

Law of Georgia
On
Vocational Education and Training
Chapter I. General Provisions

Article 1. Purpose of the Law

The purpose of this Law shall be to define the place of the vocational education and training (VET) in the unified educational space of the state, facilitate implementation of the state policy in the field of VET, support the management and development of the vocational education system.

Article 2. Scope of the Law

This law shall define the types of VET, managing educational process, principles of managing and funding vocational education system, procedure for establishment, operation, management, reorganization and liquidation of the VET institutions.

Article 3. Goals of the State Policy within the VET

1. The goals of the state policy within the VET shall be:

- a. Making the vocational education system compliant to the social-economic challenges of the state, as well as meeting the current and future requirements of the labor market;
- b. Support lifelong learning, social inclusion, personal and vocational development of an individual;
- c. Approximating and compliance of the Georgian VET system with the unified European educational space.

2. For the achievement of the state policy goals within the VET, the state shall ensure:

- a. Full and equal access to VET;
- b. Provision of various approaches and forms of learning-teaching, flexibility and compliance of the VET system with the requirements of the labor market;
- c. Creation of lifelong learning possibilities – introduction of the national qualifications framework, development of the tools for the recognition of informal education, introduction of credits accumulation and transfer system;
- d. VET quality development;
- e. Support of the competitiveness of a person on the labor market through vocational training and retraining;

- f. Support of the social partnership development within the VET;
- g. Development of the professional consultancy and carrier planning system within the VET;
- h. Establishment of the system of VET teacher training, professional development and carrier growth;
- i. Support of the education mobility of the vocational students and teachers;
- j. Sharing and introduction of the best international practices;
- k. Prohibition of all types of discrimination according to Georgian Legislation.

Article 4. Definition of Terms

The terms that are used in the purpose of this law have following meanings:

- a. **Informal education** – Education obtained independently from the educational programs directly envisaged by the Georgian legislation;
- b. **Associated degree** –Professional qualification, which is granted on the basis of overcoming higher professional education program;
- c. **Individual learning plan** – Document developed taking into account the interests and capacity level of a student/listener, as well as envisaging the special educational needs of a vocational student/listener, that is based on relevant vocational education program/vocational training program/vocational retraining program and together with the other elements of the program describes the individual ways of achieving learning outcomes by a vocational student/listener;
- d. **Inclusive vocational education** – Educational process equally accessible to everyone and envisaging special educational needs of everyone regardless of an individual physical, cognitive, sensorial, social, emotional, linguistic, ethic, racial, religious, gender or other particularities of an individual;
- e. **Qualification-** an educational program for learning the result, which is confirmed by a certificate issued by the educational institution; **Qualification** – learning outcome defined by educational program, that is recognized by the educational document issued by the authorized institution;
- f. **National qualifications framework** – document using the (descriptive) criteria to successively and in an interrelated manner describe the qualification levels available in Georgia.
- g. **Competence** – Combination of Knowledge, skills, responsibility and autonomy;
- h. **Module** – Learning element integrating logically interrelated learning outcomes, describing the means for their achievement and the conditions for their certification;

- i. **Mobility** – Free movement of vocational students in order to take part in the learning process within Georgia, as well as abroad that is accompanied with recognition of the education received during vocational qualification or learning period;
- j. **Listener** – person attending the vocational training and/or retraining program, or the training program in Georgian language;
- k. **Vocational Education:** Education ensuring the person to develop competence or competences required by specific occupation and/or labor market and focused on lifelong vocational, social and personal development of a person through his/her life;
- l. **Occupational Standard** – document defining the set of specific occupation related tasks and duties. It is also possible to define the requirements related to the profession;
- m. **VET standard** – document defining teaching/learning and conditions of granting qualification/s;
- n. **VET program** – document reflecting the program goals, learning outcomes, module/modules with relevant credits and particularities of organizing the learning process;
- o. **Professional qualification** – Learning outcome achieved through vocational education program, through VET Diploma issued by an authorized VET institution;
- p. **Documents certifying vocational education-** VET Diplomas and Certificates.
- q. **Professional diploma** – Document granted by the educational institution and certifying professional qualification;
- r. **Educational Institution Implementing VET Programme-**VET Institution/college, or any other educational Institution that obtains the right to implement VET programmes according to decree of Georgian legislation.
- s. **VET Institution/College** – vocational education institution authorized to undertake vocational educational programs, vocational training and retraining programs, as well as training programs in Georgian language;
- t. **Vocational training center** – institution authorized to undertake vocational training or/and retraining programs;
- u. **VET teacher** - Person administering/leading the learning process within the VET or/and Georgian language learning programme framework;
- v. **VET student** – person undertaking vocational educational programs.
- w. **VET credit** – Unity of certified learning outcomes that can be considered sufficient to obtain one or more qualifications according to the procedure stipulated by the Georgian legislation;
- x. **Vocational training** – Professional Education implemented according to the vocational training program and focused on achieving learning outcomes needed for the fulfillment of separate profession related tasks and duties;

y. **Vocational retraining** – Professional Education implemented according to the vocational retraining program aimed at updating/acquiring knowledge, skills and competences in the same field for the vocational activities;

z. **Regulated profession** – activity that requires special professional qualification;

i. **Initial VET** – VET preparing the person for the vocational activities and granting occupational qualification, enabling the later to independently undertake assignments common to the relevant vocational activities and adequately respond to the problems faced during those activities;

ii. **Secondary VET** – VET preparing the person for the vocational activities and granting occupational qualification, enabling the later to supervise the performance of others in the relevant field of activities, take responsibility on the assessment and improvement of the performed work, as well as resolve the problems emerged in the changing situations;

iii. **Classifier of the learning areas** – document classifying learning areas and qualifications available in Georgia;

iv. **Learning outcome** – Competence acquired or to be acquired by a person and verified or to be verified by assessment;

v. **Individual with special educational needs** – Person with expressed difficulties in the learning process and requiring adaptation to the learning process, envisaging modification of vocational educational programs/vocational training/vocational retraining and Georgian language training programs and/or changing of learning environment and conditions without entering amendments to the learning outcomes and /or additional educational service;

vi. **Higher VET** – VET preparing the person for the vocational activities within the framework prescribed by the Georgian legislation, is related with the first stage of higher education. The owner of the vocational qualification assigned within this framework can perform the work requiring the planning and management of others activities within relevant field, as well as assessment and improvement of the performed work;

vii. **Training program in Georgian language** – educational program aimed at teaching Georgian language in order to be able to complete the vocational educational programs.

