Law of Georgia on Vocational Education

Chapter I. General Provisions

Article 1. Purpose and Scope of the Law

1. The purpose of this Law is to develop the vocational education system of Georgia, to define the state policy in the field of vocational education, and to promote its implementation.

2. This Law defines the legal framework of the vocational education system, establishes the principles of management of the vocational education system and the legal basis for carrying out activity in the field of vocational education, and regulates other main issues related to the field of vocational education.

Article 2. Goals of the State Policy in the Field of Vocational Education

1. The goals of the state policy in the field of vocational education are:

a) to promote the development of the country's economy;

b) to promote social inclusion and the personal and professional development of the individual;

c) to promote lifelong learning;

d) to bring the vocational education system of Georgia closer to, and make it compatible with, the single European educational area.

2. To achieve the goals of the state policy in the field of vocational education, the state ensures:

a) equal access to vocational education for everyone;

b) the offering of diverse forms of teaching and learning (work-based learning and others) and innovative approaches, taking technological development into account;

c) the link between vocational education and general education and higher education, and the flexibility of the vocational education system;

d) the adaptation of vocational education to existing and future labour market demands and the preparation of a person for employment and entrepreneurial activity;

e) the development of the National Qualifications Framework, the creation of mechanisms for the recognition of non-formal education, and the development of a credit accumulation and transfer system;

f) the development of internal and external mechanisms for quality assurance in vocational education;

g) the promotion of a person's competitiveness in the labour market through vocational training and vocational retraining;

h) the promotion of social partnership in the field of vocational education;

i) the development of a system of vocational orientation, counselling and career planning in formal education;

j) the establishment of a system for the training, professional development and career advancement of vocational education teachers;

k) the promotion of the mobility of vocational students and vocational education teachers;

l) the sharing and introduction of the best international experience.

Article 3. Definition of Terms

For the purposes of this Law, the terms used in it have the following meanings:

a) Authorization – the procedure for obtaining the status of a college, the purpose of which is to ensure that the standards necessary for carrying out the relevant activity of issuing a state-recognized document confirming education are met;

b) Non-formal education – the part of the lifelong learning system that involves acquiring "knowledge and understanding", "skill" and/or "responsibility and autonomy" outside formal education;

c) Associate degree – a qualification awarded to a person as a result of successfully completing a short-cycle educational programme and accumulating the appropriate number of credits;

d) Diploma – a document confirming a qualification awarded by an authorized institution;

e) Diploma supplement/certificate supplement – a document issued by the educational institution together with the diploma/certificate to confirm the content of the education received by the vocational student;

f) Individual curriculum – a curriculum adapted to the needs of a vocational student or trainee (including a vocational student or trainee with special educational needs and/or a vocational student or trainee with a disability) for achieving the learning outcomes provided for by the relevant programme, which is based on the relevant vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme/state language preparation programme and, together with other elements of that programme, describes the learning outcomes to be achieved by the vocational student or trainee and the individual ways of achieving them;

g) Inclusive vocational education – an equally accessible educational process within which all vocational students and trainees are provided with education that takes into account their individual educational needs and abilities;

h) Qualification – the formal result of the assessment and confirmation, by the authorized institution(s), that a learning outcome has been achieved, certified by a certificate recognized by the state, by a state document – a diploma – confirming higher or vocational education, or by a state document confirming general education;

i) Competence – the ability to apply learning outcomes adequately in the relevant context (in the process of learning or activity, for personal and professional development);

j) Credit – a unit comprising a set of confirmed learning outcomes that may be recognized, in accordance with the procedure established by the legislation of Georgia, for obtaining one or more qualifications;

k) Module – a component existing within a vocational educational standard or developed independently, which combines logically interrelated learning outcomes and describes the ways, means and conditions of confirmation of their achievement;

l) Short-cycle educational programme – an educational programme corresponding to the generalized learning outcomes defined for level 5 of the National Qualifications Framework, which is created on the basis of a vocational educational standard and is linked to a bachelor's educational programme or to an educational programme corresponding to the generalized learning outcomes defined for level 7 of the National Qualifications Framework that also passes through the generalized learning outcomes defined for level 6 of the National Qualifications Framework;

m) Trainee – a person studying on a vocational training programme, a vocational retraining programme and/or a state language preparation programme;

n) Profession standard – a set of tasks and duties related to a specific profession;

o) Vocational education – education that ensures that a person develops the competence(s) required by a specific profession and/or the labour market and that is aimed at the person's professional, social and personal development throughout life;

p) Document confirming vocational education – a diploma or certificate;

q) Vocational educational institution/college – a legal entity authorized, in accordance with the procedure established by the legislation of Georgia, to carry out vocational educational programmes, short-cycle educational programmes, vocational training programmes, vocational retraining programmes and state language preparation programmes;

r) Vocational educational programme – a set of learning aims, learning outcomes, module(s), relevant credits, teaching methods, forms of assessment and specific features of the organization of the learning process. A vocational educational programme is completed by the award of a qualification corresponding to level 3/4/5 of the National Qualifications Framework, as provided for by the vocational educational standard, and the issuance of a diploma;

s) Vocational educational standard – a document that defines the qualification(s) to be awarded, the number of credits required to award the relevant qualification(s), the learning outcomes to be achieved, the set of modules whose defined learning outcomes must be achieved in order to award the qualification(s), the preconditions for admission to the relevant educational programme(s) and for carrying out that programme(s), fields of employment, and requirements related to the development and implementation of the educational programme(s) (where such requirements exist);

t) Vocational student – a person studying on a vocational educational programme or a short-cycle educational programme;

u) Mobility of a vocational student – the free movement of a vocational student to take part in the learning process, both in Georgia and abroad, accompanied by the recognition of the education, credits or qualification received during the period of study;

v) Regulated profession – an activity the carrying out of which requires the relevant qualification and/or passing a state certification examination, and/or for the award of whose required qualification it is necessary to pass the relevant examination provided for by the legislation of Georgia and/or to undergo periodic vocational retraining;

