

**EDUCATION CODE
OF THE REPUBLIC OF MOLDOVA**

**Title I
General provisions**

Chapter I. Sphere of regulation

Article 1. Goal of the Education Code of the Republic of Moldova

The goal of the Education Code of the Republic of Moldova (hereinafter referred to as “the Code”) is to ensure the legal framework for the design, organization, implementation and development of education system in the Republic of Moldova.

Article 2. Legal framework of education system

(1) The legal relationships in the education field shall be governed by the Constitution of the Republic of Moldova, the present Code and other normative acts in force.

(2) Should the international treaties in the education field, which the Republic of Moldova is a party to, set forth norms other than those provided in the present Code, the norms of the international treaties will be applied.

Article 3. Basic definitions

Within the scope of the present Code, the following basic definitions shall be used:

Community centres – alternative preschool institution with a limited package of services created in localities where crèches or kindergartens cannot be established;

Certification – the process of formal validation of acquired skills after the standard evaluation procedure;

Cycle – sequence of training in higher education with a definite period concluded with the respective final evaluation and assigning of the professional qualification and/or title and the respective certificate of education;

Credit – conventional unit for measuring the quality of labour of all forms which is gained by a student/teaching staff for passing a training course/programme;

Adult education – a component of continuous education that provides continuous access for a human being to science, information, and culture, for a flexible adaptation to new, constantly changing, social and economic conditions and the development of a set of skills needed to ensure a qualitative professional activity, active participation in the social life and the development a fruitful life in any field;

Inclusive education – actions related to the development and use of the existent resources and experience, and provision of various types of services and support for excluded/marginalized people, by ensuring equal opportunities and chances for enjoying the basic human right to development and education;

Professional training – a training process after which a qualification is acquired which is certified through a certificate or diploma issued based on the law;

Circumscription institution – general education institution created within a subdivision of an administrative-territorial unit;

Formal education – institutionalized education that is structured by hierarchy, by degrees, and chronologically, and organized and managed by the central specialized authority of the public administration;

Non-formal education – actions in regard of education/training carried out through non-formal activities designed outside the normal education/training process (circles, ensembles, clubs, camps, contests, excursions, conferences, meetings, expositions etc.) with the involvement of the specialized teaching staff (educator, master teacher, consultant, psychologist, methodologist etc.);

Informal education – continuous educational/training influences on the human personality within the family, community, social, informational etc. context that have non-designed pedagogical effects;

Academic mobility – process of involving all the students and teaching staff in study and research programs carried out in accordance with the legislation in force based on acknowledgement of titles, degrees and qualifications;

Recovery psycho-pedagogue – a professional who conducts recovery and correctional activities (development of verbal communication skills, development of hearing skills, development of cognitive skills);

Speciality – a complex of professional skills acquired through training in a certain field.

Article 4. State policy in education

(1) Education is the first national priority and the basic factor for a sustainable development of the society based on the knowledge.

(2) Through its education policy the state shall ensure:

- a) the basic right indispensable for the exercise of other human rights;
- b) the basic mechanism of reproduction and development of the human capital;
- c) achievement of the educational ideal and objectives, building of consciousness and national identity, promotion of general human values and the society's aspirations of European integration.

Article 5. Basic functions of education

The education system has the following functions:

- a) dynamic development, maintaining, production and delegation of scientific and cultural values and social experience;
- b) meet and align the individual educational requirements to the social ones;
- c) develop the human potential and ensure the quality of life and welfare of the people;

- d) develop the national culture, promote intercultural dialogue and tolerance;
- e) develop skills and attitudes needed for socialization and professional achievements.

Chapter II. Principles of education

Article 6. Basic principles

Education shall be based on the following principles:

- a) equity and equality of chances to quality education for any individual, throughout his/her lifetime, regardless of social status, race, sex, nationality, language, ethnic origin, religion or political affiliation;
- b) quality ensurance;
- c) anticipated development of the human factor quality;
- d) focus on general human, national and universal scientific values;
- e) relevance for personal development and social and economic needs;
- f) lifelong learning;
- g) learner-focused;
- h) intercultural and cross-cultural approach;
- i) secular education.

Article 7. Principles of education system's organization and operation

The education system shall be laid down on the following principles of organization and operation:

- a) unity and integrity of educational space;
- b) decentralization and institutional autonomy;
- c) managerial and financial efficiency;
- d) non-profit;
- e) transparency and public accountability;
- f) inclusiveness;
- g) interaction between formal, non-formal and informal education;
- h) ensure the coherence and synergy between the training and research activities;
- i) participation and responsibility of community, parents and other relevant social actors;
- j) supporting and promoting teaching staff, ensuring the social protection in accordance with the legal norms.

Chapter III. Ideal and purpose of education

Article 8. Ideal of education

The ideal of education is the integral training and development of personality from the prospective of cultural, axiological, social and economic, scientific and political demands of the democratic society to acquire a set of values needed for self-development, personal achievements and social and professional integration in the society of knowledge based on the European values.

Article 9. Purpose of education

(1) The main purpose of education is to build and develop a system of skills that includes integral multi-functional knowledge, competency and values.

(2) Education aims to:

- a) build the lifelong learning skills;
- b) build and develop a system of educational, social, scientific, professional etc. values;
- c) educate the feeling of love towards one's country and attachment towards national traditions, educate the civic spirit and tolerance;
- d) build and develop effective communication skills in Romanian and one of international foreign languages in different backgrounds: educational, cultural, professional, scientific etc.;
- e) build the skills for integration on the labour market and achievement of professional career;
- f) educate the feeling of personal dignity and respect for other's dignity;
- g) build and apply a healthy life style, build the ecological awareness and responsibility for environment protection;
- h) educate the resistance to continuously changing conditions, accept and promote innovations in different fields;
- i) build the respect for equal rights and women's and men's responsibility;
- j) build the skills of entrepreneurship, activism, self-development and self-training.

Chapter IV. Organization of the education system

Article 10. Ensuring the priority of education

(1) Public education shall be free of charge. Fees can be charged for some activities and study programmes in accordance with the provisions of the legislation in force.

(2) Funding of the education system shall make at least 8% of the Gross Domestic Product.

(3) Education shall be funded:

- a) from the state budget and local budgets;
- b) through payment of fees, donations, sponsorship;
- c) from own sources, and regional and international programmes;
- d) from other legal sources.

(4) The state shall support persons with special education needs and requirements, and pupils and students with outstanding performance.

(5) The state shall ensure the social protection of the teaching staff from the education system in accordance with the legislation in force.

(6) The minimum salary in education for one education norm cannot be less than the average salary in the national economy.

(7) The state shall guarantee tax exemptions for legal entities, regardless of their form of organisation and ownership, and for individuals, including those from

abroad, who invest their own resources in the development of the education system in accordance with the legislation in force.

Article 11. Access to education

(1) Citizens of the Republic of Moldova have equal rights to access to education and to the initial and continuous professional training through the National Education System in accordance with the present Code.

(2) The state shall promote and support the lifetime learning.

(3) Enrollment in the education institutions, transfer of pupils and students from one type of education institution into another shall be performed in accordance with the requirements established by the Ministry of Education.

(4) The citizens of other states and the apartheid persons shall have access to education through the National Education System in accordance with the present Code.

Article 12. Compulsory education

(1) The compulsory education in the Republic of Moldova includes 9 grades.

(2) The compulsiveness of attending the general education with daily attendance shall end at the age of 16 years.

Article 13. Language of training within education system

(1) Education, through the National Education System, shall be conducted in the Romanian language and, where appropriate, in the languages of the national minorities.

(2) The state shall guarantee the constitutional right of people to choose the language of education and training at all levels, forms and types of education, depending on the requests and the affordability of the education system.

(3) Learning of the Romanian language shall be compulsory in all the education institutions and regulated by the state education standards.

(4) The state shall ensure the conditions necessary for learning the Romanian language in the education institutions.

Article 14. Social dialogue

(1) Social dialogue shall be promoted within the National Education System, as well as the development and use of partnerships of the education institutions with the community, civil society and businesses, established in accordance with the legislation in force.

(2) The Ministry of Education shall design and apply the national strategies for education system development following consultations the authorities and institutions of the central public administration and key social partners.

Article 15. Scientific, methodological and axiological grounds of the education system

(1) The scientific, methodological and axiological grounds of the education system shall be ensured by the Ministry of Education, Moldova Academy of Science, higher education institutions and other assigned institutions.

(2) The scientific, methodological and axiological grounds shall lay the foundation for the modernization and reform of the education system.

Title II Education system

Chapter I. General provisions

Article 16. Education system

The education system is a group of institutions/organisations (educational, economic, political, scientific, cultural) and human communities (family, people, nation, professional groups, mass-media etc.), which, directly or indirectly, explicitly or implicitly, perform certain educational functions, ensuring the formal/non-formal/informal training/development of the human personality.

Article 17. Teaching system

(1) The education system is the basic subsystem of the learning system and comprises the network of education institutions of different forms of ownership and legal forms of organisation.

(2) The education institutions are legal entities acting in accordance with the legislation in force.

Chapter II. Organisation of the education system

Article 18. Education system's structure

(1) The education system is structured by levels and cycles:

- a) level 0 – early education and preschool education;
- b) level I – primary education;
- c) level II – gymnasium education;
- d) level III:
 - lyceum (lycee/high school) education;
 - secondary vocational/technical education (vocational/technical school, vocational/technical lyceum);
- e) level IV – post-secondary vocational/technical education (college);
- f) level V – higher education:
 - cycle I: bachelor's degree;
 - cycle II: master's degree;
- g) level VI – higher education:
 - cycle III: doctor's degree.

Article 19. Forms of education organisation

Education can be provided as daily attendance education, distance learning, reduced attendance education, individual training, education at home, self learning, and mixed learning.

Article 20. Types of education institutions

- (1) Education institutions have the following classification:
 - a) early education and preschool education institution – crèche, kindergarten, crèche-kindergarten, community centre;
 - b) primary education institution – primary school;
 - c) secondary general education institution – gymnasium, lyceum;
 - d) vocational/technical education institution – vocational/technical school, vocational/technical lyceum, college;
 - e) higher education institution – university, academy of studies, institute;
 - f) specialized institutions of continuous training;
 - g) extra-school education institution – creation centre, club or relevant institution, school camp;
 - h) arts and sports education institution – music school, arts school, sports school etc.;
 - i) institution for children with special education needs.
- (2) Depending on the local conditions, there can be created education institutions of the following types:
 - a) school-kindergarten;
 - b) community centre;
 - c) circumscription institutions.
- (3) Depending on the type of ownership, the education institutions have the following classification:
 - a) public education institutions;
 - b) private education institutions.

Article 21. Establishment of education institutions

- (1) General public education institutions shall be created, reorganized and closed down at the initiative of the local public administration authorities, central public administration authorities and public institutions with the agreement of the Ministry of Education.
- (2) Public residential education institutions, vocational/technical education institutions, higher education institutions shall be created, reorganized and closed down by the Government at the initiative of the local public administration authorities, central public administration authorities and public institutions.
- (3) Private education institutions can be created and reorganized into forms provided by the civil legislation for non-commercial organisations or can be closed down at the initiative of individuals or legal entities with the agreement of the Ministry of Education. The type of the private education institution shall be specified in its name.
- (4) Accredited private education institutions are part of the National Education System and training and shall be subject to the provisions of the present Code.

Article 22. Process of education

- (1) The process of education, regardless of the organizational and legal form of the education institutions, shall be carried out based on the educational

standards, the National Curriculum, the methodological manuals and guidelines approved by the Ministry of Education, implying human, teaching, logistical and technological resources.

(2) The process of education is the main subsystem of the education system, specialized in setting up and achievement of general educational objectives that are specific, concrete, and operational at the level of the teaching-educative activities usually carried out within an institutionalized educational framework.

(3) Private education institutions can apply other curricula, plans and own educational methods in accordance with the National Education Standards.

(4) The length of the school year, professional internships, examination sessions, and holidays shall be spelt out in the Master Plan for each level of education.

Article 23. Rating system

(1) Rating is the decision made by a teacher/ lecturer during the evaluation of the learning activity, after quantitative measurement and qualitative appraisal of the degree and the way the pupil/student has achieved the curricular objectives.

(2) The rating based on 10 points shall be applied in the education system.

(3) Other rates also can be applied in the education system:

a) “accepted”, “rejected”;

b) “excellent”, “well”, “satisfactory”, “unsatisfactory”.

(4) The appraisal of skills of the pupils from the primary education shall use the rates “excellent”, “well”, “satisfactory”, “unsatisfactory”,. in the gymnasium and lyceum education – with marks from “10” to “1”, “accepted” or “rejected”.

(5) Skills rated with 4, 3, 2, 1, and “accepted” or “rejected” shall be considered unsatisfactory.

(6) The evaluation and rating process shall be conducted in accordance with the standard Regulation approved by the Ministry of Education.

(7) In higher education, in parallel with the National Rating System the grading system shall be applied according to the European Credit Transfer System with the recommended grades (A, B, C, D, E) needed to fill in the annexes to the diploma and ensure the academy mobility.

Article 24. Education system’s resources

(1) The educational resources are a group of human and material capacity employed in the continuous training and development of personality, organized at the level of the education system.

(2) The investments in the educational (human, material, financial, informational, managerial) resources determine the quality of the education system and are the priorities of the state policy in the social field.

(3) Use of the educational resources within the education system shall be performed at the level of the relationship between the formal, non-formal and informal education, and the relationship between the levels of the education system.

(4) The relationship of educational resources use at the system level shall be established by the Ministry of Education.

Article 25. Education system management

(1) The management of the education system represents the overall optimum, strategic and operational leadership of the education and it is performed at the national, territorial and institutional level.

(2) The management of the education system shall focus on the fundamental principles and the principles of education organization, provided in the Title I of the present Code that provides for the following specific principles:

a) the principle of overall and strategic leadership by developing and applying the Programmes for Education Strategic Development at the national, territorial and institutional level;

b) the principle of effective leadership through information – evaluation – managerial communication;

c) the principle of institutional autonomy;

d) the principle of dynamic and comprehensive leadership oriented towards the interrelation between management functions and structures;

e) the principle of democratic and participatory leadership;

f) the principle of continuous improvement of the educational management system.

