

# **LAW**

**No. 7952, Dated. 21.06.1995**

## **ON**

### **PRE-UNIVERSITY EDUCATION SYSTEM**

In virtue of Article 16 of Law No. 7491, dated 29.04.1991 "On the principal constitutional dispositions" with the proposal of the Council of Ministers,

#### **THE PEOPLE'S ASSEMBLY OF THE REPUBLIC OF ALBANIA**

##### **DECIDED:**

##### **CHAPTER 1**

##### **GENERAL DISPOSITIONS**

###### **Article 1**

In the Republic of Albania, the education is national priority.

It is realised in conformity to the sanctioned principles of the law in power, based on the traditions and achievements of our national school and it is carried out in conformity to the international treaties and agreements ratified by the Republic of Albania.

Education respects the rights of children and the adults sanctioned by these documents.

###### **Article 2**

The goal of education is the spiritual emancipation, material progress and social development of the individual.

###### **Article 3**

The citizens of the Republic of Albania enjoy equal rights to study at all levels of education defined by this law, apart from the social state, nationality, language, sex, religion, race, political beliefs, health's condition and economic level.

#### **Article 4**

In the Republic of Albania, the education is realised in public and private educational institutions in conformity to the law.

#### **Article 5**

The Ministry of Education and Science is responsible for implementing the state policy of laic education approved by the Council of Ministers.

#### **Article 6**

In the public educational institutions of the Republic of Albania, the teachings are performed in the Albanian language, apart the cases foreseen by this law.

#### **Article 7**

7.1. The Pre-University public education is of laic character.

7.2. In the public educational institutions it is prohibited the religious and ideological inclination.

#### **Article 8**

Children usually start the school at the age of six. Compulsory education lasts 8 years of schooling. Pupils are obliged to attend the primary compulsory education till they are 16 year-olds.

#### **Article 9**

In the public educational institutions State guarantees to pupils free the teaching surroundings, the material resources and the teaching staff.

#### **Article 10**

10.1. The persons who belong to national minorities are granted the possibility to study and to be taught in their native language, to learn their culture, history within the framework of teaching programs and plans.

10.2. In order to ensure an active and equal participation in the social, economic, cultural and political life of the Republic of Albania, the state creates conditions to persons of national minorities to learn Albanian language, history and culture.

10.3. The teaching programs and plans, and the ratio of making use of the native language and the official language within the teaching process is defined through and by special acts of the Ministry of Education and Science.

10.4. The education for people of minorities is realised in appointed schooling units and educational institutions, the opening and operation of which is made according to the procedures defined by the Council of Ministers.

### **Article 11**

11.1. The persons of Albanian Nationality who live abroad of the territory of the Republic of Albania enjoy the right to study in the Republic of Albania. Their admission is made in conformity to the sub-law acts approved by the Ministry of Education.

11.2. The right of foreign citizens to study in the public educational institutions of the Republic of Albania is defined through and by the sub -legal acts of the Ministry of Education.

### **Article 12**

12.1. The Public Educational Institutions collaborate with the parents in order to carry out their tasks.

12.2. The community of public schools, composed of pupils, teachers the rest of school staff, the parents and their social partners aim to increase the teaching - educational level of the pupils and their optimal integration in the life, the emancipation and progress of the country.

### **Article 13**

The Ministry of Education defines by sub-legal acts the criteria of equivalence of the cases for the Albanian children who come from abroad.

### **Article 14**

In the public pre-school and school institutions the teacher is the central scientific and pedagogical figure. He carries out the proper methods and tools in order to realise the basic program, relying on his own skills and professional preparation, securing a harmonious education, preserving the pupils' personality and avoiding any influence that can cause problems with his social, political and religious beliefs.

14.2. The basic requirements for the initial training and qualification of the teachers are defined through and by decision of the Ministry of Education

14.3. The teachers and the other teaching staff enjoy the right to get post-university qualified according to the requirements of the Ministry of Education as well as in collaboration with specialised qualifying institutions within and out of the country.

## **CHAPTER II**

### **PUBLIC EDUCATION SYSTEM**

#### **Article 15**

In the Republic of Albania the Public Education System consists of the network of public educational institutions which carry out on the whole the plans and programs at different pre-school and school levels. The requirements for the programs of pre-school and school institutions are defined by the Ministry of Education.

#### **Article 16**

16.1. The network of public education institutions consists of various types of schools, comprising schools with full and part time. The criteria for opening and operating of these institutions are defined through and by sub-legal acts of Ministry of Education.

16.2. Public education system consists of:

16.2.1 Public pre-school Education

16.2.2. Public Compulsory education

16.2.3. Public secondary education

16.2.4. Public Special Education

## **PUBLIC PRE-SCHOOL EDUCATION**

### **Article 17**

17.1. In the Republic of Albania the Public pre-school Education is the first level of Public Education System.

17.2. The kindergartens are the institutions that realise the pre-school education

### **Article 18**

Pre-School Educational Institutions, in co-operation with the parents aim the education and development of the personality of children and prepare them to enter at school.

### **Article 19**

19.1. The enrolment of 3-6 year old children in the kindergartens is made according to the desire of parents and in compliance with the acts of the Ministry of Education

19.2. The kindergartens operates all over the year.

19.3. The kindergartens can operate serving food or non serving food. The fees for the serving food kindergartens are defined by the Council of Ministers.

## **PUBLIC COMPULSORY EDUCATION**

### **Article 20**

Public compulsory education is the basic, unique and general education. Its institutions are extended all over the territory of the Republic of Albania.

### **Article 21**

The Public Compulsory education aims to develop the intellectual, creative, practical and physical skills of the pupils, to preserve their personality and transmit the basic knowledge of the general culture and social education.

### **Article 22**

22.1. The Public Compulsory education school comprises two stages:

-first stage

-second stage

22.2. The first stage is the logical and natural continuity of the primary cycle.

22.3. The first and second stages are characterised by specific organising and pedagogical features, which are defined by the Ministry of Education.

22.4. The Compulsory educational school can be of two types, full time school or part time school. The citizens of 16 years old, who have not completed the compulsory education , can attend part time school. These kinds of schools operate in conformity to the relevant instructions of the Ministry of Education.

### **Article 23**

Referring to the number of pupils, to climate and ground, the teaching process can be realised even in collective classes. In such case the Ministry of Education issues the respective instructions.

### **Article 24**

The parents are obliged to send their children, who are comprised by school obligation, to study in the public or private institutions of the compulsory education.

### **Article 25**

25.1. The enrolment of children at the first grade of the compulsory education is made presenting these documents:

25.1.1. Birth Certificate.

25.1.2. The vaccine Certificate defined by the Ministry of Health.

25.2. The enrolment of pupils in the other grades of the compulsory education is made presenting these documents:

25.2.1. The document of the completion of the previous grade.

25.2.2. The vaccine Certificate defined by the Ministry of Health.

## **PUBLIC SECONDARY EDUCATION**

### **Article 26**

The public secondary education aims develop in the most harmonious and complete manner the personality and potentiality of pupils, in order to incite them give their active contribution in the economic, political, social and cultural development of the country.

### **Article 27**

The public secondary education prepare the pupils to follow up higher studies in the University, other higher schools or to exercise certain professions.

The public secondary education is organised according to the various levels of the schooling, to the distinctions of the content and the vocational profiles, at full-time and part-time schools. Referring to the number of pupils, to the climate and environment, in special cases, the teaching process can be held even in collective classes. In such cases the Ministry of Education issues the respective instruction.

### **Article 28**

28.1. Every citizen enjoys the right to study at the public secondary schools, after completing the compulsory school.

28.2. The admission at the public secondary schools is performed according to the criteria defined by the Ministry of Education. The Ministry of Education also determines the criteria for the pupils to pass from one type of school of public secondary education to another school.

### **Article 29**

In the first grade of the public secondary schools of full time are admitted pupils not more than 16 years old, apart the special cases approved by the Ministry of Education.

## **PUBLIC GENERAL SECONDARY SCHOOLS**

### **Article 30**

30.1. Public general secondary schools emits a general culture that is an extension and deepening of the culture and acquired knowledge in the compulsory schools. The studies at these schools last four years.

30.2. The general secondary schools can have oriented directions, which are differentiated by the teaching plans and curricula, in order to offer possibilities to the pupils to obtain knowledge, skills and the necessary preparation to allow for studies in the higher school, in various fields or for a certain vocational training.