w) Educational institution – a general educational institution authorized to carry out basic vocational educational programmes, secondary vocational educational programmes, vocational training programmes and vocational retraining programmes; a college authorized to carry out vocational educational programmes of any type, short-cycle educational programmes and vocational training/vocational retraining programmes; and a higher education institution;

x) Work-based learning – a form of carrying out a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme that provides for achieving some of the learning outcomes under that programme in a simulated work environment and/or a real work environment (including through dual learning);

y) Training enterprise – a person who has obtained, together with an educational institution, the right to carry out vocational educational programmes/short-cycle educational programmes in the form of work-based learning;

z) State language preparation programme/state language preparation module – an educational programme/module whose purpose is to teach the state language for the purpose of mastering a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme and/or to promote the civic integration of persons for whom Georgian is not the native language;

aa) Certificate – a document issued by an authorized institution that confirms the achievement by a person of the learning outcome provided for by a vocational training programme or vocational retraining programme, as well as of the learning outcome defined by individual modules;

bb) Person with special educational needs – a person defined by the Law of Georgia on the Rights of Persons with Disabilities, as well as a person who has pronounced learning difficulties and/or a disability and who requires adaptation of the learning process, which means modification of the vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme/state language preparation programme, drawing up an individual curriculum, changing the learning environment and conditions, and/or additional special educational services;

cc) Learning outcome – a statement of what a person is to achieve in terms of "knowledge and understanding" (the result of assimilating information, facts, principles, theories, and theoretical and practical methods related to a field of study or activity), "skill" (the ability to apply relevant knowledge to perform a specific task and solve problems) and/or "responsibility and autonomy" (the application of knowledge and skills by a person with the appropriate degree of values and independence);

dd) System of vocational orientation, counselling and career planning in formal education – a broad range of measures that help a person, at any stage of receiving formal education, to determine his or her own abilities, competence and interests in order to make decisions related to education and the choice of profession and to manage his or her own career;

ee) Formal education – the part of the lifelong learning system that involves acquiring "knowledge and understanding", "skill" and/or "responsibility and autonomy" and confirming this by a certificate recognized by the state, by a state document – a diploma – confirming higher or vocational education, or by a state document confirming general education.

Amending laws:

Law of Georgia of 14 July 2020 No. 6838 – Website, 28.07.2020

Article 4. The Right to Receive Vocational Education and Basic Guarantees

1. Everyone has the right, without any discrimination, to exercise the right to receive vocational education in accordance with the procedure established by the legislation of Georgia.

2. A vocational student, a trainee, as well as a vocational education teacher and their associations, have the right to enjoy, without discrimination, all the rights and freedoms defined by the legislation of Georgia and by the educational institution.

3. The educational institution must ensure the existence of an individually adapted learning process and the necessary special educational services for persons with special educational needs and

persons with disabilities, as well as the accessibility of the learning environment of the educational institution.

Article 5. Language of Instruction

1. The language of instruction in an educational institution is Georgian, and in the Autonomous Republic of Abkhazia – also Abkhazian.

2. In an educational institution where the following study:

a) a vocational student and/or trainee with a hearing impairment, Georgian sign language is used where necessary;

b) a vocational student and/or trainee with a visual impairment, the Braille system is used where necessary.

3. In an educational institution, instruction in a language other than the languages provided for by paragraphs 1 and 2 of this article is permitted if this is determined by an international treaty of Georgia or if the question of instruction in that language has been agreed with the Ministry of Education and Science of Georgia (hereinafter – the Ministry).

Amending laws:

Law of Georgia of 16 March 2021 No. 349 – Website, 18.03.2021

Chapter II. The Vocational Education System

Article 6. Vocational Education

Vocational education is carried out through:

a) a vocational educational programme, the types of which are:

a.a) a basic vocational educational programme, which is completed by the award of a qualification corresponding to level 3 of the National Qualifications Framework;

a.b) a secondary vocational educational programme, which is completed by the award of a qualification corresponding to level 4 of the National Qualifications Framework;

a.c) a higher vocational educational programme, which is completed by the award of a qualification corresponding to level 5 of the National Qualifications Framework;

b) a vocational training programme, which prepares a person to perform individual tasks and duties related to a profession. The learning outcomes provided for by a vocational training programme may correspond to level 2/3/4/5 of the National Qualifications Framework;

c) a vocational retraining programme, the purpose of which is to acquire and/or develop competences for carrying out professional activity in the same field. The learning outcomes provided for by a vocational retraining programme may correspond to level 2/3/4/5 of the National Qualifications Framework.

Article 7. Preconditions for Admission to a Vocational Educational Programme

1. A person who has at least a document confirming basic general education is admitted to a basic vocational educational programme.

2. A person who has:

a) at least a document confirming basic general education is admitted to a secondary vocational educational programme in which the learning outcomes of the secondary level of general education are integrated;

b) at least a document confirming complete general education or a document equated with it is admitted to a secondary vocational educational programme.

3. A person who has a document confirming complete general education or a document equated with it is admitted to a higher vocational educational programme.

4. A person who meets the conditions established by the relevant programme is admitted to a vocational training programme or a vocational retraining programme.

Article 8. Profession Standard, Vocational Educational Standard and Module

1. The profession standard(s) is/are the basis for creating the vocational educational standard(s).

2. The vocational educational standard is the basis for creating the vocational educational programme(s) and the short-cycle educational programme.

3. The rule for developing and approving the profession standard(s) is determined by the Government of Georgia.

4. The rule for developing, improving and approving the vocational educational standard and the module(s) is determined by the Ministry.

5. Where, in accordance with the rule for developing, improving and approving the vocational educational standard and the module(s), a vocational educational standard is abolished or one of the qualifications is removed from a vocational educational standard, the educational institution is authorized to allow the vocational students enrolled on the relevant programme to complete their studies and to award them the qualification provided for by that programme.

6. In the case provided for by paragraph 5 of this article, the educational institution is not authorized to admit new vocational students.

