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ON GENERAL EDUCATION

CHAPTER 1

GENERAL PROVISIONS

Article 1. Subject matter of the Law

The law on general education shall establish the principles of state policy for the general education system of the Republic of Armenia, legal and organisational as well as financial

and economic grounds thereof, shall regulate the legal relations of natural and legal persons participating in the process of general education, shall ensure the grounds for the right to equal education for all, possibility of compulsory basic general education and free of charge secondary education enshrined by the Constitution of the Republic of Armenia.

(Article 1 supplemented by HO-200-N of 1 December 2014)

Article 2. Legislation of the Republic of Armenia on general education

1. The field of general education shall be regulated by the Constitution of the Republic of Armenia, Laws of the Republic of Armenia “On education”, “On pre-school education”, “On state non-commercial organisations”, this Law, other laws and legal acts regulating this field.

2. Where international treaties of the Republic of Armenia provide for norms other than those provided for by this Law, the norms of the international treaties shall apply.

(Article 2 amended by HO-200-N of 1 December 2014)

Article 3. Main concepts used in this Law

1. The following main concepts shall be used in this Law:

(1) **general education** shall mean a process of instruction and upbringing of a person, which is carried out through basic and supplementary programmes of pre-school, elementary, basic, and secondary education;

(2) **elementary education** shall mean the first level of compulsory education which includes the first degree of basic programmes of general education;

(3) **basic education** shall mean the second level of compulsory education which includes the first and second degrees of basic programmes of general education;

(4) **secondary education** shall mean the third level of general education which includes the three degrees of basic programmes of general education;

(5) **state standard for general education** shall mean a regulatory document which defines the mandatory minimum of the content of basic programmes of general education, the maximum volume of an educational programme, the extensive quality requirements to the graduates according to educational levels, the evaluation system of learners;

(6) **programme for general education (basic and supplementary)** shall mean integrity of curricula, syllabuses and forms of organisation of instruction aimed at realisation of the objectives of general education;

a. **alternative education programme** shall mean an educational programme offering a diversity of syllabuses, curricula, forms, means and methods of organisation of instruction, which ensures the outcomes defined by the state standard for general education;

b. **copyright education programme** shall mean a type of alternative education programme which is recognised (undergone attesting certification) by the international standards as a copyright or is created, elaborated or introduced by certain pedagogical staff or management body (bodies);

c. **experimental education programme** shall mean an alternative education programme introduced for a definite period of time in a prescribed manner, which aims at ensuring the diversity of organisation of education, the international co-operation, identification and introduction of systems of efficient organisation of education;

d. **international education programme** shall mean an alternative education programme implemented on the basis of an intergovernmental or interagency agreement or that implemented in ten and more foreign States;

(7) **institution of general education** (hereinafter referred to as "the educational institution") shall mean an organisation or a subdivision thereof with a status of a legal person, which implements basic programme (programmes) of general education;

(8) **school of general education** shall mean a type of educational institution implementing basic programmes of general education through advanced instruction of one or more general, including stream or separate subjects;

(9) **specialised school of general education** shall mean a type of educational institution implementing basic specialised programmes of general education in any field of military science, sports, crafts, arts or science;

(10) **special school of general education** shall mean a type of educational institution implementing basic general programmes of general education and (or) basic special programmes of general education for learners in need of special conditions for education, as well as for those demonstrating anti-social conduct;

(10.1) **special conditions for education** shall mean the integrity of syllabuses and instruction methods aimed at mastering the basic programme of general education, individual technical means for instruction, an adapted environment, as well as pedagogical, social and other services of a person;

(10.2) **person in need of special conditions for education** shall mean a person having difficulties related to the instruction, including physical and mental peculiarities of development, who needs special conditions for education for mastering basic programmes of general education;

(10.3) **inclusive education** shall mean ensuring the maximum participation in the educational process as well as the outcome prescribed by the state standard for general education through ensuring the necessary conditions and an adapted environment, in compliance with the development peculiarities, for each child, including that in need of special conditions for education;

(10.4) **services of pedagogical and psychological assistance** shall mean the educational and methodical, psychological and pedagogical assistance, which is provided to a studying child, his or her parent and pedagogical worker;

(10.5) **assessment of the need of a child for special conditions for education** shall mean observing the participation of a person in educational programmes, revealing the development opportunities of a child and prescribing necessary special conditions for education;

(10.6) **pedagogical and psychological assistance centre** shall mean an organisation assessing the need of a child for special conditions for education, providing pedagogical and psychological as well as other auxiliary services supporting education;

(10.7) **increased amount of financing** shall mean a minimum amount of financing, prescribed by the Government of the Republic of Armenia, which is necessary for ensuring special conditions for education;

(10.8) **individual instruction plan** shall mean a document drawn up on the basis of state and subject related standards, programmes of general education and the need of a child for special conditions for education, which establishes the annual goal, tasks of organising the education of the learner and the actions aimed at the implementation thereof (including supporting services);

(10.9) **assistant of a teacher** shall mean a pedagogical worker assisting a teacher in the process of organisation of education;

(11) **multigrade class** shall mean an academic group comprised of learners mastering syllabuses of classes of various years;

(12) **pedagogical worker** shall mean a worker of an educational institution as well as that of pedagogical and psychological centres, contributing to the mastering by learners of the programmes of general education and (or) ensuring the requirements to the content of education;

(13) **teacher** shall mean a pedagogical worker ensuring, through teaching process, the mastering by learners of syllabuses at an educational institution and that directly responsible for this process;

(14) **attestation of a teacher** shall mean a process of determining the compliance of teacher's knowledge, working abilities, skills with the position held;

(14.1) **training of a teacher** shall mean the mastering and improvement by a teacher of new professional knowledge, skills and abilities in training organisations in accordance with the teacher's training standards and programmes defined by the authorised public administration body for education;

(14.2) **qualification category** shall mean a qualification standard corresponding to the professional knowledge and working abilities and capabilities of a teacher;

(15) **textbook expertise** shall mean a process of evaluation of compliance of a textbook with state standards for general education, as prescribed by the authorised public administration body for education.

(Article 3 amended by HO-228-N of 10 December 2009, supplemented by HO-30-N of 22 December 2010, amended and supplemented by HO-264-N of 6 October 2011, edited and supplemented by HO-200-N 1 December 2014)

Article 4. State policy in the field of general education

1. The Republic of Armenia shall proclaim and guarantee the development of the field of general education as an important guarantee for ensuring the safety and sustainable development of an individual and society as well as maintaining the Armenian identity.

2. The base of state policy in the field of general education shall be deemed to be the national school the main goal whereof is the formation of a person comprehensively developed, upbrought in the spirit of patriotism, statehood and humanism and having a professional orientation.

2.1 The Republic of Armenia shall declare the universal inclusive education as a guarantee of ensuring the right of each child to education. The policy of inclusive education shall be aimed at ensuring the accessibility, opportunity of equal participation in and quality of education of each child.

3. The Republic of Armenia shall ensure the democratic and secular nature of education.

4. The basic general education shall be compulsory, except for the cases prescribed by law.

5. The secondary education shall be free of charge at state education institutions.

6. A 12-year secondary education shall be provided in the Republic of Armenia.

7. The organisational base of state policy in the field of general education shall be considered to be the State Programme for Educational Development.

8. Engaging in political activities or carrying out political propaganda at educational institutions shall be prohibited.

Religious activities and religious advocacy shall be prohibited at educational institutions, except for the cases prescribed by law.

9. General education in the Republic of Armenia shall be provided in the literary Armenian language, in accordance with the requirements of the Law of the Republic of Armenia “On language”, except for the cases envisaged by law.

10. General education of national minorities of the Republic of Armenia may be organised in their native or national language, by compulsory instruction of the Armenian language.

(Article 4 supplemented by HO-30-N of 22 December 2010, HO-200-N of 1 December 2014)

Article 5. Objectives of general education and principles of state policy

1. General education shall be aimed at:

- (1) intellectual, mental, physical and social development of each learner;
- (2) respect for human dignity of each learner;
- (3) social adaptation of each learner in an academic environment in compliance with his or her abilities, capabilities and health;
- (4) acquisition by each learner of self-care skills and his or her preparation for an independent life;
- (5) professional orientation and preparation for professional career of each learner;
- (6) ensuring the preparation of each learner for family life;
- (7) development of his or her personality as a future citizen.