(3) The duties of the central and territorial management authorities/structures shall be established by the present Code, while the duties of the institutional management structures - by the standard regulations, institutional regulations, university charter (for higher education institutions) approved in accordance with the law.

(4) The Ministry of Education is the national authority which develops and promotes the National Education Policy.

(5) The monitoring function and the external evaluation of the quality of education in the higher education and research, the accreditation of the initial and continuous training programmes provided by educational service providers are performed by the National Agency for Evaluation of Quality in Higher Education and Research that is an independent structure, created in accordance with a Government Decision.

(6) The National Agency for Evaluation of Quality in Higher Education and Research operates based on the Regulation coordinated with the Ministry of Education and approved by the Government.

(7) The function of promoting the research, innovation and technological transfer policies at the national level, and the general management of the research are performed by the National Agency for Research, Innovation and Technological Transfer, created in accordance with a Government Decision.

(8) The National Agency for Research, Innovation and Technological Transfer operates based on the Regulation approved by Government.

(9) At the national level there are:

a) the Collegium of the Ministry of Education that is chaired by the Minister. The nominal membership of the Collegium shall be approved in accordance with a Government Decision;

b) the National Congress of the staff of the education system that is convoked in accordance with the requirements established by the Ministry of Education.

Article 26. Graduation documents

(1) The gymnasium, lyceum, vocational/technical and higher education institutions (cycle I, cycle II and cycle III), of continuous training shall issue for persons who have taken the graduation examinations graduation documents according to the forms developed and approved by the Ministry of Education.

(2) The forms of graduation documents shall be published in the Official Monitor of the Republic of Moldova. Documents issued by other legal entities are not recognized.

(3) If a private education institution is not accredited during the school year, the graduates of the respective year shall take, with the approval of the Ministry of Education, the graduation examinations with other accredited education institutions, according to the methodologies established by the Ministry of Education.

(4) The graduation documents approved by the Ministry of Education provide to their owners/holders the right to continue their studies or get employed according to the qualification obtained and are provided free of charge.

(5) The graduation documents in the general education and secondary vocational/technical (vocational/technical school, vocational/technical lyceum) education shall be issued in the Romanian language. In the post-secondary vocational/technical education (college), higher education, doctor and post-doctor degree education the graduation documents shall also be issued in one of international foreign language.

(6) Upon completion of each education level or cycle the following graduation documents shall be issued:

- a) gymnasium education institution – certificate of gymnasium studies;
- b) lyceum education institution – baccalaureate (secondary school graduation) diploma;
- c) vocational/technical education institution:
 - vocational/technical school – certificate of vocational/technical studies;
 - vocational/technical lyceum – baccalaureate (secondary school graduation) diploma;
 - college –vocational/technical studies diploma;
- d) higher education institution:
 - cycle I – bachelor’s degree diploma;
 - cycle II – master’s degree diploma;
 - cycle III – doctor’s degree diploma;
- e) post-doctor – doctor habilitat (PHD) diploma;
- f) arts or sports education institution – graduation document according to the education level and professional qualification certificate;
- g) continuous education institution – certificate of participation, certificate de retraining/specialization, diploma of professional re-qualification.

(7) If the graduate has not finished the studies at the respective level, they shall be granted the respective certificate, valid to continue the studies, according to the sample approved by the Ministry of Education.

(8) Ministry of Education shall have the duty to inform, recognize or validate studies or graduation documents and qualifications in accordance with the international conventions and relevant European structures' recommendations.

Title III **General education**

Chapter I. Definition and structure of general education

Article 27. General provisions

(1) General education is one of the subsystems of the education system that includes a group of education institutions specialized in providing training and development of skills needed for the social integration of each individual and continuation of studies at the next level.

(2) General education includes early education, preschool, primary, gymnasium and lyceum education.

(3) Inclusive education shall be provided in the institutions of the education system at all its levels, where persons with special education needs shall be integrated.

(4) At the level of the preschool, primary and the gymnasium education there will be organized school/interschool logopedical services, psycho-pedagogical and psychological assistance, kinetotherapy etc. within the education institutions as structures to support the educational and school inclusiveness of persons with special education needs.

Article 28. General education's structure

(1) General education includes:

- a) early education and preschool education: the small group; the middle group; the big group, and the preschool training group;
- b) primary education: grades 1 to 4;
- c) gymnasium education: grades 5 to 9;
- d) lyceum education: grades 10 to 12.

(2) General education also includes other components: with complementing functions (extra-school education), recovery (education for children with special education needs), arts and sports education.

Article 29. Organization of general education

(1) In the general education the training process shall be provided in groups or classes, according to the following norms:

a) in early education :

- a group of children under 3 years shall consist of 10-15 children;

- a group of children between 3-6(7) years shall consist of 15-20 children;

b) in the primary education the class shall consist of 20-25 pupils;

c) in the gymnasium education the class shall consist of 20-25 pupils;

d) in the lyceum education the class shall consist of 20-25 pupils;

e) in the extra-school education the group shall consist of 15-20 pupils.

(2) Creation of units under or over the established norms shall be regulated through the methodology developed by the Ministry of Education with the agreement of the local public authorities.

(3) In the private education institutions the number of children in school units (groups, classes) shall not exceed the norms established for the public institutions.

(4) The number of children/pupils in groups/classes in the general education institutions that provide education to children with special education needs shall be reduced compared to the limits provided in the article 29 of the present Code, as follows:

a) in the preschool education the inclusive group of children under 3 years shall consist of a minimum of 10 children; and the inclusive group of children of 3-6(7) years shall consist of a minimum of 10-15 children;

b) in the primary, gymnasium, and lyceum education the inclusive group shall consist of a minimum of 15-20 children;

c) in the extra-school education the inclusive group shall consist of a minimum of 10-15 children.

Article 30. Length of the school year

(1) The school year in the general education shall start on 1 of September and shall last 34 weeks divided into relatively equal quarters and split by holidays.

(2) The period and length of the holidays and the length of classes (lessons) in the general education shall be established by the Ministry of Education.

Chapter II. Early education and preschool education

Article 31. General provisions

(1) Early education and preschool education includes public and private early and preschool education institutions of different types, with different operational programmes in accordance with the National Education Standards.

(2) The main purpose of the early education and preschool education is the multilateral education of children for life and their integration in the school activities, and the development of creative aptitudes by capitalizing their psycho-physiological and intellectual potential.

Article 32. Organization of early education

(1) Children shall enjoy early education from childbirth until the age of 3 years.

(2) Education of children until the age 3 years is usually provided in the family which in this case benefit of the state support in accordance with the legislation in force.

(3) The preschool institutions for children under 3 years (crèches, community centres) can be created at parents' request and according to the

decision and with the participation of the local public administration authorities or founders in the case of private institutions.

(4) The state shall guarantee the care and education within the public institutions for all children, including those with special education needs of early and preschool age.

Article 33. Organization of preschool education

(1) The preschool education shall be provided to children aged 3-6(7) years and shall be created in the public and private preschool institutions with different operational programmes that ensures the implementation of the National Education Standards.

(2) The training of children for school is compulsory from the age of 5 years. The state shall ensure the material and financial resources needed for adequate organization of the teaching and educational process in the preschool training groups of the preschool institutions or primary schools.

(3) The local public administration authorities must ensure the viability of the existent preschool institutions system for its integrated development, ensuring the material and financial support in line with the quality standards developed and approved by the Ministry of Education.

Chapter III. Primary education

Article 34. General provisions

The primary education contributes to the development of children as an independent and creative personality, to the development of their intellectual abilities, and reading, writing and calculation skills, ensuring the development of communication skills and basic skills needed to continue their studies in the gymnasium education.

Article 35. Organization of primary education

(1) The primary education includes grades 1 to 4 and is provided as education with daily attendance and usually with classes in the morning in institutions of primary school type (grades 1 to 4), primary school - kindergarten, education institutions with grades 1 to 9 or usually with grades 1 to 12 in the rural area.

(2) In grade 1 there are enrolled without any examinations children who turn 6-7 years in the respective calendar year except for schools with theatre, music, dance and sports classes.

(3) Enrollment in the school shall become compulsory at the age of 7 years.

(4) Enrollment in the school of children who turn 6 years until 1 of September of the respective calendar year shall be decided based on a request from parents or persons who substitute them, depending on child's level of psychosomatic maturity, confirmed by professionals according to the procedure established by the Ministry of Education.

(5) In the primary education there will be provided optional classes according to the Master Plan of Education.

(6) In rural localities there can be organised primary grades with a different number of children of the respective age than the number provided in the article 29 of the present Code, as well as grades with simultaneous teaching according to the decision of the local public administration with the agreement of the Ministry of Education.

Chapter IV. Gymnasium education

Article 36. General provisions

The gymnasium education shall ensure the development of skills and intellectual abilities of pupils designed as a defining level in the development of the personality, and training for lyceum education, professional orientation or vocational/technical education.

Article 37. Organization of gymnasium education

(1) The gymnasium education is compulsory and shall be provided as education with daily attendance with grades 5 to 9 in education institutions with grades 1 to 9 and usually with grades 1 to 12 in the rural area.

(2) In the gymnasium education there will be enrolled without any examinations all pupils who have graduated the primary education.

(3) The gymnasium education shall be provided in institutions of the boarding school type for orphan children, recovery institutions for children with chronic cardio-vascular and neuropsychological diseases and institutions for children in conflict with the law.

(4) In the gymnasium education there can be organised groups or classes with extended hours based on the Regulation approved by the Ministry of Education.

(5) The gymnasium education shall be finalized with graduation examinations composed of several tests and issuance of a certificate for the gymnasium education.

(6) The way the graduation examinations are organized in the gymnasium education shall be established by the Ministry of Education.

Chapter V. Lyceum education

Article 38. General provisions

(1) The lyceum education is organised in lyceums and provides pupils with the basic theoretical knowledge and a wide general cultural background needed to continue their studies in higher education or in vocational/technical education institutions.

(2) The lyceum education is a level of the learning process that includes grades 10 to 12 (13) and is of different types and profiles.

Article 39. Organization of lyceum education

(1) The lyceum education is provided in lyceums as education with daily attendance (and has a length of 3 years, including grades 10 to 12), with reduced

attendance or as distance learning and has a length of 4 years, including grades 10 to 13.

(2) The lyceum education is of the following types:

- a) theoretical with humanitarian or real profiles;
- b) technological with technical, agrarian, economic, service, natural resources exploitation and environment protection and other profiles;
- c) vocational with pedagogical, military, public order and security, theological, sports, arts and other profiles.

(3) The lyceum education with reduced attendance and distance learning (grades 10 to 13) can be provided for graduates of the gymnasium and professional education that are employed and it can operate in accordance with the legislation within education units established by the Ministry of Education.

(4) Lyceums are created for at least two classes of the 10th grade with a number of pupils consistent with article 29 of the present Code with one or more profiles. Within these profiles there can be created with the agreement of the Ministry of Education classes with narrow specialisation and special classes for pupils with special aptitudes and performance.

(5) Private lyceum education institutions shall be created, reorganized and closed down at the initiative of individuals or legal entities in accordance with the present Code.

(6) Graduates of the gymnasium education can enrol in the lyceum education.

(7) Enrollment of pupils in the lyceum education shall be done based on the methodology developed by the Ministry of Education that will be made public at the beginning of the school year preceding the enrollment.

(8) Graduates of the vocational/technical schools have the right to enrol in the 12th grade of the lyceum.

(9) The lyceum education shall be finalized with the baccalaureate (secondary school graduation) examination that will be organized according to the procedure established by the Ministry of Education.

(10) After the baccalaureate (secondary school graduation) examination there will be issued a baccalaureate (secondary school graduation) diploma that gives the right to be enrolled in higher education or in the post-secondary vocational/technical education.

Chapter VI. Education for persons with special education needs

Article 40. General provisions

(1) The education for persons with special education needs is one of the teaching process level organised for persons with knowledge and learning problems, communication and relationship building problems, sensor and physical, emotional and behavioural and social problems, as well as for persons capable of high performance.

(2) Education for persons with special education needs is integral part of the education system and its purpose is the education, training, rehabilitation and educational, professional and social integration of persons with special education needs.

Article 41. Organization of education for persons with special education needs

(1) The education for persons with special education needs is provided in general education institutions, special education institutions, and as education at home.

(2) For orphan children or for children with no legal guardians there are created orphanages, family type homes and boarding schools.

(3) To ensure the multifunctional and complex evaluation of children with special education needs, and their monitoring and re-evaluation, determination of special education needs, development of individual plan of services, ensuring the right to education and training, child adaptation and integration into an adequate education environment, taking into account children's interest as a priority, a National Centre of Child Complex Evaluation shall be created at the national level and the District Committee for Child Complex Evaluation at the local level.

(4) The activity of the National Centre of Child Complex Evaluation shall be organised based on the Regulations approved by the Government.

(5) The activity of the District Committee for Child Complex Evaluation shall be organised based on the Regulations approved by the Ministry of Education with the agreement of the Ministry of Labour, Social Protection and Family.

(6) The multifunctional and complex evaluation of children and pupils with special education needs shall be provided applying modern monitoring and evaluation tools approved by the Ministry of Education having as the ultimate outcome their educational and social inclusion.

(7) The diagnosis of children with psychological and physical disabilities shall be provided in the presence of parents or guardians, and shall be carried out by the District Committees for Child Complex Evaluation or the National Centres of Child Complex Evaluation.

(8) During the re-evaluation, depending on child evolution, it can be recommended to refer the child from the special education institution to the general education institution and vice-versa.

(9) The education for children and pupils with special education needs is free of charge and shall be organized as education with daily attendance, and in special cases as other forms in accordance with the provision of the present Code.

(10) The education institutions with inclusive practices and the special education institutions can benefit, in accordance with the legislation, from the support of the social assistance institutions and other public or private organisations, philanthropic societies, individuals or legal entities from the country or from abroad to ensure a quality educational and social inclusion of children and pupils with special education needs.

(11) The education institutions with inclusive practices and special education institutions shall provide facilities and the necessary services and environment, depending on the individual needs of persons with special education needs who attend the respective institution.