### **Article 31**

In the general public secondary schools, besides the subjects for general preparation can be given even facultative subjects or courses and subjects by free choice, according to the criteria defined by the Ministry of Education.

### **Article 32**

For specific fields, like artistic, social-cultural etc., special public schools operate. The duration of the studies for these schools depends on the study field and is defined by the Ministry of Education.

## **PUBLIC VOCATIONAL SCHOOLS**

### **Article 33**

The public vocational schools are structured in two levels.

First level, which lasts 2 or 3 more years after the obligatory education system and trains qualified workers in all specialties.

Second level, which lasts 5 more years after the 8<sup>th</sup> grade or after the tenth grade and trains specialists capable to work and manage different enterprises.

### **Article 34**

The public vocational schools of the first level realise a vocational training with clear practical character. Upon graduation the pupils receive, besides the Diploma, a certificate which proves their level of vocational preparation. The modalities of the certificate are



defined by the Ministry of Education in co-operation with the other central ministries and institutions.

#### **Article 35**

The pupils who graduate the public vocational schools of the first level, can continue their vocational studies at the public vocational schools of second level or at secondary general school. Upon graduation of the public vocational schools of the first level, the pupils can not attend directly the higher school.

#### **Article 36**

Upon graduation of the public vocational schools of the second level, the pupils receive, besides the certificate of vocational training level, even the Maturity Diploma. These pupils can continue the higher school.

#### **Article 37**

In the organisation of the public vocational education the Ministry of Education co-operates with the central ministries and institutions, especially for studying the labour market needs.

#### **Article 38**

38.1. In the public vocational schools, besides the vocational education and qualification of the pupils, are performed even courses of further qualification, as well as services on the charge of the central ministries and other institutions.

38.2. Based on the possibilities and specific characteristics that public vocational schools have, it is granted a greater administrative and financial autonomy than other schools, in intention to increase the efficiency of vocational training, according to the sub-legal acts.

### **CHAPTER III**

#### **PUBLIC SPECIAL EDUCATION**

#### **Article 39**

39.1. Public special education is a component part of the public education system in the Republic of Albania.

39.2. Public special education aim to ensure a more complete development of the people who manifest physical, mental and emotional incapacities, through the use of special forms and methods, in conformity with their needs and requirements for a more dignified life.

#### **Article 40**

40.1. The education for the disabled children is made free and in agreement with the wish of the parents in the public institutions considering it the best professional solution. The state takes measures to ensure gradually the necessary conditions for realising this integration .

40.2. For children, whose peculiar needs can not be fulfilled within the school system, there are set up special classes and institutions, where the qualified treatment is given free.

40.3. The criteria for the selection of the children who will attend special education are defined through and by sub-legal acts of the Council of Ministers.

#### **Article 41**

Specialised courses and branches are opened for the further qualification of the teaching staff.

#### **Article 42**

Special structures and institutions are created for treating and studying of the set of problems of special education.

### **CHAPTER IV**

#### **PRIVATE EDUCATION**

#### **Article 43**

The opening of the private education is allowed at all levels of public education. The Albanian or foreign citizens enjoy the right to attend these institutions in conformity with the entrance regulations.

#### **Article 44**

44.1. The opening of the private laic educational institutions, where the teaching is performed in the Albanian language, is made only through and by the decision of the Ministry of Education and Science. On the cases of private education institutions, where the teachings are performed in the foreign language or when there are given religious subjects, the permission is made through and by the decision of the Council of Ministers, after the proposal of the Ministry of Education.

44.2. The permission is given when the curricula, the teaching programs and the conditions for their implementation are not in the opposition with the national interests of the Albanian legislation, with the public order, moral norms and hygiene, as well as when the necessary material conditions are secured together with the necessary teaching staff.

44.3 The Albanian literature and language, the history of Albanian nation and the geography of Albania are obligatory to be taught in Albanian.

44.4. The criteria and the procedures for issuing the permission for the private laic schools, where the teachings are made in Albanian, are defined by sub-legal acts of Ministry of Education. For the other private schools where there are made religious subjects or where the teaching is made in foreign languages the criteria and the procedures are defined through and by sub-legal acts of the Council of Ministers, after the proposal of the Ministry of Education. The permission for opening of the private educational institutions can be given only after one year from the day of handing of the application.

44.5. When violation of the law are contested, the permission for the laic private institutions where the teaching is made in the Albanian language is annulled by the Ministry of Education. For the other private educational institutions the permission is rendered valid through and by decision of the Council of Ministers.

44.6. The private schools whose permission is taken off, can make an application to re-gain it for the coming school year.

#### **Article 45**

45.1. The Ministry of Education defines the unification for the recognition of the certificates of a grade or of a private school. If the private school gives even religious

subjects, the Ministry of Education defines the unification for the recognition of the laic part of the curricula upon the completion of a grade or private school.

#### **Article 46**

In order to take the permission for opening of the private educational institutions, they have to certify that they possess the pedagogical personnel with the respective education and the proper qualification and they are equipped with the teaching means to implement the requirements of the teaching plans and curricula, as well as they have ensured the necessary material resources together with the necessary teaching staff.

#### **Article 47**

The Ministry of Education and its education bodies in the districts exercise control periodically on the laic educational process in the private schools to verify the implementation of the requirements of the teaching plans and programs approved by the Ministry of Education.

#### **Article 48**

48.1. For the private schools of the compulsory education the permission is given only when they take the responsibility to carry out the requirements of the compulsory teaching plans and programs for the public schools as defined by the Ministry of Education and Science.

48.2. In the cases of the annulment of the permission to the private schools of the compulsory education, the Ministry of Education and its bodies in Districts take the necessary measures to settle the pupils in other schools.

#### **Article 49**

The Ministry of Education defines the particular cases when the compulsory education is made at home. The assimilation of the teaching curricula is checked through the examinations that are given in the public schools of compulsory education.

### **CHAPTER V**

### **COMPLEMENTARY STRUCTURES OF EDUCATION**

### **Article 50**

50.1. In the Republic of Albania other complementary structures operate which support, help, and enrich the education system like cultural centres, assessment centre, centres of school documentation, lectoriums, special courses, vocational training centres, institutions for further qualification etc..

50.2. The complementary structures of education are under the responsibility of the Ministries and the organisms that have created them.

## **CHAPTER VI**

### **MANAGEMENT OF PRE-UNIVERSITY EDUCATION SYSTEM**

#### **Article 51**

The Ministry of Education is the highest administrative public body of education. The Ministry of Education compiles and elaborates the teaching plans and curricula for the development of education through its specialists and its subsidiary institutions in conformity with the international trends and development as well as with the national, regional, social-economic and demographic peculiarities of Albania.

#### **Article 52**

52.1. The Ministry of Education or its other subsidiary institutions that it has nominated, approve the basic school documents, where are comprised the teaching plans, programmes and the textbooks for the public educational institutions.

52.2. The Ministry of Education enjoys the right to make experiments for the quality improvement of education in conformity to the international standards, in co-operation with the specialised institutions within and out of the country.

52.3. The inspections on the teaching process are made only by the specialised bodies appointed by the Ministry of Education.

#### **Article 53**

The Ministry of Education defines the school year structure, the teaching load for the pedagogical body, the number of pupils per class, for all the levels of the public educational institutions.

#### **Article 54**

For the right orientation of the education policy the Ministry of Education set up near by a consultative body composed of personalities from different fields, as well as distinguished teachers and headmasters of the education.

#### **Article 55**

55.1. The Ministry of Education defines the criteria for opening of public and laic private educational institutions.

55.2. The opening of kindergartens is under the responsibility of commune and municipality.

55.3. The opening of the schools for the compulsory education and those for the general public secondary education, excluding the cases foreseen otherwise by this law, is made by the decision of the mayors for cities and by the council of district for communes, after the approval of the Ministry of Education.

55.4. The opening of public vocational schools, of the special public schools and those defined through article 32, is under the competence of the Ministry of Education.

### **CHAPTER VII**

#### **FINANCIAL RELATIONS OF EDUCATION SYSTEM**

#### **Article 56**

In the Republic of Albania the public education is financed by the state budget, as well as by other resources foreseen by law.

#### **Article 57**

57.1. Parallel to the major teaching tasks, the schools of the compulsory education and of the public secondary education can accomplish economic activities with financial income in the fields that are related with the realisation of the teaching programs, in conformity with the legal dispositions.