2. In the field of general education, the State shall guarantee the following principles are ensured:

- (1) humanitarian nature of general education, priority of national and universal values, human life and health, free and comprehensive development of an individual, giving importance to civic consciousness, respect for an individual as well as the rights and freedoms thereof, dignity, patriotism, diligence, responsibility, tolerance, formation of environmental outlook;
- (2) equal opportunities for general education, accessibility, continuous and successive nature as well as compliance with the development level, characteristics and level of proficiency of learners;
- (3) ensuring the principles of democratic management in the field of general education;
- (4) promotion of creative work at educational institutions, priority of independent acquisition and application by learners of analytical, critical thinking, and knowledge, as well as the priority of development of skills for the use of information technologies;
- (5) continuous improvement of the quality of general education, compliance with international standards, as well as integration into the international education system;

(6) striking a balance between the autonomy of and state supervision over educational institutions;

(7) legal equality of educational institutions, irrespective of their legal and organisational form, as well as that of learners and workers therein;

(8) mutual co-ordination between programmes of general education and other educational programmes.

(Article 5 edited by HO-200-N of 1 December 2014)

CHAPTER 2

STATE STANDARD FOR GENERAL EDUCATION AND PROGRAMMES OF GENERAL EDUCATION

Article 6. State standard for general education

1. In respect of basic programmes of general education state standard for general education shall include the following:

(1) educational fields, requirements to the content thereof;

(2) quality requirements to graduates as of educational degrees;

(3) background curriculum and main principles for the development of lists of subjects;

(4) the forms, scale of evaluation of and procedure for keeping on records for learners.

2. The requirements to state standards for general education shall be mandatory for educational programmes and educational institutions.

3. The state standard for general education shall be approved by the Government of the Republic of Armenia.

4. The background curriculum shall define the standard volume of basic programmes for general education as of academic years expressed in hours of academic classes (class hours), including compulsory minimum hours allocated to educational fields.

5. The minimum compulsory hours allocated to educational fields at the basic school may not be less than half of the total amount of standard hours, whereas at the high school — less than 30% thereof.

(Article 6 edited and amended by HO-200-N of 1 December 2014)

Article 7. Programmes of general education

1. Basic programmes of general education shall constitute an integrity of curricula and syllabuses and forms, means and methods for the organisation of relevant instruction thereof, which shall ensure the minimum quality requirements to graduates, as of levels, defined by the state standard for general education.

2. Supplementary programmes for general education shall be aimed at meeting the preferences and educational needs of learners outside the basic programmes. A supplementary programme for general education may be implemented by an educational institution or other organisation in accordance with the Statute thereof.

3. Basic programmes for general education shall be deemed to be the following programmes of pre-school education as well as those of secondary education:

(1) elementary general education (general, specialised, special);

(2) basic general education (general, specialised, special);

(3) secondary general education (general, specialised, special).

General programmes of general education shall also include programmes for advanced instruction of stream or separate subjects.

Pre-school programmes shall be implemented in accordance with the legislation regulating the field.

4. The authorised public administration body for education shall elaborate and approve general, specialised and special state programmes of elementary, basic and secondary general education (hereinafter referred to as “state programme of general education”).

State programme of general education shall include the model curriculum, subject related standards and programmes, the list of guaranteed textbooks, other legal acts ensuring the implementation of the programme.

5. The model curriculum of state programme of general education shall comprise the following state and school related components:

(1) the state related component shall include the list of subjects and the hours allocated thereto;

(2) the hours allocated to the school related component shall be envisaged for the implementation of advanced education programmes for stream and separate subjects and (or) the organisation of education in conformity with preferences of learners, peculiarities of an educational institution, and needs of the community. The school related component shall be disposed of by an educational institution.

An educational institution implementing a state programme of general education shall approve its curriculum on the basis of the model curriculum.

6. The authorised public administration body for education may approve basic programmes of alternative general education, including experimental, copyright and international programmes which do not contradict with state standard for general education.

6.1. Educational institutions may implement international programmes and organise education in foreign languages solely upon the decision of the Government of the Republic of Armenia. The procedure for issuing an authorisation to an educational institution for organising the education in a foreign language shall be elaborated by the authorised public administration body for education and submitted thereby to the approval of the Government of the Republic of Armenia.

Educational programmes in a foreign language may be implemented solely by non-state education institutions, as well as by educational institutions established by interstate and intergovernmental agreements.

Instruction of the Armenian language and subjects on Armenian studies in the Armenian language for citizens of the Republic of Armenia studying at the educational institutions referred to in this part, which implement educational programmes in a foreign language, shall be mandatory in compliance with the state standard for general education.

The maximum number of educational institutions of the Republic of Armenia referred to in this part shall be 11, out of which:

(1) two may be established as non-state education institutions in the cities of Dilijan and Jermuk and organise education on the basis of at least the 6th year (starting from the 7th year);

(2) nine may be also established on the basis of interstate and (or) intergovernmental agreements and implement programmes of general education falling under third degree of secondary education.

The maximum number of educational institutions implementing educational programmes in the same foreign language shall be four.

The educational institutions referred to in this part may not have a branch or a subdivision.

7. Basic programmes of general education shall be formed according to the principles of successive and continuous nature. Basic programmes of general education shall, as of education degrees, be classified as follows:

(1) the 1st degree — elementary;

(2) the 2nd degree — basic;

(3) the 3rd degree — secondary.

The outcomes of mastering programmes of general education shall be summarised upon the completion of each education degree. A learner having not mastered the previous degree of the programme of general education shall not be allowed to be transferred to the next degree of general education.

8. The standard time period for secondary education shall be 12 years under a three-level system:

- (1) the 1st level constituting four years — 1-4 years;
- (2) the 2nd level constituting five years — 5-9 years;
- (3) the 3rd level constituting three years — 10-12 years.

9. For the implementation of specialised programmes of general education, educational programmes for children having demonstrated outstanding abilities, children in need of special conditions for education and alternative education programmes, the authorised public administration body for education may establish other time limits.

10. Basic programmes of general education may, as an integral part, include:

- (1) educational and methodical, experimental, and research activities carried out by an educational institution;
- (2) measures for the professional improvement of pedagogical workers;
- (3) organisation of additional courses of general education for learners;
- (4) measures for health maintenance of learners;
- (5) food management for learners;
- (6) organised transportation of learners;
- (7) organisation of after-school education and (or) overnight accommodation of learners;
- (8) organisation of instruction, upbringing and leisure of learners at education and production facilities, sport and recreation camps.

11. The implementation of each basic programme of general education (including pre-school) shall be deemed as an activity subject to licensing.

A licence for the implementation of programmes general education shall be issued by the authorised public administration body for education as prescribed by the law regulating the licensing process.

(Article 7 amended by HO-240-N of 8 December 2010, supplemented by HO-30-N of 22 December 2010, edited and supplemented by HO-200-N of 1 December 2014)

CHAPTER 3

EDUCATIONAL INSTITUTIONS

Article 8. Types of educational institutions

1. An educational institution shall, as of basic programmes for general education implemented therein, be classified into the following types:

(1) school of general education;

(2) specialised school of general education;

(3) special school of general education.

2. The activities of specialised and special institutions of general education and the peculiarities thereof shall be defined by law, the Statutes thereof and other legal acts.

3. The Government of the Republic of Armenia may, in accordance with alternative programmes of general education, establish another type of educational institution.

4. Another type of non-state education institution may be established upon the decision of the founder, as prescribed by law.

5. An educational institution shall, as of the degrees of implemented educational programmes, be as follows:

- (1) elementary school (1-4 years),
- (2) middle school (5-9 years),
- (3) basic school (1-9 years),
- (4) high school (10-12 years),
- (5) lyceum (5-12 years),
- (6) secondary school (1-12 years).

Article 9. Legal and organisational forms of educational institutions

1. An educational institution may have any legal and organisational form established by law.
2. An educational institution may operate also within an educational complex.
3. For the purpose of ensuring free of charge general education of learners, the Republic of Armenia, represented by the Government of the Republic of Armenia, shall establish educational institutions with legal and organisational form of a state non-commercial organisation (hereinafter referred to as “the state education institution”).
4. The body authorised for state high schools referred to in point 4 of part 5 of Article 8 of this Law, shall be deemed to be the authorised public administration body for education.
5. The model Statutes of state education institutions shall be approved by the Government of the Republic of Armenia. The model Statute of a non-state education institution shall be approved by the founder on the basis of the model Statute approved by the Government of the Republic of Armenia.
6. The Statute of a non-state education institution must not contradict with the provisions of the Law of the Republic of Armenia “On education” and this Law.

7. An educational institution may have a seal whereon the name of the educational institution shall be indicated.

(Article 9 amended by HO-108-N of 13 April 2011)

Article 10. Management of an educational institution

1. Management of the educational institution shall be carried out as prescribed by the legislation of the Republic of Armenia and the Statute of an educational institution.

2. The management of current activities of an educational institution shall be carried out by the executive body of the educational institution — the director, who shall be elected (appointed) and removed from office (the powers thereof shall terminate) in the cases and under the procedure established by legislation and the Statute of the educational institution.

