

LAW No. 04/L-138 FOR VOCATIONAL EDUCATION AND TRAINING

Assembly of Republic of Kosovo;

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW FOR VOCATIONAL EDUCATION AND TRAINING

Article 1

Purpose of the law

1. The Purpose of this Law is to regulate the national vocational education and training system in accordance with the needs of the economic and social development of the Republic of Kosovo, including economic and technological changes, demands of the labour market and the needs of individuals during the transition towards a market human and infrastructure resources.
2. Regulates the structure, organization and management of institutions that provide vocational education and training.

Article 2

Definitions

1. Terms used in this Law shall have the following meaning:

1.1. **Vocational education and training (VET)** - aims to equip students/candidates with knowledge, practical ability, skills and required competencies in specific occupations or wider in the labour market.

1.2. **Institution of vocational education and training (IVET)** - a public or private institution which implements programmes of vocational education and training, in accordance with provisions of this law.

1.3. **Lifelong learning** - encompasses all learning activities undertaken throughout life for the development of knowledge, competencies and qualifications.

1.4. **Formal education** - learning that takes place in a certain and structured environment and is explicitly designated as learning in terms of objectives, time or resources. From student's perspective, formal learning is intentional.

1.5. **Non-formal education and training** - learning which is outstretched in planned activities, but that is not explicitly labelled as learning. From student's perspective non-formal learning is intentional.

1.6. **Informal learning** - learning that results from daily activities related to work, family or leisure. It is not authorized or structured in terms of objectives, time or learning support. Informal learning is in most cases unintentional from the student's/candidate's perspective. Informal learning outcomes do not usually lead to certification but may be validated and certified in the framework of recognition of prior learning schemes. Informal learning is also referred as practical, additional or causal learning.

1.7. **Apprenticeship or alternate training** - systematic, long-term training with alternating periods at the workplace and in an educational institution or training centre.

1.8. **Theoretical learning** - a form of learning through which students understand and adopt theories, principles and relevant information for a special subject or practical theory for the working specifications.

1.9. **Practical learning** – the context in which students develop their understanding over implementation and use of skills and manner of functioning of means and equipment for implementation of their knowledge's.

1.10. **Informing, advice and guidance** - a range of activities designed to help individuals take educational, vocational or personal decisions and carry them out before and after they enter the labour market. Guidance and counselling can be provided at schools, training centres, job centres, the workplace, the community or in other settings

1.11. **Enterprise** - business entity that is registered pursuant to the law in force.

1.12. **Education or training with combined periods** – education carried out in an educational institution or training centre and at the working place.

1.13. **Candidate** - any person seeking certification for acquired learning achievements whether through formal, non-formal or informal learning.

1.14. **VET Teacher** - a licensed person, engaged to provide theoretical and practical teaching in the accredited and licensed institutions of vocational education and training.

1.15. **Professional Instructor** - the working specialist, whose work may correspond to that of teachers in practical aspect in vocational education institutions.

1.16. **Social partners** - employers' associations and unions forming the two sides of social dialogue.

1.17. **Certificate/Diploma** – a document given after the completion of education program.

1.18. **Qualification** – an official recognition of achievement that recognizes completion of education or training, or satisfactory performance in a test or examination.

1.19. **Certification of learning outcomes** - the process of recognizing the achievements of candidates for qualifications via the issuance of a certificate or diploma.

1.20. **National Qualifications Framework (NQF)** - the national mechanism for classifying qualifications awarded within the National Qualifications System, according to a set of criteria defining levels and types of outcomes of learning.

1.21. **Competencies** - the ability to perform activities based on the required standards, by using appropriate theoretical and practical knowledge, creative and practical skills.

1.22. **Standards** - measurable indicators of achievement defined either in terms of qualitative or quantitative criteria and should be achieved by candidates who want to be qualified.

1.23. **Occupational standards** - units to measure the degree to which an individual could meet requests for performance in a particular occupation or group of occupations in order to enter or progress within an occupation or a relevant professional field. They shall be set at national level for employed individuals who work within an occupation or specific

professional area, and provide basis for professional curriculum development and assessment.

1.24. **Profile** - refers to the statement of learning requirements for the occupation or occupational group on which is based the curriculum and includes the occupational standards for occupation or occupational group in question.

