

**“ON SOME AMENDMENTS AND ADDENDA TO LAW NO. 69/2012, “ON PRE-UNIVERSITY EDUCATION SYSTEM IN THE REPUBLIC OF ALBANIA””,
AS AMENDED**

Pursuant to Paragraph 1, Articles 78 and 83 of the Constitution, and upon proposal of the Council of Ministers
THE PARLIAMENT
OF THE REPUBLIC OF ALBANIA
HAS DECIDED:

The following amendments and addenda shall be made to the Law No.69/2012 “On Pre-University Education in the Republic of Albania”:

Article 1

Paragraphs 24 and 25 shall be added to Article 2, after Paragraph 23 with the following content:

“24. “Certification of pre-university education institutions principals” shall imply the process of equipping them with certificate on leading and administrating the pre-university education institution, upon completion of training in the relevant institution, charged for this purpose.

25. “The Portal “Teachers for Albania”” shall be an *online* platform, whereby teacher candidates in the pre-university education system may register themselves to participate in the competition for a job vacancy: This platform shall rank the candidates, announce job vacancies and make public the admission process of teacher candidates for the job vacancy in the pre-university education institutions”.

Article 2

Article 25 shall be amended as follows:

“Article 25

Main functions of the ministry and its subordinate institutions

1. The main functions of the ministry shall be as follows:
 - a) developing the pre-university education system by means of policymaking, programs and development projects;
 - b) drafting, implementing the pre-university education system regulatory framework and assessing its impact;
 - c) cooperating with institutions mutually, by means of agreements and contracts; ç) setting the standards for education licensing and controlling policies;
 - d) funding the pre-university education system, by drafting and implementing funding policies, setting priorities and searching up for different funding resources that would enable education development, in compliance with the rules determined.
2. The main functions of subordinate institutions shall be as follows:
 - a) ensuring the implementation of pre-university policies and programs drafted by the ministry;
 - b) ensuring and supervising the pre-university education system quality;
 - c) managing projects and delivering service products in pre-university education
3. Subordinate institutions responsible for education, which are to perform the duties set forth under Paragraph 2 of this Article, shall be established upon Decision of Council of Ministers, pursuant to the present law and applicable legislation in the field of state administration institutions organization and functioning”.

Article 3

Article 27 shall be repealed.

Article 4

Article 27/1, shall be added after Article 27 with the following content:

“Article 27/1

Center for School Leadership

1. “Center for School Leadership” shall be a legal person, aiming at ensuring the professional development of principals in service and candidates in the public or private pre-university education institution, administration of the mandatory preparatory training process for issuing certificates on leadership of pre-university education institutions and principals' continuous training.

The Center for School Leadership shall enjoy leadership, administrative, financial and technical independence.

2. The organization and functioning of the Center for School Leadership, as well as the training and certification method of pre-university education institutions principals shall be set forth by Decision of Council of Ministers, upon proposal of the minister responsible for education.”

Article 5

Subparagraph “d” shall be added to Article 28 after subparagraph “ç”, paragraph 4, with the following content: “d) students with disabilities.”

Article 6,

Paragraph 4 of Article 29 shall be amended as follows:

“4. National Pre-University Education Council shall be chaired by the minister and shall consist of the following sixteen members:

- a) representative of the ministry responsible for finance;
- b) representative of the ministry responsible for public order and safety;
- c) representative of the ministry responsible for social protection issues; ç) representative of the ministry responsible for Albanian Diaspora;
- d) representative of the association of municipalities with the largest number of municipalities; dh) two representatives from social partners;
- e) representative of National Parents’ Council
- ë) six personalities distinguished for their contribution in the field of education, science and public sphere,

f) a representative from civil society;

g) a representative from higher education institutions.

Representatives from the National Pre-University Education Council, pursuant to subparagraphs “ë”, “f” and “g” of this article, shall be selected on a public competition basis”.

Article 7

Article 29/1, shall be added after Article 29 with the following content:

“Article 29/1

National Parents’ Council

1. National Parents Council shall be an independent advisory body, representing parents’ interests at a national level.

2. National Parents Council shall be composed of representatives from parents’ regional councils. National Parents Council organization and functioning shall be determined by an instruction of the minister responsible for education”.

Article 8

Article 30 shall be repealed.