57.2. The public vocational schools with practical training centres operate as economic units for carrying out the productive activity, the services etc., contracting with private and state juridical persons.

### **Article 58**

The private and state juridical persons, based on their capacities, have to admit and create acceptable conditions to pupils of the vocational schools for carrying out the practical training according to their specialties.

The relations resulting from this co-operation, are settled directly with agreements between the concerned parties or their representative institutions.

## **SANCTIONS**

### **Article 59**

When the pupils of 6 up to 16 years old, who are included by the school obligation, are absent at school for no reason or leave it, their parents are sentenced for administrative violation with a fine from 5 000 up to 50 000 leke as below:

59.1. When the pupil misses the lesson for no reason about 30-50 % of the time within two successive months, the fine is 5 000 up to 50 000 leke and, in case of repetition in the course of the same year, the fine is 25 000 leke.

59.2. When the pupil misses the lesson for no reason over 50 % of the time within two successive months, the fine is 25 000 up to 35 000 leke and, in case of repetition in the course of the same year or leaves the school, the fine is 50 000 leke.

59.3 The fine sentence is given by the director of the Education Directory in the District, after the proposal of the director of the school.

In case of opposing the sentence, a complain can be made within 10 days from the day of declaration of the announcement at the district court where the transgression is carried out.

59.4. The parents whose children are registered at an albanian or foreign school, within or out of the country, are excluded by the fine under the condition to present the registration document at the school directory near their living place.

### **Article 60**

It is prohibited the employment of children who are included by the school obligation. When cases of children employment of the school compulsory age are certified, the private or state employer is sentenced for administrative violation by the labour inspector with a fine of 100 000 leke and, in case of repetition , with a fine of 200 000 leke.

Against the fine decision, complain can be made, within 10 days from the day of declaration of the announcement at the district court where the violation is carried out.

### **Article 61**

The opening of the private schools in opposition to the criteria defined by the legal dispositions is considered an administrative violation. The breakers of law are sentenced by fines of 500 000 leke and the suspension of the existing activity.

For the laic private educational institutions the decision for fine and suspension of the activity is made by the Minister of Education while for the private educational institutions where are given religious subjects or the lessons are made in foreign language, the decision is made by the Council of Ministers.

Against the fine decision a complaint can be made, within 10 days from the day of declaration of the announcement at the district court where the violation is carried out.

### **Article 62**

The analysis of the administrative violations and the execution of the decision of fine sentence is made according to the respective dispositions of the law No. 7697, dated 07.04.1993 "For administrative violations".

## **LAST DISPOSITIONS**

### **Article 63**

The Council of Ministers after the proposal of the Ministry of Education issues sub-legal acts in the field of education and charges for implementation this ministry or other ministries, according to the case.



#### **Article 64**

The Ministry of Education enjoys the right to approve regulations, instructions and orders for the implementation of this law. It determines the type of the school certificate per each grade and stage.

#### **Article 65**

The law No. 4624, dated 24.12.1969 "For the New Education System" the law No.7887, dated 08.12.1994 "For School Obligation", as well as other sub-legal acts which are in opposition to this law, are rendered invalid.

The existing private schools opened in the period of 1991-1993 have to undergo through all the dispositions of this law. The analysis of the requirements for the continuity of functioning of the existing private schools opened during 1991-1993, as well as diploma recognition issued by these schools, are made within a period of three months from the day this law assumes power.

#### **Article 66**

The state guarantees the safety of life and activity of the teachers and pupils, as well as the intangibility of the education institutions and their territories.

#### **Article 67**

This law assumes power 15 days after being declared in the official paper. Announced by the Decree No. 1144, dated 03.07.1995 of the President of the Republic of Albania, Sali BERISHA.

**NORMATIVE DISPOSITIONS**

**FOR**

**THE PUBLIC SCHOOLS**

**Tirana, August 1996**

**List of Abbreviations**

<b>[RA ]</b>	<b>Republic of Albania</b>
<b>[ LPES]</b>	<b>Law on pre-university education system (No.7952, dt 21.06.1996)</b>
<b>[SLP]</b>	<b>School legislative Packet ( 1996)</b>
<b>[CLRA ]</b>	<b>Labour Code of Republic of Albania (Law No. 7961, dt. 12.07.1995)</b>
<b>[ ND]</b>	<b>Normative Dispositions for the public schools (1996-Sub-Legal Act of the Ministry of Education and Sports)</b>
<b>[ CC]</b>	<b>Collective Contract (25.03.1996)</b>
<b>[ MES]</b>	<b>The Ministry of Education and Sports</b>
<b>[ IPS]</b>	<b>The Institute of Pedagogical Studies</b>
<b>[ ED]</b>	<b>Education Directory of the District</b>
<b>[ TP]</b>	<b>Teaching Plan</b>
<b>[ ETW]</b>	<b>Educational-Teaching Work</b>
<b>[NTL ]</b>	<b>Norm of Teaching Load</b>
<b>[ R E]</b>	<b>Release Examinations</b>
<b>[ ME]</b>	<b>Maturity Examinations</b>

<b>[GE ]</b>	<b>Examinations of graduation for the vocational schools (3 years)</b>
<b>SCHOOL</b>	<b>Public 8th schools and general secondary Schools, Vocational schools of the first &amp; second level, of full &amp; part time.</b>
<b>[ FT]</b>	<b>Full time School</b>
<b>[ LT]</b>	<b>Part time School</b>
<b>Primary School Secondary School</b>	<b>Full and Part time School</b>
<b>Secondary Technical School</b>	<b>Vocational school of the first level, second level</b>
<b>Vocational School</b>	<b>Vocational school of the first level (2 or 3 years)</b>
<b>[ IRS]</b>	<b>Internal Regulation of the School</b>

## **CHAPTER IX**

### **TEACHER**

#### **Article 47**

#### **The Rights**

[1] The teacher enjoys every right defined by the Labour Code and as its implementation at the Collective Contract.

[2] The teacher is guaranteed:

1. the right and the conditions of work (Article 4, of CC)
2. the right of transfer (article 5, of CC)
3. the right of payment (article 8, of CC)
4. the right of award for supplementary work (article 6, of CC)
5. the right of vacation (article 7, of CC)
6. the right of complaint (article 11, of CC)

[3] The teacher enjoys the trade union rights, determined by law, in conformity to the statute of the trade union organisation, where he is a member.

[4] The teachers have the right of: trade union meetings at the surroundings of the school but after the lessons' schedule, of advertising the announcements, the proposals, requests, petitions etc., at certain places of the school, of activities with syndicalist character.

[5] The teacher has the right:

- a) to express freely his opinions in all forms, written, orally, publicly;
- b) to take part: in the various meetings of the class, of the school, in seminars, workshops, consultations, round tables, etc. and in different activities within or out of the school; at different meetings with the parents, with the community and the local organs or the other institutions and organs concerned of school, when he has been invited, but not violating the timetable of the lessons.
- c) to express his judgement: on the problems ETW at school; on the plans, programs and textbooks; on the activities, experiences, problems and troubles of the class, subject, and school; for himself, colleagues, headmasters of the school; on education level at the community, where he works or lives or on local level and national level etc.;
- d) to be self-qualified and qualified in all the forms foreseen by LPES (article 14);
- e) to be elected and to elect in the school board or other advisory boards, that operate in the school in compliance with ND and to transmit there the interests of a group of teachers in case he has been authorised;
- f) to require to be taken in analysis matters that worries the class, school, social environment, the community where the school is located and himself, at the directory of the school, at the school board or at advisory organs, local organs, at ED.
- g) the teacher enjoys the right to be treated with respect, with human dignity, in a cultural and moral manner, from everyone, without pressure, without offence, humiliation, denigration, violence;
- h) to develop the ETW under normal, healthy, calm and safe conditions;

## Article 48

### Obligations, tasks

[1] The employment criteria of a person, likewise a teacher at a school ( employer of the state ), are defined by article 4 of CC (Section III).

[2] The norm of teaching load (NTL)

a) NTL of a teacher, according the subject, stage, school is under the competence of the Minister of Education and Sports. It is settled even in the CC.

