



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

KUVENDI I KOSOVËS
СКУПШТИНА КОСОВА
ASSEMBLY OF KOSOVO

Law No. 02/L-42

ON VOCATIONAL EDUCATION AND TRAINING

Assembly of Kosovo,

Pursuant to Chapter 5.1. (e) and 9.1.26. (a) of the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation No. 2001/9, dated on 15 May 2001),

With the aim of establishing the legal base for regulation, advancement and improvement of vocational education and training:

Hereby adopts the following:

LAW ON VOCATIONAL EDUCATION AND TRAINING

CHAPTER I
GENERAL PROVISIONS

Definitions
Article 1

In this Law the following terms shall have the meanings indicated:

"Vocational education and training" means education and training which aims to equip people of all ages with employable skills. The vocational education and training system is the complete system through which such education and training is provided;

"Vocational Education" is that part of vocational education and training that enables students, who have completed compulsory education, to achieve employable skills in a formal vocational education institutions in accordance with the provisions set out in this Law and within the terms of the definition provided in Article 1, sub Article (z) of Law on Primary and Secondary Education in Kosovo;

"Vocational training" includes all activities which aim to provide practical knowledge, skills and attitudes for effective and efficient performance of activities within an occupation or group of occupations;

"Technical Education" is education, including general, theoretical, scientific, technical studies, aimed at providing the student with professional knowledge and skills for employment at a technician or specialist level of occupation. Technical education is carried out in secondary or post-secondary education programmes;

"**Vocational Education Institution**" is a school or other type of public or private institution that implements vocational education and training programmes, in accordance with the provisions of this Law;

"**Lifelong learning**" encompasses all learning activities undertaken throughout life for the development of competencies and qualifications;

"**Formal vocational education**" refers to approved vocational education programmes provided in licensed vocational education institutions and using curricula approved and issued by the MEST of Education, Science and Technology (MEST);

"**Non-formal vocational education and training**" refers to vocational education programmes other those that covered by the definition of formal vocational education in this Law, and may take place either within the same vocational education institutions that are providing formal programmes or completely independently of them, for example though employer-provided provision;

"**Practical learning**" is the means by which learners develop understanding about how skills are applied and how things (such as equipment) work, in order to apply their knowledge;

"**Theoretical learning**" is the means by which learners understand and internalise theories, principles and information relevant to a particular subject or to specific working practices;

"**Career education and guidance**" refers to services which are intended to assist individuals, of any age and at any point throughout their lives, to make educational, training and occupational choices and to manage their career;

"**Employability**" relates to the portable skills, knowledge, attitudes and qualifications that enhance an individual's capacity to secure and retain decent work, progress within the enterprise and between jobs, and cope with changing technology and labour market conditions;

"**Enterprise**" means all legal or natural persons carrying out a business activity, whether for the production of goods and services or for the distribution thereof and, in the specific context of this Law, developing and implementing vocational or practical training on behalf of the VET system;

"**Dual form**" is a type of vocational education and training provision which combines education and training provided in a vocational education institution with work experience and practical training within an enterprise, under the terms of a learning contract between the vocational education and training institution, the employer and the individual (or his/her parents);

"**Student in economy**" is a person following a dual form programme which involves work experience and practical training provided on an employer's premises under the terms of a learning contract;

"**Attendee**" means any person who is enrolled and attends any type of educational programme or professional or technical training;

"**Student**" is a person enrolled on any of the programmes of formal vocational education;

"**Regular student**" is a person who follows the complete education process in the vocational education institution providing the programme;

"**Irregular student**" is a person not following the complete education process in the vocational educational institution but who achieves the vocational education through passing examinations for the education programme;

"**Teacher**" indicates a qualified person with pedagogical and professional experience who instructs students in vocational educational institutions in either general or vocational educational subjects;

"**Co-operator**" indicates a qualified person other than a teacher who is involved in the organization of learning activities for students, for example, professional specialists, laboratory technicians, demonstrators etc;

"**Instructor**" indicates a person who is engaged on implementing practical learning in accredited institutions of professional or technical education and training;

"**Social partner**" refers to employers, represented collectively through employers' organizations, and workers, represented collectively through trade unions;