1.25. **Levels of qualification** - levels defined within the hierarchy of the National Qualifications Framework – levels are differentiated by increases in the complexity, depth and independence of learning.

1.26. **Assessment of learning outcomes** - refers to the processes, including exams and tests, used to gather, interpret and evaluate evidence of an individual's learning achievements – assessment for qualifications can only be carried out by institutions or bodies approved by NQA for this purpose and known as assessment bodies.

1.27. **Credit** - a numerical value given to qualifications or parts of qualifications, which represents the volume of learning required to achieve the qualification or a part of the qualification.

1.28. **Recognition of Prior Learning** - the process of evaluating the knowledge, skills or wider competencies which an individual has previously acquired through formal, non-formal or informal learning. This practical knowledge shall be used to give possibility of advancement to a person or exemptions from part of a course or credit towards a qualification.

1.29. **Quality Assurance** - the process through which the quality and compatibility of qualification standards, assessment and certification are maintained.

1.30. **Accreditation** - process through which the National Qualifications Authority (NQA) defines the institutions which assess candidates and issues certificates and diplomas (assessment bodies) and any other body which carries out other functions on behalf of the NQA. Institutions and accredited bodies shall be subject to monitoring and auditing by NQA.

1.31. **The Council of Vocational Education and Training and for Adults` (CVETA)** – advisory body established by respective Ministry for Education.

1.32. **Agency for Vocational Education and Training and for Adults` (AVETA)** - an institution established by the Government that aims to oversee and develop the vocational education and training and for adults.

1.33. **National Qualification Agency (NQA)** – an agency established by the Law on National Qualification.

1.34. **MEST** – respective Ministry for Education, Science and Technology.

1.35. **MLSW** – respective Ministry for Labour and Social Welfare.

Article 3 Principles of Vocational Education and Training

1. Principles of Vocational Education and Training (hereinafter VET) are:

1.1. inclusion;

1.2. access, transfer and progress;

- 1.3. theoretical learning and professional practice;
- 1.4. current and future needs of the economy;
- 1.5. supporting career development as integrated part of lifelong learning.

Article 4
Activity Fields of Vocational Education and Training

1. Activity fields of vocational education and training are:
 - 1.1. development of competencies and training for employment of individuals in accordance with occupation and their career according to the labour market;
 - 1.2. creation of general and professional culture in accordance with principles of lifelong learning education and economical, scientific and technological developments;
 - 1.3. recognition of the individuals competencies based in occupational standards of the relevant level.

Article 5
Establishment and the Work of Institutions of Vocational Education and Training (IVET)

1. IVET can be public, private or public private or NGO.
2. IVET shall be established and licensed according to the legislation in force.
3. Advancement, autonomy and functioning of VET institutions shall be regulated with sub-legal act, proposed by respective Ministry for Education and approved by the Government.
4. Student numbers, with modules and VET qualifications, resources, school infrastructure, teachers, other personnel; students' safety and those that are trained and that realize part of education and training outside school facilities, shall be regulated with sub-legal acts, proposed by respective Ministry for Education and approved by the Government.

Article 6
Qualifications and Modules of Vocational Education and Training

1. Institutions of formal vocational education and training provide qualification and modules of levels 3, 4 and 5 according to the Law No. 03/L-060 on National Qualifications.
2. Other Institutions of vocational education and training provide qualifications and modules in level 1, 2, 3, 4, 5 according to the Law no. 03/L-060 on National Qualifications.
3. Types of qualifications are:
 - 3.1. qualifications and modules of formal education that correspond to grades 10, 11 and 12 must be in accordance with NQF according to the Law Nr.03/L-060 on National Qualifications for vocational education;
 - 3.2. qualifications and modules of post secondary education that belong to level 5 of NQF that are professional or academic are provided also from institutions of vocational education and training. Their denomination and function is regulated with sub-legal acts;
 - 3.3. orientation and career counselling should be an integral part of all programmes provided by institutions of vocational education and training;

3.4. in IVET is allowed implementation of dual forms of vocational education and training in which practical training and experience is realized in enterprise, while contracting enterprises. Conditions and criteria that govern such provisions are regulated by sub-legal act.

