

# Law of Georgia

## On Development of Quality of Education

### Chapter I General Provisions

#### Article 1. Aim of the Law

The aim of this Law is to define legal foundation of mechanisms of assistance to development of quality of education.

#### Article 2. Mechanisms of Assistance to Development of Quality of Education

1. Assistance to development of quality of education is performed via internal and external mechanisms.

2. External mechanisms of assistance to development of quality of education are authorization and accreditation.

3. Internal mechanisms of assistance to development of quality of education are performed by educational facilities, in accordance with order defined by the legislation of Georgia.

### Chapter II

#### Body Authorized for External Mechanisms of Assistance to Development of Quality of Education

#### Article 3. National Center for Educational Quality Enhancement

1. Legal Entity of Public Law – The National Center for Educational Quality Enhancement further referred as the Center) is created within the management of the Ministry of Education and Science of Georgia (further referred as the Ministry).

2. The Center is independent in its activities. It performs in adherence with the principles of publicity and transparency, Constitution of Georgia, International Agreements and Conventions that Georgia is a part of, this Law, other legislative acts, Provision of the Center, approved by the Ministry and other legal acts.

3. Concerning activities of the Center, the Ministry, in accordance with the order, defined by the Legislation of Georgia:

- a) Shall approve the Provision of the Center;
- b) Shall approve the Provision of Authorization of Educational Facilities (further referred as the Provision of Authorization) and cost;
- c) Shall approve Doctrine of Accreditation of Educational Programs of Educational Facilities (further referred as the Provision of Accreditation) and cost;
- d) Shall approve Order and cost of approval of validity of Educational documents issued in Georgia and of recognition of education received abroad;
- e) Shall approve the order of keeping of Register of Educational Facilities;
- f) Shall define time of services provided by the Center and legally provided rates for these services;
- g) Shall perform other competences provided by the Legislation of Georgia.

#### Article 4. Legal Status of the Center

1. The Center is a Legal Entity of Public Law within the management of the Ministry, created by this Law.
2. The Center is led by the Director, who is appointed to this position by the Minister of Education and Science of Georgia with consent of the Prime-Minister.
3. Rights and obligations of the Director of the Center, the organizational structure of the Center and competence of structural units are defined by the Provision of the Center.
4. Governmental control of the Center is provided by the Ministry in accordance with the order, established by the legislation of Georgia.

#### Article 5. Main Directions of the Activities of the Center

The Center, within its competence:

- a) Shall assist improvement of development of quality of education by development of recommendations;
- b) Shall perform authorization of educational facilities and accreditation of educational programs of educational facilities;
- c) Shall perform approval of validity of educational documents issued in Georgia including legalization and apostille;
- d) Shall perform recognition of education received abroad;
- e) Shall keep Register of educational facilities;
- f) Shall perform other competences, provided by Provision of the Center.

#### Article 6. Property and Funding of the Center

1. The Center, in order to achieve its goals and perform its functions has property, the order of formation of which is defined by the Legislation of Georgia.
2. Property of the Center includes fixed and floating assets as well as other tangible property and financial resources that are reflected on the independent balance of the Center.
3. Sources of funding of the Center are:
  - a) Purpose amounts issued from the Budget of Georgia;
  - b) Cost of services provided by the Center;
  - c) Purpose credits and grants;
  - d) Income, received for services, performed based on agreement;
  - e) Amounts received as gifts and contributions;
  - f) Other incomes, permitted by the legislation of Georgia.
4. Funds and incomes provided in the paragraph 3 are fully used for achievement of goals of the Center and performance of its functions.

### Chapter III Authorization

#### Article 7. Purpose and Content of Authorization. Standards of Authorization

1. Authorization is a procedure of obtaining a status of higher educational facility that is aimed to provide compliance with standards, necessary for performing activities for issuance of a document, approving education recognized by the State.
2. The standards of authorization are:
  - a) Educational programs;
  - b) Material resources;
  - c) Human resources

3. Conditions of compliance with the authorization standards and order of authorization is defined by the Provision of Authorization.

#### Article 8. Facilities that are Subject to Authorization

1. Facilities subjected to authorization (further referred as a status seeker):

- a) General educational facility status seeker;
- b) Vocational educational facility status seeker;
- c) Higher educational facility status seeker.

2. Status seeker shall indicate in application for authorization that in case of obtaining he will perform:

- a) Educational program for general educational beginning step;
- b) Educational program for general educational basic step;
- c) Educational program for general educational medium step;
- d) Vocational educational program;
- e) Educational program for bachelor's studies;
- f) Educational program for master's studies;
- g) Educational program for doctoral studies;
- h) Other educational program for performance of which mandatory accreditation is established by the Government of Georgia as well as those educational programs that are connected with issuance of document approving education recognized by the State.