3. The state education institution shall have a collegial management body, *i.e.* a board (hereinafter referred to as “the Board”).

4. The powers of collegial management bodies of an educational institution shall be defined by law and the Statute of the educational institution.

5. For the purpose of effective organisation of the educational activities of an educational institution, advisory bodies, *i.e.* pedagogical, parental, pupil councils, subject related methodology units shall be established, the procedure for the establishment and the competences whereof shall be defined by the Statute of an educational institution. The Statute of an educational institution may provide for other advisory bodies as well, *i.e.* board of curators and other boards.

6. The members of the pupil council shall participate in the management of an educational institution in an advisory capacity.

Article 11. Powers of the Board of a state education institution and the grounds for the termination thereof

1. The Board of a state education institution:

- (1) shall elect a director as prescribed by the Government of the Republic of Armenia;
- (2) shall approve the organisational structure, internal disciplinary rules of an educational institution;
- (3) shall approve the development plan of an educational institution;
- (4) shall consider and approve the staff lists and payrolls of an educational institution;
- (5) may establish a smaller class at the expense of additional funds of an educational institution;
- (6) shall consider the annual cost estimate of an educational institution, as proposed by the director, the budget request for the next year, approve and submit it to the state authorised body for approval;
- (7) shall consider the statements on financial and economic activities as well as instruction and education activities;
- (8) shall decide on participating in external evaluation; consider the results of internal and external evaluation;
- (9) shall supervise the implementation of the development plan of an educational institution;
- (10) shall establish, as prescribed by the founder, the main directions for disposing of the profit of an educational institution;
- (11) shall submit recommendations to the state authorised body in line with the field of activities, objectives and tasks of an educational institution;
- (12) shall approve its working procedure and elect the Chairperson of the Board in compliance with the Statute of an institution and the procedure for the election of the Board;

(13) exercise other powers reserved thereto by law, by the founder and (or) those provided for in the Statute of an institution.

2. The member of the Board of a state education institution shall be obliged to:

(1) take part in the meetings of the Board as prescribed by the Statute of an educational institution, act in good faith — in the best interests of the child and effectiveness of the education thereof;

(2) duly fulfil the duties prescribed by this Law, the Statute of an educational institution and those reserved to him or her upon the decisions (assignments) of the Board;

(3) perform the assignments, decisions of the Board and those of the authorised body submitted to him or her, that derive from the statutory objectives of an educational institution.

3. The powers of a member of the Board of a state education institution shall be terminated by the authorised body in case of:

(1) submitting a personal request thereon;

(2) a justified recall by the body having authorised the member;

(3) a justified recommendation, upon the decision of the Board;

(4) failing to attend at least three meetings of the Board within one year;

(5) being declared, through judicial procedure, as having no active legal capacity or as missing or having limited active legal capacity;

(6) liquidation or reorganisation of an educational institution;

(6.1) having been included in the Board in violation of the prescribed procedure;

(7) his or her death.

4. The powers of a member of the Board may not be terminated on the grounds referred to in the points 1-4 of part 3 of this Article from the day of the competition called for the vacant position of the director until the end of the given competition, except for the cases

where a member nominated by the parental council does not have a child studying at school, as well as a teacher nominated by the pedagogical board is removed from office.

(Article 11 edited and supplemented by HO-200-N of 1 December 2014)

Article 12. Director of the educational institution and the competences thereof

1. The director of a state education institution (hereinafter referred to as “the director”) shall be elected upon a competition based procedure approved by the Government of the Republic of Armenia.

A person having undergone training under the procedure established by the authorised public administration body for education and having been granted with the right (certificate) to manage an educational institution, may participate in the competition called for the vacant position of a director and be appointed or elected for the vacant position of the head of a non-state education institution and that of a subdivision implementing basic programmes of general education. Heads of non-state education institutions implementing education programmes prescribed by subpoints (a), (b), (c) and (d) of point 6 of part 1 of Article 3 of this Law, may be considered as exceptions.

2. A person with higher education and possessing, in total, at least seven years of service in pedagogical, scientific and pedagogical activities or in the field of education management during the last ten years, may undergo training to be granted with the right (certificate) to manage an educational institution.

3. Training and certification shall be held according to the following stages:

- (1) recognition of compliance of documents in accordance with the list of documents prescribed by the authorised public administration body for education;
- (2) organisation of instructions upon the initiative of the applicant;
- (3) examination through testing and interview;

(4) certification of the right to manage an educational institution for a period of five years.

4. Procedures for training, examinations and certification, the cases of and procedure for the termination of the right (certificate) to manage an educational institution, as well as the procedure for the establishment of and the rules of procedure for the authorised certification body shall be established by the authorised public administration body for education.

5. The training shall be organised at least once a year.

6. The announcement on training shall be made not later than one month prior to holding examinations, through press with a print run of at least three thousand copies and other means of mass media.

7. The content of training shall be developed for the purpose of building and strengthening legal, administrative, pedagogical, psychological knowledge and practical skills and those on methodology of instruction in the field of education.

8. After the training, the person having passed the examination in a prescribed manner, shall be recognised as having been granted with a certificate on the right to manage an educational institution.

9. The list of certified persons shall be promulgated.

10. The results of the examination may be appealed against through judicial procedure or in the authorised public administration body for education, in accordance with the procedure established by the authorised public administration body for education.

11. A person having undergone training and having been granted a certificate on the right to manage an educational institution, may participate in a competition held for the vacant position of a director during five years from the date of being granted the certificate.

12. For the purpose of participating in a competition held for the vacant position of a director, the candidate of a director shall submit to the Board the following:

- (1) the documents complying with the prescribed list;
- (2) the certificate on the right to manage an educational institution;
- (3) his or her school development programme.

13. For the purpose of testing the practical management skills of the candidate of a director, the Board shall hold an interview on the basis of the questionnaires defined by the authorised public administration body for education.

14. The director of an educational institution having won the competition and having concluded an employment contract in a prescribed manner, shall hold office until the expiry of the powers thereof, irrespective of the expiry of the five-year period of the certificate on the right to manage an educational institution.

15. A person having been granted with a certificate on the right to manage an educational institution, may, until the expiry of the validity period of the certificate, apply for and undergo the training referred to in part 3 of this Article and be granted a new certificate on the right to manage an educational institution.

16. The director of an educational institution (the head of a subdivision implementing basic programmes of general education) shall be responsible for the organisation of instruction and education process in compliance with the state educational and subject related criteria for general education, for the health maintenance of learners, recruitment of personnel, observation of the requirements of the Labour Code of the Republic of Armenia, as well as for the fulfilment of other obligations prescribed by law and the Statute of the educational institution.

17. A person may not be nominated for, elected (appointed) as a director of an educational institution (the head of a subdivision implementing basic programmes of general education), who:

- (1) has not been granted a certificate on the right to manage an educational institution, as prescribed by parts 1-4 of this Article;

(2) has been declared, through judicial procedure, as having no or limited active legal capacity;

(3) has been deprived, through judicial procedure, of the right to engage in pedagogical or administrative activities;

(4) suffers from a disease that may impede the implementation of pedagogical or administrative activities. The list of these diseases shall be approved by the Government of the Republic of Armenia;

(5) has been convicted of a crime, and the conviction has not been cancelled or expired in a prescribed manner, with the exception of cases when convicted of committing an unintentional crime.

18. The director of an educational institution shall:

(1) submit to the consideration of the Board the financial and economic statement, the statement of information on the results of internal and external evaluation, the budget request for the next year;

(2) manage the pedagogical board of the educational institution; assist in the activities of advisory bodies of the educational institution;

(3) draw up the staff list and cost estimate of the educational institution and submit — upon the approval by the Board of the institution — to the state authorised body;

(4) submit the development plan of the educational institution to the approval of the Board;

(5) exercise other powers reserved to him or her by law and the Statute of the educational institution.

(Article 12 edited, supplemented and amended by HO-200-N of 1 December 2014)

CHAPTER 4

IMPLEMENTATION OF THE EDUCATIONAL PROGRAMME IN EDUCATIONAL INSTITUTIONS

Article 13. Educational programmes of an educational institution

1. An educational institution may implement programme(s) of general education in case of availability of relevant licence, in accordance with its Statute. Programmes of general education implemented by an educational institution shall be enshrined by its Statute.
2. An educational institution may, upon the decision of the founder, implement programmes of general education through day-time, after-school and (or) boarding-school procedures.