Article 7

Economic Activity of Institutions of Vocational Education and Training

1. Economic activity of IVET is provision of professional services, production, sale and other activities with which prosper can contribute in the quality of vocational education and training.
2. Conditions and criteria for economic activity of IVET are regulated with sub-legal act.

Article 8

Levels of qualifications

Levels of qualifications shall be determined by the Law no. 03/L-060 on National Qualifications and National Qualifications Framework.

Article 9

Documents

1. Certification of students' achievements within vocational education and training system is regulated according to the legislation in force.
2. Students after completion of levels of vocational education and training for appropriate levels of qualifications are certified in accordance with the legislation in force.

Article 10

Registration of Institutions of Vocational Education and Training

1. MEST keeps register of IVET, while other ministries keep only registers of IVET founded by them.
2. IVET which award qualifications with national recognition shall be accredited by the National Qualification Authority.
3. IVET keeps statistics for certified and graduated students that are systemized in the labour market.

Article 11

Curricula

1. Curricula for vocational education and training are developed in accordance with the relevant occupational, education and qualifications standards.
2. Curricula are developed in harmony with market demands and with the involvement of social partners.
3. Denominations of occupations that are used by MEST should take as base classification of occupations.
4. The Ministry of Labour and other partners should conduct analyses of the labour market needs and support the MEST, in planning to meet the needs for vocational education and training.
5. The Ministry of Labour in cooperation with Kosovo Agency of Statistics are responsible for classification of occupations.

6. Educational program consist of:
 - 6.1. general theoretical part.
 - 6.2. professional theoretical part.
 - 6.3. modules of professional practice.

Article 12 Occupational Standards

1. Occupational Standards are developed in cooperation which MEST, NQA, MLSW and other relevant ministries and other social partners.
2. Occupational Standards are approved by CVETA.
3. Verification of Occupational Standards is carried out by the NQA.
4. Assessment of students' achievement is based on qualification standards for the specific profile.

Article 13 Agency for Vocational Education and Training and for Adults

1. With proposal of the MEST, the Government establishes the Agency for Vocational Education and Training and for Adults' (AVETA).
2. AVETA is responsible for:
 - 2.1. administration and leadership of Institutions of Vocational Education Training and for Adults` (IVETA) regarding the financial, human sources, construction buildings and infrastructure of all public institutions of VET under its regulatory administration;
 - 2.2. under supervision of AVETA relevant responsibilities of IVETA shall be transferred gradually to the schools pursuant to their capacities;
 - 2.3. coordination of studies concerning Vocational Education Training and for Adults` ;
 - 2.4. coordination of international projects;
 - 2.5. engagement of social partners in Vocational Education Training and for Adults` ;
 - 2.6. institutionalised participation of private sector and social partners in Vocational Education Training and for Adults` ;
 - 2.7. supervision and coordination of the development of occupational standards.
3. Structure and functioning of AVETA shall be determined with sub-legal act.
4. The Agency shall be led by the steering council.

Article 14 Council for Vocational Education and Training and for Adults'

1. MEST establishes Council of Vocational Educational and Training and for Adults' (CVETA) in order to provide advises on policy development.

2. CVETA is an advisory body to MEST and functioning of this Council shall be determined with sub-legal act issued by MEST.
3. Financial means for the work of CVETA shall be provided from the budget of Kosovo, allocated for MEST.
4. The administrative work for the needs of CVETA carries out the relevant Department within MEST.
5. CVETA can establish permanent professional committees and temporary working groups to undertake specific activities, which may include teachers, representatives of social partners and other stakeholder organizations, professionals and other sectors, as well as scientific experts in accordance with regulations issued for the work of this council.
6. CVETA approves standards of occupation.
7. CVETA issues regulations for administration of its work.

Article 15

Composition of the Council for Vocational Education and Training and for Adults'

1. CVETA consists of fifteen (15) members including the Chairman. CVETA is comprised of representatives of the Ministry of Education, Science and Technology, Ministry of Labour and Social Welfare, other relevant ministries, NQA, AVETA, Kosovo Chamber of Commerce and social partners.
2. Members of CVETA shall be nominated by the respective institutions with the request of MEST.
3. The Chair of CVETA shall be elected by members of CVETA based on rules of procedure.
4. The mandate of CVETA and of the Chair lasts three (3) years with possibility of re-election for one more mandate.

