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ORGANIZATION AND FINANCING OF EDUCATION ACT

Article 1
(Contents of the Act)

This Act regulates the requirements for the performance of educational activities and defines the governance and financing of education in the following areas:

- preschool education,
- primary education,
- education of children and youth with special needs,
- basic music education,
- lower and secondary vocational education,
- professional and technical secondary education,
- post-secondary vocational education,
- education in dormitories for pupils and secondary-school students, and
- adult education.

The contents and procedures for the adoption of education programs for preschool children and their funding as well as the qualification requirements and work load of educators shall be defined by law.

The stipulations of this Act and the Act regulating the specific rights of the Italian and the Hungarian minority shall apply to preschool institutions and schools offering education to the members of the Italian and the Hungarian minority.

Stipulations referring to preschool institutions and schools shall also apply to preschool institutions, schools and other educational institutions for children, youth and young adults with special needs requiring special programs for preschool children, modified education programs and special education programs (hereinafter: children and youth with special needs), unless it is otherwise stipulated by law.

The stipulations of this Act referring to schools shall also apply to adult education and dormitories for pupils and secondary-school students, unless it is otherwise stipulated by law.

With the exception of the stipulations regulating the adoption of state-approved programs, the stipulations of this Act shall not apply to preschool institutions and schools for foreign citizens.

Article 2
(Educational Objectives)

The education system in Slovenia shall aim at:

- guaranteeing optimum development to individuals regardless of their sex, social and cultural background, religion, national origin and physical and mental handicaps;
- educating for mutual tolerance, developing the awareness of the equality of rights for men and women, respect for human diversity and mutual cooperation, respect for children's and human rights and fundamental freedoms, and fostering equal opportunities for both sexes and thereby the capacity to live in a democratic society;
- developing language proficiency and skills as well as promoting the awareness of the position of the Slovene language as the language of the Slovene state, and--in

ethnically mixed areas--fostering and developing the Italian and Hungarian languages in addition to Slovene;

- fostering the awareness of individual's integrity;
- developing the awareness of citizenship and national identity as well as the knowledge of Slovenia's history and culture;
- enabling participation in European integration processes;
- promoting choice at all levels of education;
- offering education adapted to the level of development and the age of each individual;
- guaranteeing equal educational opportunities in regions with special developmental problems;
- guaranteeing equal educational opportunities to socially deprived children;
- guaranteeing equal educational opportunities to children, youth and adults with special needs;
- promoting lifelong learning;
- enabling everybody to acquire a broad base of knowledge and obtain a qualification;
- enabling as large percentage of population as possible to obtain the highest possible level of education without lowering the level of difficulty;
- enabling as large percentage of population as possible to develop and achieve the highest possible level of creativity.

Article 3 (Language of Instruction)

Educational activities in preschool institutions and schools shall be carried out in the Slovene language.

Pursuant to this Act and a special Act, preschool institutions and schools offering education and instruction in the Italian language (preschool institutions and schools in the language of the national minority) shall be established in areas populated by Slovene nationals and the Italian minority and defined as ethnically mixed areas.

Pursuant to this Act and a special Act, bilingual preschool institutions and schools offering education and instruction in the Slovene and the Hungarian language (bilingual preschool institutions and schools) shall be established in areas populated by Slovene nationals and the Hungarian minority and defined as ethnically mixed areas.

Article 4 (Special Regulations)

State administration can organize educational activities for its own needs in compliance with a special Act.

Article 5 (Performing the Activities)

Educational activities shall be carried out by preschool teachers, preschool teacher's assistants, teachers, post-secondary vocational-college lecturers, counselors and other educators in public and private preschool institutions and schools.

Free-lance teachers can carry out educational activities in a preschool institution or a school or independently, unless otherwise stipulated by law.

Education of children and youth with special needs shall be carried out only as public service.

Article 6 (Providers of Education)

Preschool education shall be carried out by preschool institutions and free-lance teachers.

In cases stipulated by law, preschool education may also be carried out at home.

Primary education shall be offered by primary schools.

Primary education may be carried out as home instruction in the manner and according to the procedure stipulated by law.

Vocational education shall be carried out by lower and secondary vocational schools. When it is carried out as a part of the dual system, it shall be offered by lower and secondary vocational schools in cooperation with employers.

Preschool, primary and vocational education shall also be offered by special educational institutions for children with special needs.

Basic music education shall be offered by music schools and free-lance teachers.

Secondary technical and professional education shall be offered by secondary technical and secondary professional schools.

General secondary education leading to further education at higher education institutions shall be offered by general and technical *gymnasia* (hereinafter: *gymnasia*).

Post-secondary vocational education shall be carried out by post-secondary vocational colleges.

Dormitories for pupils and secondary-school students shall provide housing and study facilities to pupils, apprentices, secondary-school and vocational-college students studying away from home.

Adult education shall be carried out by adult education institutions and free-lance teachers.

Article 7 (Organization)

Preschool institutions and schools may be established as educational institutions or businesses or as organizational units of institutions, companies or some other artificial persons, unless otherwise stipulated by this Act.

Primary schools and *gymnasia* may be established as educational institutions or organizational units of educational or other institutions.

Public preschool institutions and schools may be established as educational institutions or organized as organizational units of public educational or other institutions or other artificial persons of public law.

Preschool institutions and schools shall be legal persons, unless otherwise stipulated by law or their charters.

Preschool institutions and schools shall not carry out educational activities financed from public revenues for the purpose of earning a profit.

The rights, obligations and liabilities of preschool institutions and schools are determined by law and their charters.

Article 8 (Educational Institutions)

Pursuant to this Act, educational institutions are those which offer programs for preschool children, state-approved education programs, state-approved education programs in dormitories for pupils and secondary-school students, state-approved programs for preschool children with special needs, and state-approved programs for children and youth with special needs.

Article 9 (State-Approved Programs and Education)

State-approved programs are:

- education programs,
- special education programs for children and youth with special needs,
- adult education programs (hereinafter: education programs);
- programs for preschool children,
- programs carried out by dormitories for pupils,
- programs carried out by dormitories for secondary-school students,
- special programs for preschool children with special needs,
- programs for the care of children and youth with special needs,
- special care and education programs for children and youth with special needs, adopted in a manner and according to the procedure stipulated by law.

State-approved primary, vocational, secondary and post-secondary vocational education programs lead to state-approved qualifications.

Article 10 (Public Service)

Public service in the field of education shall include programs for preschool children, programs carried out by dormitories for pupils and secondary-school children, special education and care programs for children with special needs adopted by a competent council of experts, and education programs adopted by the minister in charge, as well as supporting activities and tasks required for the provision of educational activities.

Programs mentioned in the preceding paragraph shall be carried out by public preschool institutions and schools, public dormitories for pupils and secondary-school students, public institutions for children with special needs and public adult education institutions, and--on the basis of a concession--by private preschool institutions and schools, dormitories for pupils and secondary-school students, institutions for children and youth with special needs and private adult education institutions, if stipulated by law.

Provision of public service in the field of adult education shall be stipulated by a special Act.

Article 11 (Public Network)

A public network consisting of public preschool institutions and schools, private preschool institutions and schools and free-lance teachers with a concession shall be organized for the provision of public service in the field of education.

The public network of preschool institutions shall be organized in such a way as to guarantee access to and the choice of programs for preschool children to children and parents.

The public network of primary schools shall guarantee primary education to all children.

The public network of music schools shall be organized in such a way as to guarantee basic music education to all pupils interested and the preparation for further music education to the talented.

The public network of lower and secondary vocational schools, secondary technical and professional schools and *gymnasia* shall guarantee education leading to at least the first professional qualification or the *matura* examination to all who complete compulsory primary education.

The public network of post-secondary vocational colleges shall offer the opportunity for further education to all who meet the requirements stipulated by law.

The public network of dormitories for pupils and secondary-school students shall provide housing and study facilities to pupils, apprentices, secondary-school and vocational-college students studying away from home.

The public network of educational institutions for children and youth with special needs shall guarantee education and care of children and youth needing such education.

The distribution of adult education programs shall enable the adults without a completed primary education to complete it and to those having completed only primary education to upgrade it in a one-year course and take part in other adult education programs.

The criteria for setting up the public network shall be defined by the Government of the Republic of Slovenia, whereby the following shall be taken into account:

- the number and age of children in a certain area,
- the specific features of population distribution,
- the developmental specifics of an area.

During the criteria adoption procedure, the opinion of the relevant council of experts shall be obtained.

II. EDUCATION PROGRAMS

Article 12 (Education Programs)

Education programs shall have a general and a special part.

The general part includes:

- the name of the program,
- educational objectives,
- the duration of education,
- the obligatory methods of knowledge assessment and grading,
- admission criteria,
- requirements for passing a grade and completing the education.

The general part of vocational education and training programs also contains the professional qualification obtained after a successfully completed education.

The special part includes:

- the syllabus stating compulsory and elective subjects and subject areas or elective contents with the number of periods for each subject or subject area;
- curricula, subject catalogues of required knowledge and examination catalogues stating the contents of each subject or subject area and elective contents, standards of knowledge as well as the instructional aims and expected knowledge to be assessed at the end of individual cycles in primary school and at the *matura* or final examination;
- knowledge to be possessed by educators for individual subjects.

The special part of vocational education and training programs shall also include:

- the scope and content of education at the lower and secondary level carried out by employers, and
- the organization of education (whole year, periodical).

The special part of special education programs for children and youth with special needs shall also contain:

- activities needed for achieving the optimal level of individual children and youth, and
- instructions for carrying them out.

The constituent parts of adult education programs, their adoption procedures and the selection of providers shall be stipulated by a special Act.

Article 13 (Special Programs for Care and Education of Children and Youth with Special Needs)

Programs for the care of children and youth with special needs shall include:

- the name of the program,
- educational objectives and principles,
- methods of work.

Special education programs for children and youth with special needs shall include:

- the name of the program,
- educational areas,
- educational objectives and principles,
- manners for passing a grade and completing the education,
- methods of work, and
- the duration of education.

Article 14

(Programs Carried Out by Dormitories for Pupils and Secondary-School Students)

Programs carried out by dormitories for pupils and secondary-school students shall include:

- the name of the program,
- educational objectives, and
- methods of work.

Article 15

(Adoption of Programs)

State-approved education programs--with the exception of education programs of private schools--shall be adopted by the minister having jurisdiction over education and the minister having jurisdiction over adult education, respectively, (hereinafter: the minister) in cooperation with the relevant council of experts.

State-approved further education, training and specialization programs--with the exception of programs of private schools--shall be adopted by the minister of labor in cooperation with the respective council of experts.

Councils of experts propose the general and establish the special part of education programs.

Upon the request of the council of experts, the opinion of the national *matura* committee shall be obtained before the special part of the education program for *gymnasia* is determined.

Education programs offered by dormitories for pupils and secondary-school students--with the exception of private dormitories for pupils and secondary-school students--and programs for the care of children and youth with special needs and special education programs for children and youth with special needs shall be adopted by the Council of Experts of the Republic of Slovenia for General Education.

Article 16

(Selection of Providers)

The providers of primary education programs, basic music education programs, and programs carried out by dormitories for pupils--with the exception of providers of education programs of private schools and dormitories--shall be selected by the local government or--provided that an agreement is reached--several local governments.