Article 9

Paragraph 3 of Article 38 shall be amended as follows:

“3. The ministry and the ministry responsible for finance shall approve the opening and closure of public education institution budgetary account or second tier bank accounts. Public education institutions, as approved, shall maintain a budgetary account in the treasury branch of the local education institution responsible for pre-university education, or second tier bank accounts for revenues generated by the public education institution itself. Financial administration rules on budgetary accounts or second tier bank accounts shall be determined by a joint instruction of the minister responsible for education and the minister responsible for finance”.

Article 10

Paragraphs 3 and 7 of Article 42 shall be amended as follows:

“3. License suspension and revocation of non-public institutions mentioned in paragraph 2 of this article shall be performed by the institution responsible for licensing, upon the minister’s decision. Should the non-public education institution terminate its activity on its own initiative, it shall file a request with the institution responsible for licensing for the voluntary revocation of the license.

7. The non-public institution shall terminate its activity on its own initiative only at the end of the school year. Should licensing criteria violations be noted, as set forth in the present law, the ministry shall revoke the license of non-public education institution anytime and shall publish the license revocation decision at the National License, Authorizations and Permits Register”.

Article 11

Paragraphs 2 and 4 of Article 48 shall be amended as follows:

“2. First, second and third grade students shall be descriptively evaluated. Other grades students shall be evaluated by whole number grades ranging from four to ten, with five being the minimum passing grade and the final evaluation shall be provided along with a description.

4. Types of evaluation, rules for passing or repeating a class, student’s annual subject and average grade calculation for one school year shall be determined by an instruction of the minister”.

Article 12

The following amendments shall be made to Article 49:

1. Paragraph 1 shall be amended as follows:

“1. Students’ external evaluation shall be carried out by means of assessing students' achievements in the primary education, basic education national examinations and state matura exams. Another external evaluation form shall be the one with a set number of students.

2. Paragraph 5 shall be added after Paragraph 4 with the following content:

“5. The minister responsible for education shall establish the state register of teachers for Albanian language and culture in the Diaspora and shall equip students with a certificate upon completing the Albanian language and culture learning program in the Diaspora. The criteria for establishing the state register and granting the certificate shall be approved by the Council of Ministers, upon proposal of the minister responsible for education.”

Article 13

Paragraph 3 of Article 50 shall be amended as follows:

“3. The organization and performance of students' achievements assessment in the primary education and basic education national examinations shall be governed by an instruction of the minister.”

Article 14

Paragraph 2 of Article 55 shall be amended as follows:

“2. The education institution principal and vice-principal candidate must belong at least to the category “Qualified Teacher” and must have obtained the certificate of pre-university education institution principal. The certification of the education university principal and vice-principal candidate must be performed upon completion of the mandatory preparatory training at the Center for School Leadership on education institution leadership. The education institution principal should not be a member of political parties leading forums”.

Article 15 Article 55/1

shall be added after Article 55 with the following content:

“Article 55/1

Appointment and dismissal of the pre-school education institution principals

1. The principal of the pre-school education institution shall be appointed by the head of the relevant local self-governance unit, following the proposal of two candidates that are to be evaluated on an open competition basis by the evaluation commission. The evaluation commission shall be composed of a local self-governance unit representative, the chair of the institution board, the chair of the institution's parents council, a representative from the local education unit and a teacher selected by the teachers council.

2. The pre-school education institution principal candidate should have at least five years of experience as a teacher, should be trained and certified as a pre-university education institution principal and should not be part of political forums once appointed.

3. The head of the local self-governance unit shall dismiss the public pre-school education institution principal in case he/she violates the provisions of the present law, its bylaws, and the institution’s ethics.

4. The pre-school education institution principal shall be appointed and/or dismissed according to the procedures set forth by the institution in its own regulation. Qualification criteria applicable to the public pre-school education institution principal shall be the same with those for the private pre-school education institution principal. ”

Article 16

Article 57 shall be amended as follows:

“Article 57 Teacher’s Profession

1. The pre-school education teacher should have pursued and graduated in first cycle study program “Bachelor”, training pre-school education teachers.

2. The primary education teacher must have pursued and graduated in first cycle study program “Bachelor” and second cycle study program “Master of Professional Studies”, training primary education teachers, or must have obtained a degree in the primary education issued by former higher pedagogical education institutes.