Article 5. Right to Receive VET

1. Every person shall have the right to benefit from the right to receive VET without any discrimination according to the procedure prescribed by the legislation;

2. The following individuals shall have the right to obtain VET in Georgia:

a. Georgian citizen;

b. Foreign national;

c. Stateless person having some status in Georgia;

d. Any individual staying in Georgia legally.

Article 6. Basic Guarantees

1. A vocational student/listener and VET teacher, as well as their unities shall have the right to benefit from all the rights and freedoms prescribed by the Georgian legislation and the institutions undertaking vocational educational programs/VET centers without any discrimination.

2. Institution undertaking the vocational education programs/VET Centers may determine nondiscriminatory and neutral restriction rules to the rights and freedoms of vocational student/listener and VET teacher during the learning period, or on the territory of the institution in order to meet the requirements of this law.

3. Any institution undertaking vocational educational programs shall ensure physical access to the institutions and the learning environment for individuals with special educational needs and restricted capabilities, as well as ensure flexibility of the learning process and use individual approach for the education of above mentioned persons.

Article 7. Teaching language

1. Georgian language shall be the language of VET programs, Georgian and Abkhazian languages in the autonomous republic of Abkhazia.

2. The institutions that are undertaking vocational educational programs and where the vocational students with sensor violations are studying shall be using the language of gestures.

3. Besides the languages envisaged in the paragraphs 1 and 2 of this Article, teaching in another language shall be allowed if envisaged by the international agreements/contract, or if teaching in another language is agreed with the Ministry of Education and Science of Georgia.

Chapter II. VET System

Article 8. Types of VET and verification of learning outcomes

1. Types of VET are as follows:

- a. Basic vocational education
- b. Secondary vocational education
- c. Highest vocational education
- d. Vocational training
- e. Vocational retraining

2. Granted vocational qualifications are certified by vocational diploma.

3. Vocational diploma, issued as a result of completing vocational curriculum integrating secondary education program of the general education level, equals to the document certifying completion of full general education.
4. Reaching learning outcomes described in vocational training or vocational retraining program is certified through vocational training or vocational retraining certification.
5. Reaching learning outcomes described in the module, if requested, is documented in a certification.
6. In case of failure to meet all learning outcomes defined within the modules, the institution carrying out appropriate program is responsible for issuing, if requested, confirmation on the learning outcomes met within the framework of the module.

Article 9. Occupational Standard and VET standard

1. Occupational standard may serve as the basis for creating VET standard.
2. VET standard is a basis for creation of VET program.
3. VET standard is developed and approved by LEPL National Center for Education Quality Enhancement.

Article 10. VET program

1. VET programs are developed and approved by the educational institution delivering VET programs.
2. VET program for secondary vocational education may integrate educational program of the general education system, based on the regulations set by the Ministry of Education and Science.
3. Highest vocational education program should be linked to at least one program of the first level of highest education – bachelor's level. After overcoming program of the highest vocational education, the person is granted is associated degree.
4. Recognition of the credits accumulated within the framework of the highest vocational education program for the purposes of bachelor level education program is carried out by the highest educational institution, according to the regulations prepared by the Ministry of Education and Science of Georgia.
5. VET programs should be calculated using vocational credits, as set within the regulations of the Ministry of Education and Science of Georgia.
6. Rules and conditions for enrollment into the VET programs are determined through the ordain of the Minister of Education and Science of Georgia.

Article 11. Joint and exchange VET programs

1. VET programs can be jointly implemented by:
 - a. Several educational institutions of Georgia

- b. Georgian educational institution and VET center(s)
 - c. Georgian educational institution and Georgian enterprise(s) or branch(es) of foreign enterprises in Georgia
 - d. Educational institutions recognized by the laws of Georgia and foreign countries
 - e. Other authorized organizations determined by the Ministry of Education and Science of Georgia.
2. Exchange VET programs could be implemented by the educational institutions recognized by the laws of Georgia and foreign countries.
3. Regulations for implementing joint VET programs are determined by the Ministry of Education and Science of Georgia.
4. Rules and conditions for implementing VET exchange programs are determined by the Ministry of Education and Science of Georgia.

Article 12. Georgian language program

1. Georgian language training program takes place according to the rules determined by the Ministry of Education and Science of Georgia.
2. Rules and conditions for enrollment into Georgian language training program is determined by the ordain of the Minister of Education and Science of Georgia.
3. Completion of Georgian language training is certified by the appropriate certification.

Article 13. Vocational training and retraining programs

1. Vocational training and retraining programs are developed and approved by the institution authorized for implementation of such programs.
2. Following entities are entitled for implementing vocational training and retraining programs:
 - a. Educational institutions.
 - b. Vocational centers.
3. Rules and conditions for enrollment into vocational training and retraining programs is determined by the institution authorized for implementation of such programs.

Article 14. Recognition of non-formal and formal education

1. Recognition of non-formal/formal education is possible for the purposes of continuing education on VET programs, obtaining VET qualification, or verification of separate learning outcomes/competences within VET program.
2. Recognition of learning outcomes obtained through non-formal/formal education takes place in accordance with rules determined by the Ministry of Education and Science of Georgia.

Article 15. Recognition of vocational education received in a foreign country

1. Vocational qualification or the learning outcome obtained while studying in a foreign institution is recognized by the LEPL National Center for Education Quality Enhancement, based on the international agreements of Georgia and/or regulations determined by the Minister of Education and Science.
2. Enrollment of a person with educational document issued by the foreign educational institution into a VET program takes place according to the regulations determined by the institution implementing VET program, based on document certifying education in foreign institution, as recognized by the LEPL National Center for Education Quality Enhancement.