The providers of education programs for lower and secondary vocational schools, secondary schools and post-secondary vocational colleges, vocational courses, *gymnasia*, *matura* courses, dormitories for secondary-school students, and education programs for children and youth with special needs--with the exception of education programs of private schools and dormitories for secondary-school students--shall be selected by the minister.

The providers of education mentioned in the second paragraph of Article 15--with the exception of the education programs of private schools--shall be selected by the minister for labor upon the proposal of the relevant chamber.

Article 17

(Adoption of Programs of Private Schools)

The contents of and the adoption procedure for education programs of private schools shall be determined by their articles of incorporation.

Education programs of the preceding paragraph shall become state-approved when the councils of experts in charge state that the schools meet the required educational standard.

Education programs carried out by private schools operating on the basis of special educational principles (Steiner, Decroly, Montessori and the like) shall become state-approved when the respective council of experts states that they guarantee the minimum knowledge leading to a successful completion of education and when they are recognized by a relevant international association of such schools.

Notwithstanding the stipulations of Article 20 of this Act, any implementation of the education program of the preceding paragraph shall be trial tested during the whole period of the first generation's schooling.

Article 18

(Announcement)

State-approved programs shall be publicly announced by the ministry having jurisdiction over education at least six months before their beginning or the pre-enrollment announcement, respectively.

Article 19

(Coordination Procedure)

If the law stipulates that subject and examination catalogues are approved by two councils of experts, the catalogue shall be adopted if both councils adopt the same wording. If the councils of experts adopt different wordings of the same catalogue, they appoint a committee to prepare a joint proposal; it is put to the vote at a joint session of both councils in charge. The proposal shall be adopted by a majority vote, whereby both

councils shall have the same number of votes. Each council appoints three members to the joint committee.

If the joint committee does not draw up a joint proposal or if the joint proposal lapses, it shall be withdrawn; a new proposal shall be prepared, but at least six months shall elapse prior to its reintroduction.

III. TRIAL TESTING

Article 20 (Trial Testing)

The update of educational activities, implementation of new parts of educational programs, new organizational features and new textbooks can be tested by trial before being implemented.

New state-approved education programs shall be tested by trial before being implemented.

Preschool institutions and schools where experiments are carried out shall be selected by the minister upon the proposal by a preschool institution, school, professional institution, higher education or research institution. Before making a decision, the minister shall obtain the opinion of the relevant council of experts.

The course of the experiment shall be overseen by a public institution of the first paragraph of Article 28. Upon the proposal made by the respective public institution, the minister may prohibit the continuation of the experiment, if the required educational standard is not achieved or the rights of children, apprentices, secondary-school students, vocational- college students or adults are violated in some other way.

The monitoring of experiments is regulated by the minister.

TEXTBOOKS

Article 21 (Textbooks)

Schools carrying out state-approved programs shall use textbooks and teaching aids approved by the relevant council of experts.

The procedure for preparing and approving textbooks and teaching aids shall be regulated by the minister.

In addition to the approved textbooks and teaching aids, teachers may also use other optional means and aids.

Private schools shall use textbooks and teaching aids of the first paragraph of this Article for mandatory subjects only.

V. COUNCILS OF EXPERTS

Article 22

(Councils of Experts)

To take decisions on technical issues in individual fields of education and to ensure specialist assistance in making decisions and drafting regulations, the Government of the Republic of Slovenia shall establish the following councils of experts:

- Council of Experts of the Republic of Slovenia for General Education,
- Council of Experts of the Republic of Slovenia for Vocational and Technical Education,
- Council of Experts of the Republic of Slovenia for Adult Education.

Chairmen and members of the councils of experts shall be appointed by the Government of the Republic of Slovenia for six years and may be reappointed.

Article 23 (Organization of Work)

Councils of experts may form committees, groups of experts and other working bodies for individual areas of their work.

The organization and manner of work of councils of experts shall be regulated by Rules of Procedure passed by the majority vote of the council of experts.

Professional, administrative, technical and other work for the councils of experts shall be carried out by the ministry having jurisdiction over education.

Article 24 (Members of the Councils of Experts)

The Council of Experts of the Republic of Slovenia for General Education shall consist of a chairperson and 26 members.

Sixteen members shall be appointed by the Government from the ranks of experts in the field of preschool, primary and general secondary education; ten shall be appointed from the ranks of experts in humanities, social sciences, natural sciences, engineering and arts; nine thereof shall be nominated by universities and one by free-standing higher education institutions.

At least one fourth of the members shall be professionals employed by preschool institutions, schools and institutions for the education of children and youth with special needs appointed by the Government upon the nomination by professional associations and societies in the field of humanities, social and natural sciences, engineering, arts, the field of school medicine as well as one representative of the Italian and the Hungarian minority. The representatives of the Italian and the Hungarian national minority shall be nominated by the minorities.

The Council of Experts of the Republic of Slovenia for Vocational and Technical Education shall be composed of a chairperson and fourteen members. They shall be appointed by the Government from the ranks of well-established experts in the field of vocational and technical education, namely:

- five thereof shall be nominated by the ministry having jurisdiction over education;
- five by the chambers in charge;

- four by trade unions.

At least one third of the members shall be educators in vocational, secondary and post-secondary vocational schools.

The Council of Experts of the Republic of Slovenia for Adult Education shall be composed of a chairperson and fourteen members. They shall be appointed by the Government from the ranks of well-established experts in the field of adult education, namely:

- four thereof shall be nominated by ministries;
- three by relevant chambers;
- three by trade unions;
- two by the association of public adult education institutions;
- two by other adult education organizations and their associations.

Article 25

(Authority of the Council of Experts of the Republic of Slovenia for General Education)

The Council of Experts of the Republic of Slovenia for General Education shall:

- adopt programs for preschool children;
- adopt programs for the care of and special education programs for children and youth with special needs;
- establish education programs for Italian and Hungarian national minority members;
- adopt programs carried out by dormitories for pupils and for secondary-school students;
- establish syllabi and curricula for the subjects or subject areas of primary and music school;
- establish syllabi and the catalogues of required knowledge for the subjects of *gymnasia* and *matura* courses;
- establish the catalogues of knowledge required for the assessment at the end of individual cycles in primary and music schools and the *matura* examination;
- establish subject catalogues and the catalogues of knowledge required at examinations for general-education subjects of vocational and technical education;
- determine instructions for carrying out special education programs;
- determine activities needed for the optimum development of children and youth with special needs;
- approve textbooks and teaching aids for general-education subjects;
- check that the education programs of private schools in the field of primary and general secondary education meet the required standards;
- approve the education programs of private schools of paragraph 3 of Article 17 of this Act;
- give opinions on whether or not the programs for preschool children are suitable; and propose to the minister:
- education programs for primary and basic music schools;
- additional education programs for the children of Slovene nationals and migrant workers living abroad;
- additional education programs for Romany children;
- programs preparing students for the final assessment of knowledge in primary schools after the tenth grade;
- special education programs for children and youth with special needs;

- education programs for *gymnasia* and the *matura* course; and perform other tasks in compliance with law.

Special committees shall be formed to discuss the issues in the field of preschool education and the education of children with special needs, and to prepare the decisions in these fields falling under the jurisdiction of the Council of Experts of the Republic of Slovenia for General Education.

The chairpersons and members of the committees shall be appointed by the Council of Experts of the Republic of Slovenia for General Education.

Article 26

(Authority of the Council of Experts of the Republic of Slovenia for Vocational and Technical Education)

The Council of Experts of the Republic of Slovenia for Vocational and Technical Education shall:

- establish the subject catalogues of knowledge and examination catalogues for theoretical technical subjects and master craftsman examinations;
- determine the scope and contents of education for lower and secondary vocational education carried out by employers;
- determine the manner of carrying out the education programs (year-round, periodical);
- determine the contents of the interim examinations;
- check that adult education programs in the fields for which the Council establishes the catalogues of knowledge meet the required standards;
- approve textbooks and teaching aids for theoretical technical subjects;
- propose vocational and technical education programs;
- propose special education programs for children and youth with special needs;
- propose criteria and standards for the equipment of schools and school shops;
- perform other tasks in compliance with law.

Article 27

(Authority of the Council of Experts of the Republic of Slovenia for Adult Education)

The Council of Experts of the Republic of Slovenia for Adult Education shall oversee and evaluate the situation and development of adult education in the state from the standpoint of the society's developmental needs and possibilities as well as the standpoint of quality and possibility for its international comparison.

The Council of Experts shall also perform the following tasks:

- propose adult education programs to the minister in charge;
- discuss and give its approval of education programs adapted to the needs of adult learners and leading to state-approved qualifications;
- check that programs in the fields for which the Council establishes the catalogues of knowledge meet the required standards;
- discuss other technical questions concerning the development and functioning of the adult education system;
- establish the catalogues of knowledge and examination catalogues for programs mentioned in the first line of this paragraph;

- approve textbooks and teaching aids for adult education programs for which it establishes the catalogues of knowledge, and give its consent to other textbooks and teaching aids for adult education.

VI. SUPPORTING ACTIVITIES AND TASKS REQUIRED FOR CARRYING OUT EDUCATIONAL ACTIVITIES

Article 28 (Public Institutions)

Development and counseling in the field of education shall be performed by:

- the National Education Institute for the field of preschool education, primary education, *gymnasia*, education offered by dormitories for pupils and secondary-school students, education of children with special needs, and for general-education subjects in vocational education and training;
- Institute for Vocational Education and Training for the field of vocational and technical education;
- Slovenian Adult Education Center for the field of adult education.

The regulatory tasks concerning the external assessment of knowledge of pupils, apprentices, secondary-school students and adults shall be carried out by the State Examination Center.

The tasks concerning school and extracurricular activities of pupils, apprentices and secondary-school students shall be carried out by the Center for School and Extracurricular Activities in cooperation with preschool institutions and schools and possibly other institutions.

Charters establishing public institutions of the preceding articles shall be issued by the Government of the Republic of Slovenia.

The Government or local governments may also establish other public institutions to perform the supporting tasks required for carrying out educational activities.

Article 29 (Authority)

The National Education Institute, Institute for Vocational Education and Training, and the Slovenian Adult Education Center shall perform the following tasks:

- prepare the expert basis for decision-making on matters within the competence of the Councils of Experts;
- monitor the experiments;
- offer consulting services to preschool institutions, schools and adult education institutions carrying out state-approved programs, and to employers taking part in vocational education and training;
- organize continuing in-service training of educators and principals;
- design the methodology for writing textbooks;
- other tasks set forth by law and other regulations as well as their charters.

The tasks of the State Examination Center shall be determined by laws and other regulations stipulating the external assessment of knowledge of pupils, apprentices,

secondary-school students and adults. The tasks of the Center for School and Extracurricular Activities shall be determined by its charter.

SCHOOL BOARDS
Article 30
(Purpose and Organization)

To make decisions on administrative matters and perform the tasks concerning personnel, finances and organization, local school boards shall be established as part of the ministry having jurisdiction over education:

- Celje School Board,
- Koper School Board,
- Kranj School Board,
- Bre`ice School Board,
- Ljubljana School Board,
- Maribor School Board,
- Murska Sobota School Board,
- Nova Gorica School Board,
- Novo mesto School Board,
- Postojna School Board,
- Ptuj School Board,
- Slovenj Gradec School Board,
- Trbovlje School Board,
- Velenje School Board.

