

Resolution No. 459 of the Government of Georgia

20 September 2019, Tbilisi

On Approving the Rule and Conditions for Obtaining the Right to Recognize Non-Formal Education and the Fee for Obtaining the Right to Recognize Non-Formal Education

Article 1

In accordance with Article 21(f) of the Law of Georgia “On Vocational Education,” to approve the “Rule and Conditions for Obtaining the Right to Recognize Non-Formal Education” in accordance with Annex No. 1.

Article 2

In accordance with Article 21(m¹) of the Law of Georgia “On Vocational Education,” to approve the “Fee for Obtaining the Right to Recognize Non-Formal Education” in accordance with Annex No. 2.

Article 3

To instruct the LEPL – Education Management Information System, within the governance area of the Ministry of Education, Science, Culture and Sport of Georgia, to create the electronic system for managing the recognition of non-formal education provided for by this Resolution no later than 1 July 2020.

Article 4

This Resolution shall enter into force upon its publication.

Prime Minister Giorgi Gakharia

Annex No. 1: Rule and Conditions for Obtaining the Right to Recognize Non-Formal Education

Chapter I. General Provisions

Article 1. Scope of Regulation

The Rule and Conditions for Obtaining the Right to Recognize Non-Formal Education (hereinafter – the Rule) establish the requirements and procedure that must be met and carried out in order to obtain the right to recognize non-formal education.

Article 2. Purpose and Content of Obtaining the Right to Recognize Non-Formal Education

1. The purpose of obtaining the right to recognize non-formal education is the recognition, by the entities defined by paragraph 3 of this Article, of learning outcomes achieved outside formal education for a person wishing to have non-formal education recognized (hereinafter – the seeker), and the issuance of the relevant document.
2. The body authorized to grant the right to recognize non-formal education is the legal entity of public law – the National Center for Education Quality Enhancement (hereinafter – the Center).
3. In order to obtain the right to recognize non-formal education, the following may apply to the Center:

- a) an institution implementing a vocational educational program, only for the recognition of learning outcomes provided for by the vocational educational program whose implementation it has the right to carry out as a result of authorization;
- b) a legal entity authorized to implement a vocational training/retraining program, only for the recognition of learning outcomes provided for by the vocational training/retraining program whose implementation it has obtained the right to carry out in accordance with the procedure established by legislation.

Chapter II. Process of Obtaining the Right to Recognize Non-Formal Education and Monitoring

Article 3. Requirements Established for Obtaining the Right to Recognize Non-Formal Education

In order to obtain the right to recognize non-formal education, institutions authorized to implement vocational educational programs and vocational training/retraining programs (hereinafter – the institution) must meet the following requirements:

- a) they must have developed, in accordance with the procedure established by legislation, an internal regulatory rule for the recognition of non-formal education, which must provide for the time limits and procedures related to the administration of the recognition of non-formal education;
- b) they must have developed mechanisms for informing seekers about the recognition of non-formal education, including the fee for the service to be provided;
- c) they must ensure that the seeker is consulted by a consultant certified in accordance with the procedure established by legislation.

Article 4. Process of Obtaining the Right to Recognize Non-Formal Education

1. The process of obtaining the right includes the following stages:

- a) the institution submits an electronic application for obtaining the right in the electronic system for managing the recognition of non-formal education (hereinafter – the electronic system);
- b) the Center considers the electronic application and the documentation attached to it, and accepts the application for processing;
- c) the Center checks the conformity of the application with the requirements established by this Rule, prepares an opinion, and submits it to the Director;
- d) a decision is made, reflected in the electronic system, and published.

2. The decision on granting the right to recognize non-formal education is made within 60 calendar days of the acceptance of the application for processing.

Article 5. Submission and Consideration of the Application

1. An institution wishing to obtain the right to recognize non-formal education submits an electronic application through the electronic system, the rule for the creation, management and administration of which is approved by the Ministry of Education, Science, Culture and Sport of Georgia (hereinafter – the Ministry) on the submission of the legal entity of public law – the Education Management Information System.

2. The application, drawn up in accordance with the procedure established by the General Administrative Code of Georgia, must contain:

- a) the name and legal form of the institution;
- b) the identification code of the institution;
- c) the address (legal and actual) and contact information (telephone number and e-mail address) of the institution;
- d) information on the certified consultant (first name, surname, personal number, identification data of the certificate);
- e) the internal regulatory rule for the recognition of non-formal education;
- f) information on the informing mechanisms defined by sub-paragraph “b” of Article 3 of this Rule;
- g) the application must be accompanied by a document confirming payment of the fee.

3. Within 3 working days, the Center verifies the conformity of the application and the documentation attached to it with the requirements established by paragraph 2 of this Article. In the event of non-conformity, the Center sets the applicant a period of no less than 5 and no more than 15 working days to correct the deficiency.