Article 16. Regulated occupations

1. Occupations that require special occupational qualifications, are identified as regulated occupations by the state.
2. The list of regulated occupations is determined by the Government of Georgia.

Chapter III. Management of VET system

Article 17. VET system management bodies

1. VET system management bodies determine and implement state policy within the VET field.
2. VET system management bodies are as follows:
 - a. Parliament of Georgia
 - b. Government of Georgia
 - c. Ministry of Education and Science of Georgia
3. VET system management bodies implement their activities in VET field based on principles of social partnership, which envisages participation of employers, trade unions, and civil society into formulation and implementation of VET policy.

Article 18. Authority of the Parliament of Georgia in VET

Parliament of Georgia:

- a. Determines policy and main directions of VET management;
- b. Regularly hears report of the Minister of Education and Science on implementation of VET policy, financial activities, and performance of state programs.

Article 19. Government of Georgia

Government of Georgia, in the field of VET:

- a. Implements state policy in the field of VET
- b. Approves VET development strategy as presented by the Ministry of Education and Science of Georgia
- c. Determines the list of regulated occupations
- d. Determines conditions and rules for funding VET, as presented by the Ministry of Education and Science
- e. Creates counseling bodies for VET based on social partnership principles, as presented by the Ministry of Education and Science of Georgia, and approves its charter
- f. Approves regulations for using VET student cards based on VET student ID (residence) document, as recommended by the Ministry of Education and Science of Georgia.
- g. Determines rules for developing and approval of VET standard(s).
- h. Determines the issue of VET institution establishing entrepreneurial or non-entrepreneurial (non-commercial) legal entity, and rules and conditions for approval from the state control agency.
- i. Implements other authority as granted by the legislation of Georgia.

Article 20. Ministry of Education and Science of Georgia

Ministry of Education and Science of Georgia, in the field of VET:

- a. Implements unified state policy
- b. Establishes legal entities of public law with the purpose of carrying out vocational educational activities, approves their charters, ensures state control, is authorized to reorganize and liquidate.
- c. Establishes non-entrepreneurial (non-commercial) legal entities of private law for carrying out vocational education activities.
- d. As recommended by the LEPL National Center of Education Quality Enhancement it approves:
 - i. Regulations for authorization of VET institution and VET training centers
 - ii. Regulations for recognition of learning outcomes reached through non-formal/formal education
 - iii. Rules for calculating vocational credits of VET programs
 - iv. Conditions and rules for recognition of foreign vocational education
 - v. National Qualification Framework
 - vi. Rules and conditions for developing VET program.
- e. Sets rules and conditions for implementing joint VET programs

- f. Sets rules and conditions for implementing exchange VET programs
- g. Approves rules and conditions for enrollment into the Georgian language preparation program
- h. Approves formats for documents and annexes for certifying vocational education
- i. Approves mobility regulations for VET students
- j. Approves rules for maintaining VET institution registry, as recommended by LEPL Education Management Information System (EMIS)
- k. As recommended by LEPL National Teacher Professional Development Center approves:
 - i. Professional standards for VET teachers
 - ii. Code of ethics for VET teachers
 - iii. Rules and conditions for remuneration and bonuses for VET teachers within VET institutions founded by the state, or with state participation
 - iv. Approves rules and conditions for entrance into the occupation of VET teacher, professional development, and career advancement
- l. Develops mechanisms for identification of special educational needs of person, rules and conditions for implementing inclusive vocational education, regulation and monitoring, and creation of individual curriculum.
- m. Determines rules and conditions for setting value/self-value of products/paid services provided by the VET institutions founded by the state, or with state participation, and rules for management of income generated.
- n. Develops and approves system of professional consulting and career planning within general, vocational and highest education fields
- o. Approves rules for integrating secondary education level of general education into the appropriate program of secondary VET.
- p. Determines rules for implementing Georgian language preparation program
- q. Implements other authorities granted by the legislation of Georgia.

Chapter IV. Legal basis for operations of VET institution

Article 21. Establishment of VET institution, gaining status, and implementing educational activities

1. VET institution is established and functions as a legal entity of public law, or private law
2. Agencies of executive government of Georgia are authorized to establish legal entity of public law, or non-entrepreneurial (non-commercial) entity of private law with the purpose of implementing VET activities.

3. Vocational education program, training, or retraining as well as Georgian language training program defined in this law can be implemented by legal entities with relevant authorization.
4. In case of gaining right for implementing of VET programs, general education institution is entitled to, without creation of another independent legal entity and change of name, to implement only basic and secondary VET programs, through creation of independent structural unit, while institution of higher education is entitled to implement any types of VET programs, without creation of another independent legal entity and change of name, through creation of independent structural unit.
5. General education and highest education institutions gain right to implementing VET programs through regulations stipulated within the VET institution authorization charter.
6. Institutions with the status of legal entity of private law, implementing VET programs, except those created with participation of the government, with consideration of their essence, are not subject to chapters V and IX of this law.

Article 22. Reorganization and liquidation of VET institution

Reorganization and liquidation of VET institution is implemented by its founder(s), according to the regulations provided in the legislation of Georgia.

Chapter V. Management of VET institutions

Article 23. Principles and responsibilities of management of VET institutions

1. Management of VET institutions is implemented based on the principles of publicity and transparency
2. VET institution is responsible for:
 - a. Working with employers and/or their associations while developing and implementing VET programs
 - b. Ensuring participation of VET students/attendees and teachers within the process of decision-making
 - c. Ensuring accessibility of decisions made to all interested parties, as determined by the law of Georgia.
 - d. Ensuring equal utilization of rights by VET students/attendees, as granted by the legislation of Georgia
 - e. Creating safe environment for health, life, and assets
 - f. Creating all necessary conditions for the flow of education process
 - g. Ensuring fair assessment of knowledge, skills and competences of VET student, in accordance with learning outcomes and assessment systems, and with consideration of needs of students with disabilities and special learning needs

- h. Considering specifics of young people and adults learning while planning educational process
- i. Creating conditions for inclusive education. If needed, creating individual education plans for students with special education needs, which will serve as the basis for teaching VET students, social adaptation, and integration into public life
- j. Ensuring implementation of other responsibilities defined within the charter of the VET institution.