"**Economic and social partners**" is a broader term that includes organizations of employers and trade unions, together with other stakeholders in the vocational education system such as professional associations of teachers, craftsmen and other occupations, and non-government organizations active in the field of vocational education and training;

"**Pedagogical School Document**" means the public documentation (certificate of completion, diploma, learning hours recording book, matrix etc.) issued to students on completion of education and training programmes accredited by MEST;

"**Transcript**" means a document providing evidence for completion of a school year;

"**Certificate**" means any document given upon successful completion of a course, educational or training programme or upon passing an examination in an educational or training institution duly certified and licensed;

"**Diploma**" means a document given upon successful completion of a three or four year vocational education programme;

"**Qualification**" is an official recognition of achievement that recognizes completion of education or training or satisfactory performance in a test or examination. In the context of vocational education, it is the formal expression of the vocational or professional abilities of a worker recognized at international, national or sector level, and is based on the requirements for an individual to enter or progress within an occupation and the education and the training experience and attainments of the individual;

"**Qualifications framework**" is the system for classifying qualifications awarded within a national education and training system, by level of attainment, by sector or occupational area, and by type of qualification;

"**Competencies**" are knowledge, skills and know-how applied and mastered in a specific context;

"**Occupational standards**" are measures of the extent to which an individual can meet the demands of performance in a particular occupation or group of occupations for purposes of entry to, or progression within, the occupation or occupational area in question. They are set nationally for those employed to work within a particular

occupation or occupational area and provide a basis for the development of vocational curricula and assessment. Each set of standards relates to an occupational profile on which curricula are based;

"Profile" refers to the statement of learning requirements for the occupation or occupational group on which the curriculum is based, and includes the occupational standards for the occupation or occupational group in question;

"ISCED" is the International Standard Classification of Education published by UNESCO, on which education levels in Kosovo are based, as defined in Annex 1 of Law on Primary and Secondary Education. For the purposes of this Law, upper secondary vocational education programmes (Grades 10 to 13) are classified at level 3 of ISCED. Under the international definitions, Level 3A refers to programmes providing direct access to higher education. Level 3B refers to programmes providing direct access to higher level technical education and ISCED 3C refers to programmes leading directly to the labour market. Level 4 (Post-secondary non-tertiary education) normally refers to post secondary courses below university level which of between 6 months' and two years' duration. The content does not need to be more advanced than the content of those at level 3, but the students are typically older than those on Level 3 programmes;

"European Union vocational education and training levels" referred to in this Law are the five level framework that is used to determine the comparability of vocational qualifications in Europe. These involve performance at Level 1- relatively simple work; at Level 2 - work which may be independent within the limits of the relevant techniques; at Level 3 -technical work which can be performed independently and/or entail executive and coordination duties; at Level 4 - work that is generally autonomous or undertaken independently to assume design and/or management and/or administrative responsibilities; at Level 5 - autonomously pursued vocational activity that entails a mastery of the scientific bases of the occupation

"Compulsory Education" refers to obligatory education regulated by Law on Primary and Secondary Education for those who have completed nine years of elementary education (5 + 4) or, for persons who completed education in the old education system prior to 2002/2003 eight years (4+4). According to ISCED definitions, primary education is usually completed after five years and lower secondary education after nine years. On this basis "compulsory education" in the new education system of Kosovo represents completion of lower secondary education according to international norms

Aim Article 2

2.1. The aim of this Law is to regulate the system of formal vocational education and training in compliance with the needs of the economic and social development of Kosovo, including economic and technological change, labor market demands and the needs of individuals, optimizing the use of financial, human and infrastructure resources during the transition to a market economy.

2.2. This Law provides the basis of structure, organization and management of institutions providing formal vocational education and training.

2.3. This law regulates the provision of formal vocational education and training (VET) by both public and private institutions to young people and adults, without discrimination on grounds of gender, ethnicity, disability.

The Purposes of Vocational Education and Training Article 3

The main purposes of vocational education and training are:

- a. Development of the competencies and employability of individuals in line with their future occupations and career paths within society;
- b. Creation of a general and professional culture including lifelong learning in accordance with the needs of economic regeneration and scientific and technological development, and taking into account national culture and the traditions of minorities.