3. Educational facility is authorized to perform only the educational program/programs indicated in the application for authorization as well as the program that in the period of acting of authorization was reflected in the report of self evaluation.

4. Are not subjected to authorization:

- a) Subject performing educational activities that is not connected with issuance of document approving qualification;
- b) Individual educational activities of a natural person, including field of vocational preparation.

5. Facility that obtained status of general educational vocational facility or higher educational facility without creation of other, independent legal entity is not authorized to obtain status of other educational facility. General educational facility is authorized to perform educational programs of the first three steps of vocational educations and higher educational facility – of professional educational program without obtaining of additional status.

6. Failure to comply with requirements of Paragraphs 3 and 5 of this Article may become base for revocation of authorization.

#### Article 9. Self Evaluation of Status Seeker

The first step of performance of Authorization is self evaluation, performed by the status seeker in accordance with the forms, previously provided by the National Center for Educational Quality Enhancement to the status seeker.

#### Article 10. Authorization Experts Team

In order to provide performance of authorization, the National Center for Educational Quality Enhancement shall create Authorization Experts Team, the order of creation and activities of which is defined by the Provision of Authorization. Status Seeker is authorized to use right of rejection of experts in accordance with the order, established by the Provision of Authorization.

#### Article 11. Decision on authorization

1. Decision concerning authorization is made by the Board of Authorization of Educational Facility (further referred as the Board of Authorization), members of which are assigned and released

by the Prime-Minister, based on presentation of the Ministry of Education and Science of Georgia. Member of the Board of Authorization cannot be a public official. Authority of the Board of Authorization is defined by the Provision of Authorization of Educational Facility that warrants its functional independence from educational facilities and governmental bodies.

2. The Board of Authorization, based on the authorization documentation and conclusion of the Authorization Experts Team, makes one of the following decisions:

- a) On authorization;
- b) On refusal of authorization;
- c) On revocation of authorization.

3. The Board of Authorization is obliged to prove the made decision.

4. Decision on authorization or refusal of authorization is made within 90 days after recognition of facility as a status seeker.

5. The decision provided by the Paragraph 2 of this Article shall be published on the Web-site of the Center within 10 days after it is made.

6. Time of submission of application for authorization shall allow possibility of continuity of the status of educational facility. The Center is obliged to notify educational facility 6 months earlier to expiration of the term of authorization about expiration of the term of authorization.

#### Article 12. Decision Concerning Authorization

1. Decision of authorization is made in case if educational facility fulfils all the standards of authorization.

2. Term of authorization is 5 years.

3. In case of making decision of authorization, the Board of Authorization shall define limit number of places for pupils, vocational students or students for the time of authorization to educational facility, in accordance with the order, defined by the Provision of Authorization.

#### Article 13. Legal Outcomes of Authorization

Educational facility has right to receive pupils, vocational students and students as a result of authorization in accordance with the order, defined by the Legislation of Georgia and issue documents approving qualification.

#### Article 14. Decision Concerning Refusal of Authorization

Decision of Refusal of Authorization is made if educational facility does not comply with one of the authorization standards.

#### Article 15. Verifications of Terms of Authorization and Revocation of Authorization

1. The Center controls fulfillment of terms of authorization by educational facility and in case of identification of fault has right to define educational facility time to correct fault that shall not be less than 15 days, unless it's obvious that this will not cause outcome.

2. Terms of authorization are controlled yearly by submission of self evaluation report to the Center as well as by initiative of the Center, if there is information, approval of which is the base for revocation of authorization.

3. The Board of authorization has right, based on the results of inspection of educational facility, by presentation of the Center, make a decision of revocation of authorization if the facility violates standards of authorization or norms of Legislation of Georgia in the field of education, concerning origin, suspension or termination of status of a pupil, vocational student or student of educational facility.

#### Article 16. Legal Outcomes of Refusal of Authorization

In case of refusal of authorization or revocation of authorization:

- a) Facility shall not be able to obtain or loses status of educational facility;
- b) Pupils have right to go to another corresponding facility;
- c) Students are suspended student's status for 5 years and are authorized to use right of mobility.

