LAW No 8872, dated 29.3.2002.

ON VOCATIONAL EDUCATION AND TRAINING IN THE REPUBLIC OF ALBANIA, AMENDED BY

LAWS

No 10/011, dated 30.10.2008. No 10434, dated 23.6.2011.

In reliance on Articles 78, 81, point 1, and 83, point 1, of the Constitution, upon the proposal of the Council of Ministers,

ASSEMBLY OF THE REPUBLIC OF ALBANIA

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Aim of Law

- 1. The aim of this law is supporting a common system of vocational education and training in the Republic of Albania, capable of getting adjusted to the social, economic and technological changes, to labour market needs, as well as ensuring an optimal utilisation of the financial, human and infrastructure resources.
- 2. This law establishes the fundamental principles, structure, organisation and administration of the vocational education and training in the Republic of Albania, building on the cooperation of the state and governmental institutions with social and other stakeholders in the field of the vocational education and training.
- 3. This law guarantees the right stated in the Constitution of the Republic of Albania relating to the vocational education and training during the entire life, the opportunity of getting the initial vocational education, as well as obtaining the vocational knowledge being necessary for employment, creating equal opportunities for all.

Article 2

Objectives of the vocational education and training

This law determines the main objectives of the vocational education and training, being:

- a) developing the main personal characteristics of the individual, being necessary for his upcoming vocational activity as well as for his independent existence within a society based on the principles of democracy and market economy;
- b) adjusting the vocational education and training to the current and upcoming labour market;

- c) providing a general vocational culture as well as a specialised vocational training, in accordance with the development of science and technology, as well as with the national culture and tradition;
- d) ensuring the conditions for vocational education and training, to the effect of making the individual capable of adjusting to the changes and requirements of the labour market;
- e) enhancing the productivity of the use of infrastructure of the vocational education and training.

The vocational education and training shall be public and non-public and it shall be guaranteed by the state.

Article 4

Definitions

The following terms have in this law the following meanings:

- a) "Vocational education and training system" (hereunder VET) is the system encompassing the entire types of institutions supporting and providing all types of curricula of education and training courses, in line with the Albanian Framework of Qualifications for levels 2, 3, 4 and 5:
- b) "Formal learning in VET" is learning occurring in organised and structured premises, such as higher education institutions, schools, training centres or on-the-job and having been designed clearly in teaching format, with regard to the objectives, time and resources. The formal learning is deliberate and scheduled by the pupil, course participant or student. The completion of this learning shall be certified;
- c) "The non-formal learning in VET" shall be the learning, included in scheduled activities, not indispensable designed in teaching format, in connection with the objectives, teaching time or teaching support, however, containing important teaching elements. The non-formal learning is deliberate, scheduled by the pupils, course participants or students, which shall generally not be certified, however, in specific cases it may be certified;
- d) "The informal learning in VET" shall be learning obtained out of daily activities, bearing a connection with the job, family or leisure time. This type of learning is not structured and organised with regard to the objectives, time or teaching support. The informal learning shall, in the majority of cases, be non-deliberate, not scheduled by the learning individual, and shall, as a rule, not be certified;
- e) "Learning during the entire life" encompasses all learning activities, undertaken during the entire life for developing the skills and attaining a qualification;
- dh) "Supporting institutions of VET" shall be the public and private institutions, supporting the professional education and training in the Republic of Albania;
- f) "Providing institutions of VET" are public and private institutions, providing curricula or/and courses of VET in the Republic of Albania;

