

Pursuant to Article IV.4.a) of the Constitution of Bosnia and Herzegovina, at the 16th session of the House of Representatives, held on October 11th and 30th, 2007, and at the 9th session of the House of Peoples, held on October 29, 2007, the Parliamentary Assembly of Bosnia and Herzegovina adopted the following

## LAW ON THE AGENCY FOR PRESCHOOL, PRIMARY AND SECONDARY EDUCATION

### PART ONE – INTRODUCTORY REMARKS

#### Article 1 (Subject of the Law)

This Law hereby establishes the Agency for Preschool, Primary and Secondary Education (hereinafter referred to as: the Agency), governs its legal status, organization, competencies, method of establishment and the competencies of the expert and management bodies, financing and other issues related to the proceedings of the Agency.

### PART TWO – STATUS AND ORGANIZATION OF THE AGENCY

#### Article 2 (Status and Seat of the Agency)

- (1) The Agency shall have the status of an autonomous administrative organization with the capacity of a legal entity.
- (2) The Agency shall have the seal and stamp in accordance with the law.
- (3) The Council of Ministers of Bosnia and Herzegovina shall issue a special decision to determine the seat of the Agency.

#### Article 3 (Foundation of Regional Units)

- (1) In addition to the seat, the Agency shall also establish regional units.
- (2) The Council of Ministers of Bosnia and Herzegovina shall issue a special decision to determine the seats of the regional units of the Agency.

### PART THREE – COMPETENCIES OF THE AGENCY

#### Article 4 (Establishment of Standards in Preschool, Primary and Secondary Education)

The Agency shall be competent for establishment of standards for evaluation of the results accomplished and for development of the common core for curricula in preschool, primary and secondary education, and for other expert tasks in the area of knowledge standards and quality assurance as determined in separate laws and other regulations.

#### Article 5 (Establishment of Knowledge and Evaluation Standards)

In the area of establishing standards for knowledge and evaluation of the results accomplished, in preschool, primary and secondary education, and for other expert tasks in the area of knowledge standards and education quality assurance, the Agency shall be competent for:

- a) establishment of standards for pupils' knowledge and for evaluation of the results accomplished,
- b) carrying out of research aimed at evaluation of development of pupils' knowledge standards, evaluation of the results accomplished and publication of research results,
- c) provision of advice to the competent education authorities related to the issues of prescribed knowledge standards and their application,
- d) establishment and running of reporting mechanisms on the status of education in Bosnia and Herzegovina, in cooperation with the competent education authorities,
- e) compilation, unification, processing and publishing of data on the quality and quantity of knowledge,
- f) carrying out of external evaluation,
- g) provision of guidelines for implementation of training programs for teachers and expert associates in the area of knowledge standards and external evaluation,
- h) establishment of contacts with bodies having similar functions in other countries, as well as with international organizations and institutions, aimed at harmonization of the prescribed education standards,
- i) provision of assistance in recognition of domestic certificates and diplomas in other countries, as well as in recognition of foreign certificates and diplomas in Bosnia and Herzegovina,
- j) implementation of other activities related to establishment and application of knowledge and evaluation standards.

#### Article 6

##### (Development of the Common Core Curricula)

In the area of development of the common core curricula in preschool, primary and secondary education, the Agency shall be competent for:

- a) monitoring of implementation of the common core curricula,
- b) monitoring, evaluation, upgrading and development of the common core curricula, in line with the standards established in the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina ("Official Bulletin of BiH", no. 18/03).
- c) Establishment of cooperation with pedagogic institutes and other institutions for support, modernization and development of preschool, primary and secondary education,
- d) Provision of advice to the competent education authorities on design and implementation of new program contents (syllabus),
- e) Provision of guidelines for preparation of programs for implementation of training for teachers and other education experts in application of the curricula,
- f) Cooperation with the Commission for design of curricula for supplementary lessons from the group of the so-called national subjects for the pupils of primary and secondary schools – nationals of Bosnia and Herzegovina – abroad,
- g) Implementation of other activities pursuant to this law and other laws pertaining to standards in preschool, primary and secondary education.

## PART FOUR – EXPERT AND MANAGEMENT BODIES OF THE AGENCY

### CHAPTER I. EXPERT BODY OF THE AGENCY

#### Article 7

##### (Board of the Agency)

- (1) The Board of the Agency for preschool, primary and secondary education (hereinafter referred to as: the Board) shall be an expert body established within the Agency.
- (2) The Board shall consist of seven members, specifically two from each respective constitutive nation and one member from among the others.
- (3) The Ministry of Civil Affairs of Bosnia and Herzegovina shall issue a public competition for selection of the members of the Board and the single list of the applicants meeting the requirements, and shall give it to the Conference of Ministers of Education in Bosnia and Herzegovina for opinion.
- (4) The Board shall be appointed by the Council of Ministers of Bosnia and Herzegovina.
- (5) The proceedings of the Board shall include participation of the representative of the Ministry of Civil Affairs of Bosnia and Herzegovina without voting rights,
- (6) The members of the Board shall be appointed for a three-year term.

#### Article 8

##### (Proceedings and By-Laws of the Board)

- (1) The Board shall pass decisions pursuant to this law.
- (2) Any other issues related to the proceedings of the Board shall be regulated in the Charter of the Board of the Agency for preschool, primary and secondary education (hereinafter referred to as: the Charter).
- (3) The members of the Board shall select the chairperson of the Board from among their own ranks, for a one-year term, pursuant to the Charter.
- (4) In all issues, the Board shall pass decisions based on the majority of votes from the total number of members, provided that such majority of votes includes one vote each from the representatives of the constitutive nations.