(12) The education institutions with inclusive practices have:

a) support teaching staff who are people qualified in pedagogy or special psycho-pedagogy and provide support to children with disabilities for their integration in the general education process;

b) personal assistants who are people providing individualised services needed for the mobility and meeting the basic needs of persons with disabilities.

(13) The training of graduates with special education needs shall be provided according to the Nomenclature of trades (professions) for training of staff in the vocational/technical education, in the trade classes within the special schools, within vocational/technical schools and according to the Nomenclature of the specialities for training staff in higher education institutions.

(14) The Ministry of Education, the Ministry of Labour, Social Protection and Family, the Ministry of Health, the local public administration authorities together with the governmental and/or non-governmental organisations shall ensure the social and professional integration of graduates with special education needs, according to the acquired qualification and in accordance with the legislation in force.

Article 42. Special education

(1) Special education shall be provided in special education institutions and their alternative - special education centres, prevention education centres, recovery pedagogy centres, resources and educational assistance centres etc.

(2) Special education institutions shall be created and closed down by the Government at the Ministry of Education suggestion with the agreement of local public administration authorities.

(3) Special education institutions shall be created by special education needs categories: knowledge and learning problems, physical (motor and neuro-motor), sensor (hearing or visual), and behavioural problems etc.

(4) For children with chronic cardiovascular and neuropsychological diseases the Ministry of Education shall create sanatorial-type education institutions.

(5) For education of minors from criminal investigation isolators, from minors' penitentiaries the Ministry of Education with the agreement of the Ministry of Justice shall create, where appropriate, groups, classes or education institutions.

(6) The special education for children with special education needs shall be carried out in accordance with the master plans of education, the National Curriculum, and differentiated, individualised and adapted curricula programmes depending on the child learning capacity approved by the Ministry of Education.

(7) The teaching of school subjects in grades 5 to 12 in schools for children with physical and sensor disabilities shall be provided by the teaching staff with general background that have been specialized in special psycho-pedagogy.

(8) The length of compulsory special education is 8 years for children with mental disabilities and 10-12 years for children with physical and sensor disabilities, depending on the degree and type of disability.

(9) In special education for children with special education needs shall be employed teaching staff with qualification in special psycho-pedagogy.

Article 43. Education at home

Pupils who, due to health problems or to a disability, do not have the opportunity to move or are placed for a long period of time in a medical institution, will be provided education at home or in the medical institution for a period defined according to the procedure established by the Ministry of Education.

Chapter VII. Extra-school education

Article 44. General provisions

(1) Extra-school education is an integrant part of the education system, related to continuous training that provides for activities supplementing the educational process in all types of the education institutions intended for children's and young people's cognitive, affective and actions-related potential development, and meeting of their interests and options of leisure time.

(2) Extra-school education provides all beneficiaries with opportunities and optimum conditions for information, documentation, communication, development, social integration and self-achievement.

(3) Extra-school education institutions can be public or private.

Article 45. Organization of extra-school education

(1) Extra-school education institutions shall be created and developed by local public administration authorities in coordination with the Ministry of Education or other relevant authority of the central public administration according to the procedure established by the legislation in force.

(2) The operational procedures of extra-school institutions are established in their standard operational Regulation, developed and approved by the Ministry of Education.

(3) Depending on the activity specifics, each institution shall develop (in accordance with the standard Regulation) its own operational Regulation in coordination with the relevant authority of the local public administration.

(4) The access to public extra-school institutions' activities is free and is provided free of charge in accordance with the Nomenclature of free of charge educational services, approved by the Government, for all applicants of 5 to 21 years, regardless of sex, race, ethnic origin, nationality, religion etc., who are not prevented by their medical condition from this type of activities.

(5) Public extra-school education institutions can provide paid educational services in addition to services planned in the education plan and curriculum approved by the supervisory authority.

(6) Quota of paid services provided by public extra-school institutions should not exceed 50 percent of services covered by the budget.

(7) Extra-school education is optional depending on children's and young people's interests and options, and is provided in public and private extra-school institutions (centres, palaces, creation clubs, technical-scientific clubs, young naturalists' centres, sports schools, entertainment centres, studios etc.) as specific educational activities in group and/or individually by specially trained teaching staff in cooperation with families, socio-cultural units, mass-media, and children and youth organisations etc.

(8) Funding of extra-school education shall be provided from the state budget and the administrative-territorial units' budgets, and school fees, sponsorship, donations and other legal financial sources.

Article 46. National Children and Youth Centre

(1) The National Children and Youth Centre is a National Education institution with a special status, which is subordinated to the Ministry of Education, coordinates the activity of and provides methodological support to institutions providing extra-school and extra-curricular education services to children and young people.

(2) The assets of the National Children and Youth Centre are state ownership and cannot be privatized.

Chapter VIII. Educational standards

Article 47. National Education Standards

(1) The National Education Standards represent minimal levels of pupils' aptitudes and skills they need to achieve by learning the school subjects at the end of primary, gymnasium and lyceum education levels, set for theory and practice, based on the educational values of the National Education System and the implementation of modern education.

(2) The educational process in all types of institutions shall be provided in accordance with the National Education Standards.

(3) The Educational Standard in the Republic of Moldova is a normative document with a status of a standard for the evaluation of pupils' aptitudes/skills level and as a reference for curriculum developers and authors of the school books and other training supports and tools.

(4) The National Education Standards determine the right to recognition and validation of graduation documents and represent the basis for objective evaluation of the graduates' general and professional knowledge level, regardless of type and form of education.

Article 48. National Education Standards' functions

(1) In the general education the standards have the following functions:

- a) ensures the quality of education;
- b) serves as evaluation and accreditation criteria;
- c) ensures management /coordination of the educational process;
- d) ensures the recognition and validation of graduation documents.

(2) The National Education Standards shall be developed and approved by the Ministry of Education, taking into account the European standards.

Chapter IX. General education curriculum

Article 49. General provisions

(1) The National Curriculum is the regulating document for educational policies, which care lays down a new quality of education.

(2) The National Curriculum establishes the normative framework of the educational vision of the training process, anticipating the expected effects of each school subject, by level of education, in a flexible, realistic and dynamic curriculum.

(3) The National Curriculum is developed based on the National Education Standards, has a training-functional role and is split into levels of education.

(4) The National Curriculum for general education and the school subjects are approved by the Ministry of Education.

Article 50. General education curriculum's structure

(1) The general education curriculum includes the basic Curriculum, the Master Plan for primary, gymnasium and lyceum education, the compulsory and optional subjects of the Master Education Plan, the school books and methodological guidelines, and the teaching, learning and evaluation strategies.

(2) The school curriculum includes the concept of the subject, key aptitudes, cross-subject aptitudes by education level, aptitudes and sub-aptitudes related to the subject, subject content, and teaching and evaluation strategies.

(3) The Master Plan includes compulsory and optional subjects and a maximum and minimum number of lessons for each subject. The percentage of optional subjects is increasing in the final grades of the gymnasium and lyceum education.

(4) In the Master Plan optional subjects have a percentage of 15% at the compulsory education level and 20% at the lyceum education level.

(5) The Master Education Plans for general education are developed and approved by the Ministry of Education in coordination with the National Curriculum Council and the Ministry of Health.

(6) The Master Plan is compulsory for all education institutions from Republic of Moldova and aims at ensuring the quality of education, educational management improvement, aligning of the National Education Plans to the international ones, and creating conditions for academic mobility.

Article 51. School books

(1) All types of education units shall use the school books approved by the Ministry of Education.

(2) The school books are developed based on the National Curriculum and approved by the Ministry of Education.

(3) Pupils from public and private primary education will receive school books free of charge both for the education in Romanian language and for the education in the languages of national minorities according to the procedure established by the Government.

Chapter X. General education evaluation

Article 52. General provisions

(1) Evaluation represents a set of systemic and comprehensive actions, based on which the curriculum, the school process and the school progress are analyzed and assessed against the educational standards.

- (2) Evaluation in the general education has the following basic functions:
- a) inform the teaching staff, the decision makers and the community on the education quality;
 - b) assess and forecast the education development;
 - c) ensure a two way communication by amending the educational policies, and of the teaching learning and evaluation strategies.
- (3) The evaluation covers:
- a) the general education system;
 - b) the general education institutions;
 - c) the initial and continuous training curriculum/programmes;
 - d) the teaching and administrative staff;
 - e) the educational and management process;
 - f) the school progress.

Article 53. Organization of evaluation of general education

(1) Evaluation of school curriculum, in general, and of the curricula subjects, in particular, is part of the systemic evaluation in the general education and shall be performed by the Ministry of Education.

(2) Education process evaluation is part of the systemic evaluation in the general education and can be external or internal.

(3) Education process evaluation is performed:

- a) at the national level – by the Ministry of Education and/or other relevant authorities;
- b) at the local level – by the Ministry of Education and the Directions of Education;
- c) at the institutional level – by the Directions of Education and the institutions' management.

(4) School progress evaluation is part of the systemic evaluation in the general education and evaluates the general and specific competence of the school subjects.

(5) School progress evaluation can be:

- a) initial, continuous and final;
- b) diagnostic, formative and summary.

(6) The continuous evaluation is performed through formative and summary evaluation by the teaching staff and, where appropriate, by the education institutions' management, Directions of Education, and the Ministry of Education.

(7) The final evaluation/certification of the educational performance in the general education is performed by the Evaluation and Examination Agency created by the Government.

(8) Education institutions can independently choose the forms and strategies of continuous evaluation of the school progress.

(9) Pupils from institutions with languages other than Romanian shall take a compulsory Romanian language examination.

(10) The final examinations in the gymnasium and lyceum education shall be organized based on the Regulation approved by the Ministry of Education.

Chapter XI. General education management

Article 54. General provisions

The general education management is a policy oriented towards the design, organization, coordination, evaluation, and monitoring of the education system to ensure the quality of the education.

Article 55. General education administrative and consultative bodies

(1) At the Direction of Education level they are:

a) the Administration Council of the Direction of Education, created based on the order of the Head of the Direction of Education;

b) Consultative Council of the Direction of Education chaired by the Head of the Direction. The nominal membership of the Consultative Council is approved by a decision of the respective Local Council.

(2) At the education institution level they are:

a) the Administration Council of the education institution, with a decision-making role in the administrative field, composed of the director, deputy director, Local Council's representative, Mayor's Office's representative, parents' representatives, 1-5 representatives of the teaching staff, economic agents' representative and one representative of the pupils from the lyceum education;

b) the Teachers' Council of the education institution, with a decision-making role in the educational field, composed of the teaching staff from the respective institution and chaired by the director;

(c) the Administration Council and the Teachers' Council operate based on the regulations developed by the Ministry of Education, in consultation with the trade unions from education and relevant structures of the local public administration.

Article 56. Management system organization

(1) The general education institutions shall operate in accordance with the provisions of the present Code and shall be held liable for the implementation of the National Education Standards, defending the rights of children/pupils and staff, and for the safety of children's/pupils' life and health.

(2) The activities of the general education institutions shall be regulated by the standard Regulation developed and approved by the Ministry of Education.

(3) If a primary school and a gymnasium have a joint administration, the education, institution shall be called gymnasium. If a primary school, a gymnasium and a lyceum have a joint administration, the institution shall be called lyceum.

(4) The public general education institutions are subordinated to the local public administration authorities.

(5) The methodological evaluation and monitoring of the general education institutions' activities shall be performed by the Directions of Education and the Ministry of Education.

(6) The general education institutions are managed by directors who will ensure their management together with the Teachers' Council and the Administration Council.

(7) The director's and deputy director's positions shall be fulfilled based on competition and criteria for professional and management skills, in consultation with the Administration Council and the Local Council. The Competition Methodology shall be established by the Ministry of Education and approved by an Order of the Minister of Education.

(8) Directors of public general education institutions are appointed based on competition for a 5-year term, for up to 2 consecutive terms. After every 5 years the director's position becomes vacant.

Chapter XII. General education teaching staff

Article 57. General provisions

(1) The staff from the general education includes the management staff, the teaching staff and other categories of staff.

(2) The management staff in the general education includes the director, the deputy director in education, the deputy director in training, the deputy director in household.

(3) The teaching positions in the general education are:

a) in early education and preschool education – methodologist, educator, music teacher, logopedist, defectologist, psychologist;

b) in primary education – teacher, lecturer, educator, support educator, logopedist, psychologist, club leader;

c) in gymnasium and lyceum education – lecturer, psychologist, social pedagogue, educator, club leader;

d) in education for children with special education needs and in medical-psychological-pedagogical counselling – educator, teacher, lecturer, psychologist, logopedist, master-instructor, instructor, master, teacher-defectologist, methodologist, club leader.

(4) In the general education additional units the teaching positions are:

a) in orphanages – educator, logopedist, psychologist, defectologist, music teacher;

b) in inter-school groups and logopedical cabinets – educator, psycho-pedagogue, logopedist;

c) in extra-school institutions – methodologist, psychologist, teacher (club leader), conductor, chorus master, ballet master, cultural activities organizer, producer, accompanist, artistic director;

d) in arts and sports institutions – educator, pedagogue social, methodologist, teacher, lecturer, assistant master, artistic director, ballet master, concert master, chorus master, conductor, accompanist, producer, trainer-instructor, master-instructor, trainer, teacher;

e) in private education institutions the teaching positions are the same as in the public education.

(5) Other staff categories in general education are:

a) librarian;

b) lab assistant;

c) engineer- programmer;

d) medical assistant;

- e) master tuner (of musical instruments);
- f) technical support staff.

(6) The initial training of the teaching staff shall be provided in post-secondary vocational/technical institutions (colleges) and higher education institutions, according to the education plans that include theoretical and practical subjects in pedagogy, psychology and speciality methodology.

(7) Graduates of higher education institutions of other profiles than pedagogy can work in education, only if they studied the subjects specified in the paragraph (6) of the present article.

Article 58. Filling the teaching positions in general education

(1) The criteria for filling the teaching positions in the general education shall be established by the Ministry of Education.

(2) The teaching norm of the staff in the general education shall be established by the Government at the suggestion of the Ministry of Education, the Ministry of Economy and other relevant ministries.

(3) The teaching staff from private preschool and primary education institutions shall have their basic norm in the respective education institution.

(4) The staff from the general education shall be hired and dismissed by the institution's director in accordance with the Labour Code.