Beneficiaries of Law Article 4

4.1. Direct beneficiaries of this Law are:

- a. Students who have completed compulsory education and who are undertaking formal school-based vocational education programmes;
- b. Persons who are 15 years old or older, and who would like to improve their employability through training in any occupation according to their skills and labour market demands.

4.2. Indirect beneficiaries of this Law are:

- a. Enterprises, economy and society in general.

CHAPTER II VOCATIONAL EDUCATION AND TRAINING INSTITUTIONS

Establishment and work of vocational education and training Institutions task Article 5

5.1. The institutions providing formal vocational and technical education and training programmes shall be private and public.

5.2. Vocational education institutions can be established, licensed, start working, and implement educational and training activity if they meet minimum conditions and criteria, which shall be set out in an Administrative Instruction, issued by the MEST. The Administrative Instruction will cover such items as:

- a) Number of students and / or attendees;
- b) Educational and training programme(s) to be delivered;
- c) Resources (space, equipment, teaching aids, teachers and other personnel etc.);
- d) Health and safety responsibilities, including the safety of students and trainees undertaking part of their education and training outside the premises of the education and training institution;
- e) Financial solvency.

5.3. Vocational education and training institutions shall offer their programmes to special category of people according to the needs and capabilities of the groups (students and / or attendees) in accordance with this law.

Programmes of formal vocational education and training Article 6

6.1. Vocational schools can offer:

- a) two-year vocational education programmes;
- b) three-year vocational education programmes;
- c) four-year vocational education programmes;
- d) post-secondary programmes of an equivalent standard, which may be of a different duration;

6.2. Higher level vocational programmes may be offered by vocational schools, specialized higher technical schools, or by private education and training providers licensed by the MEST;

6.3. Career education and guidance shall be an integral part of all programmes provided by formal vocational education and training institutions.

6.4. The provision detailed at 1 d) and 2 will be covered by an Administrative Instruction to be issued by the MEST,

6.5. This Law also allows the establishment of Dual forms of formal vocational education and training, in which practical training and experience is undertaken in enterprises, acting under contractual arrangements reached with the education and training institution responsible for the programme. The conditions and criteria governing such provision will be covered in an Administrative Instruction, to be issued by the MEST, taking into account advice from the Council for VET.

Expansion of activities Article 7

7.1. Vocational school may engage in other activities that are functional to formal vocational education and training (hereinafter referred to as expansion of activity) on the condition engaging students in practical activities.

7.2. Expansion of activities of vocational schools include vocational services, production, selling and other activities that can promote and / or contribute to rationalization and quality of formal vocational education and training. Such activities shall be subject to the existing laws on production, sales as well as competition.

7.3. Conditions and criteria for the expansion of activities (inputs plan, sources for practicing activities, engagement of students and employees, way of possessing and plan of using achieved funds in compliance with provisions that regulate the system budget), are regulated by an Administrative Instruction.

Qualifications levels
Article 8

8.1. Education levels in Kosovo are defined according to the international standards of qualifications (ISCED) in compliance with the law in force.

8.2. The qualification levels are determined by the Law on qualifications and National Qualifications Framework.

Documentation
Article 9

9.1. Certification of student achievement within the formal vocational education and training system is regulated by the Law on qualifications and National Qualifications Framework.

9.2. On completion of the formal vocational education and training for appropriate level, students receive a transcript, certificate and diploma for vocational education in compliance with the Law on qualifications and National Qualifications Framework.

Registration of vocational education and training institutions
Article 10

10.1. The MEST of Education, Science and Technology (MEST) maintains a register of all formal vocational education and training institutions.

10.2. Vocational schools education institutions are obliged to be listed in the register.

CHAPTER III
CURRICULA AND STANDARDS

Article 11

11.1. MEST approves and issues curricula for formal vocational education and training in compliance with occupational standards determined for the appropriate profile.