The territorial jurisdiction of individual school board districts shall be determined by the minister.

Article 31
(School Board Authority)

Local school boards shall perform the following administrative and other tasks:

- manage the procedure of entering preschool institutions and schools into the register and removing them from it;
- manage the procedure of entering free-lance preschool and school teachers into the register and removing them from it;
- check whether the requirements for financing private preschool institutions and schools are met;
- perform the tasks stipulated by law and other regulations concerning the enrollment procedure for pupils, apprentices and secondary-school students;
- issue written orders in the guidance procedure for children and youth with special needs;
- keep records of redundant employees and teacher trainees in preschool institutions and schools of their districts;
- issue consents to job classifications of schools;
- perform tasks for the School Trust of the Republic of Slovenia entrusted to them by the Board of Trustees or the director of the Trust;
- perform the tasks concerning the funding assigned to them by the minister;
- perform other tasks in compliance with law and other regulations.

Article 32

(Management of the Boards and the Relationship between the Ministry and the Boards)

Local school boards shall be managed by superintendents appointed by the minister.

The relationship between the ministry and school boards, the powers and responsibilities of school boards and their authority to make decisions on administrative matters shall be determined in accordance with the stipulations of the law on state administration applying to administrative units.

VIII. REQUIREMENTS FOR THE PROVISION OF EDUCATION

Article 33

(Preschool Institutions and Schools)

In order to carry out educational activities, public preschool institutions and schools shall meet the requirements concerning properly qualified staff, premises and equipment as determined by the minister or the chamber authorized by law.

Requirements concerning school shops and school estates shall be determined by the minister in agreement with the minister in charge of economic affairs and the minister in charge of agriculture, respectively.

Private schools carrying out state-approved education programs and private preschool institutions carrying out programs for preschool children shall meet the same requirements concerning the staff, premises and equipment as public preschool institutions and schools, respectively.

Private preschool institutions and schools offering programs based on special educational principles shall meet the same requirements concerning the premises as public preschool institutions and schools, respectively.

Article 34

(Register)

Schools carrying out state-approved education programs and preschool institutions carrying out programs for preschool children may begin to operate after having been entered into the register kept by the ministry in charge of preschool care and education, respectively.

Preschool institutions and schools shall file applications for registry with local school boards of their territorial jurisdiction. The application shall be accompanied with documents proving that the requirements are met and education programs adopted.

Preschool institutions and schools shall be registered if they meet the requirements for carrying out educational activities and offer state-approved programs.

The highest number of children, pupils, apprentices, secondary-school and vocational-college students attending or enrolled in a preschool institution or school based on the criteria and standards shall be determined by the registration statement.

The following shall be listed in the register:

- name or logo and registered office of the founder, or--if the founder is a natural person--his first and family name, date and place of birth and permanent address;
- name and headquarters of the preschool institution or school;
- number and date of the charter,
- title of the program offered by the preschool institution or school,
- approval of the program by the state;
- data of paragraph 4 of this Article;
- date of the entry into or removal from and the reasons for the removal from the register.

The form of the register and the procedure for entering the institutions into the register and removing them from it shall be determined by the minister.

Article 35 (Removal from Register)

A preschool institution or school shall be removed from the register if:

- it ceases to carry out state-approved programs;
- an effective order prohibiting the institution to carry out state-approved programs is issued;
- it no longer meets the requirements for registering;
- it is dissolved.

Article 36 (Status of Free-lance Teachers)

Individuals may carry out educational activities as free-lance educators if:

- they meet the requirements set for preschool and school teachers, counselors or other professionals in public schools;
- fluently speak the Slovene language;
- have not entered a contract of employment;
- are permanent residents of the Republic of Slovenia;
- have not been issued an effective order forbidding them to practice the profession;
- are registered with the ministry having jurisdiction over education.

Article 37 (Status of Free-lance Preschool Teachers)

Individuals may provide the education of preschool children as free-lance educators if:

- they meet the requirements set for preschool teachers, preschool teacher's assistants or counselors in public preschool institutions;
- fluently speak the Slovene language;
- have not entered a contract of employment;
- are permanent residents of the Republic of Slovenia;
- have not been issued an effective order forbidding them to practice the profession;
- are registered with the ministry having jurisdiction over preschool education.

Article 38 (Register)

Free-lance educators shall file applications for registry with local school boards of their permanent residency. The application shall be accompanied with documents proving that the applicants meet all the requirements.

Free-lance educators shall be registered if they meet the requirements for carrying out educational activities.

Taking into account the criteria and standards, the registration statement shall determine the highest number of children, secondary-school and vocational-college students and adults who may concurrently participate in the education program, carried out by a free-lance educator, with regard to the area, scope and manner of education and the requirements concerning the premises.

The following shall be listed in the register: applicant's first and family name; date and place of birth; permanent address; type and level of education; educational activity; seat for carrying out the activity; data of paragraph 3 of this Article; date of the entry into or removal from and the reasons for the removal from the register.

The form of the register and the procedure for entering the educators into the register and removing them from it shall be determined by the minister.

Article 39 (Removal from Register)

Free-lance school and preschool teachers shall be removed from the register if:

- they no longer meet the requirements for registering;
- an effective order prohibiting them to practice the educational profession is issued;
- they cease to carry out educational activities.

IX. PRESCHOOL INSTITUTIONS AND SCHOOLS

1. Establishment

Article 40 (Founders)

Public preschool institutions and schools may be founded by local communities and the state.

Private preschool institutions and schools may be established by Slovene and foreign natural or artificial persons, the sole exception being primary schools, which may be founded by Slovene natural or artificial persons only.

Article 41 (Founders of Public Preschool Institutions and Schools)

Public preschool institutions, music schools, primary schools and dormitories for pupils shall be founded by local communities.

Public vocational schools, secondary technical and professional schools, post-secondary vocational colleges, educational institutions for children and youth with special needs and dormitories for secondary-school students shall be founded by the state.

Public *gymnasia* shall be founded by the state or, possibly, by a municipality with the approval of the state.

National minority communities shall act as cofounders of public preschool institutions or schools providing education in the language of the minority or bilingual education.

Article 42 (Charters)

In addition to the matters stipulated by law, charters shall also determine the organization of public preschool institutions or schools.

According to the criteria for the organization of the public school network, the charters of public primary schools shall define the boundaries (school districts) within which have to reside school-age children to have the right to enroll in a particular primary school.

Article 43 (Rules)

Public preschool institutions and schools may have rules adopted by the council of a public preschool institution or school. The rules may settle the matters important for carrying out the activities and operation of a public preschool institution or school.

Article 44 (Criteria for Establishment)

A public preschool institution may be established if at least ten groups of children are guaranteed. A public preschool institution may form thirty groups at the most.

A public school may be established if at least two classes of pupils, apprentices or secondary-school students in the first and all the subsequent years of schooling are guaranteed.

A public music school may be established if the teaching of at least five orchestra instruments (string, wind, brass instruments), piano, music theory, preschool music education and school brass or wind orchestra are guaranteed. At least 130 students shall receive instruction in instruments, of which at least a half in orchestra instruments.

A public post-secondary vocational college may be founded to carry out one or more state-approved programs if at least 30 first-year students are enrolled in each program.

The stipulations of the above paragraphs do not apply to the establishment of organizational units.

Public preschool institutions, public schools or education institutions for children and youth with special needs may be founded in ethnically mixed areas, areas along the state border, in areas with special developmental problems, in cases when a single

school offering a particular education program in the state is being established, and for the education of children and youth with special needs even if the requirements of the preceding paragraphs are not met.

More detailed requirements for the establishment of public preschool institutions, schools and their organizational units shall be determined by the minister. The minister shall obtain the opinion of the respective Council of Experts during the preparatory procedure.

Article 45 (Settlement Schools)

Dislocated preschool institution units and settlement schools may be established as parts of public preschool institutions or schools:

- to carry out education programs at different locations;
- to carry out care, special education and special education and care programs for children and youth with special needs;
- to carry out programs for preschool children and special programs for preschool children with special needs within the school or at different locations; and
- in other cases determined by the charter.

2. Bodies of Public Preschool Institutions and Schools a) Councils

Article 46 (Council Members)

The council of a public preschool institution, school and music school shall be composed of three representatives of the founder, five representatives of preschool institution's or school's staff and three representatives of parents.

The council of a public vocational school, *gymnasium* and public dormitory for secondary-school students shall be composed of three representatives of the founder, five staff representatives, two representatives of parents, and two representatives of apprentices or secondary-school students.

The council of a public post-secondary vocational college shall be composed of three representatives of the founder, five representatives of vocational college staff and three representatives of students.

The council of a public adult education institution shall be composed of two representatives of the founder, two staff representatives and--if so determined by the charter--one representative of adult learners from that adult education institution.

If the school is founded by the state, one of the council members, representing the founder, shall be the representative of the local community where the school has its seat, or several local communities, if they reach such an agreement.

Council members shall be appointed or elected for four years; they may be reappointed or re-elected for two consecutive terms at the most.

The term of office of apprentices, secondary-school students, vocational-college students, parents and adults is connected with their status of apprentice, secondary-school student, vocational college student or adult in a public preschool institution or school, respectively.

Decisions shall be made by a majority vote of all members.

In public educational institutions or other institutions where organizational units for carrying out programs for preschool children or individual education programs are formed, and in public preschool institutions and schools with organizational units or settlement schools the staff of all organizational units or settlement schools shall be represented on the parity basis. The number of council members and its composition shall be determined by the charter.

Article 47 (Council Elections)

Representatives of the staff of public preschool institutions or schools, apprentices, secondary-school students, vocational-college students and adults shall be elected in direct elections by secret ballot; parents shall be elected by the council of parents.

The procedure for the election of the representatives of staff, parents, apprentices, secondary-school students, vocational college students and adults to the council of a public preschool institution or school shall be set by the charter.

Council chairperson shall be elected from the council members by the council.

Article 48 (Authority of the Council)

Councils of public preschool institutions and schools shall appoint and remove the principals of preschool institutions and schools, adopt preschool's or school's development program, yearly program of work and the report on its implementation, decide to introduce above-standard and other programs, discuss the reports on educational problems, make decisions on the complaints concerning the status of pupils, apprentices, secondary-school students, vocational-college students and adults, the complaints concerning the rights, duties and responsibilities of staff resulting from their employment contracts, the complaints of parents concerning preschool's or school's educational activities, and perform other tasks determined by law and the charter.

b) Principal

Article 49 (Principal's Powers)

Principal are academic leaders and chief executive officers of public preschool institutions or schools. Principals shall perform the following tasks:

- organize, plan and manage the activities of preschool institutions or schools;
- prepare development programs of preschool institutions or schools;
- draft annual programs of work and be responsible for their execution;

- be responsible for the implementation of the rights of children and the rights and duties of pupils, apprentices, secondary-school students, vocational-college students and adults;
- manage the work of the faculty;
- form proposals for above-standard programs;
- encourage in-service education and training of educators;
- organize mentoring for trainees;
- oversee the educational activities of preschool and school teachers, monitor their work and provide advice;
- make proposals for professional promotion;
- decide on promotion to a higher range of a wage bracket;
- oversee the work of school counselors;
- promote the cooperation between the institution and parents (meetings with parents, parent-teacher interviews, and other forms of cooperation);
- inform parents on the work of preschool institutions or schools and the changes in the rights and duties of pupils, apprentices and secondary-school students;
- foster and oversee the work of the student body;
- decide upon educational measures;
- represent and act on behalf of preschool institutions or schools and shall be accountable for performing the work within the bounds of the law;
- establish job classifications;
- employ personnel and make decisions concerning their liability;
- take care of the cooperation between schools and their medical services;
- perform other tasks according to the law and other regulations.