**Tab. I**

No.	Stage	NTL of the teacher		
1.	First Stage	In conformity with the amount of periods per class, defined by the NM		
2.	Second Stage	language literature 20 periods/week	mathematics, physics, chemistry, biology 22 periods/week	other subjects 24 periods/week
3.	Secondary School	Albanian language literature 20 periods/week 650-680 periods/year	vocational and other subjects 22 periods/week 700-750 periods/year	vocational training 33 periods/week

b) It is obligatory to be given to the teacher a full NTL and to realise it in the PME.

c) NTL, according to the subject, cycle and school, is as shown at Tab. 1

d) The teacher can have two periods below the norm per week, with full payment, in cases when the NTL is not met for the cause of teaching program.

e) In case of a teacher with lower or higher load (supplementary) of the NTL it will be acted according to article 6.4.d, 6.7. of CC.

f) The conversion of the teaching periods of the work of teacher for the preparation of pupils on Olympiads, as well as for those who carries out teaching work due to the component elements of the norm, is made in conformity with the sub-legal acts in power. (Instruction No.11, dated .02.08.1994 of MES, Section III)

g) When the teacher is absent for objective reason (as illness etc.), the directory of the school and the ED take measures to replace the teacher in order to complete the periods. These periods can be charged to the teachers of the same profile with lower load, if there is any, or to the teachers who are part time employed, or to the teachers of the same profile with full load, considering them as supplementary periods.

The teacher has the task:

a) like a citizen, to know, to respect and to defend the law, to accomplish firmly the school legislation;

b) to evaluate and realise its role, the responsibility and the noble mission as a teacher and educator;

c) throughout the activity must manifest passion, creativity and humanism; to make his contribution for the democratisation of the life and teaching process;

d) to behave in a cultural way, with democratic and professional ethic, emitting respect and tolerance, not humiliation and violence within and out of school;

e) to have a good command of the subject or subjects he gives at school, to know profoundly the pedagogical and scientific requirements defined at the teaching programs, textbooks, teacher's book, to handle the instruments, apparatus, lab. tools, to know the methods of vocational training etc.;

f) to be into close contact with the new scientific, psychological and pedagogical information; to get further qualified for the up-dated procedures and didactic mechanisms, that the evolution brings;

g) to know quite well and to evaluate the psychology of the age and age groups of the pupils, the major characteristics, peculiarities, needs, interests, motivation, the rights, intellectual capacity, moral and citizen education and their concerns;

h) to realise a systematic, daily, structured and documented preparation of the periods of teachings, to realise with full competence, responsibility and the highest efficiency PET. To enhance the independence of the free individual thinking and action of the pupils during PET, within and out of the class;

i) to be present on duty on 1 September of the new school year, apart of the cases foreseen by ND, in relation to Section II etc.;

j) To accomplish with correctness the specific duties of the tutor, the school timetable settled by the headmaster of the school and the presentation at school.

k) according to the case and possibilities to support and to take part in the organisation of free activities, competitions, Olympiads;

l) when he is elected in collegial school organs, or when he is in meetings and analysis to contribute by making concrete proposals, discussions for the progress of PET;

m) to accomplish with correctness the criteria, procedures and rules defined by ND: for RE, ME, FE, when he is appointed at exams commission; for the competitions, Olympiads etc. as determined by the items of ND;

n) to show concern for the maintenance, enrichment and the efficient use of the laboratory, teaching and didactic resources; to show responsibility for the materials he is on charge, even to remedy in case of damage.

o) It is forbidden that the teacher leaves the lesson and let pupils free for his private needs and matters.

## **Article 51**

### **One year qualification courses**

[1] The one year qualification courses play an important role in the qualification system. They contribute in the restructuring process of the school and teachers; in the creation



and consolidation of their democratic culture; in recognition, respect and realisation of the scientific, psychological, human, pedagogical values at ETW and of the human rights.

[2] The one year qualification courses are organised by ED on district level, as defined by article 50 ( item [6]).

[3] a) As a rule the one year qualification courses are held in these sessions: August, January, April and June-July.

The courses start in August and are completed in June (for the teachers of the primary school) and in July (for the teachers of the secondary school ) of the coming school year.

b) The changes in the timetable of courses must be motivated. This is made by the decision and is in competence of the director of ED.

c) Upon the completion of the courses, a conversation session is held treating the most frequent questions during the courses in June-July.

d) The teacher who has not got the possibility to take part in the conversation session, enjoys the right for a second session in August. The date is fixed by the ED.

[4] For qualification needs, ED organises activities of teaching models but not more than 3 days in the course of the academic year.

### **Documentation. Certification**

[5]a) For the one year qualification courses, ED keeps a correct and responsible documentation.

b) This documentation is compulsory reflected in the registers, noting down:

- name, surname of the participants;
- date of birth, place of birth;
- the profile of the higher (or secondary) school performed;
- the year of the course attendance;

- the school where he works;
- the subject of the lectures and practical training held in the courses;
- the referee

c) Upon the completion of the course, the teacher is given a certificate, according to the respective model, undersigned by the director of ED. The last sends to the directory of the school the notice on the completion or non-completion of the course (because of non-attendance or failure) from the teacher.

[6] The relevant certificate opens new chances to the teacher for better places of work, in addition to other opportunities.

## **Article 52**

### **Advisors**

[1] In the Republic of Albania the system of qualification comprises:

- a) the network of local advisors in each district of the country;
- b) the team of national advisors.

[2] The local advisor represents a teacher or specialist, of high scientific, pedagogical and organisative level, whose function is that of a assistance, advisor, and qualifying instructor of teachers, for certain subjects and levels of schools.

[3] It is in the competence of the director of ED the nomination of a teacher in the position of an advisor.

[4] The criteria of selection of advisors and of the profiles are defined in the Section III ( Instruction No.13, dated \*\*\* 1993 of ME)

[5] The Department of Qualification of Teachers and Directors, at the Institute of Pedagogical Studies leads and implements the qualification of the network of local advisors, based on a special program and according to the article 50 [4]. In compliance with the sources and capacities, ED co-operates to support the advisors for their further qualification as well as the direct links of advisors with experts from other institutions within and out of the country.

**The rights and the duties of advisor:**

[6] a) to support, to advise, to instruct the teachers, under his responsibility and in particular those not having the respective schooling, for a more efficient ET, by giving models and recommendations taken by the albanian and foreign experience.

b) to ensure a warm atmosphere, a co-operative spirit, reciprocal respect and tolerance with the teachers.

c) to observe teaching periods or pedagogical activities of teachers, in order to recognise their experiences, their concrete needs, their problems. In this way, he compiles didactic materials etc., organises courses and workshops by holding speeches himself, or exploits the literature and materials recommended by IPS ( Department of Qualification of Teachers and Directors) or that he has ensured on his own.

d) In order to compile the qualifying work he co-operates with the inspectors of ED, teachers, psychologists, experts etc.

e) works according the monthly and annual plan approved by ED.

[7] a) The norm of teaching load of the local advisor of the second stage of 8<sup>th</sup> year school and of the secondary school consists of 50 % of the weekly NTL, according to the subject, stage and school ( Tab. 1, article 48.[2]. As a rule, these advisors do not take tuition class. The school directorate gathers their periods to 3-4 days per week.

b) NTL of the advisors of the primary stage is according to Tab. 1, based on the specific peculiarities of this stage. These advisors enjoy the right of the additional award per every month, with additional periods, as defined by the legal dispositions of MES.

**Article 53**

## **Disciplinary Measures for the Teacher**

[1] According to the Code of Labour of RA, article 37, the disciplinary measures are defined only in the Collective Contract (article 13.2).

## **SECTION X**

### **PARENTS**

#### **Article 54**

##### **The rights. Obligations**

[1] It is a priority in the albanian education the co-operation of the educational institutions with the parents.

[2] The rights of parents:

- a) to demand from the educational organs and local authorities the creation of optimal and healthy conditions for teaching and education;
- b) to give contribution in carrying out the duties of school, in the on-going process of ET, in the optimal integration of children in work, society and life;
- c) to make a free choice of the schooling institution for the children, who are of school compulsory age, according to the rules and the possibilities defined by ND;
- d) to get known with the teaching programs, objectives, regulations and school activities
- e) to take frequent and clear information on the development of the children, for the behaviours and the results at school; to take advice and help for the familiar education of them;
- f) to be elected and elect others in the school board or its other advisory organs, as defined by ND and to represent the interests of a group of parents, when they have their permission.

g) to take part in the school and free activities; as defined by the internal regulation of the school;

h) the parents have the right of complaint and proposals in written form near by the headmaster of the school, teaching staff or school board and to receive answer not later than 30 days from the delivery day.