Article 14. Curricula

1. The educational process in the educational institution shall be organised in conformity with the state standard for general education and the annual curriculum of the educational institution.
2. An individual curriculum shall be drawn up for each programme of general education implemented in the educational institution, in conformity with the requirements of the state standard for general education.
3. The educational institution implementing state programmes of general education shall draw up its curricula on the basis of model curricula. The educational institution shall distribute the number of hours referred to in the school related component of model curriculum, according to school subjects, defined by the state related component or guaranteed by the authorised public administration body for education.
4. The educational institution may, on a paid basis, implement supplementary programmes of general education and(or) those of professional education, as well as

other services, in conformity with its Statute and as prescribed by the Government of the Republic of Armenia.

The participation of learners in supplementary paid classes shall be voluntary and shall be implemented on the basis of a contract concluded between the educational institution and the parent, the model form whereof shall be approved by the authorised public administration body for education.

Article 15. Academic year

1. The academic year shall begin on the 1 September.
2. The academic year shall consist of academic weeks, examination periods and holidays.
3. The number of academic weeks shall be determined on the basis of the provision of annual number of hours defined by the background curriculum.
4. The duration of a five-day or six-day academic week in the state education institution shall be defined by the educational institution, whereas in the non-state education institution — by the founder thereof. The educational institution shall take a decision thereon prior to 1 September and inform the authorised public administration and territorial administration (in the city of Yerevan — the Mayor of Yerevan) bodies for education at least within a period of 15 days.
5. Examination periods may be established during the academic year. The time periods and the procedure for holding state final examinations shall be defined by the authorised public administration body for education.
6. Autumn, winter, spring and winter holidays shall be provided during the academic year, in conformity with the requirements of the state standard for general education. The time periods and duration of holidays in a state education institution shall be defined by the authorised public administration body for education, whereas in a non-state education institution — by the founder thereof, by informing the authorised public administration body thereon.

(Article 15 edited by HO-200-N of 1 December 2014)

Article 16. Admission, grade-completion, transfer and removal of learners

1. Admission of learners to an educational institution shall be carried out upon the order of the director, on the basis of the application of the parent of a school-age child or the legal representative (hereinafter referred to as “the parent”) thereof and the contract concluded between the educational institution and the parent, as prescribed by this Law and the Statute of the educational institution. The model contract for state education institutions shall be approved by the authorised public administration body for education.

2. The children having reached or expected to reach the age of six on the 31st of December of the given calendar year inclusive, shall be admitted to the first year of the educational institution. Admission of children of lower age to an educational institution shall be prohibited.

3. Testing the knowledge of a child during the admission to the first year of the school of general education shall be prohibited.

4. Admission to an educational institution of children in need of special conditions for education, shall be carried out on general grounds.

5. The parent shall be responsible for the enrollment of a school-age child in an educational institution, as prescribed by law.

6. The educational institution, local self-government bodies and territorial administration bodies shall ensure the enrollment of a school-age child in an educational institution.

7. The education of children enrolled in general education later than the established period, shall be organised as prescribed by the authorised public administration body for education.

8. The transfer of a learner from an educational institution to another educational institution and removal thereof shall be carried out as prescribed by the authorised public administration body for education, in the following cases:

(1) on the basis of the parent’s application;

(2) on the basis of the criminal judgment of the court, entered into legal force.

9. The removal of a learner enrolled in a non-state education institution, specialised school of general education or in an alternative programme or the transfer of a learner to another educational institution may also be carried out in case the learner or his or her parent fails to comply with the contractual provisions agreed between the parent and the educational institution concerned.

10. The procedure for final testing with regard to mastering by learners the educational programme or that for attestation thereof, for grade-completion and graduation of learners shall be defined by the authorised public administration body for education.

The procedure for transfer to the next year of the learner having not mastered the basic programme of general education of the given academic year, as well as that for repeating the course of the academic year concerned shall be established by the authorised public administration body for education.

11. The procedure for further instruction of learners having missed relevant academic classes shall be established by the authorised public administration body for education.

(Article 16 supplemented and edited by HO-128-N of 14 April 2011, amended and edited by HO-200-N of 1 December 2014)

Article 17. Organisation of educational process

1. The educational process in an educational institution shall be organised in the form of group or individual instruction.

2. Academic groups — the classes, shall be formed according to the age of learners and the outcomes of mastering the educational programme thereby. Multigrade classes may be formed according to the procedure established by the authorised public administration body for education.

The procedure for the formation of a class of a state education institution shall be established by the Government of the Republic of Armenia.

3. The main form of organisation of group learning in an educational institution shall be deemed to be the lesson. The duration of the lesson shall be defined by the state standard for general education.

The class may be divided into groups during the class hours of separate subjects, as prescribed by the authorised public administration body for education.

Group learning may also be organised in educational and practical facilities, experimental facilities as well as sports and recreation camps.

4. The procedure for the organisation of individual learning of learners shall be established by the public administration body for education.

5. Home instruction shall be organised for learners not able to attend educational institutions for the reason of health state in accordance with the procedure established by the authorised public administration body for education. The list of diseases enabling the right to home instruction shall be defined by the Government of the Republic of Armenia.

5.1. For the purpose of ensuring the right of a child to education, instruction of children undergoing long-term (not less than 21 days) treatment shall be organised at hospital medical facilities pursuant to programmes of general education.

It shall be carried out on the basis of an agreement between the medical facility concerned and the educational institution, the model form whereof shall be approved by the joint order of the heads of the authorised public administration body for education and authorised public administration body for health. The carbon copy of the agreement shall be submitted to authorised public administration body for education.

6. Textbooks and manuals having undergone expert examination and guaranteed as prescribed by the authorised public administration body for education, shall be used in educational institutions upon the choice of the educational institution.

7. For the purpose of increasing the accessibility, quality and effectiveness of educational services, the educational institution shall provide the participants of educational process (learner, parent, pedagogical worker, etc.) with services of pedagogical and psychological

assistance for the organisation of education. The procedure for providing services of pedagogical and psychological assistance for the organisation of education shall be prescribed by the authorised public administration body for education.

(Article 17 edited and supplemented by HO-200-N of 1 December 2014)

Article 17.1. Services of pedagogical and psychological assistance for the organisation of education

1. The services of pedagogical and psychological assistance for the organisation of education of a child shall be provided on three levels:

(1) school level — by the service of pedagogical and psychological assistance;

(2) territorial level — by the territorial centre pedagogical and psychological assistance;

(3) republican level — by the republican pedagogical and psychological centre.

2. The assessment of the need of a child for special conditions for education shall, for the purpose of attesting certification, be carried out by the centres of territorial pedagogical and psychological assistance.

3. The assessment of the need of a child for special conditions for education shall be organised based on the pedagogical and psychological evaluation standards approved by the authorised public administration body for education.

4. In case of not agreeing with the results of assessment of the need of a child for special conditions for education, carried out by the territorial centre of pedagogical and psychological assistance, the parent may appeal against these results at the republican pedagogical and psychological centre.

5. The territorial centres of pedagogical and psychological assistance shall:

(1) carry out the assessment of the need of a child for special conditions for education;

(2) draw up relevant opinion on special conditions for education necessary for the organisation of education of a child;

- (3) provide services of assistance for the organisation of education;
- (4) pay mutual advisory visits to educational institutions;
- (5) organise and conduct trainings;
- (6) perform other functions prescribed by legislation and their Statutes.

6. The republican pedagogical and psychological centre shall:

- (1) define the unified approach for the pedagogical and psychological assistance and the assessment of needs for special conditions for education;
- (2) develop the legal acts regulating the field of pedagogical and psychological services;
- (3) co-ordinate the activities of territorial centres of pedagogical and psychological assistance;
- (4) develop scientific and methodical as well as educational and methodical materials and guidelines for pedagogical and psychological specialists dealing with children in need of special conditions for education;
- (5) organise and conduct trainings, provide professional consultation;
- (6) create a database for children in need of special conditions for education, carry out data analysis and provide recommendations on policy development and implementation;
- (7) perform other powers and functions prescribed by the legislation and its Statute.

7. The model Statutes and list of territorial and republican pedagogical and psychological centres shall be defined by the Government of the Republic of Armenia.

8. The services of pedagogical and psychological assistance and procedure for financing the activities of territorial and republican pedagogical and psychological centres shall be defined by the Government of the Republic of Armenia.

9. The republican and territorial pedagogical and psychological centres shall have the status of a state non-commercial organisation.

10. The directors of republican and territorial pedagogical and psychological centres shall be appointed by the authorised public administration body for education,

11. One fifth of the pedagogical workers providing three-level services of pedagogical and psychological assistance for the organisation of education of a child shall undergo relevant training pursuant to the schedule drawn up by the head of the educational institution and relevant pedagogical and psychological centre.

The training of pedagogical workers providing three-level services of pedagogical and psychological assistance for the organisation of education of a child shall be organised in compliance with the procedures for training of teachers prescribed by Article 26 of this Law.