If a public preschool institution or school is formed as an organizational unit, the principal shall act as the unit's academic leader.

Principals may delegate in writing the authority to perform certain tasks and to act for them in their absence to subordinate employees of public preschool institutions or schools.

Article 50 (Assistant Principal)

In a public preschool institution or school, an assistant principal may be appointed to assist the principal in management and academic tasks.

Assistant principals shall perform tasks delegated to them in writing by principals and act for them in their absence.

c) Director

Article 51 (Chief Executive Officer)

In public educational institutions where organizational units are formed to carry out programs for preschool children or individual education programs, the function of the chief executive officer may be performed by directors of public educational institutions, and the function of the academic leader of organizational units by principals of such units.

The rights, duties and obligations of directors and principals shall be determined by charters.

The function of the chief executive officer can also be carried out by a principal of one of the organizational units, if the charter so determines.

d) Collegium

Article 52 (Members of the Collegium)

In institutions mentioned in the preceding Article, a collegium shall be established to coordinate educational, managerial and administrative tasks.

The collegium shall be composed of the director of the public educational institution and the principals managing its organizational units.

The collegium shall be chaired by the director of the public educational institution.

e) Appointment and Removal

Article 53 (Appointment of Principals)

A person can be appointed principal of a public preschool institution if he/she meets the requirements stipulated for preschool teachers or counselors, has at least five-year work experience in education, has the title of councilor or adviser or has possessed the title of mentor for at least five years, and has passed the examination for principals.

A person can be appointed principal of a public school if he/she meets the requirements stipulated for teachers or counselors at the school recruiting the principal, has at least five-year work experience in education, has the title of councilor or adviser or has possessed the title of mentor for at least five years, and has passed the examination for principals.

Principals shall be appointed and removed by the councils of public preschool institutions or schools. The council shall obtain the minister's approval of the appointment or removal.

Principals shall be appointed for four years.

Prior to the appointment or removal of principals, the councils of public preschool institutions or schools shall obtain the opinion of the institution's faculty and the local community where the seat of the institution is located; if a public preschool institution or school is founded by a national minority, the minority's opinion is also required.

The faculty shall cast the vote on the opinion by secret ballot.

If the body or the community of paragraph 5 of this Article does not submit its opinion within 20 days after having received the request for it, the council may appoint or remove the principal without such opinion.

Article 54
(Appointment of Acting Principals)

If the principal's office is prematurely terminated or if no applicant is appointed, the council of a public preschool institution or school shall appoint one of the educators employed by the public preschool institution or school or one of the applicants as acting principal. The term of appointment shall be one year at the longest.

If the principal or acting principal is not appointed within 60 days after the vacation of office, the acting principal shall be appointed by the minister within 8 days at the latest.

In cases mentioned in the preceding paragraph, the council shall immediately initiate the procedure for the appointment of principal.

Article 55
(Appointment of Directors)

A person can be appointed director, if he/she has a higher education degree, at least five-year work experience, and has passed the examination for principals.

Directors shall be appointed and removed by the councils of institutions. The minister's approval of the appointment or removal shall be obtained.

Directors shall be appointed for four years. If the principal of one of the organizational units acts as director, the charter may provide for a shorter term of office, but not less than two years.

Article 56
(Appointment of Assistants)

A person can be appointed assistant principal, if he/she meets all the requirements stipulated for principals, except the requirement to complete the school and examination for principals.

Assistant principals shall be appointed and removed by principals after having obtained the opinion of the faculty passed by a secret ballot.

Article 57
(Heads of Units or Settlement Schools)

Units of public preschool institutions and settlement schools shall be managed by unit heads. They shall be appointed from the employees of the unit or settlement school and removed by principals.

Heads of units or settlement schools shall carry out the tasks stipulated by charters and assigned to them by principals.

Article 58
(Advertising of Vacancies)

Directors, principals and assistant principals of public preschool institutions and schools shall be appointed following a public advertisement of the vacancy according to a procedure stipulated by law.

The advertisement is not necessary if:

- the office of the director is held by one of the principals of organizational units;
- if one of the educators of the public preschool institution or school is nominated for the appointment of assistant principal by the principal.

Article 59 (Removal Procedure)

Principals, directors and assistant principals of public preschool institutions and schools shall be removed in a manner and according to the procedure stipulated for directors of public institutions.

f) Academic Bodies

Article 60 (Academic Bodies)

Academic bodies of public preschool institutions shall be assemblies of preschool teachers and professional working groups.

Academic bodies in public schools shall be:

- assembly of teachers,
- teaching staff of individual classes,
- homeroom teacher,
- professional working groups.

Academic bodies of post-secondary vocational colleges shall be:

- faculty assembly,
- professional working groups,
- study committees.

If a public preschool institution or school is an organizational unit, the academic bodies of the preceding paragraph shall be established within the unit.

Article 61 (Assemblies of Preschool Teachers, Teachers or Faculty, Respectively)

Assemblies of preschool teachers, teachers or faculty shall be composed of the educators of public preschool institutions or schools, respectively.

Assemblies of preschool teachers, teachers or faculty, respectively, shall:

- discuss and decide on professional matters concerning education;
- form opinions on annual programs of work;
- propose above-standard and other programs;
- decide on the update of education programs and their provision in compliance with law;
- issue opinions on the appointment of principals and assistant principals;

- make proposals for the promotion of educators and give the opinion on principal's proposals;
- decide on educational measures;
- perform other tasks in compliance with law.

Article 62
(Teaching Staff of Individual Classes)

Teaching staff of individual classes shall be composed of educators carrying out educational activities in individual classes.

Teaching staff of individual classes shall discuss problems concerning educational activities of classes, establish programs of work for gifted and talented as well as less able pupils, apprentices and secondary-school students, decide on educational measures and perform other tasks in compliance with law.

Article 63
(Homeroom Teachers)

Homeroom teachers shall administer the work of the teaching staff of individual classes, analyze educational and study results of the class, look for solutions to educational and study problems of individual pupils, apprentices and secondary-school students, cooperate with parents and the school counselors, make decisions concerning educational measures, and perform other tasks in compliance with law.

Article 64
(Professional Working Groups)

Professional working groups of preschool institutions shall be composed of preschool teachers and their assistants. Professional working groups in schools shall be composed of teachers of the same subject or subject area.

Professional working groups in preschool institutions shall discuss educational activities, make proposals for the improvement of education to the assembly of preschool teachers, discuss parents' comments, and perform other professional tasks set forth by the annual program of work.

Professional working groups in schools shall discuss problems concerning individual subjects and subject areas, coordinate the criteria for the assessment of knowledge, make proposals to the assembly of teachers for the improvement of education and study, discuss the comments of parents, pupils, apprentices, secondary-school and vocational-college students, and perform other tasks set forth by the annual program of work.

Article 65
(Study Committees)

Study committees shall be composed of three to five vocational-college lecturers. The committee shall be chaired by a chairperson being one of the committee members. It shall be appointed by the faculty assembly for four years and may be reappointed.

Study committees shall discuss matters concerning admission, transfer of students to higher grades, adaptation and renewal of study programs offered by vocational colleges, and perform other tasks delegated to them by the faculty assembly.

g) Council of parents

Article 66 (Council of Parents)

Councils of parents shall be formed in public preschool institutions or schools to implement parents' interests in an organized manner.

Councils of parents shall be composed of one representative from each class elected by the parents at their meetings.

The first meeting of the council of parents shall be convened by the principal.

Councils of parents shall:

- propose above-standard programs;
- approve principal's proposals for above-standard services;
- issue opinions on proposed development programs for preschool institutions or schools and annual programs of work;
- discuss principal's reports on educational problems;
- discuss parents' complaints concerning education;
- elect their representatives to councils of preschool institutions or schools;
- perform other tasks in compliance with law and other regulations.

3. Counseling

Article 67 (Counseling)

Public preschool institutions or schools shall have counseling services offering advice to children, pupils, apprentices, secondary-school students, teachers and parents. They shall work together with preschool teachers, teachers and management in planning, monitoring and assessing the development of preschool institutions or schools and carrying out educational activities and offer vocational guidance.

The counseling service shall participate in the preparation and execution of programs tailored to the needs of individual children with special needs.

Counseling shall be carried out by counselors who shall be qualified psychologists, education specialists, social workers, social educators, and educators for children with special needs.

In offering vocational guidance, they shall work together with the State Employment Agency.

4. Library

Article 68

(Library)

Schools shall have libraries.

Libraries shall collect library materials; process, keep, display and lend them; provide information and documentation services as a part of education at school.

Libraries can have special collections of textbooks.

Public primary schools must have collections of textbooks. Their administration shall be determined by the minister.

Pupils, apprentices and secondary-school students who cannot pay the fee for borrowing textbooks from the school's textbook collection because of their difficult economic situation shall receive a subsidy from the state in accordance with the criteria determined by the minister.

5. Names of Preschool Institutions and Schools

Article 69 (Names)

The name of preschool institutions or schools--with the exception of those cofounded by national minorities in accordance with paragraph 4 of Article 41--shall be in the Slovene language.

Foreign names of persons, forming part of a preschool institution's or school's name, shall be written according to the Slovene orthography or the orthography of the Italian or Hungarian languages, respectively, when a preschool institution or school cofounded by a national minority in accordance with paragraph 4 of Article 41 of this Act is concerned.

The name of a private preschool institution or school shall contain the data required by the law and in addition to that denote that it is a private preschool institution or school.

X. SEALS AND PUBLIC DOCUMENTS

Article 70 (Seal)

Public preschool institutions and schools shall have round seals with the diameter of 35 mm and seals with the diameter of 20 mm. The seal shall contain the name and seat of the public preschool institution or school. In the middle of it, there shall be the coat of arms of the Republic of Slovenia. The seal of a public preschool institution or school that is an organizational unit of an educational or some other institution or some other artificial person of public law shall also contain the name of that institution or other artificial person of public law.

The contents and form of the seals of private preschool institutions and schools shall be determined by the articles of incorporation.

Article 71

(Public Documents)

Schools carrying out state-approved programs shall issue public documents on forms determined by the minister.

XI. AUTONOMOUS USE OF SCHOOL PROPERTY

Article 72

(Autonomous Use of School Property)

Activities not related to education may be carried out in public preschool institutions or schools only with the permission of principals.

Activities of political parties and their youth shall be prohibited in preschool institutions and schools.

Religious activities shall not be permitted in public preschool institutions and schools and preschool institutions and schools with concession.