## Chapter IV Accreditation

### Article 17. Aim and Contents of Accreditation

1. The aim of accreditation is to establish systematic self evaluation of higher educational facility to improve quality of education by definition of compliance of higher educational facility educational programs with standards of accreditation and assistance to the quality improvement mechanisms.
2. Governmental educational grant and governmental educational master's studies grant are issued only for funding of those educational programs of higher educational facility that successfully passed accreditation.
3. Performance of regulated, teacher preparation and Georgian language preparation programs as well as doctoral studies educational program is possible only in case of successful passing of accreditation.

### Article 18 Standards of Accreditation

Standards of accreditation are:

- a) Aim of educational program, results of learning and compliance of a program with those;
- b) Methodology and organizing of teaching, adequacy of evaluation of learning of a program;
- c) Students' achievements, individual work with them;
- d) Provision of teaching resources;
- e) Capabilities of development of quality of teaching.

### Article 19. Performance of Accreditation

1. Performance of accreditation is provided by the Center.
2. In order to make decisions concerning accreditation, the Board of Accreditation of Educational Programs (further referred as the Board of Accreditation), members of which are assigned and released by the Prime-Minister, based on presentation of the Ministry of Education and Science of Georgia. Member of the Board of Accreditation cannot be a public official. Authority of the Board of Accreditation is defined by the Provision of Accreditation of Educational Programs that warrants its functional independence from educational facilities and governmental bodies.

### Article 20. Self evaluation of accreditation seeker

The first step of performance of Accreditation is self evaluation, performed by the accreditation seeker in accordance with the forms, previously provided by the Center to the accreditation seeker.

### Article 21. Accreditation Experts Team

In order to provide performance of accreditation the Center shall create Accreditation Experts Team, the order of creation and activities of which is defined by the Provision of Accreditation.

### Article 22. Decision on Accreditation

1. The Board of Accreditation, based on the conclusion of the Accreditation Experts Team, makes decision, concerning accreditation of educational program of educational facility in accordance with the order established by the legislation of Georgia.

2. Decision on accreditation can be of three types:

- a) On accreditation;
- b) On refusal of accreditation;
- c) On revocation of accreditation.

3. The time of accreditation is 5 years. After expiration of authorization, or in case of revocation of authorization, accreditation is revoked.

4. Time of submission of application for accreditation shall allow possibility of continuity of the accreditation of educational program.

#### Article 23. Compliance to Conditions of Accreditation and of Revocation of Accreditation

1. The Center controls compliance of educational facility with the conditions of accreditation and in case of identification of violations, define time for correction of the fault that should not be less than 15 days, unless it is obvious that this shall not have an outcome.

2. Conditions of accreditation are verified by submission of annual self evaluation report to the Center as well as by an initiative of the Center, if there is information, approval of which makes basis for revocation of accreditation.

3. The Board of Accreditation based on the results of inspection of educational facility, by presentation of the Center to make decision of revocation of accreditation, if the facility violates conditions of accreditation.

#### Article 24. Legal Outcomes of refusal of accreditation or revocation of accreditation

In case of refusal of accreditation or revocation of accreditation:

a) Higher educational facility loses a right to receive governmental educational grant and governmental master's studies educational grant for corresponding educational program;

b) The student, who studied with governmental funding is authorized to go to other accredited educational program and shift remained part of the governmental funding allowed for him to this educational program;

c) Higher educational facility terminates performance of regulated, teacher preparation and Georgian language preparation programs as well as doctoral studies educational program. In this case students are suspended of student's status for five years and they are authorized to use a right of mobility.

### Chapter V

#### Authority of the Center in direction of Approval of Validity of an Educational Document and Recognition of Received Education

#### Article 25. Approval of Validity of Educational Documents issued in Georgia

1. When approval of validity of educational documents issued in Georgia, the Center shall determine fact of issuance of document of full or partial passing of educational program by a person as well as of document of assigning to him a qualification and their compliance with requirements of the legislation of Georgia.

2. When certification with legalization or apostil, validity of signatures on the documents issued by the Ministry and the bodies, included into its system, as well as by educational facilities of Georgia, authority of signers and authentication of seal or stamp as well as compliance of form and contents of a document with requirements of legislation of Georgia.

#### Article 26. Recognition of Education Received Abroad

With the aim of recognition of education or qualification, received abroad, the Center establishes:

- a) Whether the educational document is issued to the person, indicated in this document and whether the educational facility that issued this document is recognized by the legislation of the country where this facility performs its educational activities (approval of validity);
- b) Compliance of qualification received abroad with qualifications existing in Georgia (establishment of compliance).