[3] Specific obligations of parents:

a) to make their children attend the school regularly and in particular way those who are included by the school obligation;

b) to know and to respect the legal obligations, the procedures and rules of ETW as defined by ND or by the internal regulation of the school;

c) to take the necessary measures and in time for providing them with textbooks and material tools that the teaching subjects require.

d) to respect children rights and to aid them in their education;

e) to keep proper contacts with the teachers of their children;

f) to support their children to adjust to rules and demands of the school and to be integrated in the community life.

## **Article 55**

### **The Parents' Advisory Board of the Class**

[1] Within 20 days, from the date of the beginning of the academic year, under the care of the tutor in every class it is held the general meeting of the pupils' parents, where the Parents' Advisory Board is elected by free vote (3-5 persons).

Head of this board is elected one of the parents-member of it.

[2] The Parents' Advisory Board usually meets 1-2 times in the month, based on the plan compiled by the board.

[3] Functions:

- a) knowing closer the development of ETW, its achievements and class's concerns;
- b) depending on the case, expresses its thoughts and gives advice on the advance or improvement of ETW; for a better implementation of the rules of the school and the competencies of teachers and teachers board;
- c) aid in order to create a democratic climate, full of co-operation, respect, tolerance among pupils, pupils and teachers, teachers and parents.
- d) depending on the case, arrange special or common meetings with the teachers, pupils, parents;
- e) make concrete proposals for the progress of ETW at: the Parents' Advisory Board, teachers' board, school directory, school board;
- f) make reports, as a rule, 2 times in the course of a school year at the general meeting of the parents of the class;
- g) makes present its own opinion for the cases which are included in article 46 ( 4.c and d) on the disciplinary measures for the pupil.

## **Article 56**

### **The Parents' Advisory Board of School**

[1] Within 30 days, from the date of the beginning of the academic year , under the care of the director of the school, in every school it is usually held the general meeting of the representatives from the Parents' Advisory Boards from every class (1-2 persons from each), where the Parents' Advisory Board of the school is elected by free vote.

[2] The Parents' Advisory Board consists of 5-15 persons, according to the number of classes in the school, as defined by the internal school regulation. The Board elects its head by 2/3 of the ballots of the members.

[3] The Parents' Advisory Board usually meets once in every term. It meets when it has been considered reasonable, or for particular matters that concern the school.

[4] The rights and functions

a) Co-operates with school directory for the advance of ETP of the school, within and out of it;

b) co-operates with parents advisory board of classes;

c) keeps close contacts with pupils' parents, with community, with authorities of local power, concerned clients or various donors for supporting, ensuring normal conditions of education and instruction at school;

d) supports, advises and makes proposals to school directory for efficient educational way-out, for further democratisation of the school, for the development of moral, ethic, cultural and social values; for preserving, maintain and enriching the school property.

e) organises urgent meetings on certain emergent and important problems, caused by natural calamities, heavy accidents, fires etc., which affect the life of children, and presents to school directory concrete proposals for overcoming the situations. In such cases, if it is necessary, the board organises the general meeting of pupils' parents of the school.

f) for particular issues, representatives of School Parents' Advisory Board make frequent appointments with school director or group of teachers, take part in meetings of Parents Advisory Board of class, etc.;

g) representatives of parents advisory board of school take part in main work analysis of teachers council, being invited by school director;

h) for cases mentioned by article 46, (items [4.c) and d]), the advisory board of school enjoys the right to put forward its opinion to school director.

## **Article 57**

### **Parents Association**

To have an efficient participation and support of parents in field of instruction and education of the young generation, parent association can be set up on free initiative of parents on municipality or commune level ( e.g. parent union), on district level (e.g. parent federation), on national level (e.g. parent confederation). They are considered from educational authorities of all levels as important partners, whose activity can operate on the

basis of rights and functions defined by the statutes of these associations, approved in conformity to respective legal dispositions in power.

## **CHAPTER XI**

### **ADVISORY BODIES AT SCHOOLS**

#### **Article 58**

##### **The Council of teachers**

[1] Teachers council is an advisory organ of the director of the school, that gives its contribution to the quality and progress of ETW, according the concrete conditions of the school.

[2] Members of this council are teaching personnel, educational personnel of boarding.  
Head of this council is the director of the school.

[3] The Council of teachers usually meets 1 time in the course of two months.  
The Council meets even in cases when the director of the school and not less than 1/3 of its members judges reasonable.

The council of teachers holds its first meeting within 10 days before the beginning of the school year.  
At this meeting opinions are put forward to the director of the school on:  
composition and content of the classes;  
compilation of the timetable of ETW in school;  
planning of the annual main activities of the school;  
qualifying activity in the school, based on the capacities, interests and skills of the teaching personnel.

##### **Functions.**

[4] a) Supports and recommends fruitful ways and forms for the constant advance of ETW and the consolidation of the achievements and concrete experiences within the school, in different subjects.  
b) Treats time after time scientific and pedagogical issues and updated information of common interest.  
c) Assesses currently the evolution of ETW, its efficiency towards the basic requirements of the teaching programs and goals defined by the council or the school as a whole, and on occasion, makes concrete proposals for the further consolidation or necessary improvements.  
d) Makes present to the directory the demands for material resources for subjects, classes, stages and the whole school, and makes attempts to support the directory in this direction, within the capacities.  
e) Analyses the heavy violations of discipline on part of pupils, or the immoral and improper behaviours of any teacher to pupil and makes proposals to director of the school in conformity to ND. When the proposal is supported by 2/3 of the number of teachers, the director of the school is recommended to respect the proposal.

[5] When it seems reasonable, the director of the school invites in the council of teachers: the head and members of the parents advisory board, pupils, experts of education or of ED, representative of local power.

#### **Article 59**

##### **Board of school**

[1] School board functions as the major advisory and supportive organ that contributes in a constructive way, aids in the democratic direction and management of the main problems of the school.

[2] The setting up of school board is an issue of free initiative, concrete conditions and capacities of the school, in the community where it operates.



[3] The decision for creation of the school board is made unanimously by the director of the school with the parents advisory board and the support of not less than 2/3 of the members of the council of teachers. In this case the ED and the local authorities are informed.

[4] The school board consists of:

- a) 5-7 parents of the school pupils, elected by vote from the advisory board of parents.
- b) 2 representative of the teaching staff elected by the teacher council of the school.
- c) 1-2 pupils, representative appointed among the pupils of the school. For the basic schools usually the pupils are of the 8th grade.
- d) 1 client or donors, with reputation and interested in the advance of the school, if there is any and that accepts the invitation of the school director.

[5] The number of the board members always must be a odd number.

[6] The head of the school board is one of the representative of the parents elected by vote.

[7] The school director, who is a member of the school board, is simultaneously its secretary.

[8] The parents, representative at the school board, are elected for two years, while the other members are elected for one year. A teacher or member of administrative personnel, who has his child in this school, does not enjoy the right to be elected in this board.

### **Functions**

[9] a) The school board knows the fundamental objectives of the school activity, the annual plan of its activities, its needs and the problems that concern the school.

b) helps to ensure optimal, safe and healthy conditions at school and supports to realise the major annual goals of the school.

c) Tries to obtain financial assistance and support for the school from different non-governmental and beneficial societies and foundations, different donors, who are registered at the book: "Non-governmental complementary financial assistance"

d) The management for item c) is performed by the school board in conformity to the law in power.

[10] The school board enjoys the right, after consulting with parents' advisory board, but not less than 2/3 of its members, to propose in writing to ED:

a) The candidates for school director.

In such special cases the proposal must be presented well motivated.

The decision for this proposal is taken by the board by voting, but not less than 2/3 of the ballots. On such occasion the school director does not enjoy the right to vote.

b) The removal of teacher from work or the nomination of any teacher at school.

## **CHAPTER XII**

### **TRANSFERS, MOVEMENTS OF TEACHERS AND PUPILS**

#### **Article 60 For teacher**

[1] The movements of teachers, like employees, are made in conformity to CC, in execution of the Code of Labour (Section III).

[2] The free removal from the duty of the teacher is a right of individual, that is defined at Code of Labour (Section III).

In these cases, he informs in writing the director of the school 30 days before the separation. The school director informs the nominating organ and the last makes the necessary replacement.