7. Where, in accordance with the rule for developing, improving and approving the vocational educational standard and the module(s), a vocational educational standard is changed, the educational institution is obliged to ensure the conformity of the vocational educational programme/short-cycle educational programme with the changed vocational educational standard. The educational institution is authorized to take a substantiated decision to carry out, in parallel with the changed vocational educational programme/short-cycle educational programme, the vocational educational programme/short-cycle educational programme that existed before the change, solely for the vocational students enrolled before the change of that programme.

Article 9. Vocational Educational Programme

1. The vocational educational programme is developed and approved by the relevant educational institution.

2. The vocational educational programme must be calculated in credits.

3. In accordance with the rule established by the Ministry, a secondary vocational educational programme must include the learning outcomes of the secondary level of general education.

4. The rule and conditions for enrolment on a vocational educational programme are established by the Ministry.

5. An educational institution of Georgia and a legal entity authorized to carry out a vocational training programme/vocational retraining programme may jointly carry out only that part/only that module of a vocational educational programme which they have obtained the right to carry out.

Article 10. Short-Cycle Educational Programme

1. The short-cycle educational programme is developed and approved by a college and/or a higher education institution.

2. The short-cycle educational programme must be calculated in credits.

3. A short-cycle educational programme may be carried out:

a) in accordance with the Law of Georgia on Higher Education, within a bachelor's educational programme or within an educational programme corresponding to the generalized learning outcomes defined for level 7 of the National Qualifications Framework that also passes through the generalized learning outcomes defined for level 6 of the National Qualifications Framework;

b) in accordance with this Law, in the form of a separate educational programme.

4. The rule and conditions for enrolment on a short-cycle educational programme provided for by subparagraph (a) of paragraph 3 of this article are established by the Law of Georgia on Higher Education.

5. The rule and conditions for enrolment on a short-cycle educational programme provided for by subparagraph (b) of paragraph 3 of this article are established by the Ministry.

6. An educational institution of Georgia and a legal entity authorized to carry out a vocational training programme/vocational retraining programme may jointly carry out only that part/only that module of a short-cycle educational programme which they have obtained the right to carry out.

Article 11. Work-Based Learning

1. Work-based learning is used when carrying out a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme.

2. Some learning outcomes provided for by a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme may be achieved in a real work environment through practice or internship, as well as when studying at a training enterprise.

3. Some learning outcomes provided for by a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme may be achieved in a simulated work environment – in the educational institution.

4. The rule and conditions for carrying out a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme in the form of work-based learning are established by the Government of Georgia on the submission of the Ministry.

5. During work-based learning, occupational safety must be ensured in accordance with the legislation of Georgia.

Article 12. Joint Vocational Educational Programme/Short-Cycle Educational Programme

1. For the purpose of consolidating and optimally distributing resources and of integration into the international educational area, a vocational educational programme/short-cycle educational programme may be carried out jointly by several educational institutions of Georgia and/or by an educational institution recognized under the legislation of a foreign country.

2. After completion of a joint vocational educational programme/short-cycle educational programme, a joint diploma is issued.

3. The rule and conditions for developing and carrying out a joint vocational educational programme/short-cycle educational programme are established by the Ministry.

4. A citizen of Georgia is enrolled on a joint vocational educational programme/short-cycle educational programme in accordance with the procedure established by the legislation of Georgia. Another person is enrolled on a joint vocational educational programme/short-cycle educational programme in accordance with the procedure established by the legislation of the relevant country, at one of the educational institutions determined by prior agreement of the educational institutions carrying out the programme.

5. A vocational student enrolled on a joint vocational educational programme/short-cycle educational programme of several educational institutions of Georgia is counted in the total number of vocational students established for each educational institution.

Article 13. Exchange Vocational Educational Programme/Short-Cycle Educational Programme

1. An exchange vocational educational programme/short-cycle educational programme may be carried out by educational institutions recognized in accordance with the legislation of Georgia and the legislation of a foreign country.

2. The rule and conditions for developing and carrying out an exchange vocational educational programme/short-cycle educational programme are established by the Ministry.

3. A vocational student participating in an exchange vocational educational programme/short-cycle educational programme of an educational institution recognized under the legislation of a foreign country, who obtained the status of vocational student at an educational institution recognized in the foreign country, continues studying at the partner educational institution in Georgia on the basis of an act issued by the head of that educational institution.

4. A vocational student participating in an exchange vocational educational programme/short-cycle educational programme, who obtained the status of vocational student at an educational institution of Georgia, continues studying at the partner educational institution of the foreign country in accordance with the procedure established by the legislation of that country.

5. Suspension of the status of a vocational student who has gone from Georgia to a foreign country under an exchange vocational educational programme/short-cycle educational programme is not permitted.

6. A vocational student who has come to Georgia from a foreign country under an exchange vocational educational programme/short-cycle educational programme is not counted in the total number of vocational students established for the educational institution of Georgia.

Article 14. State Language Preparation Programme/State Language Preparation Module

1. The state language preparation programme/state language preparation module is developed and carried out in accordance with the rule established by the Ministry.

2. The state language preparation module may be carried out as part of a vocational educational programme, a short-cycle educational programme, a vocational training programme or a vocational retraining programme.

3. The state language preparation programme is independent of a vocational educational programme, a short-cycle educational programme, a vocational training programme or a vocational retraining programme.

4. The rule and conditions for enrolment on a state language preparation programme are established by the Ministry.

5. Completion of a state language preparation programme/state language preparation module is confirmed by the relevant certificate.

Article 15. Vocational Training Programme and Vocational Retraining Programme

1. The vocational training programme and the vocational retraining programme are developed and approved by the legal entity authorized to carry out these programmes.

2. The rule for developing and approving the vocational training programme and the vocational retraining programme is determined by the Ministry.

3. Obtaining by a legal entity the right to carry out a vocational training programme and a vocational retraining programme is voluntary and takes place in accordance with the rule and conditions established by the Government of Georgia, for the purpose of issuing a state-recognized document confirming vocational education – a certificate.

4. The rule and conditions for enrolment on a vocational training programme and a vocational retraining programme are established by the Ministry.