(5) For senior teaching degree a 50% bonus shall be paid in addition to the salary, for the 1st teaching degree - 40%, for the 2nd teaching degree –30%.

(6) Graduates of higher education institutions that are hired according to their distribution in the education institutions from the rural and urban area shall receive during the first 3 years of activity:

a) dwelling free of charge provided by the relevant local public administration authority for the period of activity in the respective locality; should the local public administration authority be unable to provide all young professional with adequate dwelling, they will get their dwelling rent expenses covered;

b) one-time benefit allowance in the amount of:

- 30,000 MDL for young professionals who have graduated from higher education institutions that will be paid as follows:

7,000 MDL within one month from the date of employment;

10,000 MDL after one year of employment;

13,000 MDL after 3 years of employment;

- 24,000 MDL for young professionals who have graduated from pedagogical vocational education institutions that will be paid as follows:

6,000 MDL within one month from the date of employment;

8,000 MDL after one year of employment;

10,000 MDL after 3 years of employment;

c) a monthly compensation for 30 kW of electricity and one cubic metre of woods and one tone of coal free of charge every year, and for the gas heating - compensation of one cubic metre of woods and one tone of coal.

Title IV Vocational/technical education

Chapter I. General provisions

Article 59. Vocational/technical education system

(1) Vocational/technical education consists of a group of institutions specialized in:

a) professional training of qualified workers, masters, technicians, other categories professionals in accordance with the qualifications framework and levels 3 and 4 of the education system;

b) building general skills and values according to the education system objectives;

c) requalification of professionals in the respective professional training fields;

d) strengthening of professionals skills of the qualified workers according to the economic and labour market requirements.

(2) The general organization of training in vocational/technical education is regulated by the Standard Regulation approved by the Ministry of Education and by the present Code.

(3) The double education system can also be applied in the secondary vocational/technical education for certain specialities according to the procedure established by the Ministry of Education with the agreement of other relevant ministries and key economic agents.

(4) The double education shall be provided in vocational/technical education institutions and in enterprises with funding of the practical component of studies from the enterprise's sources and of the theoretical component from the budget or based on contract.

Article 60. Eligibility requirements for vocational/technical education

(1) Enrollment in vocational/technical education institutions shall be provided based on the gymnasium and lyceum studies.

(2) Persons with general and lyceum studies can be enrolled in vocational/technical education institutions only for professional training programmes.

(3) Vocational/technical studies are:

a) funded from the stated budget;

b) from studies fee paid by the persons or enterprises, organisations, and institutions.

(4) The plan for enrollment in vocational/technical education funded from the state budget shall be established by the Government based on social-economic development programmes.

Chapter II. Vocational/technical education's structure

Article 61. General provisions

(1) Vocational/technical education shall be organized in two levels:

- a) secondary vocational/technical education ;
 - b) post-secondary vocational/technical education.
- (2) Secondary vocational/technical education shall be provided in:
- a) vocational/technical schools;
 - b) vocational/technical lyceums,
- (3) Post-secondary vocational/technical education shall be provided in colleges.
- (4) Vocational/technical education shall be provided in public and private institutions, and at relevant enterprises and organisations, in the case of double system of education for certain specialities.

Article 62. Vocational/technical schools

- (1) Vocational/technical schools train qualified workers for 3 years according to the existent qualification categories.
- (2) As an exception, with the agreement of the Ministry of Education, in vocational/technical schools there can be created groups of pupils, who have not graduated 9 grades, but who are 16 years; such pupils will be trained a narrow trade.
- (3) Enrollment in vocational/technical schools shall be organized according to the procedure established by the Ministry of Education.
- (4) Vocational/technical schools shall be graduated with the qualification examination and a certificate of qualification will be issued (with an annex containing the rating for profile subjects and general subjects).
- (5) The certificate of qualification allows to be employed, according to the provided qualification, and continue studies in the last grade of lyceum or the 4th college year according to the procedure established by the Ministry of Education.

Article 63. Vocational/technical lyceums

- (1) Vocational/technical lyceums train qualified workers for 4 years according to the existent qualification categories and general school studies.
- (2) Enrollment in vocational/technical lyceums shall be organized based on gymnasium studies and a competition according to the procedure established by the Ministry of Education.
- (3) Vocational/technical lyceums shall be graduated with the baccalaureate (secondary school graduation) examination and the qualification examination:
- a) the content and organisation methodology of the professional baccalaureate (secondary school graduation) examination and the qualification examination shall be established by the Ministry of Education with the agreement of relevant ministries;
 - b) the baccalaureate (secondary school graduation) diploma allows to access post-secondary vocational/technical education or higher education;
 - c) the certificate of qualification allows to be employed.
- (4) In vocational/technical lyceums there can be created groups for professional training based on lyceum studies for 1 year.
- (5) Vocational/technical schools and vocational/technical lyceums can establish consortiums (joint structures) for training of qualified workers in a professional field in accordance with the law.

Article 64. Colleges

(1) Colleges train masters, technicians and other professionals in accordance with level 4 of the International Standard Education Classificatory.

(2) College studies are:

a) for 2 years based on baccalaureate (secondary school graduation) diploma;

b) for 3 years for medicine and pharmacy profiles based on baccalaureate (secondary school graduation) diploma.

(3) With the agreement of the Ministry of Education, studies in colleges can be organised in 2 steps:

a) step 1, vocational/technical education for 4 years graduated with the baccalaureate (secondary school graduation) diploma;

b) step 2 II-a, post-secondary vocational/technical education for 2 years graduated with the post-secondary vocational/technical diploma.

(4) Colleges are graduated with the qualification examination.

(5) College graduates can:

a) get employed according to their qualification;

b) continue their studies in higher education.

(6) Vocational/technical colleges and lyceums can establish vocational/technical education consortiums in accordance with the law.

Chapter III. Organization of vocational/technical education

Article 65. General provisions

(1) Professional training in vocational/technical institutions is organized based on:

a) vocational/technical education standards and curriculum;

b) quality insurance system.

(2) Vocational/technical institutions are composed of: sections, departments, laboratories, practical workshops, production workshops and experimental households.

Article 66. Vocational/technical education standards and Curriculum

Vocational/technical education standards and Curriculum are developed by relevant experts and trade union representatives, by education levels (secondary and post-secondary) and professional training fields, and is approved by the Ministry of Education.

Article 67. Qualifications in vocational/technical education

(1) Qualification categories define a certain level of skills the graduate should acquire to be able to practice the profession (trade) they have acquired.

(2) In vocational/technical institutions there can be acquired qualification categories in accordance with the Single Qualification Classificatory of workers from the Republic of Moldova.

(3) The qualification (certification) examination shall be organized according to the criteria established by the Ministry of Education with the agreement of relevant ministries.

Article 68. Professional internships in vocational/technical education

(1) Professional internships for pupils from vocational/technical education shall be organized in the teaching households, workshops and laboratories of the respective education institution, in state or private enterprises, medical-sanitary institutions, proposed by relevant ministries as a place for internship and shall be approved by the Government.

(2) Economic agents must provide for the pupils from the vocational/technical education institutions, based on bilateral contracts, with places for professional internships at a rate of at least 1 intern pupil per 10 employees.

Chapter IV. Evaluation in vocational/technical education

Article 69. General provisions

(1) The evaluation in vocational/technical education shall be provided based on the National Standards and methodologies established by the Ministry of Education.

(2) The evaluation in vocational/technical education includes:

- a) curriculum evaluation;
- b) process evaluation;
- c) school progress evaluation.

(3) The external evaluation in vocational/technical education shall be performed by the Ministry of Education and other relevant structures.

(4) The internal evaluation in vocational/technical education shall be performed by the institutional structures for quality control based on their internal regulation.

Article 70. Evaluation of curriculum, educational process and school progress in vocational/technical education

The evaluation of curriculum, educational process and school progress in vocational/technical education shall be regulated by the Regulation developed and approved by the Ministry of Education.

Article 71. Teaching norm in vocational/technical education

(1) The teaching norm in vocational/technical education includes:

- a) teaching-evaluation activity and practical teaching, according to the education plans and curriculum by subjects;
- b) methodological – scientific activity;
- c) supplemental-educational and advisory activity;
- d) other activities provided by internal Regulations.

(2) The teaching-evaluation norm and the practical teaching norm consists of the number of hours spent for activities provided in paragraph (1) of the present article and is 40 hours per week.

(3) The teaching norm is differentiated depending on the type de education, level de education, profile and speciality, and the education plan based on the Regulation developed and approved by Ministry of Education.

Chapter V. Vocational/technical education management

Article 72. Vocational/technical education management

(1) Vocational/technical institutions are managed by the Ministry of Education.

(2) Directors of public vocational/technical institutions are selected based on competition organised by the Ministry of Education, for a 5-year term, for up to 2 consecutive terms. After every 5 years the director's position becomes vacant.

(3) Directors of private vocational/technical institutions shall be appointed depending on founders' council of the respective education institution in coordination with the Ministry of Education.

(4) Management and advisory bodies in vocational/technical education system are: the Teachers' Council, the Administration Council and the Methodological Council of the respective education institution.

(5) Duties of the Teachers' Council and Administration Council are provided in the normative acts developed by the Ministry of Education and the statutes of the education units.

(6) Teachers' Council is chaired by the director and is the highest management body of the vocational/technical education institution.

Chapter VI. The staff from vocational/technical education

Article 73. General provisions

The staff from vocational/technical education is composed of:

- a) management staff;
- b) teaching staff;
- c) administrative-auxiliary staff;
- d) technical staff.

Article 74. Management and teaching staff from vocational/technical education

(1) The management of the vocational/technical education are the director and the deputy director.

(2) The teaching staff in vocational/technical education includes: teachers, teachers for subjects of vocational/technical education specialities; master-teachers, masters instructors, methodologists, psychologists and social pedagogues in pupils' hostels.

(3) The procedure for hiring teaching staff in vocational/technical education shall be established by the Ministry of Education in accordance with the provisions of the Labour Code.

Article 75. Initial and continuous training of vocational/technical education teaching staff

(1) Initial training of teaching staff for vocational/technical education shall be provided by higher education institutions.

(2) Professionals in a specific field without teaching experience shall take a training course in psycho-pedagogy.

(3) Continuous training of teaching staff of the vocational/technical education system shall be provided by higher education institutions and continuous training institutions based on the accredited relevant programmes.

**Title V
Higher education**

Chapter I. General provisions

Article 76. Higher education system and mission

(1) Higher education is a sub-system of the education system consisting of a group of institutions specialised in planning and implementation of:

- a) initial and continuous professional training;
- b) research, innovation, technology transfer and creation;
- c) promotion and multilateral development of the personality able to contribute to the sustainable development of a society based on knowledge.

(2) Higher education system includes all resources, processes, structures and organisational forms of the higher education.

Article 77. General organization of higher education

(1) Higher education provides two types of training:

- a) initial professional training;
- b) continuous professional training.

(2) Initial professional training is provided based on higher education structured in three cycles:

- a) bachelor's degree – cycle 1;
- b) master's degree – cycle 2;
- c) doctor's degree – cycle 3.

(3) Continuous professional training is provided through:

- a) post-doctoral studies;
- b) specialisation;
- c) continuous training;
- d) qualification;
- d) re-qualification;
- e) conversion.

Article 78. Eligibility requirements for higher education

(1) Citizens of the Republic of Moldova are eligible for higher education:

- a) with funding from the state budget;

b) with payment of studies fee by the person individually or by organisations, institutions, enterprises.

(2) Citizens of the Republic of Moldova are eligible for higher education for two or more fields /specialities:

a) training in one speciality is provided with funding from the state budget;

b) training in the second speciality is provided with payment of the studies fee.

(3) Citizens of the Republic of Moldova who received higher education with funding from the state budget become eligible for another speciality in higher education with funding from the state budget only if they are unable to work according to the previously acquired speciality (profession), in case of a professional disease and/or disability or other cases provided by the legislation in force.

Article 79. Forms of higher education organisation

(1) Bachelor's and master's degree higher education shall be provided in the following forms:

a) with daily attendance;

b) with reduced attendance;

c) distance learning;

d) mixed education.

(2) Bachelor's and master's degree higher education in psychology, clinical medicine and pharmacy and foreign languages shall be provided only with daily attendance.

(3) Doctor's degree education shall be provided in the following forms:

a) with daily attendance;

b) distance learning / with reduced attendance.

Article 80. Higher education institutions' types and structure

(1) A higher education institution is a cultural, educational and scientific centre that provides initial and continuous training in the following types of higher education institutions: universities, academy of studies, institutes, and doctoral schools.

(2) A higher education institution may carry out entrepreneurship activities in accordance with the law.

(3) Higher education institutions can be public or private, and shall be created, operate and closed down in accordance with the present Code.

(4) University is a specialised higher education institution that:

a) usually provides training in a wide range of fields/specialisations;

b) provides initial and continuous professional training in different fields of social life;

c) conducts fundamental and applicative scientific researches in a wide range of fields;

d) ensures the interconnection with the labour market.

(5) Academy of Studies is a higher education institution that:

- a) provides training in a general field of professional training (economics, law, arts etc.);
 - b) provides initial and continuous professional training in different fields of social life;
 - c) conducts fundamental and applicative scientific researches in a wide range of fields;
 - d) ensures the interconnection with the labour market.
- (6) Institute higher education institution that:
- a) provides professional training programmes in a certain field;
 - b) provides initial and continuous professional training in different fields of social life;
 - c) conducts fundamental and applicative scientific researches in a wide range of fields;
 - d) ensures the interconnection with the labour market.
- (7) Doctoral school is a subdivision providing doctor's degree higher education – cycle 3 among higher education institutions and the research and innovation institutions.
- (8) The type and structure of a public higher education institution is established by the founder public authority with the agreement of the Ministry of Education; the type and structure of a private higher education institution is established by its founders in accordance with the law.
- (9) The Ministry of Education conducts every year the rating of higher education institutions, based on their assessment according to the requirements and methodology developed by the Agency for Higher Education and Research Quality Control.
- (10) Rating of higher education institution determines:
- a) institution's funding amount;
 - b) the number of seats with funding from the state budget;
 - c) other incentives in accordance with the law.
- (11) A higher education institution shall be structured in accordance with the institution's objectives and mission, the standard Regulation approved by the Ministry of Education and its own Regulation.