## **Article 61**

### **For the pupil**

[1] The pupil of the basic school enjoys the right to move to another school within the district or in another district, after the written proposal of the parents or the person who is in charge of the pupil.

a) The transfer usually is made upon the completion of the term. On this occasion a certificate of the term results of the subjects according to TP, is issued to the pupil signed and sealed by school director.

b) When transfer is obligatory made in course of the year, the pupil is provided with the results certificate ( expressions for grades I,II) of the current period, signed and sealed by school director.

c) It is the duty of the school director, where the pupil is transferred, to inform officially the previous school for the enrolment of the pupil. The school director of the sending school, on the base of this document, makes the striking off from the school obligation.

[2] The pupil of a private school enjoys the right to move from a private school , that operates in conformity to LPES, to a public school on the basis of document signed and sealed by the director of the private school, without the equivalence of TP.

The document reflects the final results of the subjects of TP of the private school, when the transfer is made at the beginning of school year; term results, when transfer is made after the completion of the term and the subjects assessment up to that moment, when the transfer is obliged to be in course of the year.

[3]a) The transfer of the pupil from a secondary school to another school of the same profile, within the district or in another one, can be made at end of the term or school year, after the approval of the respective school directories. In these cases the pupil is provided with results term certificate of the subjects (marks), according to TP, signed and sealed by the school director.

b) The transfer of the pupil to another secondary school of the same profile, where the admission is made on the basis of competition, is performed only upon the completion of the first year, after the approval of the respective directories of the schools.

[4] The transfer of the pupil to another secondary school of another profile, in special cases for I,II grades, can be made only upon the completion of the first year, after the approval of MES.

The pupil fulfils the obligations, resulting from the changes in teaching plans, in compliance with the equivalencies defined by MES, in Section II. The time for this is determined by school director.

## **CHAPTER XIII**

### **SPECIAL EDUCATION**

#### **Article 62**

[1] Schools of special education for disable pupils are part of the network of public pre-university educational institutions of RA.

[2]The educational teaching activity in these institutions is realised in conformity to the whole legal documentation that is carried out in the public schools for the normal children.

[3] The opening of special schools is in the competence of Ministry of Education.

[4] From the structural viewpoint, the schools of special education is arranged in a way adapted to their handicaps.

[5] The schools of special education are under the responsibility of ED of the districts where are located.

[6] Education lasts 9 years in these schools, including the preparatory year for those children who need it.

#### **Admission**

[7] a) The admission age at these schools is 6-10 years old at the first grade and the pupil can attend the school till its completion up to 19 years old.

b) Entrance of a pupil into a special school is decided by a special commission consisting of school director (Chief), two specialist teachers and the respective doctor.

The admission is made on the basis of entrance criteria defined by sub-legal acts of the Council of Ministers. (LEPS, article 40;3)

c) The enrolment of children is made presenting these documents:

- Birth certificate
- Medical report of current state of child.
- Decision of entrance commission.
- The vaccine certificate.

d) In case of a pupil coming from a normal school, the pupil has to appear before the admission commission to be accepted in the intermediate classes. On such occasion a characteristic is issued by the school that comes.

[8] In towns or villages where there are no special schools, the disable children, certified by medical organs, in impossibility to put them in special boarding schools, can attend public basic schools 1-2 pupils per class, or are opened classes of special education when there are 10-12 children. In such cases they attend school on basis of a compiled teaching program corresponding to their needs and abilities (or with teaching programs of special schools).

[9] The opening of special classes in town is in the competence of municipalities, communes and district council, after the approval of Ministry of Education and Sports.

[10] ED makes known to the special school directors the 6 year-olds list that are not enrolled at first grade. For the new contingent of pupils the special schools draw information at the offices of assistance attached to Municipalities or communes. Depending on these dates the directory of the special school makes verification for the new entrances.

### **Movement of pupils**

[1] The physically and/or mentally handicapped children, in impossibility to be treated at schools of special education, can be treated at other institutions corresponding to the case.

[2] On application of the parents and after consulting with teaching staff, every child can leave these school institutions at any time.

[3] The Educational teaching staff makes every effort that the disable children not leave special schools. In case they leave, as foreseen by item [12], their education can continue at home if the parent agrees to.

Home education can be performed even for those children who miss school for long time.

The special school can create facilities to the teachers who consult pupils home taking off any duty or are nominated teachers who don't have a full weekly teaching load.

### **Knowledge, programs, textbooks**

[4] a) To blind pupils is given an education corresponding to that of normal pupils at public basic schools.

b) To deaf and dumb pupils as well as to mentally handicapped ones is given education corresponding to that of first stage of public basic schools. Besides teaching knowledge, to disable pupils is given elementary practical knowledge on simple professions.

c) For pupils of special schools textbooks of general education are used, making the adequate adoptions according to the approved programs and pupils disabilities.

For blind pupils are used special textbooks printed by Braille methods and cassettes, while for deaf and dumb pupils textbooks with signs.

d) The specific and needs of children are taken into account in compiling the texts of teaching programs. Their implementation is made in a creative way, according to their difficulties.

e) For separate pupils, who are under the minimum level of teaching program or who have quite specific features, will be worked with individual educational plans.

Integration, assessment, qualification

### **Integration, assessment qualification**

[15] It is a necessary updated process the integration of disable pupils with the pupils of public schools, implemented in the practice of special schools and evaluated as an important process in the development of pupils.

[16] The school directories can create opportunities for the disable pupils to attend public school for certain subjects together with the normal pupils, settling co-operation links. On these joint periods the pupils are accompanied and assisted by teaching staff of the special school.

The co-operation with the other basic schools is made after the approval of the educational directories. Besides instruction, common leisure activities are arranged.

[17] The assessment of pupils is made by marks or synthetic expressions like in the public schools, but all the pupils pass to the successive class without failure (apart from blind pupils in the Blind Institution).

[18] Upon the completion of the eighth grade the mentally handicapped pupils are tested in direction of their general social preparation, and the level of \ vocational skills at labour instruction; the deaf and dumb pupils are tested and in the subjects language-literature; while the blind pupils have to undergo the release exams.

[19] Particular pupils, not blind, that demonstrate a distinct advance, can pass to successive class even in the course of the school year, when teachers commission judges it reasonable. On this occasion a report is compiled and signed by the commission members and the school director.

### **Article 63**

#### **Personnel, appointment**

[1]a) The implementation of educational teaching process is carried out by a personnel consisting of specialists, teachers, assistant teachers, administrative and service personnel

b) The organic for every type of school and the norms for every employee are approved by sub-legal acts of the Ministry of Education and Sports.

[2]a) The teachers and assistant teachers are under the charge of ED.

b) Every new candidate, at first, works as assistant teacher

c) Admission of the new assistant is decided by a commission attached to the directory of the school. It consists of five members: school director (chief), two teachers, one assistant teacher (the best specialists of the school) and the head of the school advisory board of parents. This commission tests and interviews the candidates corresponding to approved criteria by the Ministry of Education and Sports and later makes their classification according to the collected points. On this basis ED appoints the successful candidate who will be tested one year at work. At the end of the year it is made the permanent nomination taking into account the opinion of school director.

According to the needs, the director of the school decides the pass of assistant to teacher.

[3] The director of the school is under the responsibility of Ministry of Education and Sports.

#### **Specific tasks of educational teaching staff.**

[4] Apart from the tasks defined by ND for the teachers of common schools, the teachers and assistant teachers of the special schools are charged with other particular tasks, beyond the teaching load, which are dictated by the specific of this institutions.

[5] a) It is the duty of teacher to provide the pupils with teaching knowledge approved at the teaching program, to stay closer, to communicate with them for every concern in order to facilitate the difficulties they encounter because of their defect. He cares for their progress at school, for their health, outer appearance etc.

b) At the end of the lessons the teachers hand the pupils to assistant teachers.

[6] The teacher appears at school 20 minutes before the beginning of his period.

[7] The teaching load of the teachers is 22 periods per week.

[8] a) The assistant in his work gives priority to the preparation of pupils for life, treating at a large range the elements of self-service, staying closer and communicating for every trouble they come across. He arranges various activities based on the annual educational plan. Keeps close contact with the teachers, considering the educational process and afternoon study as a continuity of instruction.

b) the assistant is engaged in the teaching process 2 or 3 periods every day under the direction of the teacher (according to the approved timetable of school director), while the rest of time at work is fulfilled with leisure activities and the afternoon study, realising the objectives for each pupil.

c) The assistant aid the teacher for preparing the didactic-teaching tools.

He gives priority to those pupils who present more problems and difficulties

d) After work the assistant teacher hands the pupils to the educators of the boarding.