Article 16. Confirmation of Learning Outcomes

1. As a result of completing a basic vocational educational programme/secondary vocational educational programme/higher vocational educational programme, a person is awarded a qualification of level 3/4/5, respectively, of the National Qualifications Framework, which is confirmed by the issuance of the relevant diploma and diploma supplement.

2. A diploma issued as a result of completing a secondary vocational educational programme in which the learning outcomes of the secondary level of general education are integrated is equated with a document confirming complete general education.

3. A precondition for the issuance of the diploma provided for by paragraph 2 of this article is the confirmation, in accordance with the rule established by the Ministry, of the learning outcomes of the secondary level of general education achieved by the vocational student.

4. As a result of completing a short-cycle educational programme, a person is awarded a qualification of level 5 of the National Qualifications Framework – an associate degree, which is confirmed by the issuance of the relevant diploma and diploma supplement.

5. The achievement of the learning outcomes provided for by a vocational training programme or a vocational retraining programme is confirmed by a certificate and a supplement.

6. The achievement of the learning outcomes defined by a module is, on request, confirmed by a certificate and a supplement.

7. If the learning outcomes defined by a module are not fully confirmed, the educational institution carrying out that module is obliged, on request, to issue a statement on the learning outcomes confirmed within that module.

Article 17. Recognition of Non-Formal Education and Formal Education

1. The recognition of learning outcomes achieved within non-formal education and formal education is carried out in accordance with the rules established by the Ministry.

2. Within a regulated profession, non-formal education is recognized in accordance with the rule and conditions established by the Government of Georgia.

3. When recognizing learning outcomes achieved within formal education, a substantive study may establish the correspondence of the learning outcomes provided for by one educational programme to the learning outcomes provided for by another educational programme, regardless of how they are worded.

4. The recognition of formal education received within a short-cycle educational programme provided for by Article 10(3)(b) of this Law is permitted by a bachelor's educational programme or by an educational programme corresponding to the generalized learning outcomes defined for level 7 of the National Qualifications Framework that also passes through the generalized learning outcomes defined for level 6 of the National Qualifications Framework, if the right to study has been obtained in accordance with the procedure established by the legislation of Georgia.

Article 18. Recognition of Vocational Education Received Abroad

1. The recognition of a qualification received at an educational institution of a foreign country, or of learning outcomes achieved at an educational institution of a foreign country, is carried out in accordance with the rule established by the Ministry.

2. A person with an educational document of a foreign country is enrolled on a vocational educational programme/short-cycle educational programme in accordance with the rule established by the relevant educational institution, on the basis of a document confirming the recognition of education received abroad.

Article 19. Regulated Profession

1. A regulated profession is a high-risk profession related to human health, personal development and/or high public interest.

2. Only by law may those regulated professions be determined that require receiving the relevant vocational education and/or passing a state certification examination, and/or for the award of whose required qualification for carrying out activity it is necessary to pass the relevant examination and/or to undergo periodic vocational retraining.

3. The rule and conditions for conducting a state certification examination in a regulated profession, as well as the rule and conditions for periodic vocational retraining, are determined by the relevant legislation.

Chapter III. Management of the Vocational Education System

Article 20. Principles of Management of the Vocational Education System

The vocational education system is managed on the basis of the principles of publicity and transparency.

Article 21. The Government of Georgia

In the field of vocational education, the Government of Georgia:

a) implements state policy;

b) on the submission of the Ministry, approves the vocational education development strategy;

c) on the submission of the Ministry, approves the rule and conditions for obtaining the right to carry out a vocational training programme and a vocational retraining programme, as well as the rule and conditions for considering a vocational training programme and a vocational retraining programme to be recognized by the state;

d) on the submission of the Ministry, establishes the rule and conditions for carrying out a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme in the form of work-based learning;

e) on the submission of the Ministry, approves the rule and conditions for a person to obtain the status of a training enterprise;

f) on the submission of the Ministry, approves the rule and conditions for obtaining the right to recognize non-formal education;

g) on the submission of the Ministry, establishes the rule and conditions for recognizing non-formal education within a regulated profession;

h) on the submission of the Ministry, establishes the rule and conditions for funding vocational education, the short-cycle educational programme and the state language preparation programme;

i) on the submission of the Ministry, establishes the rule and conditions for determining the value of products created, and paid services provided, in the educational process by an educational institution founded by the state or with its participation, and for disposing of the income received from that activity;

j) on the submission of the Ministry, including taking into account the principle of social partnership, creates an advisory body in the field of vocational education and approves its regulations;

k) on the submission of the Ministry, approves the rule for a vocational student to receive a discount with a student card on the basis of the vocational student's identity (residence) card;

l) determines the rule for developing and approving the profession standard(s);

m) on the submission of the Ministry, determines the rule and conditions for agreeing with its founding body the question of founding an entrepreneurial legal entity or a non-entrepreneurial (non-commercial) legal entity by a college founded by the state or with its participation;

m[1]) where necessary, on the submission of the Ministry, sets a fee for obtaining a right provided for by this Law and/or for a service;

n) exercises other powers defined by the legislation of Georgia.

Amending laws:

Article 22. The Ministry

1. In the field of vocational education, the Ministry:

a) implements state policy;

b) is authorized to pilot approaches/models to be introduced, and for this purpose to allocate funding to the private, public and civil sectors and to issue, in the field of vocational education, in addition to the legal acts directly provided for by this Law, other legal acts that, to facilitate such piloting, regulate the relevant legal relations differently for the relevant period;

c) for the purpose of carrying out a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme/state language preparation programme, founds legal entities of public law, approves their charters and exercises state control over them, and is also authorized to merge, reorganize and liquidate them;

d) for the purpose of carrying out a vocational educational programme/short-cycle educational programme/vocational training programme/vocational retraining programme/state language preparation programme, founds non-entrepreneurial (non-commercial) legal entities of private law;

e) approves the Regulation on the Authorization of Educational Institutions;

f) approves the rules for the recognition of learning outcomes achieved within non-formal education and formal education;

g) approves the credit system in the field of vocational education;

