled to enroll new vocational students to this program as of January 1, 2019;

b) In case of vocational education programs based on the Vocational Education Program Framework, the College is authorized to let the vocational students enrolled in this program complete the study process and to award them the qualification as provided by this program, as well as to enroll new vocational students to this program. In cases foreseen by the given paragraph, the regulations provided in paragraphs 5 and 6 of Article 8 of the present Law shall apply.

2. The professional standard approved by the Law of Georgia on Vocational Education (Tbilisi, March 28, 2007, №4528\_I) and the Vocational Education Program Framework shall be deemed to be the standard of the profession and the vocational educational standard established on the basis of this Law until the corresponding professional standard and the vocational education standard is approved after the entry into force of the present Law. All acts performed on their basis before and after the enactment of this Law shall be deemed to be in accordance with the Georgian legislation.

3. Starting from September 1, 2017, in case of changes in the vocational education program developed on the basis of the educational program framework document which was caused by the change of the framework document of the vocational education program or by bringing the document in line with the vocational education program, by the decision of the Vocational Education Institutions Authorization Council, vocational education institutions shall be allowed to implement vocational education program developed according to the vocational education framework document existing before the change for the term of the document, only for students enrolled in the given program. The education acquired by them/qualification granted to them/document issued attesting their qualification, as well as funding of their vocational education shall be considered to have been done in accordance with Georgian legislation.

4. According to the Law of Georgia on Vocational Education (March 28, 2007, №4528\_I), the Georgian language module integrated in the vocational educational programs shall be considered as a module for training in the state language implemented in accordance with this law.

5. Until January 1, 2019 an educational institution implementing vocational education programs is entitled to grant a vocational diploma in accordance with Georgian legislation instead of the diploma envisaged by this law.

6. The rules and procedures for equalization of the documents attesting vocational education issued in accordance with the Law of Georgia on Vocational Education (Tbilisi, March 28, 2007, №4528\_I) or documents equalized by that law to the documents attesting vocational education, shall be elaborated and adopted by the Ministry.

7. Vocational students, who prior to May 2019 have been enrolled in vocational educational programs in which the learning outcomes of the secondary level of general education are integrated, have the right to confirm the results of the secondary education in the manner established by the Ministry. In case of confirmation of the learning outcomes of the secondary level of general education, the document issued to the vocational education students envisaged under the given paragraph shall be deemed equal to the document certifying the complete general education.



8. As of May 2019 the Ministry shall ensure implementation of vocational education programs envisioned under paragraph 3 of Article 9 of the present Law.
9. Within 6 months after enactment of this Law, the Ministry shall ensure the selection and appointment of the Heads of Colleges established by the Ministry through open competition. In accordance with this paragraph, appointment of the Heads of the Colleges established by the Ministry of shall result in termination of the authority of the Heads of the Colleges established by the Ministry before enactment of the present Law.
10. The registry of educational institutions represents the source of information for the vocational education management information system and the information available in the registry of educational institutions prior to enactment of the present Law shall be considered to be the information reflected in the vocational education management information system.
11. Within one year after enactment of this Law, the legal entities of public law defined by the Ministry shall ensure implementation of activities necessary for the transfer of the information stored in the registry of educational institutions to the vocational education management information system.
12. The procedure for administration of the registry of the educational institutions shall remain in force until the rule and terms of creation and administration of the vocational education management information system is enacted and until the activities envisioned under paragraph 10 of this Article are completed.
13. Within the period set in paragraph 10 of the present Article, the operation of the registry of the educational institution shall be done in accordance with the procedure of operation of the registry of educational institutions and the activities undertaken on the basis of the registry of educational institutions shall be considered to be in accordance with Georgian legislation.
14. The subordinate acts issued under the Law of Georgia on Vocational Education (March 28, 2007, No. 4528\_I), as well as the activities implemented before and after enforcement of the present Law shall retain legal force before issuance of the relevant act on the basis of this Law.
15. Within two years after the enactment of the present Law, the Ministry and upon recommendation of the Ministry, the Government of Georgia shall ensure adoption of the subordinate normative acts and bringing the subordinate normative acts in conformity with the present Law.

**Article 40. Enactment of the Law and Invalid Normative acts**

1. Upon enactment of this Law, the Law of Georgia on Vocational Education shall be invalidated (Legislative Herald of Georgia, No. 15, 23.04.2007, Article 117).
2. The present Law shall enter into force upon promulgation.

**President of Georgia**

**Giorgi Margvelashvili**