[9] The assistant teacher works 6 periods a day.

[10] Every assistant teacher has under his responsibility a class of pupils.

[11] The teacher and the assistant teacher keeps a regular document on the evolution and development of disable pupils ( with cards and files for each pupil).

[12] a) A class has 10-12 pupils. When the disability state of pupils is aggravated, it is required the approval of MES for the number of pupils per class.

b) When the number of pupils, in course of year, is reduced to less than 7 pupils per class, there is created a joint class. The instruction is held in collective classes.

The number of pupils in collective classes is less than 12.

[13] On Sundays and holidays the pupils are kept by the tutors of the boarding.

#### **Parents**

[14] a) The educational teaching personnel keeps close links with the parents. They are invited to take part in the educational teaching process, are trained for the way how to train and behave with their children at home.

b) For the compilation of plans (monthly and annual) and for the organisation of leisure activities, which play an important role for the development of children, it is taken into account the opinion and co-operation of parents.

#### **Miscellaneous**

[15] The school director compiles the internal regulation.  
On special circumstances the daily rate is changed by order of the school director.

[16] After the approval of ED, the school can co-operate with other schools within and out of the country.

[17] The special schools open bank account, where are deposited the donation and incomes from different beneficial foundations and donors.

[18]The general qualification of teachers is arranged by ED, while the special qualification is made by IPS, or other specialised organs.

[19] The school directories co-operate in continuous way with various humanitarian associations.

[20] For other issues or problems of special education, that are not mentioned in this chapter, the articles of ND on public schools of normal pupils are valid.

## CHAPTER XIV

### AUTHORITIES OF EDUCATION

#### Article 64

In the Republic of Albania the authorities of education are of three levels:

- |                       |                                       |
|-----------------------|---------------------------------------|
| 1. On national level: | Ministry of Education and Sports[MES] |
| 2. On district level: | Educational Directory [ED]            |
| 3. On school level:   | Directory of School.                  |

#### Article 65

##### Ministry of Education and Sports

[1] In the Republic of Albania the Ministry of Education and Sports is the highest public administrative organ of education according to the definition at LPES, article 51.

[2]The rights, main tasks and competencies of MES are defined in general by LPES and in particular by articles 51, 52, 53, 54, 55 (Section I).

#### Article 66

##### Educational Directory of the district

[1] ED is the highest public administrative organ of education in district.

[2] ED organises, manages the whole work of education in the district, in conformity to legislation in power. It is represented and responded to the Minister of Education and Sports and deputy ministers of MES through its director.

[3] The appointment of the director of ED is in competence of Minister of Education and Sports. The appointment of the personnel of ED is in competence of Director of ED.

[4] The rights, tasks and competencies of ED are defined by sub-legal acts. Some of them are reflected at ND, in special articles.

[5] a) Inspection at schools of the district is a right and duty only of ED and of authorised groups of specialists.

b) the qualification of teachers on district level is a right and duty of ED. Such qualification can be performed and by experts of specialised institutions approved by ED.

c) It is a right and duty of ED the study on needs for teaching personnel, number of classes, salary's fund as well as the prospect of educational evolution.

d) The nomination of directors, vice directors, teachers and other employees of educational institutions is a competence of director of ED.

[6] ED co-operates with the authorities of local power for the resolution of different problems and the on-going of ETW at educational institutions under its jurisdiction.

##### [7] Dental Service

(Based on common sub-legal act of MES and Ministry of Health, No. 50, dated 07. 04. 1994).

a) ED, in co-operation with directory of public health in district, appoint the schools where dental cabinets will operate, which are administratively under the charge of school directory and economically and technically under the charge of dental sector at prior health service.

b) Dental cabinets are set up at school where can serve a minimum of 800 pupils.

This number can be fulfilled by involving more than one school. These cabinets can cover even children that are within the territory that school includes.

c) It is prohibited to carry out any private activity at the dental cabinet of schools.

[8] ED enjoys the right of relations, twinning and exchanging of experiences, visits and teaching materials with other concerned institutions within and out of the country, in conformity to sub-legal acts of Council of Ministers and MES.

##### Director of the school

## **Article 67**

[1] The director is the official of school, juridical person, who enjoys the right of signature and use of seal of the school institution.

He is responsible for the on-going of school, as well of pre-school kindergarten, when there is one under his charge, in front of ED, MES and authorities of local power according to respective problems.

## **Article 68**

### **Rights, tasks and specific functions**

[1] organises and manages the main activities of school, for the on-going of ETW.

[2] responds for the respectability of legislation in general and that of education in particular. (LPES, government decisions, sub-legal acts of MES).

[3] Ensures the correct and qualitative implementation of the main documents of content of school (teaching plan, programs and textbooks).

[4] carries out the tasks and competencies defined by the articles of ND.

[5] leads the teachers council of the school.

[6] Internal regulations of the school - IRS.

The director compiles the internal regulation of the school, taking into consideration the concrete and specific conditions of the school and community and drawing the opinions of teachers, parents and administrative, educational and technical personnel (if there is) and in conformity to ND and legislation in power.

It is recommended that IRS reflects practical resolutions for such matters as:

- \* school uniform;
- \* official on duty
- \* activity of school secretary for the management of registers;
- \* work of service employees, guards, in compliance with Code of Labour.

[7] According to the definition by ND, bases on teachers opinion, makes the division of classes, teaching load of subjects, appoints the tutors, makes the teaching timetable of the school, annual plan of school activities and sports ones.

[8] defines the predictions of school budget for the coming year and sends it to ED and local power.

[9] Composes the annual plan of inspection of ETW, preserving harmonious ratio between subjects, classes and stages.

It is a duty the preparation for inspection. The director informs the teacher 10 minutes before exerting inspection about the objectives. As a rule, after inspection makes present to the respective teacher his opinion, assessment and suggestions.

- b) controls and assists teachers in general and tutors in particular for carrying out the educational aims.
- c) checks the annual planning of ETW of the teachers, before the beginning of school year.

[10] a) The director makes every effort to avoid the overload of written control (exams, tests) of the pupils, ensuring its pedagogical and psychological harmony.

b) The class, which will be tested in writing on a subject, is informed tree days before.

[11] is responsible for ensuring permanent healthy and normal conditions, for ensuring of lightening and heating in school and in boarding (if there is any), for equipment maintenance of school property.

[12] a) responds for the realisation of school obligation, for planned contingents, and does the utmost for preserving them in continuity, co-operating closely with parents, organs of local power etc.

b) at the end of school term and year makes the final analysis of the contingents' state ( transfers, leaves, illnesses, age, deaths etc.).

This is registered in "Paper on pupils contingent of the school".

c) fulfils in time, with responsibility and exactness the official statistics, defined by MES, as well as every other information required from ED and MES.

[13] takes the appropriate measures for accomplishing and arrangement of RE, ME and FE in compliance with relevant articles of ND.

[14] For the official register of school:

a) The director keeps at a safe and sealed place the official register of school, the most important document which contains the enrolments and annual results of pupils per class.

b) The completion of the official register is made by school secretary, if there is any. He responds legally for incorrectnesses and irregularities .

c) In absence of secretary, the school director issues a written order for the teacher who is authorised to complete the official register, in conformity to its requirements. The authorised teacher is responsible as defined by item b).

d) No one, apart from those defined at items b) and c), is authorised to make notes in the official register.

The opposite action is considered illegal.

e) The pupil of first grade of primary school and that of secondary school is enrolled in the official register within 30 days after the beginning of the school year.

f) For other pupils (excluding those who fail for session II), the completion of official register is made within 30 days after the end of the school.

[15] Co-ordination and collaboration

a) co-operates with the organs of local power.

b) co-operates and co-ordinates the whole work with the advisory board of parents; school board, teachers council; specialists of psychology and pedagogy, medicine within and out of country etc. in the benefit of the school.

c) after the approval of ED, co-operates with other educational schools and institutions, foundations, non-governmental associations, within and of state for exchanging experiences, study visits etc. Not affecting ETW and in compliance with rules if ND (according to item [8], article 66 ).

[16] cares for the conditions of living, food, education and entertainment of the pupils at boarding (if there is any).

[17] In conformity to CC (Section III), takes disciplinary measures for the teachers and other personnel of the school.

Praises, makes proposal for award or decoration of different teachers, according to the legislation in power.