h) approves the rule and conditions for integrating the learning outcomes of the secondary level of general education into a secondary vocational educational programme;

i) approves the rule for developing, improving and approving the vocational educational standard and the module(s);

j) approves the rule and conditions for developing and carrying out a joint vocational educational programme/short-cycle educational programme, as well as the rule and conditions for developing and carrying out an exchange vocational educational programme/short-cycle educational programme;

k) approves the rule for developing and carrying out a state language preparation programme;

l) approves the rule and conditions for enrolment on a vocational educational programme, the rule and conditions for enrolment on a short-cycle educational programme, and the rule and conditions for enrolment on a state language preparation programme;

m) approves the rule and conditions for enrolment on a vocational training programme and a vocational retraining programme;

n) approves the forms of the document confirming vocational education and its supplement, as well as the forms of the diploma confirming an associate degree and of the diploma supplement;

o) approves the rule for the mobility of a vocational student;

p) approves the professional standard of a vocational education teacher;

q) approves the code of ethics of a vocational education teacher;

r) approves the rule and conditions for the start of activity, professional development and career advancement of a vocational education teacher;

s) approves the rule and conditions for paying remuneration to vocational education teachers at an educational institution founded by the state or with its participation;

t) develops the rule and conditions for identifying a person's special educational needs and for carrying out inclusive vocational education;

u) approves the rule for confirming the learning outcomes of the secondary level of general education achieved by a vocational student within a vocational educational programme in which the learning outcomes of the secondary level of general education are integrated. The Ministry is authorized, by the rule provided for by this subparagraph, to establish time limits and a rule for submitting and considering an administrative complaint that differ from those provided for by the General Administrative Code of Georgia;

v) approves the strategy for vocational orientation, counselling and career planning in formal education;

w) approves the rule and conditions for creating and administering the vocational education management information system;

w[1]) during an epidemic/pandemic, makes decisions on suspending, resuming and conducting remotely the learning process at educational institutions carrying out a vocational educational programme, a vocational training programme and a vocational retraining programme;

x) exercises other powers defined by the legislation of Georgia.

2. For the purpose of implementing a unified state policy in the field of vocational education, the Ministry creates legal entities.

3. The Ministry is authorized, within targeted programmes for the popularization and development of vocational education, to allocate funding to the private, public and civil sectors.

4. The Ministry is authorized to determine the legal entity/entities within its system that are authorized to develop and submit to the Ministry the legal acts provided for by Article 21 of this Law and paragraph 1 of this article.

Amending laws:

Law of Georgia of 12 June 2020 No. 6288 – Website, 15.06.2020

Chapter IV. Legal Basis of the Activity of a College

Article 23. Founding of a College, Obtaining Status and Carrying Out Educational Activity

1. A college is founded and carries out its activity in the form of a legal entity of public law or a legal entity of private law.

2. A body of the executive power of Georgia is authorized, for the purpose of carrying out vocational educational activity and in agreement with the Ministry, to found a legal entity of public law or a non-entrepreneurial (non-commercial) legal entity of private law.

2[1]. The bodies of the executive power of the Autonomous Republics of Abkhazia and Adjara are authorized, for the purpose of carrying out vocational educational activity and in agreement with

the Ministry, to found legal entities of public law and non-entrepreneurial (non-commercial) legal entities of private law.

3. A municipality is authorized, for the purpose of carrying out vocational educational activity, in agreement with the Ministry and in accordance with the Organic Law of Georgia "Local Self-Government Code", to found a legal entity of public law or a non-entrepreneurial (non-commercial) legal entity of private law.

4. The right to carry out a vocational educational programme, a short-cycle educational programme or a state language preparation programme defined by this Law belongs to a legal entity with authorization – a college. A college is authorized, without obtaining an additional right, to carry out a vocational training programme and/or a vocational retraining programme within the vocational educational programme/short-cycle educational programme which it has obtained the right to carry out as a result of authorization.

5. A general educational institution is authorized, without creating an independent legal entity, to carry out only a basic vocational educational programme, a secondary vocational educational programme, a state language preparation programme, a vocational training programme and/or a vocational retraining programme.

6. A higher education institution is authorized, without creating an independent legal entity, to carry out a vocational educational programme of any type, a short-cycle educational programme, a state language preparation programme, a vocational training programme and/or a vocational retraining programme.

7. A higher education institution is authorized to found a non-entrepreneurial (non-commercial) legal entity for the purpose of carrying out a vocational educational programme and/or a short-cycle educational programme.

8. Chapter X of this Law does not apply, taking its content into account, to an educational institution existing in the form of a legal entity of private law (except for an educational institution founded with the participation of the state).

Amending laws:

Law of Georgia of 2 November 2021 No. 965 – Website, 05.11.2021

Article 24. Merger, Reorganization and Liquidation of Colleges

The merger, reorganization and liquidation of colleges is carried out by their founder(s) in accordance with the procedure established by the legislation of Georgia.

Chapter V. Management of a College

Article 25. Principles of Management of a College and Obligations of a College

1. A college is managed on the basis of the principles of publicity and transparency.

2. A college is obliged to:

a) cooperate with employers and/or employers' associations in the process of developing and carrying out a vocational educational programme/short-cycle educational programme;

b) ensure the participation of vocational students, trainees, vocational education teachers and social partners in the process of making decisions related to the development of the educational institution;

c) ensure, in accordance with the procedure established by the legislation of Georgia, the accessibility of the decisions made to interested persons;

d) ensure that vocational students and trainees enjoy equally the rights provided for by the legislation of Georgia;

e) where, in accordance with the rule for developing, improving and approving the vocational educational standard and the module(s), a vocational educational standard is abolished or one of the qualifications is removed from a vocational educational standard, as well as where a vocational educational programme is changed, notify the vocational student of this in writing and explain to the student the right provided for by Article 29(3) of this Law;

f) in accordance with the legislation of Georgia, ensure the creation of an environment safe for health, life and property on the territory of the college during study time;

g) create all the conditions necessary for the learning process;

h) when planning and carrying out the learning process, take into account the educational needs of adolescents and adults;

i) within the system of vocational orientation, counselling and career planning in formal education, ensure the implementation of the measures provided for by the legislation of Georgia;

j) create the conditions for carrying out inclusive vocational education; where necessary, develop for a vocational student and trainee with special educational needs an individual curriculum in accordance with which the teaching, social adaptation and integration into public life of the vocational student and trainee will be carried out;

k) ensure the fulfilment of other obligations defined by the legislation of Georgia and the charter of that college.