Article 16

Work of the Council of Vocational Education and Training and for Adults

1. CVETA advises the MEST on the general direction for vocational education and training and adults' education policy in Kosovo.
2. CVETA will review issues of vocational education and training development, will give advices, proposals and recommendations of MEST, including proposals for laws and other official documents, regarding with vocational education. Also, will provide an inclusive forum for harmonization of policies and approaches along the whole system of vocational education and training, through engagement of social partners and other bearers with interest.
3. CVETA will provide advices and recommend profiles for approval on which must be based programmes of vocational education and training, standards for each profile, professional content of the curriculum for these profiles and professional qualifications, which must be included within the qualification framework. Also, recommends textbooks and other teaching materials for use in such programmes.
4. CVETA performs other activities that are in compliance with provisions of this law.

Article 17
Cooperation with Partners of Vocational Education and Training

MEST, with other ministries, other partners of VET, municipalities, and social partners, shall bind agreement of cooperation with enterprises, training centres, with purpose of realization of joint interests to create links between educational and training institutions and the labour market.

Article 18
Quality Assurance in Vocational Education and Training

1. IVET shall prepare annual self-evaluation reports according to the criteria set by NQA.
2. Self-evaluation reports should be published and transparent.
3. External inspection shall be conducted by inspectors of MEST.
4. The regulation of the award of qualifications shall be determined under Article 15 of the Law on National Qualifications.
5. Accreditation of the assessment institutions shall be determined under Article 16 of the Law on National Qualifications.
6. Quality assurance of the assessment shall be carried out by NQA pursuant to the Law on National Qualifications.

Article 19
Organization and Planning of the Educational Process

Organization and planning process of the vocational education and training shall be regulated with sub-legal act.

Article 20
Office for Economic Cooperation with Vocational Education and Training (OECVET)

1. OECVET coordinates cooperation between public and private economy in all issues of VET.
2. OECVET acts within the MEST and is represented from respective ministries and social partners.
3. Composition, function and duties of OECVET shall be determined with a sub-legal act.

Article 21
The Commission of Institutions of Vocational Education and Training for the Final Exam

1. For holding the exam of a specific occupation in vocational education institutions shall be established the examination commissions from Council of IVET.
2. The commission of examinations shall consist of three (3) members:
 - 2.1. one (1) representative of employers;
 - 2.2. two (2) teachers of vocational education institution.

3. Nomination of employers' representatives is done in cooperation with OECVET after the request is made from vocational education institution.
4. Members of commission for professional fields of examination should be suitable with profiles of the relevant field to interact on issues of examinations.
5. Implementation of exams and assessment of learning outcomes should be regulated with a sub-legal act.

Article 22 Steering Council

1. Every VET institution of public education and training should have the steering council.
2. Composition, functioning, duties, mandate and representation of the steering council shall be regulated with a sub-legal act.

Article 23 Leading Personnel

Director and deputy director of VET institution shall be elected according to Law no. 03/L-068 for Education in Municipalities of the Republic of Kosovo and should be with professional preparation of the relevant profiles of institution.

Article 24 Teaching Personnel

1. Programs of vocational education and training shall be implemented by:
 - 1.1. teachers of general subjects/modules;
 - 1.2. teachers of professional subjects/modules;
 - 1.3. teachers of practical learning/modules;
 - 1.4. instructors/trainers of practical modules;
 - 1.5. professional collaborators;
 - 1.6. counsellors for career guidance.
2. Teaching personnel which must implement programmes within professional institution should possess adequate professional qualifications. This shall be regulated through the normative that MEST compiles.
3. Working hours of the employed personnel in institutions that implement programmes for vocational education and training will be regulated with sub-legal act.

Article 25 Programmes for Qualification and Re-qualification

Programmes for qualification and re-qualification for director, deputy director and teaching personnel in institutions that provide programmes of vocational education and training, shall be validated and accredited by NQA according to CVETA advices.

Article 26
Registration Conditions in Professional Qualifications and Modules of Vocational Education

1. Registration for qualification and modules of the vocational education is opened for persons that meet conditions foreseen with this Law.
2. Qualifications and modules of high secondary vocational education are opened for persons who have completed the compulsory education or equivalent qualifications with it.
3. Criteria that provide instruction for registration of all qualifications and modules of vocational education shall be regulated by NQF.