Article 24. Units for management of VET institution

Units for management of VET institutions, regulations for selecting/appointment, requirements towards them, their mandate and rules for activities are defined through the charter of VET institution.

Chapter VI. Authorization of VET institution, authorization of VET center

Article 25. Authorization of VET institution

1. As a result of VET authorization, legal entity gains the status of VET institution, right to implementing appropriate VET program, and is authorized to issue documents confirming VET status – VET diploma or certificate – recognized by the state.
2. Regulations for authorization of VET institutions, authorization standards, and conditions for meeting such standards as well as fee for authorization is defined through the charter on authorization of VET institutions.
3. VET institution is entitled to implement VET training or retraining programs within the framework of already authorized VET programs, without the need for additional authorization.
4. Participants of Georgian language program, vocational training and/or retraining program attendants will not be counted under the total number of students of the institution.

Article 26. Authorization of VET center

1. As a result of authorization legal entity gains status of VET center. It is authorized to implement programs for vocational training/retraining, and issue certificate – document recognized by the state for vocational education.
2. Rules for authorization, authorization standards, conditions for meeting such standards, and authorization fees for VET centers are defined through the charter of the VET centers.

Chapter VII. VET student/attendant

Article 27. Rights of VET student/attendee

1. VET student/attendee is entitled to:

- a. Gain quality vocational education
 - b. Use material-technical, information, library and other resources of the institution, according to the rules and as allowed through legislation of Georgia and legal acts of the relevant VET institution/center
 - c. Start or get involved into professional or other student organizations, according to his/her interests
 - d. Freely express opinion and provide arguments for refusal to share ideas that are offered during the education process
 - e. Use the right of mobility, according to the legislation of Georgia
 - f. Select desired vocational education/training/retraining program
 - g. Make use of other rights granted through this law and the legislation of Georgia.
2. Educational institution/center implementing vocational educational program is responsible for ensuring fair assessment of the knowledge of the student/attendee, for which it creates appropriate procedures.
 3. Disciplinary action against VET student/attendee should equal disciplinary violation, and can only be implemented in cases and according to regulations stipulated in the charter and/or internal by-laws of vocational institution/center implementing VET programs.
 4. VET student/attendee is entitled to dispute decision made by the institution/center implementing VET programs into the court.

Article 28. Responsibilities of VET student/attendee

VET student/attendee is responsible to take all subjects/modules/programs of the vocational education/training/retraining program, selected by the student/attendee and which are obligatory, follow other rules defined through legal acts of the educational institution/center implementing VET programs.

Chapter VIII. Funding of VET and economic activities of educational institutions implementing VET programs

Article 29. Funding of VET

1. VET is funded by the state agencies, education ministries of Abkhazia and Ajara autonomous republics, according to the legislation of Georgia.
2. Income and expenditure of the educational institution implementing VET programs, founded by the state, are reflected into its budget. The institution has its account in the state treasury, and its seal.
3. Educational institution implementing VET programs, founded by the state, is entitled to have account within the commercial bank for the movement of non-budgetary funds (reception of non-budgetary funds, location, payment), and in other cases described in the legislation of Georgia.

4. Educational institutions implementing VET programs could be funded through various national and international program sources allowed by the law, by donors and/or sponsors as well as other sources allowed by the legislation.
5. Entities listed in section 1 of this article are entitled to fund vocational education through the regulations determined by the Government of Georgia.
6. VET can be funded by physical entities as well as legal entities of private law.

Article 30. Economic activity of educational institutions implementing VET programs

1. Educational institution implementing VET programs, founded by/with participation of state is entitled to implement economic activity, including sales of products/provision of paid services, as well as raise funds as allowed by the legislation of Georgia, inter alia, generate income from economic activities that pose no harm to human health and has no negative impact on the quality of teaching.
2. Economic activity implemented by the educational institution implementing VET programs should serve the purpose of development of educational process, economic sustainability, raising additional funds for funding education process, and improvement of quality of products/services, and should not result into substantial shift of the educational institution to entrepreneurial activity.
3. Funds raised from sales of produced goods/services as well as other auxiliary economic activities can be used only for implementing the goals and performance of functions of the institution implementing VET programs, as determined by the legislation of Georgia.
4. Rules for determining price/self-value for products/paid services provided by VET institution founded by the state and implementing VET programs, along with rules and conditions for management of funds generated are determined by the founder of the educational institution implementing VET programs.

Article 31. Creation of a new legal entity by VET institution

1. VET institution, with the purpose of achieving goals described in the charter, is entitled to establish entrepreneurial or non-entrepreneurial (non-commercial) legal entity, where given institution should hold no less than 50% of shares.
2. Implementation of the right granted through section 1 of this article takes place with agreement with the agency implementing state control. Rules and conditions of the agreement are defined through the ordain of the Government of Georgia.

Chapter IX. State control, assets, reporting, and accounting of VET institutions established by the state

Article 32. State control

1. State control over the VET institutions founded by the government is implemented by appropriate founder agency.
2. State control means oversight of legacy of activities implemented by the VET institution (performance of requirements of Georgian legislation and those stipulated within individual administrative-legal acts of the state control agency), its appropriateness, effectiveness, and financial-economic activities.
3. VET institution submits annual report to the state control agency, detailing out compliance with the law of Georgia and education process. Format and timeframe of the report is determined by the control agency, through its individual administrative-legal act.
4. State control agency, for performance of its functions, is entitled to request submission of materials and information, or do a field visit to verify compliance of the VET institution with requirements of the legislation of Georgia, and individual administrative-legal acts of the state control agency.