Religious activities of the preceding paragraph of this Article shall include:

- sectarian Bible study or religious education aiming at establishing that religion;
- instruction in cases when educational contents, textbooks, teacher training and suitable characteristics of teachers are determined by religious communities;
- organized religious rituals.

Upon the proposal of a principal, the minister can exceptionally permit Bible study or religious education to take place in a public preschool institution or school or a preschool institution or school with a concession outside class and after regular hours, if there are no other premises suitable for such activity in that local community.

Authorized state officials--with the exception of inspectorates and the state auditing agency--need the principal's permission to perform their duty in a preschool institution or school.

An official may enter the premises of a preschool institution or school without the principal's permission if so authorized by law or a court decree or if that is unavoidable in order to make an arrest or protect people and property.

XII. PUBLIC SERVICE ON THE BASIS OF A CONCESSION

Article 73

(Concessionaires)

To perform public service in the field of education, a concession can be granted to a private preschool institution or school, and--if the program permits--also to a free-lance educator meeting the requirements stipulated for state-approved programs. To perform supporting activities needed in carrying out educational activities, the concession can also be granted to other institutions, companies, and other artificial and natural persons.

Article 74

(Granting a Concession)

A concession shall be granted by an order following the competitive bidding process.

Concessions shall be granted by the minister; an exception is preschool education for which concessions shall be granted by local communities.

The minister is required to advertise a concession if primary education complying with the criteria and standards cannot be provided by public primary schools.

The request for proposals shall be advertised in the Official Gazette of the Republic of Slovenia. It shall state: the activity subject to concession, requirements for carrying it out, school district, the period for which the concession shall be granted, the deadline for the submission of proposals, selection criteria, the time in which the proposers shall be notified of the selection, and other necessary information.

Article 75 (Contents of the Concession Agreement)

The concession agreement shall regulate the rights and obligations of the donor and the recipient of the concession and the requirements stipulated for carrying out the activities by the concessionaire.

The concession agreement shall regulate in more detail primarily:

- the subject of the concession,
- the scope of activities,
- the beginning of the concession,
- the term for terminating the concession,
- resources to be provided by the donor for the performance of the activities.

The concession agreement shall be concluded in writing.

The term for terminating the concession for preschool education shall not be shorter than six months; for other education programs it shall not be shorter than the term needed for the completion of studies by the last cohort enrolled or the completion of supporting activities and tasks needed in the performance of educational activities, respectively.

Article 76 (Termination of Concession)

If it is found out that a concessionaire does not perform the activities in accordance with the regulations, the concession order and the concession agreement, the donor shall determine a deadline for the correction of deficiencies.

If the concessionaire does not correct the deficiencies within the set time, an order for the termination of the concession shall be issued.

In case of the termination of concession, the concessionaire shall be obliged to make sure that pupils, apprentices, secondary-school students, vocational-college students, and adults can complete their education, and to place preschool children in another preschool institution.

Article 77
(Stipulations of This Act Shall Apply to Concessionaires)

The stipulations of this Act regulating public preschool institutions and schools shall also apply to concessionaires.

XIII. FINANCING

Article 78
(Sources)

Education shall be financed from:

- public revenues;
- founder's resources;
- contributions of business associations and chambers;
- direct contributions of employers for practical training;
- fees paid by pupils, apprentices, secondary-school students, vocational-college students, and adults;
- tuition fees for private schools;
- tuition for preschool education;
- revenues from the sale of goods and services;
- donations, sponsorship, and other sources.

Financing of schools carrying out state-approved programs leading to state-approved qualifications and public as well as private preschool institutions by political parties shall be prohibited.

Article 79
(Financial Control)

Expenditure of state funds for education shall be controlled by the Auditing Agency of the Republic of Slovenia.

Expenditure of school funds for designated purposes shall be controlled by the appropriate body of the school inspectorate.

Article 80
(Surplus)

Any surplus of income over expenses, earned by a public school through the sale of products or services resulting from educational or other activities in compliance with the charter, shall be used for covering the costs of material, maintenance and investments, and, upon prior approval of the founder, also for salaries.

Criteria for the allocation of surplus of income over expenses in public schools shall be determined by the minister.

Criteria for the allocation of surplus of income over expenses in private schools shall be determined by the founder of the school and shall be made public.

1. Public Schools

a) State Budget

Article 81

(Schools)

The state budget shall provide funding for the salaries--including payroll deductions and taxes and other personal income--of actually employed staff according to job classifications, law, criteria, standards, and collective agreements as well as for the salaries--including payroll deductions and taxes and other personal income--of teacher trainees:

- in primary schools for the compulsory program; remedial and additional classes; half an hour of other forms of individual and group assistance per class; two hours of extracurricular activities per class; outdoor instruction; the after-school care of first-to-fourth-grade pupils; at least 50% of funds for after-school care of pupils in the fifth and sixth grades; and for the early-morning care of first graders;
- in music schools for basic music education programs;
- in schools and institutions for children with special needs, except for health services;
- in dormitories for pupils and secondary-school students for educational activities;
- in vocational and secondary technical and professional schools;
- in *gymnasia*;
- in post-secondary vocational colleges.

Medical personnel shall be funded in compliance with the laws and regulations determining financing in the field of health and medical care.

The state budget shall provide funding for operating expenses in compliance with the criteria and standards, for the maintenance and repair of property and equipment to:

- educational institutions for children with special needs;
- dormitories for pupils and secondary-school students for educational activities;
- vocational and secondary technical and professional schools;
- *gymnasia*;
- post-secondary vocational colleges.

The state budget shall also provide funding for certain costs in compliance with the standards for primary education of the first line of paragraph 1 of this Article, namely:

- remuneration of employees' expenses in accordance with the collective agreement;
- procurement of teaching materials and aids defined as small items;
- material needed for the preparation of classes and teaching;
- costs of compulsory field trips;
- care for children with special needs according to special placement decisions.

The state budget shall also provide funding for investments in vocational, technical and other professional secondary schools, *gymnasia*, schools and institutions for children and youth with special needs, primary schools for national minorities, post-secondary vocational colleges, dormitories for secondary-school students and other schools founded by the state.

All or part of the funding stipulated in paragraphs 1 and 3 of this Article shall be provided by the municipality in accordance with the contract concluded between the

municipality and the Government of the Republic of Slovenia, if a *gymnasium* is founded by the municipality.

The state budget shall also provide the following funding for activities and tasks supporting the performance of educational activities:

- part of pension contributions for apprentice with a contract of apprenticeship;
- part of disability insurance premium for pupils, apprentices, secondary-school students and vocational-college students covering accidents during practical training;
- preparation of and subsidies for textbooks and teaching materials for primary school, schools of national minorities, for the education of Slovene nationals living abroad, and Romanies;
- subsidies for limited-edition textbooks;
- preparation and implementation of the *matura* examination, final examination and the assessment of primary-school pupils at the end of each cycle;
- development of vocational education of apprentices;
- program of the Youth Office of the Republic of Slovenia;
- research, development and experimental activities, continuing education and in-service training of educators, information and documentary services, and museum-related activities;
- professional conferences and associations;
- development of educational technology;
- school for principals;
- Slovene language teaching of children of migrant Slovene workers abroad;
- employment and training of trainees, international cooperation, school libraries and media resources and textbook collections;
- competitions of pupils, apprentices, secondary-school students and vocational-college students, and for special work with the talented;
- scholarships for initial teacher training and tuition subsidies;
- youth magazines and professional journals, and subsidies for professional publications;
- Prize of the Republic of Slovenia in the field of education;
- school TV and radio programs;
- development and counseling in education;
- extracurricular activities of pupils, apprentices and secondary-school students;
- subsidies for transportation and meals for pupils, apprentices, secondary-school and vocational-college students;
- part of resources for primary education of Romanies;
- international cooperation;
- support to the education of Slovene nationals living abroad;
- operation of the councils of experts;
- research and innovative activities of pupils, apprentices, secondary-school and vocational-college students; and
- transportation of pupils and safety of commuters.

b) Local Government Budgets

Article 82 (Schools)

In compliance with the criteria and standards, local community budgets shall provide funding for:

- the costs of using the facilities and equipment for primary and music schools and other operating expenses, with the exception operating expenses of Article 81 for primary schools;
- the remuneration of expenses of music school employees in accordance with the collective agreement;
- the transportation of pupils and commuters living more than 4 km away from their primary school;
- the maintenance of facilities and equipment of public primary and music schools;
- the additional activities of primary schools;
- investments in primary schools, music schools and adult education organizations, and part of investments in schools of national minorities.

If a public *gymnasium* is founded by a municipality, the municipality shall provide funding for investments, maintenance and part of operating expenses in accordance with the contract.

Article 83 (Fees)

Public schools and schools with a concession shall not collect fees from pupils, apprentices, secondary-school students, vocational-college students and adult learners for state-approved programs funded from public revenues, except for the services for which fees are stipulated by law and the services which are not compulsory according to the education program or which are above the stipulated standards.

Public schools and schools with a concession shall determine the fees for after-school care in the fifth and sixth grade of primary school in the amount of 50% of the actual costs at the most; for the material costs of outdoor instruction; for the meals for pupils, apprentices, secondary-school and vocational-college students; for the first and further repetitions of the *matura* examination.

If pupils, apprentices, secondary-school and vocational-college students cannot pay the fees of the preceding paragraph because of their harsh financial situation, the fees shall be covered by the state in compliance with the criteria and standards determined by the minister.

Public music schools and music schools with a concession shall determine the fee for the material costs of basic music education not provided by the local government.

The amount of fees shall be determined by the school in agreement with the school board.

c) Provision of Funding

Article 84 (Criteria and Standards)

Public schools shall be funded in compliance with the criteria and standards determined by the minister. Before determining the criteria and standards, the minister shall obtain the opinion of the respective council of experts and representative trade unions in the field of education.

Special criteria and standards shall be determined for education:

- in regions with special developmental problems;
- in ethnically mixed regions;
- of Romany children;
- of children and youth with special needs: specially organized preschool and education programs, special education programs, and special care and education programs.

The criteria and standards for the education of children and youth of the last line of the preceding paragraph shall be determined by the minister of education together with the minister in charge of health.

The criteria and standards shall include: the teaching load of educators, criteria for counseling services, libraries, administrative, accounting and technical services, criteria for determining the classes and groups, for operating expenses, and the standards concerning facilities and equipment.

Article 85

(Provision of Funds to Concessionaires)

Concessionaires shall receive funding for carrying out the public service in accordance with the agreement.

2. Private Schools

Article 86

(Requirements to Be Met for Funding)

Private schools offering state-approved primary school, basic music school and *gymnasium* education programs shall be entitled to receive budgetary funding from the state or local communities, respectively, provided that:

- they carry out education programs from the first to the last form or grade;
- that students are enrolled in at least two first-year classes or--in case of music schools--classes in at least three orchestra instruments are offered and at least thirty students are enrolled;
- that teachers needed to carry out the state-approved program in accordance with law and other regulations are employed or assured in some other way.

Private schools shall be entitled to 85% of the funds per student allocated by the state or the local community to public schools for salaries and operating expenses for each student.

School boards shall check whether the requirements of paragraph 1 of this Article are met.