4. If the deficiency is not corrected within the period established by paragraph 3 of this Article, the application is left without consideration, and the institution is notified accordingly. If there is no deficiency, or if it is corrected within the period set for it, the Center makes a decision to accept the application for processing.

Article 6. Checking Conformity with the Requirements and Preparing the Opinion

1. On the basis of studying the application and documentation submitted by the institution, and after determining conformity with the requirements defined by Article 3 of this Rule, the Center prepares an opinion.

2. If the application submitted by the institution meets the requirements defined by Article 3 of this Rule, the Center prepares a positive opinion and submits it to the Director.

3. If one of the requirements provided for by Article 3 of this Rule has been violated, the Center prepares a negative opinion and submits it to the Director.

Article 7. Decision-Making

1. On the basis of the opinion submitted under paragraph 1 of Article 6 or paragraph 5 of Article 9 of this Rule, the Director of the Center issues an individual administrative-legal act:

- a) on granting the institution the right to recognize non-formal education;
- b) on refusing to grant the institution the right to recognize non-formal education;
- c) on revoking the right to recognize non-formal education granted to the institution.

2. The right to recognize non-formal education is granted to the institution for the duration of its right to implement the program.

3. The Center ensures that the decisions referred to in paragraph 1 of this Article are reflected in the electronic system and posted on the official website of the Center.

4. If, as a result of monitoring carried out by the Center, an institution's right to recognize non-formal education is revoked, the institution is not entitled to apply to the Center for that right within 1 year of the revocation of the right.

Article 8. Specifics of Exercising the Right to Recognize Non-Formal Education

1. The institution is no longer authorized to carry out recognition of non-formal education within the vocational educational program/vocational training/vocational retraining program whose implementation right it has lost.
2. The institution is obliged to apply to the Center again in order to obtain the right to recognize non-formal education after the expiry of the term of its authorization to implement vocational educational programs/vocational training/retraining programs, regardless of the continuous implementation of those programs in accordance with the procedure established by the legislation of Georgia.

Article 9. Monitoring of Compliance with the Requirements

1. The Center is authorized, through planned/unplanned monitoring, to verify the institution's compliance with the requirements established by Article 3 of this Rule.
2. In the case defined by paragraph 1 of this Article, the Center is authorized to carry out monitoring by requesting documentation from the institution, checking the electronic system, and/or conducting an on-site visit (including at the seeker's workplace, if the assessment process is carried out in a real work environment). In the case of a visit, the Center is authorized to include in the monitoring group an authorization expert of vocational educational institutions and/or an expert of vocational training/retraining programs. The Center is authorized to instruct an expert/group of experts to study documentation without conducting a monitoring visit.
3. In the case of deficiencies identified during the check of the electronic system, the Center is authorized to create a monitoring group and conduct a visit to the institution.
4. The Center is obliged to familiarize the institution with the individual administrative-legal act of the Director on conducting the monitoring visit. The institution is entitled, in accordance with the procedure established by legislation, to use the right to challenge experts.
5. After the requested documentation and/or the visit (where one is conducted), the Center/expert ensures the preparation of an opinion and its submission to the Director. If the check reveals that the institution does not meet any requirement established by Article 3 of this Rule, the institution is given a period of no more than 15 working days to correct the deficiency, except where it is obvious that this will have no result.
6. The administrative proceedings on monitoring of compliance with the requirements must be completed within 60 calendar days. The running of the time limit is considered suspended during the period set for correcting the deficiency.

Article 10. Transitional Provisions

1. The measures provided for by this Rule related to obtaining the right to recognize non-formal education shall, before the electronic system is created, but no later than 1 July 2020, be carried out in material form, through the electronic document circulation system.
2. Before the electronic system is created, the application form defined by paragraph 2 of Article 5 of this Rule shall be approved by an individual administrative-legal act of the Director of the Center.

3. Before the electronic system is created, the stage provided for by sub-paragraph “d” of paragraph 1 of Article 4 of this Rule, which means reflecting the decision made in the electronic system, shall be carried out by the Center by providing the decision to the LEPL – Education Management Information System.

4. Before the electronic system is created, the institution is obliged to ensure the preservation of the evidence related to the seeker’s recognition of non-formal education and of the documents certifying the qualification, and, after the electronic system is created, their reflection in accordance with the procedure established by legislation.

Annex No. 2: Fee for Obtaining the Right to Recognize Non-Formal Education

Article 1. Amount of the Fee

1. The fee for obtaining the right to recognize non-formal education is GEL 500.
2. The amount of the fee defined by paragraph 1 of this Article includes the actual administrative costs related to the relevant administrative proceedings, as well as costs related to the monitoring process.

Article 2. Rule of Payment of the Fee

The fee provided for by this Annex is paid by non-cash settlement, by transferring the amount to the relevant treasury code of the Center.