Article 33. Assets of VET institution

1. During the process of establishment of VET institution, the state grants appropriate assets according to the legislation of Georgia.
2. All buildings and premises under the use of VET institution and accompanying land is the ownership of the state.
3. VET institution manages the state assets under its management in agreement with the agency implementing state control, as determined by the legislation of Georgia.
4. VET institution, in agreement with state control agency, is entitled to transfer assets purchased through economic activities to entrepreneurial or non-entrepreneurial (non-commercial) legal entity established by the institution, free of charge, or with payment, with the right for use. Assets remaining after liquidation of entrepreneurial or non-entrepreneurial (non-commercial), which were originally handed over through the regulations of this article, are fully returned to the relevant VET after completion of liquidation.
5. Assets remaining after liquidation of VET institutions established by the state are fully returned to the state, according to the regulations of Georgian legislation.

Article 34. Reporting of VET institutions

Regulations for reporting for VET institutions are determined through the charter of VET institution.

Chapter IX. Transitional and conclusive provisions

Article 35. Transitional provisions

1. According to the vocational education received through the law of Georgia on Vocational Education and Training (Tbilisi, March 28, 2007, №4528_IS):

- a. Vocational diploma certifying VET qualifications of level 1 and 2, or equivalent education certification document, are equal to vocational training certification.
 - b. 3rd level qualification VET diploma or equivalent education certification document are equal to VET diploma certifying basic VET education qualification.
 - c. 4th and 5th level VET qualification diploma or equal education certification document, which did not require full general education document as a precondition for enrollment, equals to vocational diploma certifying basic VET education.
 - d. 4th and 5th level VET qualification diploma or equal education certification document, where precondition for enrollment was full general education certification document, equals to secondary VET education qualification certifying diploma.
2. Educational institutions authorized through the law of Georgia on Vocational Education and Training (Tbilisi, March 28, 2007, №4528_IS) are to be considered as authorized for the remaining period of authorization.
 3. Starting from 2019, it is prohibited to accept VET students to VET programs implemented according to law of Georgia on Vocational Education and Training (Tbilisi, March 28, 2007, №4528_IS).
 4. Colleges are entitled to implement VET programs in accordance to law of Georgia on Vocational Education and Training (Tbilisi, March 28, 2007, №4528_IS) until expiration of authorization term.

Article 36. Entering legal force, and disqualified legal act

1. This law is to enter its legal force from the moment of its publication.
2. This law sets void the law of Georgia on Vocational Education and Training (Georgian Legislative Courier №15, 23.04.2007, Article 117).

Explanatory Note

On the Law of Georgia on Vocational Education and Training

A. General information on the bill of law

a. Reason for adopting the law

In 2013, Strategy for Reforming Vocational Education and Training System (2013-2020) was created through the technical assistance of the European Union and participation of stakeholders, the approval of which (#300 Ordain of the Prime Minister of Georgia, December 26, 2013) set ground for the start of the new stage for the development of VET. The Strategy describes social-economic priorities of the Government of Georgia and lists goals, implementation of which through specific action plan should support sustainable development of human resources (development of opportunities and potential, opportunities for employment or self-employment, and self-realization) and social-economic growth of the country and reduction of poverty through meeting current and future needs of the labor market.

Implementation of the new state policy and reform strategy on VET requires creation of sound legal basis, which, first of all, is possible through creation of the new edition of the Law of Georgia on Vocational Education. Creation of the new law (instead of introducing changes to the old ones) was prompted by the circumstances that proposed changes apply to the significant part of the current law, and at the same time, offers new approaches and principles towards numerous issues. Therefore, the Bill shows the vision, created based on substantial analysis of the law, and includes all key issues. At the same time, it identifies problems and challenges, determines recommendations to formulate legal norms to resolve these issues.

b. Goal of the bill of law

The goal of the bill of law is to ensure the following for the right of vocational education and to reach state policy goals in VET: engagement of social partners and civil society into the process of development of VET policy and management process, including, creation of favorable environment for public-private partnerships; development of vocational qualification systems in line with demands of labor markets; introduction of flexible, competence-based education programs; introduction of inclusive education; stimulation of employment and self-employment of vocational students; fine-tuning the quality assurance system of VET institutions; supporting adult VET; ensuring geographic access to VET; diversification of VET funding and support to generation of own income/funds by VET institutions; fine-tuning funding model for VET; introduction of mechanisms for recognition of non-formal and non-formal education; accumulation of credits and establishment of transfer system; creating opportunities for obtaining general education alongside with vocational education; developing system for professional training and development of vocational teachers; supporting institutional development of VET institutions.

c. Main essence of the bill of law

According to the current Law on Vocational Education of Georgia, the purpose of the law is to define the function and place of VET into the country, creation of VET system which meets demands of rapidly-changing labor market. In reality, goals of the VET, as stated in the law, together with employment support aspects provide an incomplete list of other dimensions (social, democracy development, etc.). At the same time, according to the law, the goal of VET is to create

unified VET environment, with consideration of life-long learning, multi-level education, and diversity; supporting professional development of an individual; ensuring preparation of labor market-oriented, competitive, qualified workforce; supporting employment of individuals, including business start-up and self-employment; creation of educational-entrepreneurial partnership system within VET to support participation of employers of the relevant field while planning and implementing educational programs.

It should be noted, that on one hand, such formulation of the goals of the law is fragmented and only emphasizes economic dimension, overriding other goals. On the other hand, the goals described in the law insufficiently describe realistic opportunities and perspectives of the field. Function of the VET, which is development of the competitive workforce as required by the labor market is vitally important for declared policy of all democratic and developed countries. However, covering up other goals though this goal locks VET within narrow borders and does not recognize its vast possibilities.