11.2. The nomenclature of occupations which is used by the MEST as the basis for identifying the profiles on which standards and curricula for the formal vocational education system will be based is the Kosovo Occupational Classification, maintained by the Ministry of Labour and Social Welfare (MLSW) in conjunction with the Statistical Office of Kosovo. The MLSW shall analyze labor market needs and request from MEST to fulfill the needs for Education and Professional Trainings.

11.3. Curricula for formal vocational education programmes comprise:

- a) General part (theoretical);
- b) Vocational part (theoretical);
- c) Practical learning and professional practice parts.

11.4. The parts of the curriculum that have to do with professional theory, practical learning and professional practice (Paragraph 11.3, point b and c) are specified by MEST, based on the suggestion of the Council for Vocational Education and Training Council of Kosovo, which will review the list of profiles on which curricula are based and the vocational content of such curricula on an annual basis.

11.5. The selected occupational curricula will include occupations suitable for the preparation of programmes for persons with special needs.

Professional standards Article 12

12.1. Curricula for vocational education programmes shall be based on occupational standards specified for the respective profiles and taking into account advice from the Council for Vocational Education and Training, taking into account available labour market information.

12.2. Assessment of students' achievement is based on the standards for the relevant profile.

12.3. Vocational standards are developed through a cooperative process including the MEST and the MLSW, other relevant ministries and social partners.

CHAPTER IV OTHER VOCATIONAL BODIES

Vocational Education and Training Council of Kosovo Article 13

13.1. Acting in cooperation with other Provisional Institutions of Self Government and the Social Partners, the MEST will establish the Council for Vocational Education and Training (hereinafter referred to as the CVET) in order to steer the course of development, and advise the Government on matters concerning the quality and promotion of vocational education and training in Kosovo.

13.2. The CVET is a public body working under the supervision of the MEST, and its remit will be determined by the MEST in consultation with other Provisional Institutions of Self Government and the Social Partners. Funds for the work of CVET will be provided from the budget of Kosovo that is allocated for the MEST.

13.3. The administrative work of the CVET will be carried out by MEST.

13.4. The CVET can establish permanent and temporary professional standing bodies and working groups to undertake specific activities, which may include teachers, representatives of social partner and other stakeholder organizations, sector interests and other professional and scientific experts in accordance with the regulations issued for its work.

13.5. In order to fulfill its functions, the CVET may, by itself or in cooperation with the MEST or other appropriate bodies, institutions or vocational associations, form working groups or occupational commissions. These may include specific groups established to report on the needs for particular sectors or specified areas of work. .

13.5. The CVET issues regulations governing its work.

Composition of the Council for Vocational Education and Training
Article 14

14.1. The CVET is composed from 15 members including the chairman. CVET is made from representatives of Government (including the Ministry of Education, Science and Technology, the Ministry of Labor and Social Welfare in consultations with other relevant Ministries) and Social Partners.

14.2. Members of the CVET will be appointed by the MEST in consultation with other Provisional Institutions of self Government and the Tripartite Committee for a term of two years, at the end of which term, reappointment or replacement is necessary.

Activities of Council for Vocational Education and Training
Article 15

15.1. The CVET shall advise the MEST and the government of Kosovo on the overall direction on policy for vocational education and training in Kosovo.

15.2. The CVET will review development matters of vocational education and training, will issue advice, proposals and recommendations to the Minister including proposals for laws and other official documents concerning vocational education It will also provide an inclusive forum for harmonizing policies and approaches across the whole vocational education and training system through the involvement of social partners and other stakeholder interests.

15.3. The CVET will also provide specific advice and recommend for approval the profiles on which formal vocational education and training programmes should be based, the standards for each profile, the vocational content of curricula for such profiles, and the vocational qualifications that should be included within the qualifications framework. It may also recommend textbooks and other learning materials for use in such programmes.

15.4. The CVET carries out also other activities that are compatible with the provisions of this Law.

Social partners
Article 16

In order for there to be successful cooperation and with the goal of realizing the common interests of the society in planning the development of the education and training system, for example in developing links between educational institutions and industry, the MEST may establish memoranda of understanding with the Social Partners.