(Article 17.1 supplemented by HO-200-N of 1 December 2014)

Article 17.2. Assessment of the need of a child for special conditions for education

1. A child may be introduced for establishing special conditions for education on the basis of an application by the parent (legal representative) or an application by the pedagogical board of the educational institution deemed as the place of education of the child, provided that the letter of consent of the parent is attached to the application.

2. The pedagogical and psychological assessment of the need of a child for special conditions for education shall be organised with the participation of the parent (or another legal representative thereof).

3. The assessment of the need of a child for a special condition of education shall be carried out in the natural environment of vital activities of the child (family, educational institution and other environment of communication of the child).

(Article 17.2 supplemented by HO-200-N of 1 December 2014)

Article 17.3. Attesting certification of the need of a child for special conditions for education

1. Based on the opinion on the need of a child for special conditions for education delivered by the territorial pedagogical and psychological centre, the need of the child for special conditions for education shall undergo attesting certification by the territorial public administration body.
2. The form of the attesting certificate on the need of a child for special conditions for education shall be developed and approved by the authorised public administration body for education.
3. Relevant services of pedagogical and psychological assistance shall be provided for the organisation of education of the child possessing the attesting certificate on the need of a child for special conditions for education, whereas in the case prescribed by point 3.1 of Article 35 of this Law, an increased amount of financing shall be provided in compliance with the conditions of point 3.2 of the same Article.

(Article 17.3 supplemented by HO-200-N of 1 December 2014)

Article 18. Evaluation and attestation of learners

1. Current and final (semi-annual and annual) evaluation of academic performance of learners and the choice of forms, methods, frequency thereof and that of contents of tasks shall be made by the educational institution, in accordance with the state standard for general education and other regulatory legal acts.
2. A verification of conformity of learners with the requirements of the state standard for general education, *i.e.* state final attestation shall be carried out upon the completion of elementary, basic and secondary programmes of general education.
3. Graduates of educational institutions shall be granted graduation documents. The forms of graduation documents shall be approved by the Government of the Republic of Armenia.

CHAPTER 5

PARTICIPANTS OF THE EDUCATIONAL PROCESS IN EDUCATIONAL INSTITUTIONS

Article 19. Participants of the educational process in educational institutions

1. Participants of the educational process in educational institutions shall be as follows:

- (1) learners;
- (2) parents of learners;
- (3) teachers and other pedagogical workers;
- (4) administrative workers;
- (5) representatives of the authorised public administration body for education, territorial administration bodies and local self-government bodies and other persons included in the Board and advisory bodies.

Article 20. Rights and responsibilities of learners

1. Learners shall have equal rights and responsibilities at educational institutions. Those rights and responsibilities shall be defined by law and the Statute of the educational institution.

2. A learner shall have the right to:

- (1) receive education compatible with the state standard for general education;
- (2) choose — upon the consent of the parent — the educational institution and the form of instruction, the stream inside the educational institution concerned and receive paid educational services;

(3) have free of charge access to educational and material base of the educational institution;

(3.1) receive assistance aimed at meeting the need for special conditions for education;

(4) participate in internal and external school events;

(5) be protected from any physical and psychological pressure, exploitation, actions or inaction of pedagogical and other workers, that violate the rights of the learner and infringe upon their honour and dignity;

(6) participate in the management of the educational institution as prescribed by the Statute of the educational institution;

(7) freely search for and have access to any information, except for the cases prescribed by law;

(8) freely express his or her opinion and convictions;

(9) benefit from other rights specified by law and the Statute of the educational institution.

3. A learner shall be obliged to:

(1) fulfil the requirements of the Statute and internal disciplinary rules of the educational institution;

(2) receive knowledge compatible with the state standard for general education, acquire and possess corresponding skills and abilities, meet the requirements for the established system of values;

(3) attend and participate in academic classes;

(4) perform other duties specified by law and the Statute of the educational institution.

(Article 20 supplemented by HO-200-N of 1 December 2014)

Article 21. Disciplinary penalties imposed on learners

1. The discipline in educational institutions shall be ensured as prescribed by law, as well as the Statute and internal disciplinary rules of the educational institution.

2. In case of failure to observe or improper observance of internal disciplinary rules of an educational institution, the following disciplinary penalties may be imposed on the learners of secondary and high schools, as prescribed by this Law and the Statute of the educational institution:

(1) reprimand;

(2) severe reprimand.

3. If the learner has not committed a new disciplinary offence and has acted as a *bona fide*, an exemplary and disciplined learner within one year after the date of imposing a disciplinary penalty, the disciplinary penalty may be cancelled.

4. In case of repeated imposition of the disciplinary penalty referred to in point 2 of part 2 of this Article on the same learner within one academic year, the educational institution may:

(1) recommend the parent to transfer the learner to another educational institution;

(2) apply to the authorised body in the field of social assistance with a proposal of arranging social support service for the child.

5. If a learner of a non-state education institution, specialised school of general education or that of alternative instruction system or the parent thereof has failed to fulfill the contractual requirements, or the learner has failed to meet the minimum requirements to the mastering of the content and volume of education, the educational institution concerned may unilaterally rescind the contract, by giving a 10 day prior notice thereon to the parent.

6. The parent shall be responsible for frequently missing the academic classes by a learner without good reason, as prescribed by law.

Article 22. Health maintenance of learners

1. An educational institution shall ensure secure and safe conditions for the implementation of the educational programme, normal work regime, medical aid and support, necessary conditions for physical development and health promotion of learners, shall form individual skills for personal hygiene and healthy lifestyle under the procedure established by the authorised public administration body in the field of health care.

2. For the purpose of maintaining health and preventing problems of physical and mental development, and rehabilitating the health of learners, each learner shall at least once a year undergo a medical (preventive) examination by the medical support service of the educational institution, whereas in case of impossibility thereof — by the territorial health care organisation at the expense of the State Budget.

Article 23. Incentives for learners

1. The educational institution, the founder thereof, the authorised public administration body for education, the territorial administration bodies and local self-government bodies, social partners, organisations and individuals may establish forms of moral and material incentives for learners, such as certificates of appreciation, certificates of merit, monetary awards or other forms specified by the Statute of the educational institution.

Article 24. Pedagogical workers

1. The name list of positions of pedagogical workers of an educational institution, the description and qualification categories thereof, as well as the procedures for their recruitment, removal from office, granting pension and organisation of medical examination shall be defined by the Government of the Republic of Armenia.

2. The person shall not be entitled to occupy the position of a pedagogical worker, if he or she:

(1) has been declared — through judicial procedure — as having no or limited active legal capacity;

(2) has been deprived of the right to engage in pedagogical activities through judicial procedure;

(3) suffers from a disease that may impede the implementation of pedagogical activities. The list of such diseases shall be approved by the Government of the Republic of Armenia;

(4) has been convicted of a crime, and the conviction has not been cancelled or expired in a prescribed manner, except for the cases of having been convicted of committing an unintentional crime.

3. When a vacancy for a teacher opens-up in a state education institution, it shall be filled on a competitive basis in accordance with the model procedure on competition established by the authorised public administration body for education and the Statute of the educational institution, except for the case of availability of a candidate having received professional education on the basis of an intended reference or secondment of relevant specialist to state education institutions in borderline or highland settlements by the authorised public administration body for education, provided that until then the vacant position of a teacher has not been filled as a result of a competition called at least twice.

(Article 24 supplemented and amended by HO-200-N of 1 December 2014)

Article 25. Working time and pedagogical years of service of the workers of an educational institution

1. The particulars of the work regime and leisure of workers of educational institutions shall be defined by the Government of the Republic of Armenia.

2. The pedagogical years of service of pedagogical and administrative workers of an educational institution shall be calculated as prescribed by the legislation of the Republic of Armenia.

3. The full academic workload (volume of teaching) of a full time teacher in a state education institution may not exceed 22 class hours per week.

4. An administrative worker of a state education institution holding full-time office may, in case of relevant qualification, concurrently, have an academic workload of up to eight class hours per week.

An administrative worker of a state education institution holding part-time office and relevant qualification may, concurrently, have an academic workload of up to fourteen class hours per week.

(Article 25 supplemented by HO-3-N of 9 February 2012)

Article 26. Teachers, the training, attestation thereof and granting qualification categories thereto

(Title edited by HO-264-N of 6 October 2011)

1. A teacher at an educational institution may be deemed to be the person having obtained corresponding pedagogical qualification (with Bachelor's degree, Master's degree, degree of a certified specialist) or has higher education and at least five years of service of pedagogical (or teaching) activities for the last ten years.