- ë) "Vocational training centres" are VET provider public or private institutions, providing courses of professional training for the course participants;
- g) "VET Multifunctional provider centres" are public and private institutions, providing vocational education of various levels and vocational training courses;
- h) "Commercial company" is a legal entity, in accordance with the definitions contained in the Law no 9901, dated 14.4.2008, "On merchants and commercial companies";
- gj) "Pupil" is the person, obtaining education in the formal, non-formal and informal system of education;
- i) "Course Participant" is the person, obtaining education in the formal, non-formal and informal system of education;
- j) "Teacher" is the qualified person with pedagogical and professional capabilities being involved in VET, mainly for the treatment of the theoretical aspects of the teaching process;
- k) "Instructor" is the qualified person with pedagogical and professional capabilities being involved in VET, mainly for the treatment of the practical aspects of the teaching process;
- 1) "Social partners" are the organisations representing the interests of employers and employees, participating and contributing to the VET system;
- m) "Other partners" are non-profit making organisations, various communities, participating in the VET system and, along with the state administrative institutions, work for the implementation of this law;
- Il. "Certificates" (attestations) of various types are official documents certifying the attainment of achievements in VET accredited curricula, on the part of the pupils and and course participants;
- n) "Qualification" is the specification of standards in knowledge, skills and broad capabilities, drafted to meet a certain aim, the validity of which has been recognised or having been recognised to this effect. Granting a qualification to an individual means that the knowledge or skills of this individuals are valuable in the labour market, as well as in his further training and education. The qualification shall be granted upon a competent authority determining, through an evaluation process of quality safety, that the individual has met the specified standards;
- o) "Albanian Framework of Qualification", hereunder AFQ, is a national system for classifying the qualifications, abiding by a number of criteria, for specific level of obtained learning, aiming at integrating and coordinating the national sub-systems of qualifications and improving transparency, access, progress and quality of qualifications, with relation to the labour market and civil society;
- nj) "Double form" is a type of providing the vocational education and training, the latter combining the education and training in a VET institution with labour and practical enabling in a commercial company, through the provisions of an agreement between the participants, VET institution and the commercial company;

- p) "Accreditation of VET courses and programs" is the process of certifying the competences or reliability and recognition of certificates containing the obtained credits;
- q) "Licensing" is the legal act recognising to the VET providing institution the right to provide the type of activity, in accordance with the pre-determined conditions and requirements;
- r) "Recognition of previous learning", informal and formal, is the process, by which the previous skills of a person, obtained in the informal and non-formal system, may be taken into account by means of an evaluation leading to granting a formal qualification certificate;
- s) "Post secondary education" represents an educational level, being offered to pupils having completed the secondary education, being with non-university level study curricula.

Benefiting from this law shall be:

- a) All persons having completed the obligatory education;
- b) Persons having reached the age of 16, being job-seekers and/or wishing to be trained professionally;
- c) Specific groups, wishing professional rehabilitation, such as disabled persons, mothers with many children, long term unemployed persons, persons from families under the poverty level as well as every other category to be determined as such upon the decision of Council of Ministers.

Article 6

Types, levels and duration of vocational education and training

VET consists of:

- a) public and private vocational education, starting after the elementary education, being provided by vocational schools and with a duration of 2-4 years. The vocational education system shall provide the following education levels:
 - i. level I basic vocational education, oriented by broad professional directions, with a duration of 2 (two) schooling years following the completion of the elementary education. This educational level shall be completed with a certificate of basic professional training and allows passing over to the level II of the vocational education or to the labour market;
 - ii. level II vocational education oriented according to professional profiles for every professional direction, with a duration of 1 (one) schooling year following the completion of the basic vocational education. This educational level shall be completed with a certificate of professional training and allows passing over to the level III of the vocational education or to the labour market;
 - iii. level III vocational, technical/managerial secondary education oriented according to the professional profiles, with a duration of 1 (one) schooling year following the completion of level II (structure 2+1+1) or 2 (two) schooling years following the completion of level I (structure 2+2) of the professional education. There is, in specific cases, duration of 4 (four) years after the completion of the elementary education. This educational level shall be completed with the certificate of the technician/manager in the respective profession, as well as with the professional

high school diploma and allowing passing over to the labour market or tertiary education;

- b) post secondary vocational education (non-university), public and private, with a duration of 1-2 schooling years, starts upon the completion of the secondary vocational education (level III) or gymnasium. Upon its completion, a professional qualification certificate in the respective profession shall be provided and passing over to the labour market shall be allowed. Where it lasts two schooling years and upon collecting 120 European credits (ECTS), it shall be concluded by obtaining the diploma "Professional diploma..." in the field of education having been performed. This diploma shall enable passing over to the labour market, as well as the transfer of credits to the university studies of the first cycle in the field of respective vocational education;
- c) vocational, public and private training, shall start upon the completion of the elementary education and it shall be provided by the vocational training centres, lasting up to 2 schooling years. The vocational training shall be ensured through the training, retraining as well as vocational rehabilitation courses, supporting the re-access as well as passing over from one profession to another. The professional training shall provide vocational qualification certificates;
- ç) double form vocational education and training, combining the vocational education and training at school/centre (for the theoretical part) with the practical work and skills in a company (for the practical part), through the provisions of an agreement between the participant, VET institution and the company;
- d) other types of VET, determined upon the decision of the Council of Ministers".