3. The management bodies of a college, the rule for their election/appointment, the requirements for them, their powers and the rule of their activity are determined by the charter of the college.

4. For the purpose of protecting security and public order, a college is authorized to conclude a contract for security and public order protection services with the legal entity of public law – the Service of Educational Institutions' Wardens (Mandaturi Service).

Chapter VI. Authorization and Obtaining the Right to Carry Out a Vocational Educational Programme/Short-Cycle Educational Programme

Article 26. Authorization

1. As a result of authorization, a legal entity obtains the status of a college and is authorized to issue:

a) a state-recognized document confirming education – a diploma;

b) a state-recognized document confirming education – a certificate – for a vocational training programme and/or a vocational retraining programme which it carries out within the vocational educational programme/short-cycle educational programme that it has obtained the right to carry out as a result of authorization.

2. The authorization standards for colleges concern:

a) the mission and strategic development of the college;

b) educational programmes;

c) vocational students and measures for their support;

d) human resources;

e) material, information and financial resources.

3. A college is authorized to carry out only the vocational educational programme and short-cycle educational programme indicated in the authorization application, as well as the vocational educational programme and short-cycle educational programme which it has added, during the period of validity of authorization, by an application for the addition of an educational programme.

4. A college is authorized, without additional authorization, to carry out a vocational training programme and/or a vocational retraining programme within the vocational educational programme which it has obtained the right to carry out as a result of authorization.

Article 27. Obtaining the Right to Carry Out a Vocational Educational Programme/Short-Cycle Educational Programme

1. A general educational institution obtains the right to carry out a basic vocational educational programme and a secondary vocational educational programme, and a higher education institution obtains the right to carry out a vocational educational programme and a short-cycle educational programme, in accordance with the rule established by the Regulation on the Authorization of Educational Institutions.

2. A general educational institution carrying out vocational educational programmes is authorized, in accordance with the rule established by the Regulation on the Authorization of Educational Institutions, to add, during the period of validity of authorization, basic vocational educational programmes and secondary vocational educational programmes, and a higher education institution is authorized to add vocational educational programmes and short-cycle educational programmes.

3. A general educational institution/higher education institution is authorized, without additional authorization, to carry out a vocational training programme and/or a vocational retraining programme within the vocational educational programme which it has obtained the right to carry out as a result of authorization.

Chapter VII. The Vocational Education Teacher

Article 28. The Vocational Education Teacher

1. A vocational education teacher is a person who conducts the learning process within vocational education.

2. The start of activity of a vocational education teacher, his or her professional development and career advancement take place in accordance with the rule and conditions for the start of activity, professional development and career advancement of a vocational education teacher.

3. The rule and conditions for the start of activity, professional development and career advancement of a vocational education teacher determine:

a) the rule and conditions for the start of activity of a vocational education teacher;

b) the types of vocational education teacher;

c) the criteria and rule for evaluating a vocational education teacher;

d) other issues related to the professional development and career advancement of a vocational education teacher.

Chapter VII[1]. Restriction Established for Personnel

Amending laws:

Law of Georgia of 17 March 2020 No. 5757 – Website, 23.03.2020

Article 28[1]. Restriction Established for Personnel

A person who has been convicted of committing a crime against sexual freedom and inviolability provided for by the Law of Georgia on Combating Crimes against Sexual Freedom and Inviolability, and/or a person who, on the basis of the same Law, has been deprived by a court of the right to work in an educational institution, may not be employed at a vocational educational institution/college.

Amending laws:

Law of Georgia of 17 March 2020 No. 5757 – Website, 23.03.2020

Chapter VIII. The Vocational Student and the Trainee

Article 29. Rights of the Vocational Student and the Trainee

1. A vocational student/trainee has the right to:

a) receive quality vocational education;

b) use, in accordance with the procedure established by the legislation of Georgia and the legal acts of the relevant educational institution/legal entity, its material and technical base, information media, library and other learning resources;

c) freely found professional and other student organizations in accordance with his or her interests and/or join them;

d) exercise other powers granted to him or her by this Law and other legislative and sub-legislative normative acts of Georgia.

2. A vocational student has the right to exercise the right of mobility of a vocational student in accordance with the procedure established by the legislation of Georgia.

3. Where, in accordance with the rule for developing, improving and approving the vocational educational standard and the module(s), a vocational educational standard is abolished or one of the qualifications is removed from a vocational educational standard, as well as where a vocational educational programme/short-cycle educational programme is changed, a vocational student has the right to complete his or her studies on the vocational educational programme/short-cycle educational programme on which he or she is studying, or to exercise the right of mobility of a vocational student.

4. Disciplinary proceedings against a vocational student/trainee must be proportionate to the disciplinary offence. They may be carried out only in cases defined by the charter of the educational institution/the rule established by the legal entity and/or the internal regulations, and in accordance with the rule provided for.

5. A vocational student/trainee has the right to appeal to a court a decision made against him or her by the educational institution/legal entity.

Chapter IX. Funding of Vocational Education, the Short-Cycle Educational Programme and the State Language Preparation Programme, and Economic Activity of the Educational Institution

Article 30. Funding of Vocational Education, the Short-Cycle Educational Programme and the State Language Preparation Programme

1. The funding of vocational education, the short-cycle educational programme and the state language preparation programme is carried out, in accordance with the legislation of Georgia, by the bodies of state power of Georgia, the ministries operating in the field of education of the Autonomous Republics of Abkhazia and Adjara, and municipalities. The funding of vocational education, the short-cycle educational programme and the state language preparation programme may, in accordance with the legislation of Georgia, also be carried out by other agencies and organizations.