## **Article 69**

### **The directory of school**

[1]The directory of the school consists of the director and vice-directors (if there is any). The number of members of directory, apart from director, is defined by special dispositions of MES.

[2] The director of the school makes the division of tasks to members of directory. Vice directors respond to director of school for realisation of duties.



[3] For appointment of vice-directors, ED draw the opinion and proposal of director of school.

[4] In the secondary vocational school, one of the members of directory must have higher vocational education, corresponding to the profile of the school.

[5] a) In the basic school with only one director, the direction of ETW is realised as a whole from I-VIII grade.

b) In the basic school with even vice director, as a rule one of the members of directory covers first stage; according to his predisposition and knowledge level. Priority is given to teachers graduated for Primary stage at University.

The managing activity is carried out according to subject groups from I-VIII grade, in compliance with members of directory.

c) In joint school (basic plus secondary school), the managing activity is realised according to subject groups and schools (for basic school and secondary school).

[6] The school directory guarantees the surroundings, the conditions for normal functioning of dental cabinets (if there is any), normal work of dental specialist with pupils or children that cabinet is in charge of, without leaving apart the school timetable.

[7] The regulation for the boarding (for boarding schools) is compiled by school directory in conformity to ND and in co-operation with boarding personnel. It defines the requirements, norms and order that secures a normal living, optimal conditions for education, discipline and entertainment etc.

#### **Article 70**

##### **Experimentation, piloting**

[1] Experimentation in field of content, methods and pedagogical alternatives at school, in implementation of LPES (article 52.2.), is in competence of MES. For this reason it charges the institution of Pedagogical Studies (IPS) and other specialised institutions.

[2] a) IPS, in compliance with the qualitative enhancement and international education standards proposes the pilot schools and relating to it: projects of experimentation, partnership with qualified institutions, within and out of country, respective inputs and put forward the proposals to MES.

b) The approval of pilot schools is made by decision of MES.

c) The pursue of different experiments, the current on-going studies and their results are a duty of IPS and other charged institutions, which are later presented to MES together with relevant recommendations

[3] Experiments in other fields, not including by item [1], in a competence of MES.

[4] Pilot schools operate based on a general statute approved by sub-legal acts of MES, from which result the rights, access to experimental activity and duties as well as obligations towards these schools.

### **CHAPTER XV**

#### **PROPERTY, INVENTORY AND SCHOOL BUDGET**

#### **Article 71**

##### **Property**

[1] Property under management of school are considered: building or buildings, according to case; equipment, laboratories tools, cabinets, gymnasium, teaching productive centre, sports playgrounds; school garden; tools of labour, computers, photocopies, telephone sets; fax apparatus etc. of this kind.

[2] The property of school is in function of ETW and in general of the whole school activity.

[3] The responsibility for preserving and maintaining of school property belongs to the director of the school.

[4] a) For management and caring of laboratories, teaching cabinets, library, gymnasium, sport-grounds, productive centre, school garden etc., the school director charges the teachers of respective subjects.

b) They take the necessary measures for maintaining of the equipment and respond to the director for the materials they are in charge, on basis of inventory.

c) The respective teacher, in case of transfer, is obliged to make the handing corresponding to the inventory.

## **Article 72**

### **Inventory**

[1] Every school keeps the inventory of equipment and tools mentioned by item [1] of article 71 and of the teaching aids.

[2] Every year the inventory is carried out by a commission set up by the administrative organ the school is under charge.

A copy is preserved at the above mentioned administrative organ.

[3] The inventory is kept by the secretary or account-secretary of the school, if there is any, and in their absence school director.

[4] The school director responds even for the inventory of the productive centre in case that the secondary schools have one.

[5] Every material of value that comes to school ( bought, given by enterprises, associations, foundations, different donors or bought with school sources) is immediately noted in inventory.

[6] Damages and abuses of materials and the whole of inventory is indemnified in conformity to the law in power.

## **Article 73**

### **Budget**

[1] The budget of school is managed by municipality or commune corresponding to the respective jurisdiction, in conformity to Budget Law and other sub-legal acts.

[2] a) The school of compulsory and secondary education can carries out economic activities to provide financial income in fields that are related with the implementation of teaching programs, in conformity to legal dispositions (LPES, article 57 [1])

b) Parallel to their main activity schools have the right to provide incomes through second hand activities with third partners, without intruding the activity for which they are set up.

Such activities can be: photocopies, entrance programs for competitions, certificates, marks reports (Instruction No. 18, dated 28.12.1992 of MES).

c) The casement of sums for the performed service, according the defined rates, is made by endorsement order or in cash. These enactment are deposited by the institution that has realised , at a separate bank account, that will be opened for this aim, at the bank branch where the institution has its own account on hi behalf: "Incomes of institution through services for the thirds".

d) Institution enjoys the right to pass a part of the incomes from a period to other, from a year to other.

e) From these incomes 50 % are deposited at state budget and 50 % are used by the institution. The institution, that creates the incomes enjoys the right to use its own part only after it has deposited its obligation of 50% to state budget. Its use without paying the obligation to the budget will be a violation of financial discipline.

## **Article 74**

## **Opening of the school**

[1] In conformity to LPES (Article 55), the opening of school of compulsory education and general secondary education, apart from the cases foreseen otherwise by this law, is made by municipalities for towns and by council of district for communes, after the approval of MES.

[2] The opening of vocational school, of special school and that defined by article 32 LPES is under the competence of the Ministry of Education and Sports.

## **CHAPTER XVI**

### **DOCUMENTATION SCHOOL HISTORY**

#### **Article 75**

##### **Documentation, maintenance**

[1] School, as an important educational institution, has the duty to put in order, to maintain and preserve documents.

[2] School is obliged to keep some main documents and according to the following schedules:

01. Laws and decisions of Government on Education. Preserve for ever.
02. Sub-legal acts of MES. Preserve for ever.
03. Teaching plans and programs. Preserve for ever.
04. School official register and alphabetic index of official register. Preserve for ever.
05. Register of class, which is fulfilled in compliance with requirements decided. Every day after the lesson, the registers are put safely in the office of director or appointed vice director, or in secretary. It is forbidden to give the register to pupils or strange persons. The register is preserved for 8 years.
06. A separate register where pupils sign after taking the certificate of release, of maturity or completion. Preserve for ever.
07. The entrance documents of pupils and reports of commission of RE, ME or FE. Preserve for 4 years.
08. Protocols of official acts. Preserve for ever.
09. The written examinations of release, maturity or completion. Preserve for 1 year.
10. Plan and list of contingents of fresh pupils and official documents, that reflect transfers of pupils, enrolment documents at school. Preserve for a full school cycle.
11. Inventory book of school. Preserve 10 years.
12. Evidence of anthropoid indicators and physical qualities of pupils, corresponding to age. Preserve for ever.
13. Book of reports of meetings of directory and council of teachers. Preserve for 2 years.
14. General annual plan of school. Preserve for 2 years.
15. Internal regulation of school. Preserve for 5 years.
16. Important feasible studies. Preserve for ever.
17. Decision of commission for repetition from the pupil of the first grade of basic school. Preserve for 2 years.
18. Decision of ED (Copy) for postponing of pupils enrolment at first grade of basic school. Preserve for 2 years.
19. Relevant report for cases defined by article 34, item [2]. Preserve for 2 years.
20. The work of pupils at entrance competitions in schools with competitions. Preserve for 2 years.

[3] **Seal.** Each school possesses its own seal. It is used only by school director or a person officially authorised by him.

#### **Article 76**

##### **History of school**

[1]a) The book of "History of school" is created under the responsibility and care of school director. There are noted down the most important dates, moments, events of school life in course of a school year.

- b) The book of “History of school”, as a rule, is fulfilled by the teacher of history or any other teacher charged by school director. The book is completed in continuity.
- c) The book of “History of school” is preserved for ever.

[2] The school creates the annual album, with photographs for each class. In it there are reflected the main activities of the class or school, teaching personnel etc. Preserve for ever.

[3] The school preserves for ever the trophies that are gained during different activities, as decorations, diploma, flags, photos etc.

## **CHAPTER XVII**

### **Last Dispositions**

#### **Article 77**

[1] For the cases considered “non-legal act”, is implemented law in power for administrative transgression

[2] Every other disposition, that is in opposition to this instruction, is rendered valid

#### **Article 78**

[1] These ND assume power in school year 1996-1997.

Tirana, on 31 July 1996

**MINISTER**

**EDMOND LULE**