CHAPTER II

GENERAL CRITERIA

Article 7

The institutions of the vocational education and training are:

- a) The public and private vocational schools which may provide all types and levels of the preuniversity vocational education. These schools ensure the vocational training of focused practical character and provide pupils with the indispensable knowledge and skills for a qualified professional activity.
- b) The public and private multi-functional centres, which may provide all types and levels of pre-university vocational education, as well as vocational training courses for grown-ups, in the same directions as they provide the vocational education.
- c) The public and private vocational training centres, which may provide various courses of vocational training (training, re-training and professional rehabilitation), for obtaining the necessary vocational skills to meet the labour market requirements.
- d) The specialised institutions of the vocational education and training for specific groups.
- e) Enterprises
- f) Other public and private institutions, including the general and higher education institutions.

Article 7/1

Board of VET providing public institutions

1. The board of the VET providing public institutions (hereunder "Board") is a collegial body,representing the interests of the pupils/course participants of the business community,

social partners, as well as local government. The Board shall support the institution in developing its profile in VET market, closely connected with the labour market and economic development of the country and shall support the activity bearing a connection with the economic and financial management and administration as well as of the assets of the institution.

2. The Board consists of:

- a) two representatives from the private sector bearing a connection with the profile of the VET institution:
- b) one representative of the educational directorate, covering the public educational institution, providing VET (for public vocational schools);
- c) one representative of the regional council, covering the public educational institution providing VET;
- d) one representative of the regional/local employment office, covering the public educational institution providing VET;
- e) one representative of the teaching personnel of the public institution, providing VET;
- f) one representatives of pupils for the public school of vocational education or a representative of employees for the public centres of vocational training.
- 3. The Board shall elect the chairman from the representative members of the private sector.
- 4. The rights and other tasks of the Board, its mandate, way of electing the members, as well as its functioning shall be determined by a joint instruction of the Minister of Education and Science and the Minister od Labour, Social Affairs and Equal Opportunities.
- 5. The Board shall convene every three months and the Board members shall benefit a reward for every meeting out of the revenues of the school/centre, in accordance with the Decision of the Council of Ministers for the rewards for boards, as well as the school/centre generates revenues.

Article 8

Licensing of private institutions of vocational education and training

The licensing of the private institutions of vocational training and/or entities carrying out activities of vocational training shall occur based on the conditions and criteria being contained in the instructions issued specifically for them by the respective ministries. This process shall be conducted in cooperation with the National Licensing Centre.

Article 9

Accreditation of curricula of vocational education and training

- 1. The accreditation of VET curricula shall be done by the National Agency of Vocational Education, Training and Qualifications (NAVETQ), in compliance with the levels of the Albanian Framework of Qualifications and based on the quality insurance system.
- 2. The standards, criteria and procedures of accreditation for the system of vocational education shall be approved by the Ministry of Education and Science, while for the system of vocational training shall be approved by the Ministry of Labour, Social Affairs and Equal Opportunities".

Article 10

Admission to vocational education and training

- 1. Admitted to vocational schools shall be all the individuals having completed the obligatory education and having obtained the school leaving certificate. The admission criteria and registration procedures shall be determined upon a separate instruction of the Minister of Education and Science.
- 2. The accredited vocational courses and training, re-training and re-qualification curricula at the vocational training centres shall be open to all persons meeting the criteria for the entry, admission and registration there, determined as part of the accreditation process.

Article 11 shall be repealed.

Article 12

Entry, continuation and transfer from one VET level/direction to another level/direction

The entry, continuation and transfer from one VET level/direction to another level/direction shall occur in accordance with the rules contained in the joint instruction of the Minister of Education and Science and Minister of Labour, Social Affairs and Equal Opportunity".