2. The State shall hold regular attestation of teachers, once in every five years for each teacher, for the purpose of determining the compliance of a teacher with the job description of the position occupied in the given educational institution. Prior to the expiry of the defined time limit, a teacher may, upon his or her own initiative and own expenses, undergo training and apply for attestation, but not earlier than one year after the regular attestation.

3. Each year one fifth of the teachers of an educational institution shall be subject to attestation according to the schedule approved by the educational institution.
4. The attestation of teachers shall be held by a simple procedure through documental attestation (hereinafter referred to as “the attestation”) by the territorial commission on attestation of teachers (hereinafter referred to as “the attestation commission”). The formation and rules of procedure of the commission on attestation of teachers shall be defined by the Government of the Republic of Armenia.
5. The procedures for the attestation, training of a teacher and for granting a qualification category thereto shall be established by the Government of the Republic of Armenia, whereas the procedure for the formation of the list of guaranteed organisations that provide training to teachers subject to attestation, shall be established by the authorised public administration body for education.
6. A director shall draw up and approve, for each year, the list of teachers subject to regular attestation in the given year and submit it to the attestation commission in accordance with the procedure established by the Government of the Republic of Armenia.
7. Teachers subject to regular attestation shall be informed of the time period of holding documental attestation not later than three months before.
8. Teachers subject to regular attestation shall mandatorily and initially undergo training at the expense of the educational institution, in compliance with the training standards established by the authorised public administration body for education.
9. An educational institution shall independently select the organisation that trains teachers subject to attestation, from the list of training organisations guaranteed by the authorised public administration body for education.
10. At least one month prior to attestation, the director shall submit to the attestation commission the performance description of the teacher and the statement of information, referred to in part 12 of this Article, on the credits gained by the teacher,

with the supporting documents thereof. A teacher may submit also other written descriptions issued by advisory bodies of the given educational institution. The complete list of documents to be submitted for the attestation of a teacher shall be defined by the authorised public administration body for education.

11. A performance description of a teacher shall include biographical data of a teacher, a justified evaluation of his or her practical skills, human qualities, professional and pedagogical knowledge and skills, as well as of the outcomes of employment activities of a teacher.

12. The nominal list, criteria and the minimum quantity of credits gained by a teacher shall be approved by the authorised public administration body for education.

13. The director shall familiarise the teacher subject to attestation with the content of the package of documents submitted to the attestation commission, provide the carbon copies thereof and inform on the general procedure for attestation prior to the submission to the attestation commission.

14. The attestation of a teacher shall be carried out on the basis of documents submitted in conformity with the list referred to in point 10 of this Article.

15. The teacher undergoing attestation shall have the right to be present at the consideration of his or her compliance with the position occupied thereby and at the decision-making process.

16. The attestation commission shall, in respect of each teacher, adopt through voting and by a majority of votes, one of the following decisions:

- (1) competent for the position occupied;
- (2) not competent for the position occupied.

17. The attestation commission shall, within a period of two days, submit the decision, adopted thereby, with the justifications to the respective educational institution and to the authorised public administration body for education both of which shall ensure its

promulgation. The educational institution shall, on the day of receiving the decision, inform the given teacher thereon.

18. The decision of the attestation commission may, within a period of five days, be appealed against at the authorised public administration body for education or through judicial procedure. After consideration of the complaints, the authorised public administration body for education shall submit to the attestation commission a recommendation on the repeated revision of competence of the given teacher for the position occupied, or on upholding the decision. The procedure for appealing against shall be established by relevant procedure.

19. The decision of the attestation commission shall be serve as a basis for holding the position or removal from the position occupied by the teacher.

20. Based on point 2 of part 16 of this Article, the director of an educational institution shall, within a period of ten days following the receipt of the decision, remove the teacher from office not competent for the position occupied, unless the decision of the attestation commission has been appealed against within the time limit set by point 18 of this Article. The vacant position of a teacher shall be filled as prescribed by part 3 of Article 24 of this Law.

21. In case of appealing against the decision of the attestation commission, the removal of a teacher from office shall be delayed till the adoption of a final decision.

22. In case of being not competent for the position occupied in the given educational institution, a person shall not be deprived of the right to engage in pedagogical activities.

23. A teacher may, upon his or her own initiative, undergo attestation, in case of independently gaining respective credits, in case of availability of a performance description, two years of pedagogical service, at least one year out of which — in the given educational institution.

24. Attestation shall not extend to:

(1) teachers occupying the position concerned for a period of less than one year;

(2) pregnant teachers and those on leave for taking care of a child under the age of three, unless they have submitted such application.

25. Pregnant teachers and those on leave for taking care of a child under the age of three, shall be subject to attestation not earlier than one year after returning from the leave, unless they have submitted an application on undergoing the attestation earlier.

26. Teachers subject to attestation, but currently on leave, on secondment, or declared as temporarily incapable to work, shall be subject to attestation within a period of four months after appearing to work.

27. In case of changes in the education policy, the authorised public administration body for education may organise extraordinary mandatory training for teachers at the expense of the State Budget or other funds.

28. A teacher having undergone attestation may, upon his or her initiative, participate in the process of granting a qualification category of a teacher. The qualification categories of a teacher shall be considered to be four-degree and shall be granted based on the principle of hierarchy.

29. A teacher may apply for being granted and raised in the qualification category in the following proportionality:

(1) in order to obtain a qualification category of second degree — at least two years after obtaining the qualification category of first degree;

(2) in order to obtain a qualification category of third degree— at least three years after obtaining the qualification category of second degree;

(3) in order to obtain a qualification category of fourth degree — at least four years after obtaining the qualification category of third degree.

30. A decision on granting a qualification category of a teacher shall be adopted by a simple procedure in the form of documentation by the Republican Commission on Granting Qualification Category of Teachers (hereinafter referred to as “the Republican Commission”). The procedure for the establishment and the rules of procedure of the

Republican Commission shall be established by the Government of the Republic of Armenia.

31. The characteristics of qualification categories of a teacher shall be defined by the public administration body for education based on the extent of the knowledge, pedagogical working skills and abilities, effectiveness of creative and research activities, professional years of service of the teacher, and other qualitative indicators of pedagogical activities thereof (including rewarding, participation in relevant competitions, trainings aimed at professional improvement, etc.).

32. In case a need for evaluation of knowledge of a teacher emerges, the given teacher may, upon his or her initiative, undergo an evaluation of his or her knowledge in the organisation guaranteed by the authorised public administration body for education.

33. The Republican Commission shall, based on the results of documental attestation, take one of the following decisions:

(1) eligible for being granted the respective qualification category;

(2) not eligible for being granted the respective qualification category.

34. The decisions of the Republican Commission may be appealed against at the authorised public administration body for education or through judicial procedure.

35. A decision of the Republican Commission shall serve as a basis for granting a respective qualification category by the public administration body for education and providing an additional payment thereby.

36. A teacher having been granted a qualification category shall be provided with a respective additional payment at the expense of the funds allocated to the educational institution, as prescribed by the Government of the Republic of Armenia.

37. In case of a complaint, granting a category to a teacher shall be delayed till the adoption of a final decision.

38. A qualification category shall be granted for a term of five years, the validity whereof shall be early terminated, provided that after attestation the teacher has been deemed as not competent for the position occupied.

39. The qualification category of a teacher being transferred from one educational institution to another shall be preserved where after attestation the teacher has been recognised as competent for the position occupied, in the given educational institution. The right of a teacher to additional payment for the qualification category shall be reinstated from the day of attestation.

(Article 26 amended by HO-228-N of 10 December 2009, edited by HO-264-N of 6 October 2011)

Article 27. Rights and responsibilities of pedagogical workers

1. The pedagogical worker shall have the right to:

(1) participate in the management of the educational institution, as prescribed by the legislation of the Republic of Armenia and the Statute of the educational institution;

(2) elect and be elected for relevant positions and in relevant management bodies;

(3) participate in the consideration and settlement of issues relating to the activities of the educational institution;

(4) appeal against the orders, decisions and executive orders of managerial bodies of the educational institution, as prescribed by the legislation of the Republic of Armenia;

(5) submit proposals on the improvement of subject related criteria, programmes, and textbooks;

(6) have access to the services of library, information databases of the educational institution, in accordance with the Statute of the educational institution;

(7) select and apply teaching methods and means that ensure high quality of educational process by using, at his or her choice, textbooks and instructive materials, manuals and

evaluation methods for the knowledge, skills and abilities of learners, guaranteed by the authorised public administration body for education;

(8) be protected from the activities of learners, those of pedagogical and other workers, that humiliate his or her professional rating and dignity;

(9) have organisational capacities and logistics for carrying out professional activities;

(10) establish organisations, trade unions for the protection of his or her interests or hold membership therein, as prescribed by the legislation of the Republic of Armenia;

(11) develop and implement plan for lessons, thematic units, in accordance with the state standard for general education;

(12) participate in trainings, conferences, discussions and hearings;

(13) apply for undergoing extraordinary attestation or obtaining relevant qualification category;

(14) benefit from rights, powers reserved thereto and incentives specified by laws and the Statute of the educational institution.