Article 87

(Limitations of Funding)

Notwithstanding the stipulations of the preceding Article, private schools shall not be entitled to receive public funding, if their enrollment endangers the existence of the only public school in their school district or if they do not comply with the stipulation of paragraph 5 of Article 7 of this Act.

The funding of private schools from public revenues shall be terminated for the reasons stipulated in the first preceding paragraph upon entry into force of the order issued by the minister.

Article 88 (Tuition)

Tuition for pupils and secondary-school students whose family income does not exceed the maximum stipulated for state scholarships shall not exceed 15% of the funds per student allocated by the state to public schools for salaries and operating expenses.

Article 89 (Wage Ceiling)

Wages of educators in private schools funded from public revenues shall be determined in compliance with law and other regulations applying to public schools.

Funding from the state budget shall be terminated, if the stipulation of the preceding paragraph is not complied with.

Article 90 (Contract of Financing)

Financing and obligations of private schools shall be regulated in detail by a contract.

Article 91 (Completion of Education Guaranteed)

The state shall guarantee the completion of education to children attending private schools which cease to offer state-approved programs because their funding from public revenues is terminated.

XIV. PRESCHOOL AND SCHOOL EMPLOYEES

Article 92 (Employees)

Educational and other professional activities in public preschool institutions and schools shall be performed by preschool teachers, preschool teacher's assistants, school teachers, vocational-college lecturers, counselors, librarians, and other educators who cooperate with them in performing professional tasks required for smooth running of preschool institutions and schools (hereinafter: educators).

Educators shall carry out educational activities in compliance with law and state-approved programs in the manner guaranteeing objectivity, critical approach and plurality; they shall enjoy professional autonomy in exercising their profession.

Educators must possess the fluent knowledge of Standard Slovene, proper qualifications stipulated by this Act and other regulations, and a teaching certificate taken in compliance with this Act.

The knowledge of Standard Slovene shall be checked during the teaching certification examination. The Standard Slovene language proficiency of teachers who do not graduate from Slovene universities shall be assessed prior to their first employment.

The field of education and--in cases stipulated by law--also the level of qualification shall be determined by the minister after having obtained the opinion of the respective council of experts. Criteria for determining outstanding professional achievements required for obtaining the title of a vocational-college lecturer shall be determined by the Council of Experts of the Republic of Slovenia for Vocational and Technical Education.

Educators in preschool institutions and schools offering bilingual education and the education in the languages of the minority in ethnically mixed regions shall possess professional qualifications stipulated by this Act and other regulations, a teaching certificate and meet other requirements in compliance with special regulations.

Administrative, technical and other jobs shall be performed by employees in accordance with job classifications.

Employees of the preceding paragraph shall have qualifications stipulated by the job specification, shall possess the fluent knowledge of the Slovene language, and--in preschool institutions and schools offering bilingual education in ethnically mixed regions--also the language of the national minority.

Article 93 (Exceptions)

If it is not possible to obtain the level of qualification stipulated by this Act in a certain field, the minister may decide that educational activities be performed by educators without suitable qualifications but able to prove outstanding achievements in their professional field.

a) Primary Schools

Article 94 (Educators)

Educators in public primary schools shall be teachers, school counselors, librarians and other educators.

Teachers, librarians and counselors shall possess undergraduate university degrees in the appropriate field and pedagogical qualifications.

Other educators shall possess undergraduate university degrees in the appropriate field.

b) Music Schools

Article 95 (Educators)

Educators in public music schools shall be teachers, tutors and librarians.

Educators shall possess undergraduate university degrees in the appropriate field.

Teachers and librarians shall also have pedagogical qualifications.

c) Vocational and Technical Schools

Article 96 (Educators)

Educators in public vocational and technical schools shall be teachers of general and special theoretical subjects in lower and secondary vocational schools, secondary technical and professional schools, vocational-college lecturers in post-secondary vocational colleges, instructors of practical training and skills, counselors, librarians and other educators.

Educators shall also be master craftsmen offering practical training to apprentices.

Teachers of general and special theoretical subjects shall possess undergraduate university degrees in appropriate fields and pedagogical qualifications.

Vocational-college lecturers shall possess at least an undergraduate university degree, pedagogical qualifications, three years of appropriate work experience, and outstanding achievements in their professional field.

Instructors of practical training and skills shall possess at least a secondary-school degree in the appropriate field, three-year work experience and pedagogical qualifications or master craftsman's certification.

Master craftsmen shall pass a master craftsman's certification examination complying with the law.

Counselors shall possess a suitable undergraduate university degree and pedagogical qualifications.

Librarians shall possess undergraduate university degrees in the appropriate field and pedagogical qualifications.

Other educators shall complete suitable education:

- adult education organizers shall have undergraduate university degrees in the appropriate field and pedagogical qualifications;
- laboratory assistants, instructors and organizers of practical training shall have at least a secondary-school degree in the appropriate field and pedagogical qualifications.

d) *Gymnasia*Article 97
(Qualification Requirements)

Educators in public *gymnasia* shall be teachers of general and special theoretical subjects, instructors of practical training and skills, counselors, librarians and other educators.

Teachers of general and special theoretical subjects shall possess undergraduate university degrees in appropriate fields and pedagogical qualifications.

Instructors of practical training and skills shall possess at least a two-year college degree in the appropriate field, pedagogical qualifications and at least two years of appropriate work experience.

Counselors and librarians shall possess undergraduate university degrees in the appropriate field and pedagogical qualifications.

Other educators shall complete suitable education:

- organizers of compulsory elective subjects and adult education organizers shall have undergraduate university degrees in the appropriate field and pedagogical qualifications;
- laboratory assistants, instructors and organizers of practical training shall have at least a secondary-school degree in the appropriate field and pedagogical qualifications.

e) Dormitories for Pupils and Secondary-School Students

Article 98
(Qualification Requirements)

Educators in public dormitories for pupils and secondary-school students shall be: pedagogues, counselors, librarians and other educators.

Pedagogues, librarians and counselors shall possess undergraduate university degrees in the appropriate field and pedagogical qualifications.

Other educators shall have undergraduate university degrees in appropriate fields.

f) Schools and Institutions for Children and Youth with Special Needs

Article 99
(Qualification Requirements)

Educators in schools and institutions offering education for children and youth with special needs shall be: teachers, pedagogues, counselors, librarians and other educators.

Teachers and pedagogues shall have the same level of education as teachers and pedagogues in other schools and special pedagogical qualifications.

Educators carrying out medical and social services shall possess qualifications stipulated by the laws regulating those areas.

Counselors shall possess undergraduate university degrees in the appropriate field and pedagogical qualifications; other educators shall possess undergraduate university degrees in the appropriate field.

Librarians shall possess undergraduate university degrees in the appropriate field and pedagogical qualifications.

g) Pedagogical Qualifications

Article 100

(Pedagogical Qualifications Required for the Teaching of Children, Adults and Children with Special Needs)

Pedagogical qualifications required for the teaching of children, adults, and children with special needs shall be obtained by the completion of studies in a university study program leading to the degree of a “professor”, or some other undergraduate or graduate program containing suitable professional courses. The Council for Higher Education of the Republic of Slovenia shall define the criteria to be used when assessing whether study programs contain such courses or not.

Individuals who complete studies in university programs not containing courses giving pedagogical qualifications required for the teaching of children, adults, and children with special needs shall obtain such qualifications in state-approved credential programs.

If there is no suitable credential program of the preceding paragraph, the program leading to the pedagogical qualification for the teaching of children, adults, and children with special needs shall be determined by the minister after having obtained the opinion of the Council for Higher Education of the Republic of Slovenia.

Individuals who complete studies in post-secondary vocational programs and professional higher education programs not containing courses giving pedagogical qualifications required for the teaching of children, adults, and children with special needs shall obtain such qualifications in education programs adopted by the minister upon a proposal by the Council of Experts of the Republic of Slovenia for General Education.

h) Visiting Teachers from Abroad

Article 101

(Visiting Teachers from Abroad)

Visiting teachers from abroad carrying out parts of programs in vocational and technical schools, *gymnasia*, and music schools for a limited period of time or participating in the provision of primary school programs shall meet the qualification requirements of their native states.

i) Teaching Certification Examination

Article 102
(Teaching Certification Examination)

After a successfully completed traineeship period, educators shall take a teaching certification examination in compliance with this Act.

Educators who complete the traineeship and professional certification examination according to some other regulations shall take a teaching certification examination in compliance with this Act after a year of practicing teaching in a preschool institution or school.

Educators possessing one of the titles awarded to faculty members of higher education institutions shall be exempt from taking the teaching certification examination in compliance with this Act.

More detailed stipulations concerning the teaching certification examination shall be determined by the minister.

Educators who carry out medical and social services in preschool institutions, schools and institutions offering programs for preschool children, education programs, and special education programs for children and youth with special needs shall take professional certification examinations in compliance with other regulations applying to those fields.

Article 103
(Records of Teaching Certificates)

Records of successfully completed teaching certification examinations shall be kept by the ministry having jurisdiction over education and shall contain:

- first and family name of the candidate,
- date, place and municipality of birth,
- data on education completed,
- data on the certification examination completed.

Documents needed for the certification examination shall be returned to the candidate after the completion of the examination.

Article 104
(Private Preschool Institutions and Schools)

Requirements stipulated for educators in public preschool institutions and schools shall also be met by educators in private preschool institutions and schools offering state-approved programs.

The stipulation of the preceding paragraph does not apply to preschool institutions and schools offering programs for preschool children and education programs based on special educational principles.

XV. CONTINUING EDUCATION AND PROMOTION OF EDUCATORS AND
PRINCIPALS

Article 105
(Continuing Education and Promotion)

Educators in preschool institutions and schools shall take part in continuing education and training.

Preschool teachers, teachers, organizers of education, counselors and librarians can be promoted by being awarded the title of a “mentor”, “adviser” or--if they possess a university degree--”councilor”.

The conditions for promotion of paragraph 2 of this Article shall also apply to the promotion of principals, directors, assistant principals and vocational-college lecturers.

Requirements, manners and procedures for continuing education and training and promotion shall be determined by the minister.

The title of “vocational-college lecturer” shall be awarded by the faculties of respective vocational colleges; if the faculty is not yet constituted, they shall be awarded by the Council of Experts of the Republic of Slovenia for Vocational and Technical Education.

The procedure for the award of titles of the preceding paragraph shall be determined by the minister.

Article 106
(School for Principals)

The Government of the Republic of Slovenia shall establish a school for principals to educate and train principals and prospective principals.

The program of the school for principals and the contents of the examination for the certification of principals shall be determined by the minister upon a proposal by the Council of the Republic of Slovenia for General Education.

A graduate study program approved by the Council of the Experts of the Republic of Slovenia for General Education as a program supplying the knowledge required for the certification of principals may be recognized as an equivalent of the principal’s certification examination.

Once a year, the school for principals shall advertise the pre-enrollment procedure and determine the terms for the certification examination of principals.

The pre-enrollment and enrollment procedure shall be determined by the minister.

XVI. EMPLOYMENT

1. Employment Procedure

Article 107
(Regulations)

Employment relationships, employees' participation in management and administration, and the rights of employees in preschool institutions and schools shall be regulated in compliance with law and collective agreements, unless otherwise stipulated by this Act.