CHAPTER V
DEVELOPMENT OF VOCATIONAL EDUCATION

Unit for research of vocational education development
Article 17

In order to support the development of vocational education and training, preparation of analytic materials, documents, proposals etc. for vocational, technical and artistic education, MEST may establish a unit for research and development of vocational education (hereinafter referred to as RD Unit).

CHAPTER VI
ORGANISATION OF FORMAL VOCATIONAL EDUCATION PROGRAMMES

Organizing and planning the educational process
Article 18

18.1. The education process in formal vocational education includes:

- a) General and vocationally-related theoretical learning;
- b) Practical learning (e.g. laboratory-based, practical activities undertaken either in the school workshop or in an enterprise);
- c) Elective subjects;
- d) Professional excursions and other activities;
- e) Examinations;
- f) Evaluation / marking and monitoring the students and attendees progress.

18.2. The work of the vocational school is developed on the basis of the annual working plan which is in compliance with the law in force.

CHAPTER VII
PERSONNEL

School Board
Article 19

19.1. Formal vocational education institutions shall have a Board pursuant to this law. The Board is the highest body of the management structure of the FVEI. Its function is related to the overall running of the institutions, including its annual programme, finances and disciplinary rules and extra-curricula activities, and to express its opinions on any matter relating to the vocational education and training institutions.

19.2. The School Board constitution meeting is convened by the Director and it will be the responsibility of the Board Chairperson to convene other meetings:

- a. Chairperson is elected by the members of the School Board,
- c. Members of the School Board shall hold appointment for 2 years and may be re-elected.

19.3. In accordance with the need for the planning of formal vocational education and training to take into under consideration employability and labour market demands, vocational education institutions shall give the opportunity for one third of the School Board members to include the people from the market economy.

19.4. The Board shall have the power to co-opt additional representatives without voting rights, to ensure that all relevant local community interests are represented.

19.5. All other provisions on School Boards under the Law on Primary and Secondary Education apply with regard to secondary formal vocational education and training, unless different arrangements are set out in this Law.

Director Article 20

20.1. The director of an institution providing formal vocational education programmes should have at least three years working experience as a teacher or administrator in a vocational school or in any other part of the education administration.

20.2. The vocational school may have a deputy director if the school organizes practical education and training for more than two streams of students and attendees, which may include provision for persons with special needs.

Teaching staff Article 21

The formal programmes of vocational educational and training shall be implemented by:

- a) teachers of general vocational subjects,
- b) teachers of vocational subjects,
- c) teachers of practical education,
- d) instructors of practical exercises and
- e) professional co-operators.

Article 22

22.1. Teaching staff within institution providing formal vocational education programme shall possess adequate vocational qualifications.

22.2. Working hours of persons employed in institutions providing formal vocational education and training programmes will be regulated by the MEST.

Programmes Article 23

The MEST shall provide pedagogical-andragogical education programmes for directors, deputy directors and teaching staff from institutions providing formal vocational education and training programmes, taking into account advice from the CVET.

CHAPTER VIII

Students

Enrolment conditions for formal vocational education programmes

Article 24

24.1. Enrolment on formal vocational education programmes is open to persons who fulfill the terms presented by this Law.

24.2. Upper secondary vocational education programmes are open to persons who have completed compulsory education and are not older than 17 years of age.

24.3. Exceptionally, persons up to 24 years of age may also be enrolled on upper secondary vocational education programmes by approval of the school teachers council, in correspondence with the provisions of the MEST which regulate conditions and criteria for enrollment of the students and attendees in the secondary vocational schools.

24.4. Post-secondary vocational education courses may enroll persons who have successfully completed upper secondary education courses, either of vocational education or of the gymnasium, in accordance with particular entry requirements of the programme in question.

24.5. Detailed conditions governing enrolment for all formal vocational education programmes are set out in an Administrative Instruction to be issued by the MEST.

Enrolment of foreign citizens

Article 25

Foreign citizens or individuals without citizenship may enroll in formal vocational education programmes by approval of the MEST.

Advertisement

Article 26

26.1. Enrolment of the students in the school takes place following an advertisement posted by MEST. The advertisement shall be posted at least one month before the education year starts.

26.2. For enrolment of adult attendees, the school can advertise vacant positions after the term specified in 26.1 above.