2. The bodies provided for by paragraph 1 of this article, in accordance with the rule established by the Government of Georgia, ensure the funding of vocational education, the short-cycle educational programme and the state language preparation programme at an educational institution founded by the state or with its participation, as well as at a legal entity of private law – an educational institution, in accordance with state policy and priorities.

3. The receipts and payments of a college founded by the state are reflected in its budget. The college has an account opened in the State Treasury and has a seal.

4. An educational institution founded by the state may be funded from other sources permitted by the legislation of Georgia.

5. The funding of vocational education, the short-cycle educational programme and the state language preparation programme may be carried out by natural persons and legal entities of private law.

Article 31. Economic Activity of the Educational Institution

1. An educational institution founded by the state or with its participation is authorized to carry out economic activity, including selling products created in the learning process/providing paid services, and to attract financial funds permitted by the legislation of Georgia, including receiving income from economic activity that is not dangerous to human health and does not negatively affect the quality of teaching.

2. The purpose of the economic activity carried out by an educational institution founded by the state or with its participation must be solely its economic sustainability, the development of the learning process, obtaining additional funds to finance the learning process, and improving the quality of the products created/services provided.

3. Funds attracted from the sale of goods created/services provided in the learning process and from auxiliary economic activity must, in accordance with the legislation of Georgia, be used solely to achieve the goals of the educational institution and perform its functions.

Article 32. Founding of Another Legal Entity by a College

1. A college is authorized, to achieve the goals defined by its charter, to found an entrepreneurial legal entity or a non-entrepreneurial (non-commercial) legal entity. Where a college founded by

the state or with its participation founds an entrepreneurial legal entity or a non-entrepreneurial (non-commercial) legal entity, the college must hold a share/shares of at least 50%.

2. The exercise by a college founded by the state or with its participation of the power provided for by paragraph 1 of this article must be agreed with its founding body/bodies.

Chapter X. State Control, Property, Reporting and Accounting of a College Founded by the State

Article 33. State Control of a College

1. State control of a college founded by the state is exercised by the relevant founding body.

2. State control means supervision of the legality (compliance with the requirements of the legislation of Georgia and with the individual administrative-legal acts of the body exercising state control), expediency and effectiveness of the activity carried out by the college, and of its financial and economic activity.

3. The college submits to the body exercising state control a report on the previous year's activity concerning compliance with the requirements of the legislation of Georgia and the learning process. The forms and time limits for submitting this report are established by the body exercising state control by an individual administrative-legal act.

4. For the purpose of exercising state control, the relevant body is authorized to request the submission of materials and information, or to study on site the college's compliance with the requirements of the legislation of Georgia and the individual administrative-legal acts of the body exercising state control.

Article 34. Property of a College

1. When a college is founded, the state transfers to it the relevant property in accordance with the procedure established by the legislation of Georgia.

2. The buildings and structures in the use of the college and the relevant land area are state property.

3. The college disposes of the property transferred to it by the state on the basis of the consent of the body exercising state control, in accordance with the procedure established by the legislation of Georgia.

4. On the basis of the consent of the body exercising state control, the college is authorized to transfer, free of charge or for a fee, with the right of use, property acquired with income from economic activity to an entrepreneurial legal entity or a non-entrepreneurial (non-commercial) legal entity founded by it. The property remaining after the liquidation of an entrepreneurial legal entity or a non-entrepreneurial (non-commercial) legal entity, which was transferred to it in accordance with the rule established by this article, returns in full to the relevant college after the completion of liquidation.

5. The property remaining after the liquidation of a college founded by the state returns in full to the state in accordance with the legislation of Georgia.

Article 35. Reporting of a College

The reporting rule of a college is determined by the charter of the college.

Chapter XI. Vocational Education Management Information System

Article 36. Vocational Education Management Information System

1. The vocational education management information system reflects information on educational institutions, the relevant educational programmes, the personnel carrying out the educational programme, and the personal data of persons entitled to be enrolled/enrolled on the programme (including, in cases provided for by the legislation of Georgia, data on their health condition), as well as other information defined by the legislation of Georgia.

2. The collection, storage, processing, analysis and administration of data in the vocational education management information system by the Ministry, in compliance with the requirements of the Law of Georgia on Personal Data Protection, in accordance with the established rule, is ensured by a legal entity of public law within the Ministry's system determined by the Ministry.

3. The legal entity of public law provided for by paragraph 2 of this article is authorized, for the purpose of performing the functions provided for by that paragraph, to receive and use personal data held by other legal entities of public law within the Ministry's system.

Article 37. Obligations of the Educational Institution and the Presumption of Accuracy of the Data of the Vocational Education Management Information System

1. The educational institution is obliged to enter the relevant information into the vocational education management information system within the time limit established by the legislation of Georgia.

2. Failure by the educational institution to enter the relevant information into the vocational education management information system in due time may become a ground for suspending, or refusing to carry out, the relevant action to be carried out on the basis of the data of the vocational education management information system.

3. Where there is a difference between the information reflected in the legal acts of the educational institution and the relevant information reflected in the vocational education management information system, the data of the vocational education management information system are taken into account.

4. In cases provided for by the legislation of Georgia, forms of confirmation of the information entered into the vocational education management information system may be established.

Article 38. Responsibility for the Accuracy and Completeness of the Information Entered into the Vocational Education Management Information System

The entity obliged to reflect information in the vocational education management information system is responsible for the accuracy and completeness of the information entered into that system.

Chapter XII. Transitional and Final Provisions

Article 39. Transitional Provisions

1. Vocational educational institutions authorized in accordance with the Law of Georgia of 28 March 2007 No. 4528-Iს on Vocational Education – vocational colleges and community colleges – shall be considered colleges with authorization obtained in accordance with this Law for the

remaining period of authorization, and their vocational educational programmes shall be considered vocational educational programmes of authorized colleges.

1¹. A college/educational institution may carry out only a vocational educational programme created on the basis of a vocational standard:

a) for the remaining period of authorization;

b) for the purpose of continuity of the status of the college/educational institution, where re-authorization is obtained.