#### Article 9

##### (Dismissal of the Board)

- (1) If it deems that the Board has failed in its function, before expiry of the term of appointment of the Board, the Minister of Civil Affairs of Bosnia and Herzegovina may propose to the Council of Ministers of Bosnia and Herzegovina dismissal of the Board, or of an individual member of the Board.
- (2) The opinion shall be obtained on the proposal for dismissal of the members or member of the Board from the Conference of the Ministers of Education in Bosnia and Herzegovina.

#### Article 10

##### (Competency of the Board)

The Board shall have the competency for:

- a) establishment standards for pupils' knowledge and evaluation of the results accomplished,
- b) approving of the common core curricula for the primary and secondary education, and its publishing in the "Official Bulletin of BiH",
- c) providing advice, interpretations and recommendations to the competent education authorities on the issues from the scope of its competency,
- d) establishing and running the mechanisms for information and reporting on the issues from the scope of its competency,
- e) review of the conducted research from the scope of work of the Agency and publishing of the research results,
- f) establishing and create contacts with the bodies that have similar functions in other countries, as well as with international organizations and institutions aimed at having the prescribed education standards in Bosnia and Herzegovina be comparable to the standards of European countries,
- g) passing of guidelines for implementation of training programs for teachers and expert associates.

## CHAPTER II. MANAGEMENT OF THE AGENCY

### Article 11

(Director of the Agency)

- (1) The Agency shall be managed by the Director appointed pursuant to the Law on Ministerial Appointments, Appointments in the Council of Ministers and Other Appointments in BiH ("Official Bulletin of BiH", no. 37/03). The Director shall have two deputies, managing the regional units and appointed in the same manner.
- (2) The Director of the Agency and the Deputy Directors shall be appointed by the Council of Ministers for a four-year term.
- (3) Directors and Deputy Directors may not be from the same constitutive nation.
- (4) The Director of the Agency shall report to the Council of Ministers of Bosnia and Herzegovina for his own work and the work of the Agency as a whole.

### Article 12

(Competencies of the Director)

The Director of the Agency:

- a) shall manage and direct the tasks performed in the scope of competency of the Agency;
- b) shall be responsible for implementation of the decisions of the Board and other competent bodies;
- c) shall prepare the materials to be discussed and decided upon by the Board;
- d) shall prepare the work plan of the Agency and shall submit work reports;
- e) shall prepare the financial plan of the Agency and shall submit financial reports;
- f) pursuant to the law, shall be responsible for the issue of labor relations;
- g) shall establish the necessary cooperation with the competent education authorities in the entities, cantons and the Brcko District of Bosnia and Herzegovina;
- h) shall submit the annual work report to the Council of Ministers of Bosnia and Herzegovina;

- i) shall perform other tasks pursuant to the law and bylaws, and the enactments of the Agency.

#### Article 13

##### (Rulebook on Internal Organization of the Agency)

- (1) Under consultations with the managers of regional units, the Director of the Agency shall pass the Rulebook on Internal Organization, with the previous approval from the Council of Ministers of Bosnia and Herzegovina.
- (2) The Rulebook on Internal Organization shall on a mandatory basis define the competencies of the regional units.

### PART FIVE – FINANCING

#### Article 14

##### (Financing and Self-Financing of the Agency)

- (1) The funds for the work of the Agency shall be secured into the Budget of the Institutions of Bosnia and Herzegovina and international liabilities of Bosnia and Herzegovina as of January 1, 2007.
- (2) The Agency may have its own revenues and revenues from other sources.

### PART SIX – SUPERVISION

#### Article 15

##### (Supervision)

The supervision over the implementation of this law shall be conducted by the Ministry of Civil Affairs of Bosnia and Herzegovina.

### PART SEVEN – TRANSITIONAL AND FINAL PROVISIONS

#### Article 16

##### (Cease of the Agency for Standards and Evaluation in Education for the Federation of Bosnia and Herzegovina and the Republika Srpska)

- (1) The cease, transfer of archives, equipment and employees of the Agency for Standards and Evaluation in Education for the Federation of Bosnia and Herzegovina and the Republika Srpska (hereinafter referred to as: Agency for Standards and Evaluation in Education for the Federation of Bosnia and Herzegovina and the Republika Srpska) shall be regulated in an agreement to be concluded between the Council of Ministers of Bosnia and Herzegovina, the Government of the Federation of Bosnia and Herzegovina, and the Government of the Republika Srpska.
- (2) The procedure for conclusion of the agreement referred to in paragraph (1) of this Article shall be conducted no later than within three months from the date of coming into effect of this law.

#### Article 17

##### (Harmonization of Legislation)

- (1) Once this law comes into effect, it shall suppress Articles 46, 47, and 48, of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (“Official Bulletin of BiH”, no. 18/03).
- (2) Pursuant to this law, within three months from the date of coming into effect of this law, the entity governments shall place out effect the Decision on Establishment of the Agency for Standards and Evaluation in Education for the Federation of Bosnia and Herzegovina and the Republika Srpska (“Official Gazette of the Federation of BiH”, no. 28/00), and the Decision on Establishment of the Agency for Standards and Evaluation in Education for the Federation of Bosnia and Herzegovina and the Republika Srpska (“Official Bulletin of the Republika Srpska”, no. 42/01).

#### Article 18

(Coming into Effect)

This law shall come into effect on the eighth day from the date of its publishing in the “Official Bulletin of BiH”.

Parliamentary Assembly of BiH, no. 123/07

October 30, 2007

Sarajevo

Speaker

Of the House of Representatives

Of the Parliamentary Assembly of BiH

Dr. Milorad Zivkovic, in person

Speaker

Of the House of Peoples

Of the Parliamentary Assembly of BiH

Ilija Filipovic, in person