The bill of the new law offers general formulation of the goal of the law, as per international practice, which is to support implementation of state policy in the field of VET. At the same time, the law should clearly reflect the goals of the state policy for VET. These goals should be in full compliance with priorities of harmonization with European educational environment and social-economic development of the country. Therefore, goals of the VET, as posed in this bill cover adaptation of VET with socio-economic challenges of the country, meeting existing and future needs of the labor market; supporting life-long learning, social inclusion, personal and professional development of the individual; approximation and compliance of Georgian VET system with common European educational environment. The Bill describes specific responsibilities of the state for implementing listed priorities, which are linked to flexibility of education system and its adaptation to the needs of the labor market, full and equal access to VET, offering various approaches and forms of teaching and learning; flexibility of VET system and its adaptation to the demands of the labor market; opportunities for life-long learning – introducing National Qualification Framework; creation of mechanisms for recognition of non-formal and non-formal learning; credit accumulation and transfer system; enhancement of VET quality; supporting competitiveness of individuals on the labor market through training and retraining; support to the development of social partnership in VET; development of professional counseling and career guidance system within general, vocational and higher education systems; creation of the system for VET teacher training, professional development and career advancement; supporting mobility of VET teachers and students; sharing and introduction of best international practices; prohibition of any discrimination, as described in the legislation of Georgia.

Current law on VET and its article 7 states that individual, if overcomes general education level, passes VET tests, and meeting additional requirements of the standards based on the specifics of the occupation, is entitled to receive vocational education for obtaining knowledge skills and values appropriate to the occupation. For implementing the right for vocational education, VET institution is responsible to consult individuals interested in VET with participation of employers of the given field on the opportunities for education, future vocational activities, and conditions for employment. This article poses more limitations and preconditions than rights, which creates barriers for inclusiveness of VET. More specifically, even though basic education is compulsory in Georgia and at one glance, having completed basic education level is a minimal precondition for moving into VET, the practice shows that such record in the law narrows the group of people that are entitled for vocational education. At the same time, it narrows down the definition of VET itself.

According to the law, vocational education can be received through vocational educational program, which is focused on generation of practical knowledge, skills and values, and finishes by granting vocational qualification of relevant level, and issuing certifying diploma. Therefore, current legislation only recognizes educational programs that result into granting qualification, and does not recognize training, retraining, and education programs focused on generation of specific competences (various certification courses). In reality, the law does not allow for the diverse opportunities that VET has to offer.

The new bill of law changes its approach towards VET and opens way for diverse educational programs that are focused on issuing VET certification (in case of passing separate module(s)) and for which, it may not be required to pass basic level of general education. By doing so VET opens way for individuals beyond VET system that were unable to obtain basic education attestation, but are able to generate specific competences. Flexible, differentiated, diverse education programs are accessible to any interested parties (for example, those already employed, which, based on work specifics, wish to gain knowledge and competences offered by separate modules).

The Bill clearly posits that anyone is entitled for vocational education for occupational and personal development, employment, self-employment, career development and self-realization.

Declaring that everyone has right to vocational education serves as the basis for implementing policy for utilization of this right, flexibility of the system, and increasing opportunities. This approach does not exclude specific issues (necessity for general education for full VET qualification, age limits for certain VET programs, necessity for holding attestation for full general education, etc.) and recognizes possibility for imposing certain limitations based on the specifics of the occupation.

It should be noted that Georgia has two types of vocational education: formal vocational education and non-formal vocational education. Formal education is received within the educational establishment, through VET program. According to the law, educational program includes theoretical teaching, educational and/or enterprise practice, and finishes with issue of vocational diploma of the relevant level. It is important for the bill of law to open way for wide array of formal education possibilities and does not limit itself only through implementation of VET programs granting qualification.

Formal VET takes place in an organized and structural environment and is a target-oriented learning process, which, as a rule, finishes by providing evidence for knowledge gained, and certification (source: Cedefop). Therefore, the bill of law should consider opportunities for implementing diverse educational programs within VET system, which are not always certified through full occupational qualification. As already mentioned, the law should recognize the opportunity for offering separate courses/modules (that will be finished by issuing relevant occupational certification).

Non-formal education means somewhat planned/organized educational activity, implemented beyond formal educational system. It covers adult learning, on-job educational programs, online and distance learning or community-based courses, implemented by various civic organizations, including NGOs. European education also recognizes informal education, which is an unorganized, non-structured education, generating knowledge and skills in a targeted way, or subconsciously, throughout life or work process, or self-teaching process. In many languages, including Georgian, has no clear distinction between these terms. Current legislation unites informal and non-formal education under the same term of "non-formal" education and explains that informal vocational

education is the one that person receives beyond educational establishment. At the given stage, it is recommended to maintain given approach. At the same time, action steps need to be defined for activating mechanisms for recognition of non-formal vocational education. General principles of recognition of non-formal and informal vocational education, approved by the EU in May 2004 and EU guidelines on informal education define recognition as follows: competent agency proving that learning outcomes (knowledge, skills and competences) gained by the individual through formal, informal, or non-formal environment were assessed based on pre-determined criteria, and they meet standards of recognition/validation. Recognition, as a rule, is confirmed by the certification. It is important to ensure possibilities of recognizing vocational education for full qualification as well as certification of its part, or specific competences.

Current law and National Qualification Framework state that there are five levels of qualification in VET. Vocational diploma is issued at the completion of each of the levels. Precondition for any further level of vocational education is completion of previous level of program, or recognition of knowledge, skills and values of the previous level. Levels of specific vocational education are determined through occupational standards, which include one, several, or all levels of vocational education. Such approach is based on the National Qualification Framework. The NFQ is a combination of qualification frameworks for three main sub-systems of education (general, vocational, highest). VET levels are linked to the types of institutions – vocational college and public college. VET college implements only first three levels of VET programs, while public college implements all five levels of programs as well as preparation general education, Georgian language and liberal education programs. Division of VET qualifications into levels turned out to be confusing both to potential students as well as employers. Work has started to simplify the system. At the same time, “unification of Georgia as well as EU and European nuclear energy and association agreement between states (herein referred to as “association agreement”) considers compliance of NFQ with requirements of European Qualification Framework.