3. The lower and upper secondary education teacher must have pursued and graduated in first cycle study program “Bachelor” in the field/courses of lower and upper secondary education and second cycle study programs “Master” with 120 ECTS in the field of teaching, related to the first cycle study program.

4. The teacher's profession may be exercised even by those individuals that have obtained a first and second cycle university degree, or a similar or an interchangeable integrated university degree in the pre-university education teaching field/courses, and must have his/her knowledge in psycho-pedagogical training certified by higher education institutions providing continuous training study programs.

Equivalent, similar, or interchangeable diplomas with those mentioned above in this article in the pre-university education teaching field/courses and criteria for opening the continuous training study programs in the psycho-pedagogical field shall be determined by an instruction of the minister.

5. The primary, lower secondary and upper secondary education teacher, oriented education school teachers, general knowledge teacher in vocational schools, the teacher working with students with disabilities, or the teacher with a similar or interchangeable diploma in the pre-university education teaching field/courses shall exercise his/her profession upon:

- a) having successfully completed the professional practice;
- b) having successfully passed the state examination in his/her field of training, as provided for under law no. 10 171, dated 22.10.2009, “On Regulated Professions in the Republic of Albania” , as amended, and its relevant applicable bylaws”.

Article 17

Paragraph 1 of Article 60 shall be amended as follows:

“1. Teacher admission and appointment to fill in a vacancy in the public education institution, including in the pre-school education institution, shall be based on merit and on the right to select the education institution.

Teacher appointment shall reside with the education institution principal, following the ranking in the portal “Teachers for Albania”. Teacher admission and appointment procedures for a job vacancy, as well as the administration of the portal “Teachers for Albania” shall be determined by an instruction of the minister.

Article 18

The following amendments shall be made to Article 63:

1. The phrase “full integration” in Paragraph 1 shall be replaced by the word “inclusion”.
2. The phrase “specialized education institutions” in Paragraph 2 shall be replaced with the phrase “special education institutions”.

3. Paragraph 3 shall be amended as follows:

“3. Students with hearing and vision impairments, as well as communication difficulties shall be guaranteed the right to education in sign language, the right to use the Braille language and electronic didactic tools, specialized to the benefit of their education.”

Article 19

Paragraph 6 of Article 70 shall be repealed.

Article 20

Paragraph 6 shall be added to Article 72, after Paragraph 5 with the following content:

“6. The degree of the teaching staff that has completed university studies in the former higher pedagogical education institutes shall be recognized as a higher education degree, divided into 8 terms, for payment purposes.”

Article 21

Throughout the law, the term “local governance unit” shall be replaced with “local self-governance unit”; “National Licensing Center” shall be replaced with the “responsible licensing institution”; “National Examinations Agency” shall be replaced with “institution responsible for education services”; “State Education Inspectorate” shall be replaced with “institution responsible for ensuring pre-university education quality”; and “local education units” shall be replaced with “local education institution responsible for pre-university education”.

Article 22

Transitory Provisions

1. Pursuant to Article 14 herein, the criterion on training and equipping with certificate the pre-university education institution principal shall enter in force 2 years from the entry into force of the present law.

2. Pursuant to Article 15 herein, the criterion on training and equipping with certificate the pre-school education institution principal shall enter in force 4 years from the entry into force of the present law.

3. Pre-university education institutions in service-principals and vice-principals in-service on the date of the entry in force of the present law shall continue to carry out their duties. Criteria and procedures for the qualification, training and certification of in-service principals and vice-principals for the period up to criteria satisfaction shall be determined by an instruction of the minister, pursuant to paragraphs 1 and 2.

Article 23

Bylaws

1. The Council of Minister shall be charged with issuing the bylaws pursuant to Articles 2, 4, and 12 within 6 months from the entry in force of the present law.

2. The minister responsible for education shall be charged with issuing the bylaws pursuant to Articles 7, 9, 11, 13, 16, 17, and 22 within 9 months from the entry in force of the present law.

Article 24

Entry into force

The present law shall enter in force 15 days upon its publication in the Official Journal.

Adopted on 23.7.2018

Promulgated by Decree No. 10862, dated 2.8.2018 of the President of the Republic of Albania,

Illir Meta