2. The pedagogical worker shall be obliged to:

(1) respect and protect the rights and freedoms, honour and dignity of the learner;

(2) contribute to the exercise of the right to education of a child taking into account the peculiarities of educational needs of each child;

(3) contribute to the process of mastering the programmes of general education (basic and supplementary) by learners and ensuring the subject related criteria at the educational institution, as well as to the acquisition of relevant knowledge, skills through application of instruction methods, to the formation of a system of values; implement programmes of general education;

(4) ensure the mastering by learners of minimum mandatory amount of the content of programmes provided for by the state standard for general education by applying more effective teaching methods and modern technologies;

- (5) consistently improve his or her subject related and professional knowledge and skills, carry out creative and research activities;
- (6) co-operate with parents in respect of organisation of education of children and upbringing in the family;
- (7) co-operate with partners for the purpose of exchanging experience and increasing the effectiveness of professional activities;
- (8) comply with the requirements defined by the Statute, internal legal acts and disciplinary rules of the educational institution;
- (9) develop proper behaviour and conduct among learners, develop patriotism therein;
- (10) develop independence, initiative and creative skills in learners.

3. The educational institution, the founder thereof, the authorised public administration body for education, territorial administration and local self-government bodies, social partners, organisations, individuals may provide for moral and material incentives for pedagogical workers — certificates of appreciation, certificates of merit, monetary awards or other forms specified in the Statute of the educational institution.

Article 28. Rights and responsibilities of the parent of a learner

1. The parent of a learner shall have the right to:

- (1) choose the educational institution and form of education for the instruction of a child;
- (2) co-operate with pedagogical workers of the educational institution in respect of organisation of education of his or her child;
 - (2.1) participate in the development and implementation of the individual instruction plan of the child;
 - (2.2) receive necessary consultation with regard to the services of assistance for the organisation of education of the child;

- (3) apply to relevant authorities with regard to issues of development, instruction and upbringing of the child;
- (4) protect his or her legal interests or those of his or her child at relevant bodies;
- (5) participate in the process of implementation of programmes of general education and assessment of the effectiveness thereof;
- (6) take part in the internal evaluation of the educational institution;
- (7) participate in the management of the educational institution, as prescribed by the Statute of the educational institution.

The parent of a learner shall have other rights established by the legislation of the Republic of Armenia and other legal acts.

2. The parent of a learner shall be obliged to:

- (1) ensure for the child appropriate conditions in the family aimed at receiving education;
- (2) take permanent care for physical health and mental conditions of a child, create relevant conditions for the development of inclinations and abilities, meeting the educational needs of a child;
- (3) respect the dignity of the child, develop diligence, kindness, friendship, tolerance, compassion, respect for family, elderly people, the State and native language, national traditions and customs;
- (4) develop respect for national, historical, cultural values and mother land, care for historical and cultural wealth and environment, tolerance towards other nations and cultures;
- (5) develop respect for the educational institution and pedagogical workers;
- (6) bring the child to the educational institution within the time limits specified in Articles 15 and 16 of this Law;

(7) compensate for the damage incurred to the educational institution by him or her and the child thereof;

(8) prevent the learner from using tobacco, alcoholic beverages, psychotropic substances, weapons and ammunition, toxic substances, explosives as well as other substances prohibited by law and the Statute of the educational institution.

(Article 28 supplemented by HO-200-N of 1 December 2014)

CHAPTER 6

MANAGEMENT BODIES OF GENERAL EDUCATION AND THE COMPETENCES THEREOF

Article 29. Competences of the Government of the Republic of Armenia in the field of general education

1. Competences of the Government of the Republic of Armenia shall be as follows:

(1) implement state policy in the field of general education;

(2) approve the procedure for the development and approval of the state standard for general education;

(3) approve the state standard for general education;

(4) establish educational institutions;

(5) approve the model Statutes of state education institutions;

(6) approve the procedure for the election (appointment) of the director of a state education institution;

(7) approve the list of diseases impeding the implementation of pedagogical or administrative activities;

(8) establish the procedure for the formation of classes in a state education institution;

- (9) approve the forms of graduation documents for the basic and secondary education;
- (10) establish the name list of positions, the description thereof, qualification categories, procedure for recruitment, removal from office, granting pensions, organisation of medical examination of pedagogical workers of the educational institution;
- (11) establish the particulars of the work regime and leisure of workers of the educational institution;
- (12) establish the procedure for attestation of a teacher of the educational institution;
- (13) establish the procedures for attestation of and granting qualification categories to teachers, those for the establishment of territorial and Republican Commissions and the rules of procedure thereof;
- (14) establish the procedure for granting additional payments to pedagogical workers having received qualification through attestation;
- (15) approve the standards for internal and external evaluation of the activities of an educational institution and the implementation procedure thereof;
- (16) establish the procedure for the financing of an educational institution from the State Budget;
- (17) establish requirements and standards to non-state education institutions eligible for financing from the State Budget;
- (18) establish the procedure for tender for additional financing of educational institutions;
- (19) exercise other powers as prescribed by the Constitution and laws of the Republic of Armenia.

(Article 29 amended by HO-228-N of 10 December 2009)

Article 30. Competences of the authorised public administration body for education in the field of general education

1. The competences of the authorised public administration body for education shall be as follows:

(1) to develop and approve state programmes of general education, approve alternative, including experimental, copyright and basic international programmes of general education;

(2) to establish the time limits for the implementation of specialised programmes of general education, programmes for children having demonstrated outstanding abilities, programmes for children in need of special conditions for education and alternative education programmes;

(3) to grant licences for the implementation of programmes of general education;

(4) to give consent, as prescribed by law, for the establishment of other types of non-state education institutions;

(5) to be deemed as the authorised public administration body for state high schools, as well as territorial and republican pedagogical and psychological centres;

(6) to establish the procedure for the formation of the collegial management body, i.e. the board of a state education institution;

(7) to provide an expert opinion on the early termination of powers of the director of a state education institution;

(8) to establish the list of the guaranteed textbooks;

(9) ***(Point repealed by HO-200-N of 1 December 2014);***

(10) to establish the time periods and the duration of holidays at state education institutions;

(11) to establish the time periods of and the procedure for holding state final examinations;

- (12) to establish the model contracts concluded between a state education institution and a parent;
- (13) to establish the procedure for enrolling school-age children in general education;
- (14) to establish the procedure for organising the education of children enrolled in general education later than the time period prescribed;
- (15) to develop and approve the procedure for carrying out the final testing or attestation of mastering the educational programmes by learners of the educational institution, as well as the procedure for grade-completion and graduation of a learner;
- (16) to organise final attestation and decide on the compliance of graduates of an educational institution with the requirements of the state standard for general education;
- (17) to approve the procedure for transferring a learner from one educational institution to another educational institution and that for removal thereof;
- (18) to establish the procedures for forming a multigrade class and that for splitting the class into groups during the class hours of certain subjects;
- (19) to approve the procedures for organisation of programmes of general education through individual instruction of learners, as well as through external studies;
- (20) to ensure the development, expertise and publishing of the forms of syllabuses, textbooks, manuals and school registers;
- (21) to develop and approve the model procedure for calling competition for the vacant position of a teacher of an educational institution;
- (22) to define the requirements to the content of training of pedagogical workers and director; to give consent to training programmes for teachers;
- (23) to exercise supervision over and state inspection of educational institutions and carry out assessment of the activities thereof; to publish the rating list of educational institutions;
- (24) to take part in the external evaluation of an educational institution;

(25) to approve the procedures for organising and holding republican subject related olympiads, contests, strategic games, sports games and professional contests for pedagogical workers, as well as the Statutes thereof;

(26) to recommend for allocation, on a competitive basis, of additional targeted financing to an educational institution from the State Budget;

(26.1) to provide the duplicated copy of the graduation document of a liquidated educational institution in case of availability of archive bases;

(27) to exercise other powers as prescribed by this Law, laws of the Republic of Armenia and decisions of the Government.