### Chapter VI

#### Activities of the Center in the Direction of Keeping of the Educational Facilities Register

##### Article 27. Keeping of Register of Educational Facilities

1. Information of the educational programs of facility including information of personnel performing the program and persons accepted to the program is reflected in the Register of Educational Facilities (further referred as Register).
2. Conditions of the Register keeping, individuals, responsible for entry information into the Register, order of entering information to the Register, making changes into the recorded information and withdrawal of information from the Register is defined by the Ministry.
3. For provision the Register keeping with software, the Center shall create an interactive database, the form of which is approved by the personal legal-administrative Act of the Director of the Center.

##### Article 28. Obligations of Educational facility.

###### Presumption of correctness of information of the Register

1. Educational facility is obliged to enter corresponding information into the Register within the established timeframe.
2. Failure of timely entering of information can cause suspension of activities to be performed by the Center based on the data of the Register or revocation of the action.
3. In case of difference between the information reflected in legislative acts of educational facility and corresponding information, recorded in the Register, Register data are considered.
4. In cases provided by the legislation of Georgia, the Center is authorized the establish forms of approval of the information entered into the Register.

##### Article 29. Responsibility for Correctness and Completeness of the Information, entered into the Register

1. Educational facility is responsible for correctness and completeness of the information, entered into the Register.
2. The Center is authorized to check information entered into the Register by educational facility and in case of identification of fault use measures established by the legislation of Georgia.

### Chapter VII

#### General Principles of Definition of Cost and Time of Services Provided by the Center

##### Article 30. The cost of services provided by the Center

1. The cost is the mandatory payment including VAT defined by the Act of the Ministry based on the Law for services provided by the Center.
2. The cost shall be paid in advance, before providing of corresponding service, by transfer.
3. The cost shall be transferred to the settlement account of the Center.

Article 31. Payment of Cost for Provided Services, Calculation of Time Established for Services and Recovery of Paid Cost

1. Timeframes of services, provided by the Center and rates are defined by the Act of the Ministry.
2. The interested person is obliged to pay the cost, established by the Act of the Ministry.
3. Time calculation established by the Act of the Ministry starts from the day following the registering of application and ends immediately after expiration of the last day of the term. If the last day of the term falls on weekend or holiday, the following working day shall be considered as the last day of the term.
4. The order, established by the Paragraph 3 of this Article does not cover provision of faster services, defined by the Act of Ministry.
5. The order of recovery of the cost paid for the services provided by the Center is defined by the Act of Ministry.

## Chapter VIII Transitional Provisions

Article 32. Activities, Connected with the Implementation of the Law

1. Government of Georgia till September 15, 2010 shall provide compliance of the Direction #37 of the Government of Georgia “On Approval of Provision of the Ministry of Education and Science of Georgia” of May 21, 2004 with this Law.
2. Ministry of Education and Science of Georgia till September 15, 2010 shall provide approval of legal Acts, provided by Subparagraphs “a” and “b” of Paragraph 3 of Article 3 of this Law and till March 1 of 2011 – approval of legal Acts provided by Subparagraphs “c” - “e” of Paragraph 3 of Article 3 of this Law.
3. The President of Georgia, the Government of Georgia, the Ministry of Education and Science of Georgia and educational facilities, till March 1, 2011 shall provide compliance of the corresponding legal Acts with this Law.
4. The Legal Entity of Public Law – the National Center for Educational Accreditation to be reorganized into the Legal Entity of Public Law – the National Center of Development of Quality of Education. The Legal Entity of Public Law – the National Center of Development of Quality is the legal successor of the Legal Entity of Public Law – the National Center for Educational Accreditation
5. Legal Entity of Public Law – the National Center for Educational Quality Enhancement to be defined as a legal successor of the Ministry of Education and Science of Georgia in the part of performed and current activities of the Office of Licensing, Legalization and Apostil of the Legal Support Department of the Ministry of Education and Science of Georgia.
6. Measures to be tasked connected with the reorganization of the Legal Entity of Public Law – the National Center for Educational Accreditation into the Legal Entity of Public Law – the National Center of Development of Quality of Education. Till the end of these activities functions of the Legal Entity of Public Law – the National Center for Educational Quality Enhancement are fulfilled by the Legal Entity of Public Law – the National Center for Educational Accreditation and the functions of the Office of Licensing, Legalization and Apostil of the Legal Support Department of the Ministry of Education and Science of Georgia are fulfilled by the Ministry of Education and Science of Georgia.



Chapter IX  
Final Provisions

Article 33. Enactment of the Law

This Law shall enter into force from September 1, 2010.

The President of Georgia

*Michael Saakashvili*

Tbilisi,  
July 21, 2010.  
N 3531 – 66