1². In the case provided for by paragraph 1¹ of this article, the college/educational institution is authorized to allow only the vocational students enrolled on a vocational educational programme created on the basis of a vocational standard to complete their studies and to award them the qualification provided for by that programme no later than 31 December 2021. The college/educational institution is not authorized to enrol new vocational students on that programme.

1³. In the case provided for by subparagraph (b) of paragraph 1¹ of this article, the college/educational institution must indicate in the authorization application only information on carrying out a vocational educational programme created on the basis of a vocational standard and on the number of vocational students on that programme, which is not a subject of evaluation in the authorization process.

1⁴. In the case of expiry of authorization/revocation of authorization/refusal of authorization/withdrawal of the right to carry out vocational educational programmes, vocational students on a vocational educational programme created only on the basis of a vocational standard and carried out by the college/educational institution may exercise the mobility of a vocational student and transfer to another vocational educational programme, including another vocational educational programme created only on the basis of a vocational standard.

1⁵. Where a vocational educational programme created on the basis of a vocational educational programme framework document is carried out, the college/educational institution is authorized to allow the vocational students enrolled on that programme to complete their studies and to award them the qualification provided for by that programme, and also to enrol new vocational students on that programme. In the case provided for by this paragraph, the norms provided for by paragraphs 5 and 6 of Article 8 of this Law apply.

2. A vocational standard and a vocational educational programme framework document approved in accordance with the Law of Georgia of 28 March 2007 No. 4528-Iს on Vocational Education shall be considered, after the entry into force of this Law and until the approval of the relevant profession standard and vocational educational standard, a profession standard and a vocational educational standard created on the basis of this Law, respectively. All actions carried out on their basis before and after the entry into force of this Law shall be considered to have been carried out in accordance with the legislation of Georgia.

3. From 1 September 2017, where, by decision of the relevant authorization council, a change is made to a vocational educational programme created on the basis of a vocational educational programme framework document, which is caused by a change of that framework document and the bringing of that vocational educational programme into conformity with it, educational institutions shall be given the right to carry out, in parallel with the changed vocational educational programme and for the period of validity of the framework document existing before the change, also the vocational educational programme created on the basis of the vocational educational programme framework document, only for the vocational students enrolled on that programme;

and the education received by them / the qualification awarded to them / the document confirming the qualification issued to them, as well as the funding of vocational education for them, shall be considered to have been carried out in accordance with the legislation of Georgia.

4. A Georgian language module integrated into a vocational educational programme in accordance with the Law of Georgia of 28 March 2007 No. 4528-Iს on Vocational Education shall be considered a state language preparation module carried out in accordance with this Law.

5. Until 1 January 2019, an educational institution carrying out vocational educational programmes is authorized, in accordance with the legislation of Georgia, to issue a vocational diploma instead of the diploma provided for by this Law.

6. The rule and conditions for equating documents confirming vocational education issued in accordance with the Law of Georgia of 28 March 2007 No. 4528-Iს on Vocational Education, as well as documents confirming vocational education equated in accordance with the rule established by the same Law, with the documents confirming vocational education provided for by this Law, are approved by the Ministry.

7. Vocational students who were enrolled before 1 May 2019 on a vocational educational programme in which the learning outcomes of the secondary level of general education are integrated have the right, in accordance with the rule established by the Ministry, to confirm the achievement of the learning outcomes of the secondary level of general education. If the achievement of the learning outcomes of the secondary level of general education is confirmed, the document confirming vocational education issued to the vocational students provided for by this paragraph shall be considered a document equated with a document confirming complete general education. The Ministry is authorized to fund a vocational educational programme in which the learning outcomes of the secondary level of general education are integrated.

8. From 1 May 2019, the Ministry shall ensure the introduction of the vocational educational programme provided for by Article 9(3) of this Law.

9. Within 6 months of the entry into force of this Law, the Ministry shall ensure the appointment by competition of the heads of the colleges founded by the Ministry. The appointment of the heads of colleges founded by the Ministry in accordance with this paragraph terminates the powers of the directors of colleges founded by the Ministry who were appointed before the entry into force of this Law.

10. The register of educational institutions is the data source of the vocational education management information system. The information existing in the register of educational institutions before the entry into force of this Law shall be considered information reflected in the vocational education management information system.

11. The legal entities of public law determined by the Ministry shall, within 1 year of the entry into force of this Law, ensure the implementation of the measures necessary for reflecting the information existing in the register of educational institutions in the vocational education management information system.

12. The rule for keeping the register of educational institutions retains legal force until the entry into force of the rule and conditions for creating and administering the vocational education management information system and until the completion of the measures provided for by paragraph 11 of this article.

13. During the period provided for by paragraph 11 of this article, the register of educational institutions is kept in accordance with the rule for keeping the register of educational institutions,

and actions carried out on the basis of the register of educational institutions are considered to have been carried out in accordance with the legislation of Georgia.

14. Sub-legislative normative acts and individual administrative-legal acts issued on the basis of the Law of Georgia of 28 March 2007 No. 4528-Iს on Vocational Education, as well as actions carried out on their basis before and after the entry into force of this Law, retain legal force until the issuance of the relevant acts on the basis of this Law.

15. The Ministry, and the Government of Georgia on the submission of the Ministry, shall, within 2 years of the entry into force of this Law, ensure, respectively, the issuance and adoption of the relevant sub-legislative normative acts deriving from this Law and the conformity of the relevant sub-legislative normative acts with this Law.

Amending laws:

Law of Georgia of 30 May 2019 No. 4749 – Website, 31.05.2019

Article 40. Repealed Normative Act and Entry into Force of the Law

1. Upon the entry into force of this Law, the Law of Georgia of 28 March 2007 on Vocational Education (Legislative Herald of Georgia, No. 15, 23.04.2007, Art. 117) shall be repealed.

2. This Law enters into force upon its publication.

President of Georgia Giorgi Margvelashvili

Kutaisi, 20 September 2018

No. 3442-Iს