European context of education, first, is about common European approaches that countries developed for mutually compliant education system. Main instrument of it is European Qualification Framework, which formally was adopted in 2008, after approval by the European Parliament and European Council. Main goal of the EQF is:

- Supporting mobility between countries
- Supporting life-long learning.

The framework was developed as an interpretation tool. To perform this function, EQF-LLL reference rules and procedures were developed. EU member state qualification frameworks are referenced to EQF since 2010, meaning that national qualifications are placed on appropriate levels of EQF-LLL. This mechanism allows comparison between qualifications of individual countries, their levels, and learning outcomes.

Even though EU member states have different education systems, reference tool makes it easy to identify their compliance with EQF. Therefore, EQF ensures qualifications to be easily understood and comprehended by different countries and systems within Europe. It also enables comparison of qualifications of one country to another. The nucleus of the framework is 8 qualification levels, which are described through learning outcomes (knowledge, skills, competences). Main structural unit – level of the qualification framework is not linked to formal education system. Each level

describes learning outcomes separately from the system. EQF-LLL document allows qualification levels to be achieved through various educational and career ways.

In 2014, National Qualification Framework¹ of Georgia was analyzed for its compliance with EQF (as well as other countries). Gaps and barriers were identified, and the process of further development was planned. As a result of a year work a new draft of the NQF was created, which is in line with EQF. Adoption of the new NQF is related to the VET reform, since it is the VET which plays biggest role in implementing the principle of life-long learning.

The Bill of law considers at least 3 main structural elements of the NQF: level, learning outcome, qualification. Definition of these terms as well as others related to the field are in line with definitions recognized in Europe (CEDEFOP, EQF-LLL).

Current NFQ brings together list of education fields (direction, sector, sub-sector), which has placed incorrect emphasis, and today qualifications are considered identical to the list of sectors and not the learning outcomes certified through educational document. None of the education fields and indicated sectors are qualifications, but rather, supporting instrument for correct formulation of qualifications.² List of education fields should be formulated in accordance with ISCED and the law should consider its existence as a separate document.

The law, with the purpose of meeting requirements of the Association Agreement as well as supporting recognition of Georgian VET qualifications on European labor market and transparency of VET qualifications, should consider annexes to the certificates and diplomas within VET (as in Europe).

Biggest issue with the current NFQ are the “dead-ends” of the system. In case of compliance with EQF, connections between levels of education will be established along with flexible mechanisms of moving around different levels. The law should create basis for the system accumulation of credits and transfer, which will further support flexibility and attractiveness of the system.

The new qualification framework will offer the following levels and qualifications in Georgia:

Level	Typical qualification
1	Certification of key skills Georgian language certificate
2	Attestation of basic general education Georgian language certification Certification of key skills Vocational training/retraining certificate

¹ Qualification Frameworks (Comparative analysis of international and national qualification frameworks), 2014.

² Qualification Frameworks (Comparative analysis of international and national qualification frameworks), 2014.

3	Basic VET diploma Vocational training/retraining certificate Certification of key skills (e.g., Georgian language certificate)
4	Full general education attestation Secondary VET diploma Certification of key skills (e.g., Georgian language certificate)
5	Highest VET diploma / associated degree
6	Bachelor Bachelor of humanities Bachelor of natural sciences / science Bachelor of music art Bachelor of art Bachelor in business administration Bachelor of engineering Teacher training certification
7	Master Master of humanities Master of natural sciences / science Master of music Master of arts Master of business administration Master of engineering Diploma in medicine (integrated) Diploma in dentistry (integrated) Master of education (integrated) Master of education (60)
8	Doctor

Based on the above vision vocational qualifications will be placed on levels 3,4, and 5 of the QF, while training/retraining programs (certification courses) will be located throughout levels 2-5.

It should be noted that the new approach equals highest vocational education with short cycle of the first level of highest education, and equals to the 5th level of NFQ.

VET diploma is issued after completion of educational programs of appropriate level (in case of granting full qualification), or VET certification is issued in case of passing separate course/module. After receiving highest vocational education, a person is granted associated degree. Under the condition of such approach, it is irrelevant to implement liberal education programs, which only exists as a record in the law, and could not be implemented in practice.

According to the law, VET institutions can implement Georgian language programs and general education programs for persons that have left school after completion of the basic level (9 grades) and now wish to continue with general education (secondary level) in parallel to vocational education. Creation of such opportunity requires a significant reform not only within VET, but also general education field, which is an inevitable process to eliminate barriers within the system.

Modern European approach is focused on competence-based VET, which significantly differs from the traditional approach. Competence-based education defines combination of knowledge and skills that graduate should possess and existence of student-centered education environment, which results into meeting standards demanded by the labor market. Competence-based VET system offers fixed standards, but variable timeframes for reaching the standards. Meeting standards is a must for the students, but each student may have different timeframe for obtaining qualification. Competence-based VET, with consideration of individual needs, abilities and experience of the student enables him/her to master knowledge and skills in given timeframe. Such system will create effective learning atmosphere for all students to achieve competence, regardless of the time needed for mastering such knowledge and skills. Of course, success of the system largely depends on the effective management of the system and appropriate learning resources.

According to the current version of the law, occupational standard is a document that defines levels of appropriate vocational education, their minimal weight in credits, and knowledge, skills and attitudes for each of the levels. It also sets additional requirements for specific occupations. In reality, VET (European systems) standards describe individual competences needed for performing the job – successful result of work activity. More specifically, what a qualified person should be able to do, and not only the knowledge he/she should have. The standard indicates practical requirements that graduate should have to perform a job in a qualified manner. VET standard describes what to be performed, how to perform, what environment is needed for the performance of the job. Occupational standards are used as the basis for creation of VET curriculum, but does not bring together or include elements of the educational program.

Vision and recommendations formulated within the framework of EUVEGE project are based on such approaches, and requires solid legislative basis to start implementing them within the system. Therefore, the law should reflect this new approach towards occupational standards: occupational standard is a document which describes set of goals and responsibilities/activities associated with the occupation, which should be performed by the qualified person. Occupational standard may also set additional requirements based on the specifics of the occupation.