Article 81. Higher education institutions branches and consortiums

- (1) Accredited higher education institutions may establish branches in accordance with the law.
- (2) National and international higher education institutions may associate with each other in consortiums established based on partnership to implement joint programmes and activities.
- (3) Consortium foundation documents must include information about the participants, management bodies, staff employment requirements, operational principles, funding sources, and the requirements for closing down the consortium.
- (4) Higher education institutions branches and consortiums can be created only with for the aim to achieve the higher education objective to promote quality education and for other purposes as provided in the present Code.

Article 82. Enrollment in higher education institutions

(1) Enrollment in public and private higher education institutions for each cycle of studies is the competence of each higher education institution and shall be organised based on competition according to their own methodology taking into account the institutional capacity and the general framework for enrollment in higher education developed by the Ministry of Education.

(2) The enrollment requirements and methodology of all higher education institution shall be made public and placed on their own web page prior to the beginning of the university year.

(3) Higher education institutions can charge enrolment fees from their applicants in accordance with the law for the enrolment organization in the amount approved by education institutions' Senates. The Senates may decide to lift or reduce the fees.

(4) Enrollment in higher education is monitored by the Ministry of Education.

Article 83. Study Contracts

(1) The study contract regulates the relationships of the students with the educational institution and includes the academic, financial, social and other relevant aspects of the university policies.

(2) The model of the study contract is developed by each higher education institution in accordance with the standardised form of the contract developed and approved by the Ministry of Education according to the Charter and internal regulations on study organisation and in compliance with the laws in effect; the contract model shall specify the provisions for the students / trainees for Master's Degree / trainees for Doctor's Degree that pursue their studies on the basis of individual fees.

(3) The study contract shall provide for the conditions, rights and obligations of each involved party, for the whole period of study for each cycle apart, so that to comply with the quality requirements.

(4) During the period of higher education at all cycles, the student may transfer from one speciality to another, and from one study form to another, in accordance with the provisions of the study contract, internal institutional regulations and compliance with the laws in effect.

Chapter II. Organisation of the higher education by cycles

Article 84. Licentiate higher education (Bachelor's Degree / undergraduate education) – cycle I

(1) Admission to the cycle I of the higher education is organised by an education institution for the authorised professional training courses on the basis of a contest and in compliance with the laws in effect.

(2) The cycle I admission contest allows participation of holders of baccalaureate diploma (lycee/high school completion diploma), vocational/technical post-secondary education graduation diploma or an equivalent study diploma, recognised by the competent authority at the national level.

(3) Licentiate higher education (Bachelor's Degree) corresponds to a number of 180-240 transferable study credits, according to the European Credit Transfer System.

(4) The study duration related to cycle I and the respective number of transferable credits for a professional training program (field, speciality) is established by the Ministry of Education, jointly with other competent ministries, on the basis of:

- a) qualification framework in the higher education;
- b) occupational framework and the complexity of the professional skills necessary for exercising the respective functions in accordance with the obtained qualification;
- c) specific character of the professional training field.

(5) Licentiate higher education ensures a qualification level on the basis of general and specific skills that allow placing of the holder of the licentiate higher education diploma on the labour market.

(6) The Licentiate higher education finalises with licentiate (graduation) exam that consists of 2 sub-exams and presentation of the licentiate thesis. The model and number of sub-exams for the licentiate exam shall be established by the Senate of the Institution.

(7) The holder of the licentiate higher education diploma shall be entitled to get employment in accordance with the occupational framework or may continue studies in cycle II – Master's degree higher education.

(8) The Licentiate higher education diploma is accompanied by a supplement to the diploma issued in the Romanian language and a foreign language of international circulation.

(9) The Licentiate higher education enables accumulation of extra credits besides the compulsory credits that are obtained from related subjects and are specified in the supplement to the diploma.

(10) The undergraduate students that did not complete the initial training in psycho-pedagogy and wish to work in the educational system (primary education and gymnasium education), shall complete on a compulsory basis a course in psycho-pedagogy – not less than 60 transferable credits.

Article 85. Master's Degree Higher Education – cycle II

(1) Admission to the cycle II of the higher education is organised by the education institutions for the authorised courses, accredited on the basis of a contest, in compliance with the laws in effect and institutional regulations.

(2) The cycle II admission contest - Master's Degree higher education - allows participation of holders of licentiate higher education diploma or an equivalent study diploma, recognised by the competent authority at the national level.

(3) The Master's Degree higher education corresponds to a number of 90-120 transferable study credits, 30 credits for one study semester respectively.

(4) In case of continuing studies at the Master's degree higher education cycle related to a field of professional training that is different from the one completed within the Licentiate higher education, the applicants shall accumulate

30 transferable study credits at the core courses of the applied for field of study of cycle II – curricular prerequisite.

(5) The students may get the curricular prerequisite for continuing studies for Master's Degree at a different course/speciality either within the licentiate study or within the first semester of the Master's Degree higher education.

(6) The obtaining of the curricular prerequisites within the Master's Degree study is effected only on the basis of the fees as established by the law.

(7) Master's degree higher education:

a) deepens and extends the initial educational background of cycle I (licentiate) and ensures specialisation in a certain professional field;

b) represents a compulsory basis for continuing studies at cycle III – Doctor's Degree higher education.

(8) Master's degree studies comprise 90-120 transferable study credits, 30 credits for one study semester respectively.

(9) The master's degree study may require, besides the compulsory credits, credits accumulated through the study of psycho-pedagogy course within departments other than the pedagogical ones.

(10) The number of transferable study credits cumulated for the cycle I and the cycle II shall constitute at least 300 transferable study credits.

(11) The Plan of admissions to the Master's Degree higher education financed from the State Budget shall be established annually by the Government.

(12) The Plan of admissions to the Master's Degree higher education on a fee basis shall be established by the Senates of the Higher Education Institutions in compliance with the legal norms.

(13) The number of places financed by the State Budget represents not less than 50% of the number of undergraduate students of cycle I – licentiate higher education financed from the State Budget.

(14) The Master's Degree higher education shall involve teaching staff with scientific and teaching degrees. As exception, the Master's Degree higher education course, that presupposes a significant practical part, may involve teaching staff from the persons that do not hold the scientific degree of Doctor, but are professionals with solid expertise in the respective fields. Such category of teaching staff may cover not more than 25% of the total study hours provided in the study plan.

(15) The Master's Degree higher education shall finalise with an exam related to the public defence of the Master's Degree thesis and issuance of the Master's Degree higher education Diploma.

(16) Master's Degree higher education diploma is accompanied by a supplement to the diploma issued in the Romanian language and a foreign language of international circulation.

(17) The Diploma of Master's Degree higher education completion certifies that the holder thereof has acquired / developed the general skills and specific professional skills, including both managerial as well as research and innovation.

(18) Master's Degree higher education Diploma entitles the holder thereof to get employment according to the obtained qualification, exercise managerial functions, obtain degrees and rewards related to the professional performance, conduct activities with an increased degree of professional complexity, develop

and implement scientific research projects, as well as work in educational institutions of all levels.

(19) The holder of Master's Degree higher education Diploma may continue studies at cycle III – Doctor's Degree higher education.

(20) The education institutions may initiate Master's Degree studies at the request of interested public or private institutions, ensuring an adequate financing by them and compliance with the requirements on accreditation of the respective study programs.

(21) Master's Degree higher education studies may be:

a) deepening (enlarging) type, that ensure further development of skills on a professional issue from the domain completed in cycle I;

b) interdisciplinary/multidisciplinary, that ensure development of some specific transversal skills in two or more domains of professional training;

c) complementary, that supplement the skills acquired within the licentiate higher education with other skills in order to extend the knowledge and professional background.

(22) All types of Master's Degree studies enable the graduates to continue their studies at cycle III – Doctor's degree higher education.

(23) Master's Degree higher education shall also comprise a scientific research or artistic creation component corresponding to the peculiarities of the professional training field.

Article 86. Integrated higher education

(1) For certain domains of professional training, specially regulated by international norms, there may be organised integrated higher education studies, at cycle I and II.

(2) Admission to integrated higher education studies shall be effected concomitantly and under similar conditions with the admission to higher education studies, cycle I, within the Enrolment Plan approved by the Government.

(3) In case of integrated higher education studies, the cumulated duration of cycles I and II shall correspond to a number of not less than 300 transferable study credits.

(4) The integrated higher education shall finalise with the issuance of the diplomas that are equivalent to the diploma of higher education, cycle II and conferring of the Master's Degree.

Article 87. Doctor's degree higher education – cycle 3

(1) Enrollment into the third cycle – doctor's degree higher education – shall be organised by higher education institutions or research institutions in authorised fields /specialities in accordance with the legislation in force.

(2) Holders of master's degree diploma or of equivalent document recognized by the relevant national authority can participate in the enrollment competition for doctor's degree higher education.

(3) Doctor's degree higher education can be organised with daily, reduced or mixed attendance.

(4) The length of doctor's degree higher education studies is 3 years.

(5) If the established timeframe is not observed, the trainee for a Doctor's degree can defend their thesis during the next 7 years. In the case of unsuccessful completion of the respective timeframe, one should enrol again for the doctor's degree higher education.

(6) Doctor's degree higher education can be organised with funding from the state budget and based on contract with payment of the studies fee in accordance with the legislation in force.

(7) The Enrollment plan for doctor's degree higher education will include 10% of the total number of the second cycle graduates at the national level with funding from the state budget and shall be approved by the Government.

(8) The National Higher Education and Research Quality Ensurance Agency based on the results of the assessment of the higher education institution, shall recommend to the Ministry of Education to allow the higher education institutions and research institutions to organize doctor's degree higher education.

(9) Doctor's degree higher education shall be provided through advanced training programmes, scientific research programmes, individually or in doctoral schools under the coordination of doctoral study scientific supervisor.

(10) Doctoral study scientific supervisor can be a university lecturer (associate professor), research lecturer (associate professor), university professor, research professor in accordance with the Regulation approved by the Ministry of Education.

(11) The maximum number of trainees for a doctor's degree one doctoral study scientific supervisor can guide/supervise shall be established by insitutional regulations, provided that the quality criteria are observed.

(12) The trainee for a doctor's degree who undertakes an interdisciplinary doctor's degree can be assisted by a scientific consultant.

(13) Doctoral schools can be organised within higher education and research institutions, and within university consortiums in accordance with the legislation in force.

(14) Doctor's degree higher education shall be finalised with a public examination of defending the doctor's thesis and awarding of doctor of sciences' title.

(15) Doctor's degree diploma shall be issued by the institution where the trainee for a doctor's degree studied the doctor's degree higher education.

(16) Doctor of sciences' diploma shall be issued in Romanian language and in one internationally use foreign language.

(17) Doctor of sciences' diploma certifies that its holder has acquired the fundamental competence in the respective training area and can fill the respective positions in higher education institutions, organisations in science and innovation field, and other organisations from the national economy.

(18) Doctor's degree diploma holders can develop their professional and investigations competence during continuous professional training (post-doctoral studies).

(19) Organisation of doctor's degree higher education, including doctoral schools, shall be regulated by the Regulation coordinated with the Moldova Academy of Science and approved by the Ministry of Education.

Article 88. Post-doctoral studies

(1) Post-doctoral studies shall be organised for doctor's degree diploma holders to conduct advanced/fundamental scientific researches, from the prospective of a new research direction.

(2) The length of post-doctoral studies is 1-2 years

(3) Post-doctoral studies can be organised in higher education institutions or in science and innovation institutions in accordance with the law.

(4) Post-doctoral studies shall be graduated with a public presentation of the research results and their publication in an indexed publication and/or with the development and defending of a doctor habilitat thesis.

(5) Public presentation of the research results (based on scientific works) or of doctor habilitat thesis shall be finalized with awarding of the scientific title of *Doctor Habilitat* (PHD).

(6) Organisation of post-doctoral studies and of procedures of acquiring the of doctor habilitat (PHD) scientific title shall be regulated by the Regulation approved by the Ministry of Education.

Article 89. Higher medicine and pharmacy education

(1) Medicine and pharmacy education shall be provided exclusively in public education institutions through higher speciality education and residency studies.

(2) Higher speciality education shall be organized with daily attendance with a length of 4-6 years and a number of 60 transferable credits for one year of studies.

(3) Enrollment in higher speciality education shall be organized based on competition according to the criteria established by the Ministry of Education jointly with the Ministry of Health.

(4) Higher speciality education shall be graduated with a graduation examination and issuance of bachelor's degree diploma (higher education degree in medicine or pharmacy), that allows to participate in the admission examination for residency studies.

(5) Residency studies shall be organized by the Ministry of Health. Its objective is the compulsory professional training of doctors and pharmacists by specialisation and it shall have a length of 1-5 years.

(6) Enrollment in residency studies shall be organized based on competition according to the criteria established by the Ministry of Health with the common agreement of the Ministry of Education.

(7) Residency studies shall be graduated with master's degree examination organized according to the criteria established by the Ministry of Health with the common agreement of the Ministry of Education.

(8) Graduates of residency study who have taken the master's degree examination, shall receive the master's degree diploma that allows to continue their studies in the form of narrow clinical specialisation internship (*secundariat* study) or pursue doctoral studies as well as entitles them to independent practical activity, further reconfirmed every 5 years.

(9) Narrow clinical specialisation internship (*secundariat*) shall be organized by the Ministry of Health with the aim to grant a new specialization to doctors, and shall have a length of 2 years.

(10) Narrow clinical specialisation internship (*secundariat*) shall be graduated with a graduation examination and issuance of licence diploma that entitles to independent practical activity, further reconfirmed every 5 years.

(11) The plan for enrollment in higher medicine and pharmacy education with funding from the state budget shall be approved by the Government.

Article 90. Double specialisations

(1) In higher bachelor's degree and master's degree education there can be trained professionals with double specialisations.

(2) Double specialisations can be acquired in education sciences in accordance with the legal norms.

Chapter III. Training programmes in higher education

Article 91. Common provisions

(1) Initial and continuous professional training in higher education is achieved through training /study programmes.

(2) Training/study programme includes all activities related to the design, organization, management and implementation of study and research process, which ensures obtaining of professional qualification.