Article 108
(Job Classification)

Vacant positions of educators and other employees in public preschool institutions and schools shall be advertised on the basis of job classifications. Job classifications shall be determined on the basis of the criteria and standards by school principals in agreement with the school board of the school's domicile and by preschool principals in agreement with the institution's founder, respectively.

Article 109
(Employment Procedure)

Public preschool institutions shall obtain the consent of the founder and public schools the consent of the minister before they advertise a vacant position.

Before advertising a vacancy, a public preschool institution shall notify the ministry in charge of preschool education that there is a vacant educator's position.

If a redundant educator from the records of redundant educators meets the requirements for the vacancy, a preschool institution can employ such an educator without advertising the vacant position.

A contract of employment with the educator shall be for a limited or unlimited duration.

If it is not possible to guarantee a full-time employment in one preschool institution or school, the redundant educator may be employed by several preschool institutions or schools.

2. Traineeship

Article 110
(Traineeship)

Trainees are educators who for the first time perform work corresponding with the level and field of their education with the aim of becoming trained for independent practice of their profession.

The traineeship shall last at least six but not longer than ten months.

During the traineeship period, trainees shall cooperate with educators in educational work and study for the certification examination.

Trainee's activities shall be managed, overseen and evaluated by a mentor.

Mentors shall be assigned by principals; mentors can be educators who perform the job for which the trainee is being trained and have the title of a councilor or adviser or have had the title of mentor for at least three years.

Mentors shall prepare programs for trainees; they shall include methodological, didactic and other preparation needed for the certification examination. When the traineeship is finished, mentors shall write a report on the course of traineeship and submit it to the certification examination committee.

In the first grade of primary school, a trainee may carry out the tasks of the second teacher if the educator teaching the class and serving as a mentor to the trainee has at least the title of the adviser.

Article 111 (Advertisement of Trainee Positions)

The ministry in charge of education shall advertise trainee positions at least once a year.

Any individual with a degree required for the job to be trained for may apply.

Applicants shall be selected and assigned to positions by school boards. The interests of preschool institutions or schools and the wishes of applicants shall be considered in the assignment procedure.

The applicant shall be assigned to a public preschool institution or school or a private one, if the latter agrees.

Article 112 (Records of Trainees)

The ministry in charge of education shall keep records of applicants and trainees containing:

- first and family name,
- sex and birth data,
- address,
- data on education.

The following shall also be kept for trainees assigned to a position:

- data on the preschool institution or school to which they are assigned,
- first and family name of the mentor,
- education and title of the mentor.

Article 113 (Employment of Trainees)

Trainees shall enter into employment with the preschool institution or school for the period of traineeship. If vacations fall within the traineeship period, traineeship shall be prolonged for the time of the duration of vacations.

Article 114 (Delegated Legislation)

The manner and the procedure of selection, the assignment of trainees, the course and duration of traineeship, traineeship program components and the manner of overseeing and assessing the trainees shall be determined by the minister.

3. Redundancy of Educators Due to Unavoidable Reasons

Article 115 (Reasons)

Unavoidable reasons under this Act shall be changes in education programs, criteria and standards, qualification requirements, and reduced enrollment.

Article 116 (Redundant Workers)

Within eight days after the decision to dismiss an educator permanently or for a limited period of time due to redundancy for reasons given in the preceding Article, the principal shall notify the minister for education on the reasons for redundancy and the following data on the educator:

- first and family name,
- education,
- work experience,
- teaching certification, and
- permanent address.

Article 117 (Positions Available)

The ministry in charge of education shall send the list of preschool institutions and schools with vacant positions, the requirements for which are met by the redundant educator, to the educator's preschool institution or school within eight days after the notification of the preceding Article at the latest.

If the ministry in charge of education does not send the data in the statutory term, the preschool institution or school shall proceed with the procedure for redundancies in compliance with law.

Article 118 (Offer of Alternative Employment)

If conditions for an alternative employment determined by law and collective agreement are fulfilled, the principal shall assign the educator to such a position after the order becomes enforceable.

If educators refuse the alternative position offered to them in compliance with the preceding paragraph, their employment shall terminate 30 days after the decision on the termination of employment enters into force.

4. Work Load

Article 119 (Scope of Educational Activities)

The work load of teachers includes teaching and other forms of organized work with pupils, apprentices, secondary-school and vocational-college students (hereinafter: teaching load), preparation for teaching, correction and grading of projects, and other activities necessary for the provision of education programs.

Preparation for teaching includes:

- daily preparation concerning the contents and methods of teaching,
- the preparation of teaching aids.

Other work includes:

- cooperation with parents;
- participation in professional bodies of the school;
- activities of homeroom teachers;
- organized continuing education and training;
- collection and processing of data concerning educational and other activities;
- tutoring of pupils, apprentices, secondary-school and vocational-college students and cooperation with schools and institutions offering education to professionals;
- mentorship to trainees;
- taking care of classrooms, collections, school shops, gymnasias, sports facilities, parks and gardens, etc.;
- organization of cultural, sports and other activities of general interest and humanitarian activities including pupils, apprentices and students;
- preparation and guidance of excursions, trips, competitions, outdoor classes, vacations, camps organized by schools; and
- other tasks determined by the annual program of work.

The stipulations of this Act regulating the work load of teachers and other educators shall also apply to teachers and other educators in schools and educational institutions for children and youth with special needs.

a) Primary and Music Schools

Article 120 (Work- and Teaching Load)

In compliance with the law and collective agreement regulating full-time weekly workload, the weekly teaching load of teachers shall amount to 22 periods at the most, and to 25 periods at the most in after-school care classes and classes in hospitals.

b) Vocational Education

Article 121 (Work- and Teaching Load)

In compliance with the law and collective agreement regulating the full-time weekly workload, the weekly teaching load of teachers shall amount to:

- 20 periods at the most for the teachers of general and special theoretical subjects;
- 19 periods at the most for the teachers of the Slovene language;
- 19 periods at the most for the teachers of the Hungarian and Italian languages;
- 16 periods at the most for vocational-college lecturers;
- 25 periods at the most for instructors of practical training and skills;

- 30 periods at the most for educators who teach or participate in teaching.

c) *Gymnasia*

Article 122
(Work- and Teaching Load)

In compliance with the law and collective agreement regulating the full-time weekly workload, the weekly teaching load of teachers shall amount to:

- 20 periods at the most for the teachers of general and special theoretical subjects;
- 19 periods at the most for the teachers of the Slovene language;
- 19 periods at the most for the teachers of the Hungarian and Italian languages;
- 25 periods at the most for instructors of practical training and skills;
- 30 periods at the most for educators who teach or participate in teaching.

d) Dormitories for Pupils and Secondary-School Students

Article 123
(Workload of Pedagogues)

In compliance with the law and collective agreement regulating the full-time weekly workload, the weekly workload of pedagogues shall amount to 30 periods of educational activities with pupils, apprentices and secondary-school students at the most.

Article 124
(Increased Teaching Load)

If classes cannot be organized according to the syllabus in such a way that the statutory weekly teaching load is complied with, the principal may assign additional classes to a teacher or other educator as determined for individual subjects in individual classes, but not more than five periods a week.

5. Time Off

Article 125
(Time Off)

Educators in public preschool institutions and schools shall be entitled to at least 18 workdays of vacation per year.

Educators in public schools shall take vacation within the period of the year earmarked in the school calendar by the minister.

Educators who by their own fault do not use their vacation in the time determined in the preceding paragraph shall not be entitled to carry the vacation over into the next school year nor to receive compensation for the vacation days not taken.

Educators shall be entitled to a compensation for the vacation days not used if they cannot take them in the stipulated period because of their temporary incapacity for work due to illness or in other cases when they are entitled to time off with pay.

Stipulations of this Article shall also apply to educators with term contracts.

Employees of public preschool institutions and schools are entitled to time off with pay or without pay and have other rights resulting from employment in cases and under the conditions stipulated by law and collective agreement.

XVII. PROPERTY MANAGEMENT

Article 126 (Trusts)

Local governments and the state may create trusts for the management of real property owned by the public at large and used for education-related purposes.

Property held in trust of the preceding paragraph shall be part of the state's or local governments' property balance.

Article 127 (State Trust)

The School Trust of the Republic of Slovenia (hereinafter: Trust) shall be created to administer the real property of the preceding Article held in trust by public schools founded by the state.

The Trust shall be an artificial person of public law.

The Trust shall operate in compliance with law and other regulations applying to public institutions.

The Trust shall do business according to the rules adopted by the Board of Trustees upon the consent of the Government of the Republic of Slovenia.

Article 128 (Board of Trustees)

The Trust shall be governed by a Board of Trustees.

The Board of Trustees shall consist of the chairperson and six members. The chairperson and the members shall be appointed by the Government of the Republic of Slovenia: the chairperson and five members upon a proposal by the minister and one member upon a proposal by the minister of finance.

Article 129 (Authority of the Board of Trustees)

The Board of Trustees shall propose the investment program and annual program of work, oversee the implementation of the investment program and annual program of work, give accounts of their implementation, make proposals for changes in the use of buildings, determine financial plans, approve profit and loss statements and perform other tasks determined by the rules of the Trust.

The minister shall give his consent to the financial plan and profit and loss statement of the Trust.

Article 130
(Director)

The Trust shall be managed by a director. The director shall represent the Trust and act on its behalf and be responsible for the legality of operations.

The director of the Trust shall be appointed by the minister on the basis of a public advertisement.

Article 131
(Investment Program)

The Board of Trustees shall propose a program of investments, maintenance and sales for a period of at least five years (hereinafter: investment program).

Every year by the beginning of September at the latest, the Board of Trustees shall propose a yearly plan for the implementation of the program of the preceding paragraph in the next year (hereinafter: yearly plan).

The investment program and yearly plan shall be adopted by the minister.

Article 132
(Resources)

The Trust shall receive funding:

- from the state budget,
- from rent for the property leased,
- from endowments, legacies, donations, and
- other sources.

Funding from the state budget shall be provided on the basis of the yearly plan.

Article 133
(Real Property Balance)

The Trust shall keep the records of its real property.

The value of the real property shall be assessed when it is transferred to the Trust.

If the property is owned by several proprietors, the value of their individual shares shall be determined upon transferring the property to the Trust.

The proprietors of the real property shall not have free use of their share of property as long as it is used for educational purposes.

If the real property is put for sale, the cofounder or co-owner of a public school has the right of preemption.

Article 134
(Revenues from the Sale to Be Used for Designated Purposes)

Revenues from the lease and sale of property transferred to the Trust shall be used only for maintenance and investments in education.

If the revenues of the preceding Article exceed the needed resources anticipated in the investment program and yearly plan, they may be used for education-related purposes determined by the state budget.

Article 135
(School Trusts)

A schools may create a School Trust to finance the activities of individual classes not part of the education program and not financed from public revenues, for the purchase of above-standard equipment, a higher standard of teaching, etc.

The Trust of the preceding paragraph shall derive revenues from fees charged to parents, donations, legacies, and other sources.

The School Trust shall be administered by a Board of Trustees consisting of a chairperson and six members, at least three of which shall be representatives of the school. The Board of Trustees shall be appointed by the council of parents. School's representatives shall be nominated by the school council.