Article 13

Final evaluation in vocational education and training

The final evaluation of pupils and course participants at the accredited vocational public and non-public education and training shall occur based on the examinations, also with the involvement of social partners. The examination and testing criteria and rules shall be determined upon the instruction of the respective minister. The final evaluation based on the credits system of qualifications with vocational orientation shall occur in accordance with the criteria determined previously in the Albanian Framework of Qualifications.

Article 14

Certification

- 1. The certification of pupils and course participants at VET shall occur in compliance with the criteria determined by the Ministry of Education and Science and by the Ministry of Labour, Social Affairs and Equal Opportunity.
- 2. The Minister of Education and Science shall determine the type, contents, format and procedure for granting the certification documents to pupils in the system of vocational education, depending on levels determined in the Albanian Framework of Qualifications.
- 3. The Minister of Labour, Social Affairs and Equal Opportunity shall determine the type, contents, format and procedure for granting the certification documents to course participants in the system of vocational training, depending on levels determined in the Albanian Framework of Qualifications.

Article 15

Advice and orientation in vocational education and training

By means of advice and orientation in vocational education and training, it is aimed at assisting all the citizens in choosing the vocational education, profession, training and re-training as well as rehabilitation most appropriate for their interests and physical as well as mental capabilities. The respective ministries shall issue the by-law acts for the implementation of this Article.

Article 16

Documentation, information and statistics

The Ministry of Education and Science and the Ministry of Labour and Social Affairs shall be responsible for the documentation, making available information and maintaining statistics of vocational education and training, depending on the respective fields they cover. All the other ministries, local government, as well as all other VET participants at national or local level shall be obliged to make information available on the VET activity to these two ministries. The procedures for collecting, reporting the information and periodicity of making the information available shall be determined in joint instructions.

Article 17

Personnel in vocational education and training

- 1. Committed to the institutions of vocational education and training shall be theoretical and practical teaching personnel, managerial personnel and auxiliary personnel.
- 2. The theoretical and practical teaching personnel shall consist of:
 - a) teachers of general culture
 - b) teachers of vocational culture
 - c) teachers of practical training at vocational schools
 - ç) instructors of vocational training at training centres
- 3. The initial training and qualification of teachers and instructors in compliance with letters "a", "b", "c" and "ç", point 2, of this Article, shall be the responsibility of the Ministry of Education and Science.
- 4. The continuous training and qualification for the personnel committed to the vocational education institutions are the responsibility of the Ministry of Education and Science, the courses for the personnel committed to the vocational training centres are the responsibility of the Ministry of Labour, Social Affairs and Equal Opportunities, in line with point 2, letter "ç" of this Article.

Article 18

Commercial companies

- 1. "Commercial company" is the entity where the training courses may be organised through the labour and where the vocational practice for pupils and course participants of the VET system may occur.
- 2. The commercial companies admitting pupils of the vocational schools for conducting the teaching practice in the context of the respective teaching curricula shall be supported by the

state. The forms of support, criteria and conditions for obtaining it shall be determined in the decision of the Council of Ministers.

3. The involvement of companies into the VET public system shall be regulated by means of agreements entered into between the commercial companies and the education providing public institutions. The duration of involvement of the commercial company into the public system shall be conditioned by the curricula of the vocational practice and by training courses.

Article 19

Evaluation system

The mechanisms for the development and evaluation of the vocational education system and training shall be a responsibility of the respective ministries.

CHAPTER III

COORDINATION OF THE VOCATIONAL EDUCATION AND TRAINING

Article 20

General Coordination Criteria

- 1. The general coordination of the public and non-public vocational training shall be done by the state.
- 2. The institutions and bodies responsible for the vocational education and training in Albania are:
 - a) The Ministry of Education and Science, for the vocational education.
 - b) The Ministry of Labour and Social Affairs, for the vocational training.
 - c) The other ministries and public and non-public institutions.
 - ç) The National Council of Vocational Education and Training.
 - d) The National Agency of Education, Vocational Training and Qualifications;
 - dh) The Institutions of the Albanian Framework of Qualifications;
 - e) Other Institutions, determined by by-law acts.

Article 21

The National Council of Vocational Education and Training.