Article 27
Registration of Foreign Citizens

Foreign citizen or persons without citizenship may be enrolled in VET according to procedures foreseen by MEST and other relevant ministries.

Article 28
Competition

1. Enrolment of students in vocational public schools is done through the announced competition from MEST, after planning, which is based in research for economic development in that region conducted by the municipality.
2. For enrolment of candidates (adults) in VET schools, the municipality can announce competition for vacancies according to previously validated qualifications from NQA, after planning which is based in research for economic development in that region conducted by the municipality.

Article 29
Assessment of students/candidates

1. Assessment and verification of knowledge and skills will determine student's success toward completion of request of qualification and modules of vocational education. Assessment is based on published standards for the relevant profile according to the level of NQF and expected learning outcomes according to the Kosovo Curriculum Framework.
2. Assessment and verification of knowledge and vital skills includes certain subjects, respectively other parts of teaching program and are done in forms and adequate methods.
3. Final exam for practice modules for students in the workshop/enterprise is realized according to this law and is determined with sub-legal act.
4. The teacher is obliged to inform the student about the achieved outcomes in assessment.
5. Organization of achievement assessment for persons with disabilities fits to their needs.

Article 30
Credits

1. Recognition of achievement of learning results is done through credits.

2. One credit is equal to ten (10) learning hours.

Article 31
Rules of Student's Behaviour

1. Rules of student behaviour shall be set with the code of conduct.
2. Rules of code of conduct for students shall be issued by MEST with sub-legal act.

Article 32
System Evaluation

1. System evaluation of VET can be done with request of:
 - 1.1. MEST;
 - 1.2. MLSW and other ministries;
 - 1.3. CVETA;
 - 1.4. NQA;
 - 1.5. joint request of at least two (2) social partners.
2. Evaluation process, including election of evaluator, should be undertaken in that way to secure independence from political or institutional influence.
3. Working rules for such evaluation should be based in the legislation of VET and NQF and/or are decided with a joint agreement between MEST, MLSW and other ministries.
4. Report and recommendations should be public.

Article 33
Funding Resources

1. Programmes of vocational education and training are financed from the Budget of Kosovo and other resources.
2. During assignment of the budget for Institutions of Vocational Education and Training will be taken into consider special requests of vocational education and training programs regarding the material equipment and other expenses for practice training.
3. IVET, should have its budgetary code because of the specifics requirements that have businesses/enterprises in which is developed practice learning, should be stimulated (lower the taxes) from the Government.
4. Public institutions of vocational education and training could secure additional financial means from program activities, services, donations, gifts, testaments and other resources allowed by law.
5. Public institutions of VET that implement courses outside of those funded from Budget of Kosovo, if they are accredited by NQA and present the payment obligation in accordance with regulation compiled by MEST and other ministries.
6. Programs of vocational education and training should create other mechanisms of funding from MEST, other ministries and other partners.

Article 34
Transitional and Final Provisions

1. Ministry of Education, Science and Technology shall issue sub-legal acts within one (1) year for implementation of this law and for other issues that are not in contradiction with this law.
2. Provisions of the Law on Pre-university Education and with the Law on adults' education and training are applicable in formal vocational education and training, if with this law is not foreseen otherwise.
3. Provisions of the Law for higher education are applicable in institutions of VET, if they are in accordance with provisions of the Law for National Qualifications, for the fifth level of the National Qualification Framework. Ask NQA about this.
4. Articles 13, 14, 16, 20, 24, 28, 29 and 32, shall begin to be implemented by 1 September 2016, if the financial conditions are created and after an exact assessment of financial cost of the following period.

Article 35
Issuance of Sub-Legal Acts

Sub-legal acts from this Law shall be issued at the latest within one (1) year of entry into force of this Law.

Article 36
Repeal

With entry into force of this law, the Law no.02/L-042 on Vocational Education and Training shall be repealed and all other provisions that are in contrary to this law.

Article 37
Entry into Force

This law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 04/L-138
28 February 2013

Promulgated by Decree No.DL-006-2013, dated 18.03.2013, President of the Republic of Kosovo Atifete Jahjaga.