(Article 30 supplemented by HO-128-N of 14 April 2011, supplemented, edited and amended by HO-200-N of 1 December 2014)

Article 31. Competences of the territorial administration body and of the Mayor of Yerevan in the field of general education

1. The competences of the marzpet [regional governor] (of the Mayor — in the city of Yerevan) shall be as follows:

(1) to ensure the implementation of state educational policy in the territory of the marz [region] (in the city of Yerevan);

(2) to supervise the observance by educational institutions of the legislation on education of the Republic of Armenia and the regulatory acts adopted by the authorised public administration body for education, as well as the implementation of educational programmes in conformity with the state standard for general education;

(3) to coordinate and exercise supervision over keeping on records the school-age children; to ensure their enrollment in educational institutions;

(4) to ensure the construction, exploitation and maintenance of buildings transferred to educational institutions under the right of use;

(5) to conclude, as prescribed by the Government of the Republic of Armenia, an employment contract for a period of five years on behalf of the founder with the elected director of the educational institutions falling under his or her competence; to early terminate, in the cases and under as the procedure prescribed by the legislation of the Republic of Armenia, the employment contract concluded with the director;

(6) to assist in the process of evaluation of the knowledge or the process of testing of learners and graduates of educational institutions;

(6.1) to assist in the process of attestation of a teacher;

(7) to exercise other powers established by laws and other legal acts of the Republic of Armenia.

(Article 31 edited and, supplemented by HO-200-N of 1 December 2014)

Article 32. Competences of local self-government bodies in the field of general education

1. The competences of the head of the community shall be as follows:

(1) to assist in the implementation of state educational policy in the territory of the community, as prescribed by law;

(2) to keep on records the school-age children; to ensure the enrollment thereof in educational institutions;

(3) to exercise other powers as prescribed by laws of the Republic of Armenia.

Article 33. Supervision over the activities of an educational institution

1. The supervision over the activities of an educational institution shall be exercised by the founder, the authorised public administration body for education, as well as other public administration bodies provided for by law.

2. State supervision over the compliance with the legislation in the field of education in an educational institution shall be exercised by the Law of the Republic of Armenia “On State Inspectorate for Education”.

Article 34. Evaluation of the activities of an educational institution

1. An internal and external evaluation shall be made for the activities of an educational institution, the standards and the procedure for the performance whereof shall be established by the Government of the Republic of Armenia.

2. Internal evaluation shall be deemed to be the analysis of its own activities carried out by an educational institution. Internal evaluation shall be carried out once a year until the beginning of new academic year. Administrative and pedagogical workers, learners and parents shall participate in the internal evaluation.

3. The director shall submit the internal evaluation report to the Board of the educational institution, parental, pupil and other existing councils by 5 September of the current year, as well as ensure the promulgation thereof.

4. The purpose of external evaluation of an educational institution shall be deemed to be the evaluation of effectiveness of the activities thereof, as compared to other similar institutions. External evaluation standards shall be uniform for all educational institutions.

5. External evaluation shall be carried out with the knowledge of the educational institution, by an independent organisation.

6. Parents, learners, authorised public and territorial administration bodies for education, representatives of a local self-government body and those of educational institution shall participate in external evaluation.

7. External evaluation of an educational institution shall be carried out on the basis of the quality of educational services provided to the learner and the compliance of graduates with the requirements of the state standard for general education.

8. The results of inspections carried out by the authorised public administration body for education shall be used during external evaluation.
9. Average statistical data indicators of educational institutions shall be deemed to be the basis for the quality assessment of educational services.
10. The level of compliance of graduates with the requirements of the state standard for general education shall be determined by the results of the final attestation organised by the authorised public administration body for education.
11. The authorised public administration body for education shall promulgate the rating list of educational institutions upon the results of external evaluation.

CHAPTER 7

ECONOMIC GROUNDS FOR THE ACTIVITIES OF THE SYSTEM OF GENERAL EDUCATION

Article 35. Financing of an educational institution

1. Financial means of educational institutions shall generate from the State Budget and other resources not prohibited by the legislation.
2. The procedure for financing the educational institutions from the State Budget shall be established by the Government of the Republic of Armenia.
3. Financing of an educational institution from the State Budget shall be carried out as of implemented programmes of general education depending on the number of learners. Non-state education institution shall be financed from the State Budget in case of complying with the requirements and the standards established by the Government of the Republic of Armenia.

3.1. The children in need of special conditions for education shall avail themselves of the additional state support for the organisation of education with an increased amount of financing in case of having middle-level, grave and deep disorders relating to:

- (1) voice and speech;
- (2) hearing;
- (3) vision;
- (4) intellectual (mental) retardation;
- (5) movement.

3.2. The scale of the increased amount of financing prescribed for children in need of special conditions for education as of the degree of gravity of the need of the child shall be defined by the Government of the Republic of Armenia.

4. Educational institutions may, on a competitive basis, receive from the State Budget additional financing for the following purposes:

- (1) to implement special or supplementary educational programmes for the children having demonstrated outstanding abilities;
- (2) to carry out educational and methodical scientific experiment and (or) to implement an alternative programme;
- (3) to organise preparatory meetings and courses for international olympiads of school-children;
- (4) to develop educational and methodical manuals and instruction materials (including in electronic form).

An educational institution may, on a competitive basis, receive additional financing from the State Budget also for other purposes upon the proposal of the authorised public administration body for education.

The procedure for additional financing shall be established by the Government of the Republic of Armenia.

5. A non-state education institution implementing programmes of general education as prescribed by the legislation of the Republic of Armenia, may organise its educational services on a paid basis, as well as charge from learners tuition fees, pursuant to the Statute of the educational institution concerned.

6. Additional salary shall be set for pedagogical workers of state education institutions in borderline, highland and mountainous settlements of the Republic of Armenia, pursuant to the law on the State Budget of the given year, but not less than the amount provided for by the State Budget of the current year.

(Article 35 amended by HO-228-N of 10 December 2009, supplemented by HO-200-N of 1 December 2014)

Article 36. Entrepreneurial activities of an educational institution

1. An educational institution may be engaged in entrepreneurial activities only in the cases and in respect of the types of activities directly provided for by law or stipulated by the decision of the founder. An educational institution may be engaged in the types of activities subject to licensing only on the basis of a licence.

2. The profit arising from the activities of a state education institution shall be used for the achievement of objectives provided for by the Statute thereof. The procedure for using the profit of the educational institution shall be established by the founder.

3. The supervision over the financial and economic activities of an educational institution shall be exercised as prescribed by the laws of the Republic of Armenia.

Article 37. State guarantees for general education

1. The State shall guarantee relevant annual budgetary allocations to the needs of the activities of state education institutions within the system of general education.

2. State financing shall be deemed to be the basis for state guarantee for receiving general education to the extent of state educational standards, as prescribed by law.
3. The State shall guarantee equal legal framework for the activities of educational institutions, irrespective of the legal and organisational form thereof, in respect of activities of general education provided for by the Statute.
4. The system of tax privileges prescribed by law shall apply to the implementation of basic programmes of general education.

CHAPTER 8

TRANSITIONAL AND FINAL PROVISIONS

Article 38. Transitional provisions

1. Part 6 of Article 4 and part 8 of Article 7 of this Law shall not extend to learners aged 6,5 and older and having been admitted to the first year of the schools of general education by 2006. Their education shall continue pursuant to Article 55 of the Law of the Republic of Armenia “On education”.
2. The types of state education institutions shall be brought in line with the requirements of parts 1 and 5 of Article 8 of this Law by 2011-2012 academic year, pursuant to the timetable established by the Government of the Republic of Armenia.
3. The provisions referred to in parts 1 and 2 of Article 12 of this Law shall not extend to the directors having been elected before the entry into force of the Law, until the expiry of their powers prescribed by law. Whereas the directors, holding office on a contractual basis for an indefinite time period, shall undergo training by 1 August 2011, receive a certificate on the right to manage an educational institution and participate in the competition for the election of directors in accordance with the procedure and timetable established by the Government of the Republic of Armenia. The certification of pedagogical workers having received the honorary title of Distinguished Pedagogue, and

that of directors holding office on a contractual basis for an indefinite time period and expected to attain the age of 61 and older prior to 31 December 2011 inclusive, shall constitute an exception. Their certification shall be carried out through testing, *i.e.* the procedure established by the authorised public administration body for education. The powers of the directors having failed to receive relevant certificate or to win the competition, shall terminate.

4. Article 26 of this Law shall enter into force from 1 March 2010.

5. The teachers working at an educational institution and not meeting the requirements prescribed by point 1 of Article 26 of this Law, may continue their professional activities up to 20 August 2018, unless they meet the requirements to a teacher until then.

6. Article 34 of this Law shall enter into force from 1 August 2012.

7. The regulatory legal acts incompatible with the provisions of this Law shall be brought in line with the requirements of this Law by 20 August 2010.

(Article 38 supplemented by HO-146-N of 12 May 2011, edited by HO-264-N of 6 October 2011)

Article 39. Final provision

This Law shall enter into force on the tenth day following the day of the official promulgation.

President

of the Republic of Armenia

S. Sargsyan

Yerevan

23 July 2009

HO-160-N