- 1. The VET National Council shall be a three-party advisory body (state-employee-employer). It shall recommend to the responsible ministries and to the Council of Ministers policies about the development of VET system.
- 2. VET National Council shall consist of 10 members:
 - a) Minister of Education and Science, co-chairman
 - b) Minister of Labour, Social affairs and Equal Opportunities, co-chairman
 - c) a representative of the Ministry of Finance
 - c) a representative of the Ministry of Economy
 - d) four members, representatives of employers
 - dh) two members, representatives of employees.

- 3. The functioning of VET National Council shall be organised by a technical secretariat, consisting of employees of the National Agency of Education, Vocational Training and Qualifications.
- 4. The way of organisation and functioning of the VET National Council and technical secretariat shall be determined by decision of the Council of Ministers.

Powers of the Ministry of Education and Science in the field of vocational education

The Ministry of Education and Science shall have the following powers:

- a) processing, developing and implementing the policies for reforming and modernising the vocational education, in line with the European direction of VET development;
- b) determining the general criteria of functioning for institutions providing vocational education;
- c) determining general criteria for the employment, qualification and certification of teachers in vocational education, in cooperation with the specialised institutions;
- d) creating, re-organising and closing down institutions of public vocational education under its authority, in accordance with the procedures determined upon the decision of the Council of Ministers;
- e) drafting by-law acts on the status of the public institutions providing vocational education, degree of their autonomy and functioning of the board;
- f) cooperating with the National Centre of Licensing for the licensing of private educational institutions of vocational education and determining the closing down of these institutions, in the event of violations of legal and by-law acts in effect;
- g) approving the curricula at central level for the vocational education qualifications;
- h) conducting the testing and certification of pupils at vocational education schools, in cooperation with the specialised institutions;
- i) supervising the activity of the vocational education institutions being under its authority;
- j) issuing joint by-law acts with the Ministry of Labour, Social Affairs and Equal Opportunities, so that, along with the vocational education of pupils at public and private vocational schools, vocational training courses be provided as services on behalf of third parties.

Article 23

Powers of the Ministry of Labour, Social Affairs and Equal Opportunities in the field of VET

The Ministry of Labour, Social Affairs and Equal Opportunities shall have the following powers:

- a) processing, developing and implementing the policies for reforming and modernising the vocational training, in line with the European direction of VET development;
- b) determining the general criteria of functioning for institutions of vocational training;
- c) determining general criteria for the employment, qualification and certification of instructors in vocational training, in cooperation with the specialised institutions;
- d) creating, re-organising and closing down institutions of vocational training under its authority, in accordance with the procedures determined upon the decision of the Council of Ministers;

- e) drafting by-law acts on the status of the public institutions providing vocational training, degree of their autonomy and functioning of the board;
- f) cooperating with the National Centre of Licensing for the licensing of these entities carrying out activities of vocational training;
- g) approving the curricula at central level for the vocational training activities;
- h) participating at the final evaluation and certification of course participants in the institutions of vocational training under its authority;
- i) supervising the activity of the vocational training institutions being under its authority;
- j) ensuring the continuity of vocational training in accordance with the perspective of economic, national and regional development and in accordance with the the requirements of labour market;
- k) guaranteeing the right of the individual for vocational training, levelling out the economic and social obstacles for the continuation of this training;
- 1) organising the continuous training of instructors of vocational training in the public sector, in accordance with the designated institution.

Powers of other ministries and state institutions of vocational training

The ministries and other state institutions of the vocational training:

- a) establishing, organising and closing down institutions of vocational training under their authority, in accordance with the legal procedures;
- b) drafting the curricula of vocational training , in cooperation with the responsible institutions designated by law;
- c) organising the on-the-job training for their employees and re-training of specialists at institutions providing this service;
- c) organising the testing and certification of specialists at institutions under their authority;
- d) participating at the process of drafting the state standards of vocational qualifications, in cooperation with the National Agency of Education, Vocational Training and Qualifications;
- e) participating at studies for the analysis, evaluation and improvement of quality provided by VET, in cooperation with the VET institutions.