Occupational standards appeared into Georgian education system since 2010, where responsibility and authority for preparing such standards rests with National Center for Education Quality Enhancement (EQE) (with participation of employers). Such approach is somewhat incompliant

with European/international practice, since many countries delegate mandate for creation-development of the occupational standards to associations, chambers of commerce, or employer unions. It is possible that at this stage there is no readiness in Georgia for such organizations to take over the creation of standards. However, the law should not strictly place such issue under the education system only, but allow for the development of occupational standards to gradually move beyond the education field, and become competence of employment sector.

The law should introduce the concept of standard educational program. Based on the NFQ and occupational standards, standard educational program will be developed by EQE with participation of interested organizations.

Standard educational program will serve as the basis for VET program, which will be created by individual educational institutions. VET program, based on its goals, is completed by granting VET qualification/partial qualification/competence gained, and issue of certifying diploma/VET certificate. VET program brings together courses/modules required to obtain qualification/partial qualification/separate competence. VET programs define goals, learning outcomes, credit weight, learning and assessment mechanisms of the program.

Since 2007, when Law of Georgia on Vocational Education and Training was first introduced, VET programs no longer include general education component and individual enrolled into VET system after completion of general education level, faces a barrier for continuing to highest education. The only way of getting full general education attestation is returning to school (which never happens in practice) or taking exams ex-turn (which is impossible without appropriate tutoring). In a short run, taking away general education program implementation rights from VET institutions had its anti-corruption effect, but in a long-run, it created so called “education dead-ends”, which has now become one of the goals of education policy today.

The bill of law proposes opportunities for full general education within the VET. However, if desired, students with basic education will only learn the occupation.

According to the current law on VET (Article 12¹), VET teacher can be anyone with highest education or IV or V level VET qualification, with no less than 3 years of work experience in the given occupation. Appropriate occupational standard could introduce additional requirements. With the purpose of VET quality development, training and further professional development of VET teachers, Ministry of Education and Science of Georgia should approve rules for training and professional development of VET teachers, which will regulate qualification requirements of VET teachers, types, entry to the profession, and professional development opportunities.

According to the current law, right to vocational education is granted through VET testing (individual, after completing basic level of general education, VET testing and meeting additional requirements for specific occupations set in the occupation standard, is entitled to get education for appropriate knowledge, skills and values associated with specific occupation). The law states that VET testing is a procedure, which determines readiness for mastering VET programs available in state VET institutions. Therefore, testing is the only mechanism for enrollment to the VET institution. However, its compliance/relevance with the new approach – where VET is not only about passing qualification programs – is under question. The law should not define specific mechanism (testing, interview, etc.) to be used for enrollment of individuals into VET programs, since based on the current reform tendencies, results of the policy implemented will be reviewed regularly, and may result into fine-tuning/change of certain mechanisms. Such revision, on its

hand, will be linked to legislative changes. Therefore, MoES should create and approve rules for enrollment of VET students. Such rules will consider peculiarities of VET programs and will be based on the principles of objectiveness, fairness, and accessibility.

Same approach is used for the funding of VET. More specifically, GoG authority will reflect approval of the rules and conditions of funding VET (as recommended by the MoES).

The bill of law introduces opportunities for implementing joint and exchange programs. This opens way for various institutions to implement programs together, and implementing on-job learning possibilities. At the same time, international exchange programs would also become possible.

It is important that the law defines not only recognition of non-formal learning, but also recognition and counting of learning outcomes achieved within formal education, alongside with defining regulations for accumulation of credits, transfer, and counting.

According to the article 35.7 of this law, legal entity of public law, VET institution is granted the right to raise various funds as allowed by the legislation of Georgia, including, generate income from economic activities that do not pose no harm to human health and has no negative impact on the quality of teaching. Raised funds will be used only for the goals and functions of the institution. For enabling this right, it is important for the MoES to issue appropriate legislative acts, which provides clear instruction on sales of products created during educational process as well as management of economic activity by the institution and management of funds generated.

VET institutions (to reach goals defined in the charter) will be able to establish entrepreneurial or non-entrepreneurial (non-commercial) legal entities, where the institution should have no later than 50% of shares. This right should be utilized in agreement with the agency implementing state control. Rules and conditions of the agreement should e defined by the ordain of the Government of Georgia.

B. Financial rationale of the bill

a. Source of funding for costs required for adoption of the law

Adoption of the law will not require allocation of additional funds from the state budget.

b. Influence of the bill of law on income section of the state budget

Adoption of the law will not have any influence on the income section of the state budget.

c. Influence of the bill of law on expenditure section of the state budget

Adoption of the law will not result into any changes to the expenditure section of the state budget

d. New financial responsibilities of the state

Adoption of the law will not result into any new financial responsibilities to the state

e. Expected financial implications for persons covered by this bill of law

The bill of law does not have financial implications on persons covered by this bill of law.

f. Amount and principles for calculation of taxes, fees, or other payments proposed by the bill

The bill of law does not propose any taxes, fees, or other payments.

g. Compliance of the bill with international legal standards

i. Compliance of the bill with EU directives

Adoption of the law does not contradict with directives of EU

ii. Compliance of the bill with responsibilities undertaken through membership of Georgia in international organizations

The law does not contradict with responsibilities undertaken by Georgia as part of membership of international organizations.

iii. Relation of the bill with bi-lateral and multi-lateral agreements of Georgia

The law does not contradict with bi-lateral and multi-lateral agreements of Georgia.

h. Consultations during preparation of the bill

i. List of state, non-state and/or international organizations/institutions, experts that participated in development of the bill (if available)

N/A

ii. Assessment of the bill by organization (institution) and/or expert participating in the preparation of the bill (if available)

N/A

i. Author of the bill

Ministry of Education and Science of Georgia

j. Initiator of the bill

Ministry of Education and Science of Georgia