(3) Organization of each training/study programme is the responsibility of higher education institutions, in compliance with current legislation

(4) Training/ study programmes differ depending on the following:

- a) cycle of higher education;
- b) area of professional training;
- c) organizational form of education.

(5) Training programme includes:

- a) university standards and curriculum;
- b) teaching-studying-research-evaluation process;
- c) quality system for implementation of activities envisaged in the training /study program;
- d) National Qualifications Framework.

(6) Ministry of Education, together with other central public authorities, in cooperation with higher education institutions and social partners, coordinate offers for training/study programmes with labour market requirements and social sector developments, based on the economic and social forecast studies.

Article 92. Standards in higher education

(1) Standards in higher education include all norms and requirements towards academic courses to be achieved through studying, scientific research and vocational training that reflect social and professional expectations of what a Bachelor/PhD student should know and be able to do at a given cycle of higher education.

(2) Structure of standards in higher education includes the following:

- a) Competency standards;
- b) Content standards;
- c) Opportunity and facility standards.

(3) Standards in higher education are elaborated by areas of professional development and are approved by the Ministry of Education.

Article 93. University Curriculum

(1) University curriculum includes a set of curricula products:

- a) Framework programme for education and education plans for professional development by areas of expertise;
- b) Curriculum per discipline;
- c) Academic/university manuals;
- d) Methodological guides;
- e) Didactic evaluation instruments.

(2) Academic curriculum is developed based on standards and National Qualifications Framework and is approved by the Higher Education Institution Senate.

Article 94. Evaluation in higher education

(1) External evaluation of educational process in higher education is carried out by the National Agency for Quality Assurance in Higher Education, in agreement with the Ministry of Education.

(2) Internal evaluation of educational process is carried out by the institutional quality assurance structures on the basis of internal/institutional Regulations.

(3) Students' academic results are assessed as follows:

- a) in the course of a semester;
- b) at the end of a semester;
- c) at the end of a course programme within each educational cycle.

(4) Evaluation at the completion of higher education is carried out as follows:

- a) Bachelor degree graduation exam (license), for cycle I of higher education;
- b) Master degree graduation exam, for cycle II of higher education;

c) Final examination to support PhD thesis, for cycle III of higher education.

(5) Final exams are organized and conducted only by higher education institutions, accredited in line with the present Code, based on the standard Regulations approved by the Ministry of Education and on the basis of internal regulations approved by the institution's senate.

(6) Students that failed to pass final exams are entitled to take exams repeatedly, against payment, for no more than three times during the following 5 years.

Article 95. National Qualifications Framework

(1) National Qualifications Framework in higher education ensures transparency, academic mobility of Bachelor/PhD students, recognition of diplomas at national and international levels.

(2) National Qualifications Framework includes:

- a) areas of expertise in professional training;
- b) cycles of higher education;
- c) targets expressed in general and specific competencies related to areas of professional training expertise;
- d) workload, expressed as transferable study credits;
- e) quality assurance procedures in higher education

(3) National Qualifications Framework in higher education is elaborated for each studying cycle and each training area in line with European Qualifications Framework

(4) National Qualifications Framework in higher education is elaborated by the Ministry of Education in cooperation with other related ministries, higher education institutions, economic entities and other social partners and it is approved by the Government.

(5) Qualifications provided by the higher education institutions are included in the National Register of Qualifications in Higher Education.

Article 96. Credit Transfer System

(1) All forms of vocational training programmes of cycle I and cycle II in higher education are based on the European Credit Transfer System.

(2) Transferable credits measure workload claimed to be carried out by the student within an academic course/discipline during a certain time unit, as follows:

- a) one semester amounts to 30 credits;
- b) one university year – amounts to 60 transferable credits.

(3) Transfer of credits can be carried out only within the same cycle of higher education.

(4) Methodology of credit transfer system implementation is regulated by the standard Regulations developed by the Ministry of Education and by internal institutional regulations.

Article 97. Internships in higher education

(1) Internship is one of the main and mandatory forms of training of highly qualified specialists.

(2) Internships are organized and carried out at organizations, companies, entities, other institutions based on bilateral contracts.

(3) Public institutions, organizations, companies, entities, other bodies (commercial and non-profit) are obliged to offer places and conditions for internships in the relevant areas based on internship contracts concluded between institutions, interns and relevant entities.

(4) Entities that offer internships are entitled to have the following benefits from educational institutions:

a) right to priority selection of the best graduate students in order to employ them at own organization, company;

b) right to co-operate in establishment of incubators, scientific labs, etc.;

c) right to conduct continuous training of the staff;

d) right for exchange of experience;

(5) Entities that offer internships are entitled to benefits from the State, as it is provided in the law.

Chapter IV. Management of higher education

Article 98. General provisions

(1) Management of higher education represents the modality to manage globally, optimally, strategically and operationally and it is carried out by the Ministry of Education at national level and at institutional level – by the higher education institution.

(2) Management of higher education is based on the following principles:

a) principle of institutional autonomy;

b) principle of global and strategic management through elaboration and implementation of national/strategic development programme in higher education;

c) principle of efficient management through information-evaluation-communication managerial activities;

d) principle of complex administration aimed at interdependency of managerial functions and structures.

Article 99. Managerial and consultative institutional bodies

(1) The following administrative and consultative bodies are operating under the higher education institutions:

a) Higher Education Institution Senate;

b) Office of the Higher Education Institution Senate

c) Administration Council;

- d) Scientific Council (as needed);
- e) Faculty Council.

(2) Selection of administrative bodies at the higher education institutions is carried out based on institutional regulations approved by the institution's senate.

(3) Higher education institution's senate is a governing body of higher education institution composed of scientific and didactic staff and students selected through secret voting by professors and didactic staff of the faculty, departments and scientific centres and chaired by the Rector, in line with the institutional Regulations, coordinated with the Ministry of Education.

(4) Operational management of higher education institution within the periods between the Senate's meetings is carried out by the Senate's office composed of the Rector, the Vice-Rectors and the Senate's scientific secretary.

(5) Administration Council of a higher education institution established through the Rector's decree is composed by the Rector, Vice-Rectors, Deans, Heads of economic and financial, and human resource subdivisions, library's director.

(6) Faculty Council is a senior governing body at the level of the faculty chaired by the Dean, and is composed of deputy deans, heads of department, representatives of didactic staff and student self-governance.

(7) Scientific council of an institution/scientific centre is selected from the members with scientific degrees and scientific, or scientific and didactic titles.

(8) Students of the cycles I, II and III participate in the governing processes as representatives in the administrative and consultative bodies of the higher education institution (Senate and Faculty Council) in the proportion of at least 15% from its membership.

(9) Vice-Rectors, deans, heads of scientific centres can establish a National council of managers in higher education institutions – a consultative body for educational policy quality management.

Article 100. Management of higher education institutions

(1) Higher education institution is managed by the Rector (President), or Vice-Rectors (Vice-Presidents).

(2) The position of a Rector at the higher education institution is filled through an open competition in line with the Regulations, approved by the Government.

(3) To fill the position of the Rector the following citizens of Moldova may be designated:

- a) who possess scientific or scientific and didactic titles;
- b) who have experience of scientific and didactic work of at least 10 years, including 5 years of didactic activity at higher education institution;
- c) who have managerial capacities;
- d) who are literate in Romanian language.

(4) A Rector is elected by the Senate of the higher education institution through equal, secret and free voting by a simple majority of the number of Senate members.

(5) Rectors at public higher education institutions are approved through the decision of relevant ministerial board, but rectors of private educational institutions – through the decision of institution's founders.

(6) A Rector can be dismissed prior to the term through initiating the dismissal procedure by at least 1/3 of the Senate members in the case of failure to fulfill his/her functional responsibilities with a vote of 2/3 of the Senate members.

(7) In public higher education institutions Rector appoints Vice-Rectors, who possess scientific or scientific and didactic titles, with work experience of at least 5 years, a proven record of managerial abilities and fluent in Romanian language.

(8) Upon the approval of the new Rector, positions of Vice-Rectors become vacant.

(9) In private higher education institutions selection or appointment of Vice-Rectors is governed by institution regulations.

(10) Faculty dean and head of the department at public higher education institutions is elected based on the institution's regulations.

(11) Elected managerial positions in higher education are filled through open competition for the period of 5 years and can be occupied by the same person for no more than 2 consecutive mandates.

Article 101. University autonomy and social responsibility at higher education institutions

- (1) University autonomy is guaranteed by the state and represents institutional framework through which academic freedom related to the study and research process is executed.
- (2) University autonomy is implemented through the following rights:
 - a) To identify proper organizational structures;
 - b) To select scientific, didactic and research staff;
 - c) To recommend candidates for awarding of scientific, and scientific and didactic titles while meeting standard criteria and procedures;
 - d) To elect own administrative bodies;
 - e) To establish academic mobility relationships based on bilateral agreements;
 - f) To select cooperation partners within the country and from abroad
- (3) In terms of functions, university autonomy is implemented through the following rights:
 - a) to define policy, mission and objectives;
 - b) to elaborate, test and implement study programmes taking into account quality principle;
 - c) to elaborate internal quality assessment system for academic processes, training objectives, education technologies in teaching-studying-evaluation, research strategies, enrolment methodologies for all university cycles;
 - d) to elaborate and implement scientific research programme;

- e) to decide on how to apply scientific research with consideration of copyright and intellectual and creative property rights for products;
 - f) to implement its own quality assurance system.
- (4) In terms of resources administration, university autonomy is implemented through the following rights:
- a) to use available resources for scientific research in line with the adopted decisions;
 - b) to accumulate revenue from scientific research, taxes, projects, consultancy, products and other specific activity;
 - c) to define and implement financial management policy through implementation of activities specified in the clause (b);
 - d) to prepare budget and to set up development priorities aimed at improvement of studying and research facilities;
 - e) to administer premises and equipment in conditions optimal for development of material resource base of the institution;
 - f) to award scholarships and fellowships from own resources.
- (5) Higher education institutions will ensure equilibrium between the degree of autonomy and the responsibility to provide high quality education, to implement institutional development plans, to ensure awareness and transparency of processes related to organization and functioning of institutions, as well as to their administration modalities.

Article 102. University Charter

- (1) University Charter includes a set of educational institutional policies in relation to the design, organization, management and evaluation of functioning and development of higher education institution.
- (2) University Charter is approved by the Senate of higher education institutions.

Article 103. Linkage of higher education system with labour market

- (1) Higher education system and economic environment are responsible for professional development.
- (2) Partnership between higher education institutions and economic environment is a strategic priority of the Government, which is implemented through the following:
- a) social dialogue and consultation;
 - b) collective negotiations and collective agreement;
- (3) Linking of educational institutions and economic environment through the partnership is carried out based on the governance principles, which refer to the following:
- a) Establishment of roles, interdependency and responsibilities of all stakeholders in the process of professional development and inclusion;
 - b) Establishment of a framework stimulating and fostering interaction between higher education institutions and labour market;

(4) Services rendered by higher education institutions and economic entities acting either as service provider or beneficiary, is carried out in equal and fair manner.

(5) Partnership between higher education institutions and economic environment provides for:

- a) Establishment of joint centres for professional development and orientation;
- b) Organization of job fairs;
- c) Establishment of employment centres for graduates;
- c) Setting up of joint incubators and research laboratories;
- d) Establishment of National fund for initial and continuous professional training;
- e) Organization of mutual continuous professional training;
- g) Provision of places for internship by specialization;
- h) employment of highly regarded experts from economic entities in the elaboration of qualifications framework, occupational framework and professional standards;
- i) application of highly qualified expertise within economic entities in the monitoring and evaluation of the quality of higher education.
- j) undertaking other activities and legal actions.

Article 104. Quality Management in higher education

- (1) High quality in the initial and continuous professional training is a fundamental priority of higher education institutions.
- (2) Higher education institutions introduce the total quality management systems that are coordinated with institutional structures, established specifically for these purposes.
- (3) Institutional total quality management system consists of sub-systems related to:
 - a) Orientation, that allows Bachelor and PhD students choosing a path adapted to their personal capabilities;
 - b) Evaluation of educational services provided to the Bachelor and PhD students;
 - c) Evaluation of curriculum by disciplines/modules;
 - d) Continuous evaluation of educational process and of the results of studying;
 - e) Evaluation of scientific research in higher education institution;
 - f) Evaluation of academic, administrative and financial management;
 - g) Evaluation of social assistance services provided to Bachelor and PhD students;
 - h) Liaison with graduates and employers;
 - i) Evaluation of the rate of employment amongst graduates.
- (4) Control on quality assurance in higher education rests with the Ministry of Education, the National Agency for Quality Assurance in Higher Education and Research at national level and with the commissions for quality assurance, at institutional level.

- (5) State control on the higher education system is carried out in the form of authorization and accreditation procedures, regulated by the legislation in force.

Chapter V. Scientific research in higher education

Article 105. Scientific research in higher education

- (1) Research activity at higher education institutions is conducted in the form of fundamental and applied scientific research.
- (2) Scientific research at higher education institutions is conducted under departments, research centres, laboratories, scientific research institutes and other research bodies by means of scientific research, development and technology transfer, design, consultancy and expertise.
- (3) Higher education institutions are accredited to carry out research according to the legislation in force at the same time with accreditation of initial professional training programmes by the National Agency for Quality Assurance in Higher Education and Research.
- (4) Scientific research is organized in the following forms:
- a) independent scientific research conducted as a part of scientific and didactic requirements;
 - b) scientific research based on the state programmes and institutional, national and international projects and grants, as well as other legal forms.
- (5) Methodology of organizing and conducting of scientific research at higher institutions is specified in the internal regulations and other normative acts in force.
- (6) Research staff in higher education comprises:
- a) didactic and scientific staff;
 - b) scientific researchers.
- (7) Art work at higher education is functionally equal to scientific research and is regulated by special regulations approved by the Ministry of Education.
- (8) Research in higher education is financed from the state budget and other legal sources.
- (9) State financing of research at higher education institutions is based on the competition organized by the National Agency for Research, Innovations and Technology Transfer.
- (10) The competition is carried out on the basis of scientific priority areas approved by the Government.
- (11) The amount of state funding of research activity in higher education is established by the Government.
- (12) Higher education institutions are independent in terms of producing and marketing of the results of scientific research.