Article 24/1

The National Agency of Education, Vocational Training and Qualifications;

- 1. The National Agency of Education, Vocational Training and Qualifications (NAEVTQ) is an institution under the authority of the Ministry of Education and Science and its main scope of activity is the establishment of a unique national system of vocational qualifications, recognised at national level, based on the Albanian Framework of Qualifications.
- 2. The National Agency of Education, Vocational Training and Qualifications:
 - a) is one of the implementing units for the Albanian Framework of Qualifications (AFQ) and acts as secretariat for the AFQ Council;
 - b) drafting the syllabuses and curricula for the development of the VET system, subject to approval by the Ministry of Education and Science and by the Ministry of Labour, Social Affairs and Equal Opportunity.
 - c) drafting the curricula for obtaining policies for implementing the Albanian Framework of Qualifications;

- d) drafting curricula for the implementation of the system for ensuring the quality by the institutions providing VET.
- e) NAEVTQ is a service provider for the respective ministries.
- f) NAEVTQ shall maintain a national register for national qualifications.
- g) The organisation and activity of NAEVTQ shall be determined upon the decision of the Council of Ministers.

Powers of local government in the field of vocational education and training

The local government:

- a. proposing the opening and closing of the directions, profiles, specialities at professional schools, as well as opening new schools, in accordance with the regional development;
- b. in cooperation with the VET providing institutions, taking care and maintaining the institutions of the vocational education and training, in accordance with the effective legislation;
- c. opening vocational training courses with its own funds, in accordance with the effective legislation;
- c) representatives of the local government shall participate at school boards.

Article 26

Powers of social partners

The social partners:

- a) proposing opening or closing down the directions, profiles, specialities at vocational schools and at vocational training centres, as well as opening new schools or centres, in accordance with the needs of the employment and economic development of the country;
- b) participating at the process of drafting the national standards of vocational education and training;
- c) organising vocational training courses according to the specific needs of the fields they cover.
- ç) participating at the examination commissions in accordance with the established norms and procedures

by by-law acts of the respective ministries;

- d) supporting in the development of vocational practices of pupils and course participants.
- dh) participating at implementation and further development of the policies for the VET reforms.
- e) their representatives shall participate at school boards.

CHAPTER IV

STANDARDS AND CURRICULA

Article 27

The national list of professions and the national list of vocational qualifications shall be approved upon the decision of the Council of Ministers, based on the recommendations of NAEVTQ and in cooperation with the line ministries and social partners.

Article 28 shall be repealed.

CHAPTER V

FINANCING THE SYSTEM OF VOCATIONAL EDUCATION AND TRAINING

Article 29

Sources of financing

The public vocational education and training shall be financed by the State Budget, local government budget, national and international programs for the professional education and training, contributions of the associations of employers and employees, contributions of donors, sponsorships and other sources allowed by law.

Article 30

Self-financing

- 1. The public institutions providing vocational education and training may carry out also economic activities for financial profits in the fields bearing a connection with the implementation of the teaching curricula and practices. The forms and ways of organisation of their economic activity shall be determined upon the decision of the Council of Ministers.
- 2. The institutions providing vocational education and training shall act as economic units, upon separate account. To the effect of carrying out the productive and service activities, they shall contract natural and legal persons, provided that these activities are in compliance with the aim of the institution for implementing the programs of vocational education and training and not consist an aim in itself.

CHAPTER VI LAST PROVISIONS Article 31

Repeals

- 1. The Chapter I "General provisions" of the law no 7952, dated 21.06.1995 "On the pre-university educational system", as well as the Articles of the law in question, where the vocational education is dealt with in the context of the secondary education of the pre-university education system shall remain in effect. The Articles 33, 34, 35, 36, 37, 38, 55 point 4 and 57 point 2 of the law no 7952, dated 21.6.1995 "On the pre-university educational system", as well as the other legal provisions and by-law acts for the vocational education being at variance with this law, shall be repealed.
- 2. The Article 5, second paragraph, Article 10 and Article 13, letters b and c of the law no 7955 "On encouraging employment", as well as the other legal provisions and by-law acts, bearing a connection with the vocational training being at variance with this law, shall be repealed.

Article 32
Issue of by-law acts

The Council of Ministers, Ministry of Education and Science and Ministry of Labour, Social Affairs and Equal Opportunities shall be tasked to issue the by-law acts in the field of vocational education and training, within six months since the date of entry into effect of this law.

Article 33

Entry into effect

This law shall enter into effect 15 days after its publication in the Official Journal.

CHAIRMAN

JOZEFINA TOPALLI (ÇOBA)