The Board of Trustees may adopt rules governing the operation of the Trust.

A trust may be created also by a preschool institution.

XVIII. FINES

Article 136
(Types of Violations)

An artificial or natural person performing educational activities without being entered into the Register (Articles 34, 36 and 37) or not meeting the stipulated requirements (Article 33) shall be ordered to pay a fine of at least SIT 50,000.00.

An artificial person shall be ordered to pay a fine of at least SIT 50,000.00 for employing an educator not meeting the qualification requirements (Articles 94, 95, 96, 97, 98, and 99) on a tenure basis.

The chief executive officer of the entity found guilty of violations of the first and second paragraph of this Article shall also be fined.

XIX. TRANSITIONAL AND FINAL PROVISIONS

Article 137
(Financing)

Till the adoption of education programs in compliance with this Act and acts for individual fields of education, funding shall be provided for education programs carried out by public schools and schools with a concession as follows:

1. In primary education:

- programs of life and work of primary schools including the implementation of special rights of the Italian and Hungarian national minorities in compliance with law;
- education programs for children and youth with special needs in compliance with law;
- basic music education programs;
- additional education of the children of Slovene migrant workers living abroad; and
- primary school programs for adult learners.

2. In secondary education:

- secondary education programs including the implementation of special rights of the Italian and Hungarian national minorities in compliance with law;
- education programs for youth with special needs in compliance with law;
- basic education programs in dormitories for secondary-school students;
- the *matura* examinations.

Resources for the following shall also be provided from the state budget:

a) activities needed for the development and efficient provision of education, such as:

- research and development and experiments;
- continuing education and in-service training of educators;
- international cooperation;
- school libraries;
- activities of information and documentation systems;
- academic competitions of pupils, apprentices, and secondary-school students.

b) and the resources for:

- scholarships for education studies;
- youth magazines and professional journals;
- preparation of textbooks and educational technology;
- subsidies for textbooks with limited-editions;
- Prize of the Republic of Slovenia in the field of education;
- school TV and radio programs;
- construction and maintenance of facilities and procurement and maintenance of equipment;
- organization and study of adult education;
- approved adult education programs;
- disability insurance of secondary-school students;
- subsidies for the transportation of pupils, apprentices, and secondary-school students; and
- subsidies for the activities of associations of pupils, apprentices and secondary-school students.

Notwithstanding the stipulation of paragraph 2 of Article 86 of this Act, for three years after entry into force of this Act, private schools shall be entitled to receive 100% of funds per pupil or student allocated by the state or the local community to public schools for salaries and operating expenses for each student.

Notwithstanding the stipulation of Article 86 of this Act, private schools awarded the concession prior to entry into force of this Act shall be financed in compliance with the concession agreement.

Article 139
(Preschool Institutions to Be Adjusted)

Founders of preschool institutions shall adjust the organization of institutions to this Act within four years after its entry into force at the latest.

Article 140
(Bylaws to Be Adjusted)

Founders of preschool institutions which have to be reorganized in compliance with this Act and founders of schools shall adjust their charters to the stipulations of this Act within one year after its entry into force at the latest.

With the adoption of the charters of the preceding paragraph, the constitutions of public preschool institutions and schools shall cease to apply.

Preschool institutions and schools shall be entered into the register according to this Act within one year after its entry into force at the latest.

Article 141
(Education Programs to Be Adjusted)

Founders of private schools shall adjust the education programs to this Act within four years after its entry into force at the latest.

If the founder of a private school having signed a concession agreement does not fulfill the stipulation of the first paragraph of this Article, the concession agreement shall be terminated by virtue of law.

Notwithstanding the stipulation of the preceding paragraph, the clauses of concession agreements stipulating the funding of private schools from public revenues shall remain in force with reference to the cases of Article 138 of this Act.

Notwithstanding the stipulation of Article 18 of this Act, the ministry shall make public the state-approved programs to be offered in the school year 1996-97 by the beginning of the school year at the latest.

Article 142
(Delegated Legislation)

The minister shall pass the delegated legislation pertaining to this Act within one year after its entry into force at the latest.

Article 143
(School for Principals)

Principals who shall have completed the school for principals prior to entry into force of this Act shall be deemed to have passed the principal's certification examination in compliance with this Act.

Article 144
(Prospective Principals)

Notwithstanding the stipulations of paragraphs 1 and 2 of Article 53 of this Act, individuals not fulfilling the requirements concerning the qualifications, title and certification may be appointed as principals prior to September 1, 2000.

Individuals appointed principals in compliance with the preceding paragraph shall obtain the required qualification and title by September 1, 2002, at the latest and shall pass the principal's certification examination within two years after their appointment at the latest.

Principals not fulfilling the requirements in the time stipulated by the preceding paragraph shall be removed from office by virtue of law.

Stipulations of this Article shall also apply to assistant principals not meeting the requirements concerning their qualifications and titles.

Article 145
(Principals)

Notwithstanding the provisions of paragraph 1 of Article 53 and paragraphs 1 and 2 of Article 56 of this Act, the principals and assistant principals of preschool institutions and schools who, on the day of entry into force of this Act, shall hold a secondary school degree, have 25 years of work experience and shall have served two terms of office as principals or assistant principals; and the principals and assistant principals of preschool institutions who shall hold a secondary school degree and shall have served three terms of office as principals or assistant principals may be appointed principals or assistant principals even after entry into force of this Act.

Notwithstanding the provisions of paragraph 1 of Article 53 and paragraphs 1 and 2 of Article 56 of this Act, the principals and assistant principals of preschool institutions and schools who, on the day of entry into force of this Act, shall not fulfill the education requirements stipulated by this Act, shall have less than 10 years to serve before becoming eligible for retirement on the basis of their age, and shall have served at least three terms of office as principals or assistant principals may be appointed principals or assistant principals even after entry into force of this Act.

Article 146
(Teachers and Preschool Teachers)

The teachers of primary and music schools, *gymnasia*, vocational, professional and technical secondary schools, dormitories for pupils and secondary-school students meeting the statutory requirements for carrying out educational activities in primary and

music schools, educational institutions for children and youth with special needs, *gymnasia*, vocational, professional and technical secondary schools, and dormitories for secondary-school students may practice their profession even after entry into force of this Act.

The reduced teaching load for the teachers of the Slovene language stipulated by this Act shall begin to apply in the school year 1998-99.

Notwithstanding the provisions of paragraph 5 of Article 110 of this Act, mentors of trainees may only be educators with the title of a councilor or adviser in school years 1995-96 and 1996-97.

Article 147
(Instructors of Practical Training and Skills)

The instructors of practical training and skills not meeting the requirements stipulated by this Act shall obtain the required qualifications within five years after entry into force of this Act, otherwise their employment shall be terminated by virtue of law.

Notwithstanding the stipulation of the preceding Article, the instructors of practical training and skills who, on the day of entry into force of this Act, shall have at least 20 years of work experience in education may continue practicing their profession.

Article 148
(Librarians and Social Workers)

Librarians and social workers who shall have obtained two-year higher education degrees in respective professions prior to entry into force of this Act may work as librarians or social workers, respectively, also after entry into force of this Act.

Article 149
(Pedagogical Qualifications)

It shall be considered that teachers, counselors and other educators who shall have passed the teaching certification examination in compliance with the education law prior to entry into force of this Act meet the pedagogical requirements for teaching courses for children and youth, children with special needs, and adults, respectively.

Article 150
(Traineeship)

Educators employed as trainees on the day of entry into force of this Act shall complete their traineeship and pass the certification examination in compliance with the regulations in force prior to the day of entry into force of this Act.

Preschool teacher's assistants employed in preschool institutions on the day of entry into force of this Act need not take the certification examination stipulated by this Act.

Article 151
(Public Network)

Preschool institutions and schools established prior to entry into force of this Act shall form part of the network of public preschool institutions and schools.

Article 152
(Transfer of Authority of Administrative Units)

On the day of the beginning of operation of school boards established under this Act, the stipulations of Articles 102 and 103 of the State Administration Act (Official Gazette of the Republic of Slovenia No. 67/94) defining the authority of administrative units shall cease to apply for the field of education.

The transfer of employees, facilities and funds shall be regulated by the regulation on school board districts.

Article 153
(Councils of Experts)

Councils of experts stipulated by this Act shall be established within sixty days after entry into force of this Act.

Half of the members of individual councils shall be nominated for three years the first time. Members to be nominated for three years shall be chosen by lot.

Article 154
(Bylaws of Public Institutions to Be Harmonized)

The Government of the Republic of Slovenia shall adopt and harmonize the charters of public institutions of Articles 28 of this Act within three months after entry into force of this Act at the latest.

Prior to the establishment of the National Education Institute of the Republic of Slovenia, its tasks shall be performed by the Education Development Office. On the day of entry into force of this act, the Republican Examination Center shall change its name into the State Examination Center.

Article 155
(Stipulations on Financing)

Stipulations of Articles 81 and 82 shall begin to apply in the fiscal year 1996.

In the fiscal year 1995, the stipulations of the Organization and Financing of Education Act 1991 (Official Gazette of the Republic of Slovenia no. 12/91-I) shall apply.

Article 156
(Delegated Legislation)

Prior to the enactment of the delegated legislation stipulated by this Act, the delegated legislation in force prior to entry into force of this Act--with the exception of the stipulations contrary to this Act--shall apply:

1. Regulation on the Accreditation Procedure of Educational Institutions and the Contents and Manner of Keeping the Register of Educational Institutions (Official Gazette of the Socialist Republic of Slovenia No. 5/81);

2. Regulations on the Requirements for Carrying Out Educational Activities as an Individual (Official Gazette of the Socialist Republic of Slovenia No. 22/90);
3. Regulations on Textbooks (Official Gazette of the Republic of Slovenia No. 15/93 and 18/93);
4. Regulations on Traineeship and Certification Examinations in Education (Official Gazette of the Socialist Republic of Slovenia No. 20/80);
5. Regulations on the Award of Titles to the Employees of Primary and Secondary Schools (Official Gazette of the Republic of Slovenia No. 41/94);
6. Decision on Criteria and Standards for Carrying out Educational Activities in Primary Schools, Music Schools and Dormitories for Pupils (Official Gazette of the Republic of Slovenia No. 4/92);
7. Decision on Criteria and Standards for Carrying out Educational Activities in Institutions for the Education of Children and Youth with Special Needs (Official Gazette of the Republic of Slovenia No. 4/92);
8. Decision on Criteria and Standards for Carrying out Educational Activities in Secondary Schools (Official Gazette of the Republic of Slovenia No. 4/92, 7/92 and 33/95).

Article 157
(Termination of the Acts)

On the day of entry into force of this Act, the following Acts shall cease to apply:

1. Act on Free Exchange of Labor in the Field of Education (Official Gazette of the Socialist Republic of Slovenia No. 1/80, 25/89, 32/89 and Official Gazette of the Republic of Slovenia No. 12/91-I);
2. Organization and Financing of Education Act (Official Gazette of the Republic of Slovenia No. 12/91-I)--save for the stipulations of Articles 61 and 64.

Article 158
(Entry into Force)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

Number: 411-01/90-16/12
Ljubljana, February 6, 1996

President of the
National Assembly of the Republic of Slovenia
Jozef Skolc