Chapter VI. Higher education staff

Article 106. Higher education staff

- (1) Staff in higher education comprises:
 - a) scientific and didactic staff: assistant, lecturer, senior lecturer, associate professor, professor;
 - b) scientific staff: junior research fellow, senior scientific researcher, scientific research coordinator, leading scientific researcher;
 - c) didactic staff: trainer, social pedagogue, psychologist, concert master, training master.
- (2) Associate professor and professor are scientific and didactic titles which are awarded depending on the scientific and/or didactic field of activity by the Senate of a higher education institution and are approved by the National Agency for Quality Assurance in Higher Education and Research.
- (3) Award of scientific, scientific and didactic titles is governed by the Regulations approved by the Government.
- (4) Management staff at higher education institutions is composed of: the Rector, the Vice-Rectors, Heads of subdivisions etc
- (5) Other staff categories: librarian, secretary, technician, accompanist, programme engineer, doctor, nurse, etc.

Article 107. Filling in of didactic, scientific and didactic, scientific positions in higher education

- (1) Didactic, scientific and didactic, scientific positions in higher education are filled in on competitive basis in line with Regulations approved by the Ministry of Education.
- (2) Professional qualifications of didactic, scientific and didactic, scientific staff which is confirmed through scientific and didactic titles provides grounds for filling in of didactic, scientific and didactic, scientific positions.

Article 108. Norming of scientific, didactic and research activity in higher education

- (1) Scientific and didactic norm consists of:
 - a) auditorium didactic activity (direct contact):
 - teaching the course;
 - organization of seminars, laboratory work, practical work, consultations, other activity envisaged in the internal institutional regulations;
 - b) non-auditorium didactic activity:
 - academic advice on internship;
 - leading didactic and artistic, or sport, activities;
 - academic advice on annual thesis, final thesis, Master degree thesis and PhD thesis;
 - monitoring and evaluation activities;
 - other activities provided in the internal institutional regulations;

c) research and technology transfer activities:

- development of curriculum, manuals, methodological guidelines;
- publication of scientific articles;
- editing of monographies, scientific collections;
- defence of PhD thesis;
- performance staging;
- participation in and coordination of scientific projects;
- participation in scientific conferences;
- other activity envisaged in the internal institutional regulations;

(2) The norms of research activity for scientific researchers with titles are established in accordance with the legislation in force.

(3) Didactic activity is measured by conventional hours within one unit of time, usually a week, semester, a year.

(4) Conventional hour is an hour of a course, seminar, laboratory, practical work, or other activity as envisaged in the internal institutional regulations.

(5) In undergraduate education, a course hour, a seminar hour, a laboratory hour and practical work hour is made up of 2 conventional hours.

(6) In Master and PhD graduate education a course hour consists of 2,5 conventional hours, a seminar hour and other similar activities are made up of 2 conventional hours.

(7) Other activities included in the scientific and didactic norm and envisaged in the clause (1) of the present Article are measured in conventional hours using methodology approved by the Senate of higher education institution depending on the major and specialization.

(8) Annual didactic norm calculated in conventional hours for activities envisaged in the clause (1), letters a) and b) of the present Article is established as follows:

- a) professor: 80 – 110 conventional hours;
- b) associate professor: 110 – 140 conventional hours;
- c) senior lecturer: 140 – 160 conventional hours;
- d) lecturer, assistant: 160 – 180 conventional hours.

(9) The didactic norm of university assistant cannot include course hours.

(10) The overall amount of working hours within scientific and didactic norm computed based on the summation of the activities mentioned in the clause (1) of the present article is 40 hours per week.

(11) Senate of higher education institution establishes scientific and didactic norm in dependence on the area of expertise, specialization, share of fundamental, specialization and optional disciplines, size of groups and the performance of didactic staff in the didactic or research field.

(12) A didactic norm that cannot be calculated according to the clause (8) of the present Article is filled with scientific research activity until the norm is completed, while maintaining by the staff of the function awarded through competition.

(13) The norm of work for other staff categories in higher education is established in accordance with the Labour Code.

(14) The specified didactic norm is indicated in the work contract.

Article 109. Evaluation of scientific and didactic staff at higher education institutions

(1) Evaluation of scientific and didactic staff in higher education is a part of quality assurance and it is carried out every five years on regular basis.

(2) Evaluation of scientific and didactic staff is carried out depending on the following:

- a) participation in the competition for filling of scientific and didactic position;
- b) award of titles of senior lecturer, associate professor, professor;
- c) identifying efficiency in teaching and research;
- d) determining teaching and research performance;
- f) introducing didactic innovations;
- g) other cases, as provided in the university charter

(2) Evaluation of scientific and didactic staff can be carried out by:

- a) institution's management;
- b) head of the department;
- c) quality assurance committee
- d) colleagues and experts;
- e) students;
- f) other empowered persons and structures

(4) Evaluation of scientific and didactic staff by students is obligatory.

Article 110. Continuous training of didactic and scientific and didactic staff in higher education

(1) Continuous training of didactic and scientific and didactic staff in higher education is obligatory during the entire professional activity.

(2) Continuous training of scientific, scientific and didactic staff is carried out through the following:

- a) apprenticeship at training and research centres or organizations within the country and abroad;
- b) participation in national and international projects;
- c) participation in national and international conferences, seminars, symposia;
- d) self-development etc.

(3) For continuous training of scientific, scientific and didactic staff in higher education credit system is applied.

(4) Continuous training in higher education is regulated by the present Code, the regulations approved by the Ministry of Education and internal institution regulations.

Title VI

Specific types of education

Chapter I. Art and sport education

Article 111. General provisions

Art and sport education

- a) represents vocational dimension in the education system aimed at development of specific qualifications in certain fields of expertise;
- b) is organized formally and informally at all levels of education system;
- c) is voluntary and is ensured by the State in accordance with the package of educational and social services provided by the Government free of charge, as well as from the taxes in line with legal provisions.

Article 112. Artistic and sport types of educational institutions

- (1) Formal art and sport education is carried out at:
 - a) general education institutions – primary schools, gymnasiums, lyceums specialized in art or sport;
 - b) vocational education institutions – professional lyceums and colleges with concentration on art or sport;
 - c) higher education institutions with art or sport as a major;
- (2) Informal art and sport education (complementary) is carried out at:
 - a) centres for pupils and youth;
 - b) clubs with different focus;
 - c) sport schools, art schools;
 - d) art and sport sections;
 - d) sportive and artistic camps;
 - f) school theatres etc.

Article 113. Organization of artistic and sport education

(1) Organization of artistic and sport education is regulated by the present Code, the standard regulations governing organization and functioning of general, vocational and higher education, as well as regulations related to the mentioned areas elaborated by the relevant central public administration and coordinated with the Ministry of Education and approved by the Government.

(2) In artistic and sport education:

- a) admission exams includes testing of specific capabilities;
- b) framework programme is approved per specialization by the Ministry of Education, as well as by the related central public administrations;
- c) graduation exams at gymnasium and lyceum include practical test as per specialization.

Chapter II. Education in military service, security and public order

Article 114. General provisions

(1) Education in military service, security and public order is a sub-system within Moldovan education system.

(2) Education in military service, security and public order is organized and implemented only at public institutions and free of charge.

Article 115. Organization of education in military service, security and public order

(1) Education in the field of military service, security and public order is organized and carried out in accordance with the provisions of the present Code, the standard Regulations developed by the relevant central public administrations, coordinated with the Ministry of Education and approved by the Government, as well as with the internal institutional regulations.

(2) Organizational chart for education in military service, security and public order is elaborated and approved by professor councils and institution senates in joint agreement with the relevant central public authorities.

(3) Training programme for major staff at educational institutions in the field of military service, security and public order is approved on annual basis by the Government upon the proposal from the relevant central public authorities.

(4) Selection of candidates for studying of military service, security and public order is carried out on the basis of general criteria established by the relevant central public administrations in a joint agreement with other competent authorities.

(5) Education programmes for institutions in the field of military service, security and public order are elaborated by the relevant education institutions and are coordinated with the relevant central public administrations and the Ministry of Education.

(6) Diploma of graduation from institutions in the field of military service, security and public order and the obtained titles offer to their owners/holders the right to take, upon shifting in the reserve, the positions equivalent to those of civil graduates with the adjacent major and of the same level.

Chapter III. Theological education

Article 116. General provisions

(1) The State ensures, as provided by the law, freedom to religious education in line with the Constitution of the Republic of Moldova.

(2) Religions officially recognized by the State are entitled to establish theological education institutions for training of religious workers and conducting of socio-missionary religious activity, as provided by the present Code.

Article 117. Organization of theological education

- (1) Theological education is carried out only upon completion of general education.
- (2) Curriculum for organized religious education is developed and approved as provided in the present Code.

Title VII Adult education

Chapter I. Organization of adult education

Article 118. Mission and organization of adult education

(1) Adult education contributes to maintaining of economic competitiveness and employment, ensures continuous access to human resources and is carried out based on the good will of an individual.

(2) Adult education includes:

- a) continuous professional development;
- b) general development of adults related to studying of cultural, socio-economic, technologic aspects: moral and civic education, health care, entrepreneurship, information technology, change management, constitution, demography, etc

(3) Coordination of areas of adult education is the competency of the Ministry of Education and other related ministries in line with Regulations for adult education, approved by the Government.

(4) Adult education is carried out by consultancy services for adults within education and continuous training institutions, at the companies, other institutions and organizations.

Article 119. Financing of adult education

Financing of adult education is carried out from the state budget, funds provided by economic entities, sponsorship, donations, taxes, personal contributions, external funds (projects), other financial sources, as provided by the legislation in force.

Chapter II. Continuous professional development

Article 120. Institutions, forms and types of continuous professional development

(1) Continuous professional development is organized by fields of expertise, specialty, professional development, professional re-training, qualification, requalification, specialization,

(2) Continuous professional training is implemented:

- a) internally;
- b) externally;
- c) through self-development.

(3) Internal continuous professional development is conducted by specialized bodies within local public administrations, through on-the-job workshops, professional partnerships, exchange of experience, participation in conferences, seminars, courses/apprenticeships.

(4) Local public administrations in consortium with centres/institutions for continuous professional development can establish community training centres that provide internal continuous professional training based on the community needs.

(5) External continuous professional development is implemented by:

- a) specialized centre at the accredited educational institutions aimed at awarding qualifications – by faculties, departments, intra-institutional centres.

- b) accredited institutions for professional development;

- c) schools for adults as public institutions (art schools, culture centres, open and popular universities, libraries, museums etc)

- d) non-governmental centres for continuous professional development, accredited for such purposes

(6) External continuous professional development is implemented through various courses, apprenticeships (for long-, medium- and short-term), trainings, counseling, academic advice, optional packages, through distance learning, based on programmes and other forms stipulated in the Regulations on adult education.

(7) Self-development is carried out through individual studying, communicating during various meetings, conferences, elaboration of books, articles, publication of results on scientific research, participation in exhibitions, elaboration of various materials to be used in production, obtaining of invention patents, obtaining of a title of innovator and inventor, defense of PhD thesis etc.

Article 121. Offer of continuous professional development

(1) Programme for continuous professional development is elaborated by the centre/institution for continuous professional education based on high professional standards and provides for ongoing training structured by modules.

(2) Programme for continuous professional training are elaborated on the basis of Regulations for adult education.

(3) Centres/institutions for continuous professional education offer various trainings described in the Catalogue of offers for continuous professional development elaborated by the Ministry of Education and related ministries upon examination of needs in this area and according to the accredited programmes of continuous training.

(4) Continuous professional development is carried out based on the cumulative credit system through allocation of a number of credits for various development activities.

Article 122. Trainers

- (1) Training on continuous professional development is carried out by the trainers.
- (2) The trainers can be:
 - a) trainers – staff members of the centres/institutions for continuous professional development having as its main function organization and delivery of training and management of the related activities;
 - b) trainers – staff members of the centres/institutions for initial and continuous professional development who distribute respectively their activity;
 - c) university research trainers targeting a specific request in professional development;
 - d) experts who provide continuous professional development, particularly in the specialized areas;
 - e) trainers from business and labour market;
- (3) Auditorium didactic norm of a trainer is linked to the specifics of working with adults, in compliance with the provisions of the Labour Code, as well as of the present Code.

Article 123. Rights and responsibilities in provision of continuous professional development

- (1) Any institution, company or organization in the national economy is obliged to elaborate its own policy in the field of continuous professional development for employees, the strategy and annual plan for external continuous training, for monitoring of internal professional development as provided in the legislation in force.
- (2) Employer is responsible for continuous professional training of employees and is obliged to ensure necessary conditions for professional development of his/her employees.
- (3) Employees identify their own direction for professional development in dependence on the type of training programme.
- (4) Persons who benefit from continuous professional development are entitled to:
 - a) proof of records;
 - b) certificate;
 - c) attestat;
 - d) qualifications diploma.
- (5) Every employee is responsible for his/her own professional development and is obliged to accumulate transferable credits during 5 years and to confirm once in 5 years accumulation of the necessary credits in professional development confirmed at a centre/institution for continuous professional development.

Art. 124. Evaluation, monitoring and certification within continuous professional training

- (1) Evaluation within continues professional training is carried out based on professional training standards.

(2) Evaluation and accreditation of programmes and continuous professional training is conducted by the Agency for Quality Assurance in Higher Education and Research.

Title VIII

Connected units and adjacent services within the education system

Chapter I. Libraries in education

Article 125. General provisions

(1) Libraries of educational institutions are integral part of the organizational structure of the educational unit, which provides information resources (books, media, CDs, audio cassettes, videos, etc..) necessary for pupils, bachelor students, PhD students and didactic and research staff depending on training programs and continuous professional development..

(2) Library's activity is ensured by relevant specialists, usually of higher education.

Article 126. Organization and functioning of libraries in education

(1) Libraries in education activate based on regulation developed and approved by the Ministry of Education and other related normative acts.

(2) Librarians in education have the status of didactic staff.

Chapter II. Psycho-educational services and speech therapy centres

Article 127. General provisions

Within Departments of education there are psycho-pedagogical counseling services and speech therapist interschool centres.