CHAPTER IX

ASSESSMENT AND VERIFICATION OF THE STUDENT ACHIEVEMENT

Student assessment

Article 27

27.1. Assessment and verification of knowledge and practical skills will determine the success of the students in fulfilling the requirements of the vocational education programme. Assessment will be based on the standards published for the profile in question.

27.2. Assessment and verification of knowledge includes certain subjects, respectively other parts of the programme, and is carried out in written and oral form, through exercises, seminar work, presentations, finalization of a product and performance of services associated to the profession and with other suitable methods.

27.3. The final examination for the practical part of the students in economy and apprenticeship is carried out in accordance with this Law and special provisions.

27.4. The teacher is obliged to inform the student about the results achieved in assessment.

27.5. Where possible, assessment should take into account the special circumstances of the student, for example persons with physical disabilities.

27.6. The MEST issues the administrative instruction for passing of the final examination and the composition of the examination commission, subject to the CVET prior approval. The practical part of the final exam for the students in economy and for the handicraft (profession) exam will be performed in correspondence with this law and specific provisions.

27.7. By an Administrative Instruction, the MEST will make provision for an independent appeals system for those who consider that their achievements have not been fairly assessed or that they have been subject to discrimination. These arrangements will apply to all terminal assessment (i.e. end of year / grade or on completion of handicraft examinations or of secondary or post-secondary vocational education programmes).

27.8. If student and/ or attendee is not satisfied with assessment and verification process she / he has right to appeal. The procedure relating to appeals shall be regulated by Administrative Instruction to be issued by the MEST.

27.9. The form of organization and the examination requirements shall be regulated with an Administrative Instruction to be issued by the MEST with prior opinion of the CVET.

Behaviour of the students Article 28

28.1. The rules for the student's behaviour are determined by the code of conduct.

28.2. The code of conduct shall be issued by the MEST by Administrative Instruction.

28.3. In case of non-observance of this code, the disciplinary measures will be undertaken.

CHAPTER X

Evaluation of system Article 29

29.1. Evaluation of the formal vocational education system may be done at the request of:

- a) Government or MEST;
- b) The CVET;
- c) With joint request of at least two social partners.

29.2. The evaluation process, including selection of evaluator, should be undertaken in a way that ensures independence from political or institutional influence. The remit and terms of reference for such evaluation should be jointly agreed by the MEST and the CVET, and report and recommendations should be subject to open public discussion.

CHAPTER XI FINANCING OF VOCATIONAL EDUCATION

Financing sources Article 30

30.1. Programmes delivered by formal vocational education and training Institutions will be financed from the funds of the Kosovo consolidated budget and other sources.

30.2. During allocation of the budget for the formal vocational education and training institutions will be taken into consideration special requirements of vocational education and training programmes related to the material equipment and other expenses for practical training. Vocational secondary schools have to have their budgetary code due to the specifications they have.

30.3. Public institutions for vocational education and training can obtain additional financial funds from programme activities covering procurement and maintenance of the equipment, and through donations, gifts, testaments and other sources permitted by the law.

30.4. Public vocational education institutions offering courses other than those funded from public funds may make charges for such courses in compliance with terms regulated by the MEST.

30.5. MEST in cooperation with the CVET shall also pursue alternative routes for financing formal vocational education and training programmes.

Chapter XII TRANSITIONAL AND FINAL PROVISIONS

Article 31

31.1. Provisions under the Law on Primary and Secondary Education as well as the Law for adult education apply to formal vocational education and training, unless otherwise foreseen by this law.

31.2. Provisions under the Law on Higher Education apply to higher vocational education, unless otherwise foreseen by this law.

Article 32

32.1. Sub legal acts from this law will be issued latest in the period from 6 months till 1 year from the day this law enters into force.

32.2. The entering of this law into force discontinues the application of all provisions, which previously regulated this field.

Entering into force

Article 33

The present law shall enter into force after adoption by the Assembly of Kosova on the date of its promulgation by the Special Representative of the Secretary-General.

Law No. 02/L-42
23 February 2006

President of the Assembly

Academic Nexhat Daci