Article 128. Organization and functioning of the psycho-pedagogical and speech therapist centres

Work of the counseling psycho-pedagogical services and interschool speech therapist centres is regulated by the Regulation jointly developed and approved by the Ministry of Education and the Ministry of Health.

Chapter III. Career development and counseling services centres

Article 129. General provisions

(1) The mission of career development and counseling services centres is to support pupils and young people in their career planning, to offer to education institutions methodological support in career-oriented education.

(2) In the staff payroll of the career development and counseling service centres, as a rule, there shall be employed counselors with bachelor and master degree in education with concentration on phsyco-pedagogical educational counseling, social and organizational psychology.

Article 130. Establishment of career development and counseling centres

(1) Career development centres are established under rayon's (municipal) educational departments in joint agreement and cooperation with local public administrations and territorial employment agencies.

(2) In vocational/technical and higher education institutions can be internally organized centres for career counseling.

Chapter IV. Educational alternatives

Article 131. General provisions

(1) Educational alternatives are modalities of schooling that provide teaching solutions other than official schooling.

(2) Through educational alternatives the State ensures the rights to differential education based on educational pluralism.

(3) Planning and implementation of educational alternatives is reported according to the Government standards in education.

Article 132. Organization of educational alternatives

(1) Educational alternatives in the national public and private education system are provided upon the approval from the Ministry of Education in line with the provisions of the present Code.

(2) Educational alternatives are assessed and accredited according to the law.

Title IX

Quality assurance, assessment and accreditation in education

Chapter I. General Principles

Article 133. Quality of Education

Quality of education represents permanent priority for any educational service provider, as well as for its staff, so that through quality of the work to ensure credibility in terms of quality of education services.

Article 134. Evaluation of education quality

(1) Assessment of quality of education consists of multiple criteria examination of measures in which educational service provider and the programs thereof meet educational standards and are internal and external.

(2) Assessment of quality of education implies:

a) activities and techniques of operational nature, applied consistently by a competent inspection / quality evaluation agency designated to verify compliance with predetermined standards;

b) monitoring of general education units by rayonal/ municipal departments of education;

c) special monitoring following establishment in the first three years and whenever required under the provisions of this Code;

d) periodic external evaluation conducted by a local or international agency stated in the European Register of Quality Assurance Agencies

(3) Education quality assurance policies in the Republic of Moldova are correlated with those promoted ones internationally.

Article 135. Evaluation and internal quality assurance

(1) Responsible for quality assurance of education in are heads of educational institutions.

(2) At the level of each educational service provider in the Republic of Moldova is established special structures for evaluation and quality assurance, that operate based on a strategy and regulation approved by the service provider, developed in compliance with the established standards.

Article 136. External quality assessment

(1) External quality assessment for service provider in general and vocational / technical education, is conducted by the Ministry of Education through external collaborators, experts in evaluation and accreditation.

(2) External quality assessment for service provider in higher education is conducted by the National Agency for Quality Assessment in Higher Education and Research.

(3) If the educational service provider refuses to be subjected to external evaluation, the Ministry of Education, on proposal of the National Quality Assessment Agency of Higher Education and Research, automatically initiate automatically legal proceedings on termination or absorption of the given institution into an accredited institution.

Article 137. Authorization of temporary functioning

Temporal authorization for higher education institutions and newly created educational programs is issued by the Ministry of Education and offers to educational service providers the right to carry out educational process.

Chapter II. Evaluation and accreditation in higher education institutions

Article 138. Organizing assessment and accreditation process in higher education

Evaluation and accreditation in higher education is conducted by the National Agency for Higher Education Quality Evaluation and Research.

Article 139. Evaluation and accreditation of curricula in higher education

(1) Evaluation and accreditation in higher education is performed for each program from undergraduate, masters, doctoral or continuous professional training program.

(2) Programme accreditation is done after evaluation and temporal authorization thereof by the Ministry of Education, aiming to confirm their

conformity to the standards of education, actual needs in terms of quality, socio-cultural and economic aspect.

(3) Initial accreditation of study programs is made after the first class graduates. Reassessment of curricula is done every five years.

(4) Criteria and indicators for curricula accreditation are stipulated in quality standards developed by the National Agency for Higher Education Quality Evaluation and Research, agreed with the Ministry of Education.

Article 140. Evaluation and accreditation of curricula in private higher education institutions

(1) Curricula in private higher education institutions are subject to evaluation and accreditation, as provided by this Code.

(2) If the program of studies in private educational institution has not been accredited within the period stipulated by this Code, graduates of the respective academic year shall take graduation exams provided there is an approval from the Ministry of Education, in line with methodologies established by the ministry for the accredited educational institutions, with issuance of study certificates accordingly.

Title X

Human resources in the educational system

Chapter I. General provisions

Article 141. Educational system staff

Educational staff comprises didactic staff, managerial staff, scientific and didactic staff, scientific professionals, pupils, students / PhD students, military students, auxiliary didactic staff and technical and administrative staff.

Article 142. Basic mission of the didactic staff

(1) Didactic staff, scientific and didactic and scientific staff constitute determining factor in ensuring quality of education.

(2) Basic mission of didactic staff is to provide educational services on general training, initial professional and ongoing training in relation to educational standards and their educational visions.

(3) Professional mission is implemented by the didactic staff in accordance with the legal and ethical norms.

(4) In private educational institutions of gymnasium, lyceum, vocational / technical and higher education type, at least 50% of didactic staff should be employed with the basic norm in the respective educational institution.

Article 143. Basic mission of pupils, undergraduate/graduate students, PhD students

(1) Pupils, undergraduate/graduate students, PhD students are the main subjects of the educational process and the determining factor in shaping human resources at the national level.

(2) Basic mission of pupils, undergraduate/graduate students, PhD students:

- a) concerns assuming responsibilities for their own lifelong training;
- b) consists in training, self-training on fundamental and specific qualifications for effective social and professional integration.

Chapter II. Rights and obligations

Article 144. General provisions

In educational institutions:

- a) shall comply with the Universal Declaration on Human Rights and UN Convention on the Rights of the Child;
- b) corporal punishment and application of any form of physical or psychological violence are prohibited.

Article 145. Rights of didactic, scientific and didactic, scientific staff

(1) Didactic, scientific and didactic, scientific staff is entitled to:

- a) select and use curricula, educational technology, textbooks and didactic materials approved by the Ministry of Education, which it considers appropriate to achieve state educational standards;
- b) elect and be elected in administrative and advisory bodies of the educational institution;
- c) have included in their teaching work experience previous didactic activity in general education and conducted vocational / technical training, in case of their shifting to higher education and vice versa;
- e) benefit from preferential insurance with housing and other facilities, guaranteed by the state in conformity with the legislation in force;
- f) be granted research leave of up to three months, maintaining the average monthly salary, for the development of textbooks and other educational and scientific materials, with the approval of the Ministry of Education;
- g) associate in organizations for professional rights and interests defense without affection of direct service obligations;
- h) request on own initiative teaching degree's award .

(2) Didactic staff in private educational institutions take part in the academic, cultural, sports performances and benefit from protection, social and medical assistance under the same conditions as didactic staff of public educational institutions, as provided by the law..

Article 146. Obligations of didactic, scientific and didactic and scientific staff

Didactic, scientific and didactic, scientific staff is required to:

- a) ensure the quality of the educational process through implementation of the state educational standards and National Curriculum;
- b) respect professional ethics;
- c) respect the rights of those trained ones;
- d) create optimal conditions for the development of pupil's and student's individual potential;
- e) cultivate, by own example, the moral principles of justice, fairness, humanity, generosity, diligence, patriotism and other virtues;
- f) collaborate with family and community;
- g) meet obligations stipulated by the collective work contract, institution's charter, internal regulations and provisions of this Code;
- h) ensure security of life and health care of trainees in the educational process;
- i) continuously improve their professional qualifications;
- j) not to make chauvinistic, nationalistic, political, religious, militaristic propaganda in educational process;
- k) not to involve pupils/bachelor students/ PhD students in political street actions (meetings, demonstrations, picketing, etc.).

Article 147. Rights of pupils, bachelor students and PhD students

(1) Pupils, undergraduate/graduate students and PhD students have the following rights:

- a) to be provided, within the limits set by legislation, with scholarships, hostel, manuals, medical assistance, food, transport services
- b) to choose the type of educational institution;
- c) to freely express their opinions, beliefs, ideas;
- d) to benefit from access to information;
- e) to participate in educational institutions management and in the process of assessment and promotion of quality education, as provided by this Code and respective regulations;
- f) to participate in national or international projects/programs of academic mobility;
- g) to claim legal rights to establish, in accordance with the legislation in force, non-political associations or organizations, which aim to defend their interests;
- h) to benefit from guarantees and compensations envisaged by the law for employees who combine work with study, when engaged in field of work.

(2) self-government bodies of pupils, bachelor students and PhD students, acting in accordance with the regulations in force are set up under education institutions.

(3) Undergraduate/graduate students, PhD students are entitled to exemption from tuition fee in accordance with the respective regulation approved by the Ministry of Education.

(4) In case of loss of ability to study, due to health condition, pupils, bachelor students, PhD students are entitled to academic leave, as stipulated by the legislation in force.

(5) In order to achieve the right to education for students who need social assistance, the state bears all or part of maintenance costs during the schooling, including those in sanatorium-type schools or family type, according to the legislation in force.

(6) Pupils / undergraduate/graduate students in private educational institutions participate in academic, cultural, sport performances and benefit from protection, social and medical assistance under the same conditions as students of public institutions as provided by the law.

(7) Pupils, bachelor students and PhD students enjoy other rights, specified in the charter of educational institution.

Article 148. Obligations of pupils, undergraduate/graduate students and PhD students

(1) Pupils, undergraduate/graduate students and PhD students are obliged:

a) to accomplish curriculum within the deadlines set forth for the respective levels of study;

b) to comply with internal regulations provisions of the educational institutions

c) to demonstrate polite behavior, to respect rules of co-existence , use and maintain educational institution patrimony.

(2) Pupils are obliged to attend compulsory education, to meet requirements of the educational institution's charter, to acquire materials foreseen in programs of study and attend class hours.

(3) Graduates of educational institutions are obliged to know Romanian language for their socio-professional integration.

(4) Pupils, bachelor students and PhD students may have other obligations specified in internal regulatory documents of the educational institutions

(5) Infringement by pupils, bachelor students, PhD students of the internal regulatory documents leads to their punishment up to expulsion thereof.

Article 149. Parent's rights and obligations

(1) Parents or guardians are entitled to:

a) choose for their children the education institutions and language of instruction;

b) request respecting by the educational institution of the child's rights and freedoms;

- c) familiarize with the course and content of the educational process and pupil's assessment results;
 - d) instruct the child in the family, assuring the possibility to get studies that correspond to the certain level of education, as determined by the Ministry of Education;
 - e) be elected to membership of administrative and advisory bodies of the educational institution.
- (2) Parents or guardians are obliged to:
- a) ensure child's engagement into compulsory education or carry out his training in the family, under conditions of this Code;
 - b) to provide child's education in the family and to create appropriate conditions for studies, skills development, extracurricular activities and self training.
- (3) Parents or guardians who do not contribute to education and training of children are liable to responsibility in conformity with the legislation in force.

Article 150. Health care in educational institutions

Medical institutions of the Ministry of Health and medical institutions of its departments ensure provision of the entire range of measures aimed at healthcare of preschool pupils, school pupils, bachelor students, Master and PhD students, as well as didactic staff of the educational system.

Title XI

Administration of Educational System

Chapter I. Attributions of the Central public administration in education

Article 151. Government attributions

The Government:

- a) ensures prioritizing of education;
- a) organizes the drafting of legislation on education and submits them to the Parliament for consideration
- b) develops and approves legislation on the implementation of legislation on education;
- d) monitors the activity of the Ministry of Education;
- d) confirms rectors of public higher education institutions;
- e) contributes to creating and developing of educational system;
- g) decides on the proposals of the Ministry of Education, of other central administration authorities and public institutions on establishment, reorganization or dissolution of the special education public institutions, vocational / technical education, higher, research, continuous professional development.

Article 152. Attributions of the Ministry of Education

(1) The Ministry of Education has the following duties:

- a) develops and promotes state policy in education;
- b) exercising state control over compliance with the law in education;

- c) implements management, monitoring and evaluation of the national educational system;
- d) elaborates legislation and exercises control over it's compliance
- e) develops and approves state educational standards, national curriculum and exercise control over their implementation;
- f) develops strategic expenditures plan for the national system of education, cooperating to this end with central and local authorities;
- g) develops the draft state budget for the educational system;
- h) develops and establishes, together with the Ministry of Finance, the mechanism and norms of financing of the national educational system;
- i) coordinates and monitors the financial activity of the public educational institutions under the Ministry of Education
- j) formulates and submits to the Government proposals to improve remuneration of teaching staff and other staff categories of the educational system
- k) coordinates scientific research in higher education;
- l) coordinates scientific research in psychology and educational science;
- m) endorses award of scientific and didactic titles;
- n) coordinates the initial and continuous professional training of teachers;
- o) coordinates the evaluation of didactic staff for didactic degrees award;
- p) decides on proposals of education departments, ministries, other central administrative authorities, public institutions and organizations on the establishment, reorganization or liquidation of public primary schools, gymnasiums and lyceums;
- r) employs, through competition, and dismisses managers of special and public vocational/ technical educational institutions as well as directors of educational institutions under republican subordination;
- s) appoints and dismisses the heads of rayon's (municipal) departments of education, in coordination with the local government of the II-nd level;
- ş) concludes cooperation agreements in education and research in conformity with the legislation in force;
- t) organizes the education document validation process, issued by the foreign educational institutions;
- ţ) negotiates conventions on collective labour in education;
- u) participates, where appropriate, jointly with other central administrative authorities in strengthening of youth health, the practice of physical culture and sport;
- v) provides with textbooks, free of charge, children of 5-7 years old from preparatory groups and pupils of primary schools;
- w) proposes candidates for State Awards;
- x) develops and publishes the annual report about the current state of educational system;
- z) performs other duties stipulated by law.

(2) To exercise attributions in the area of expertise, the Ministry of Education may set up councils, committees, expert groups and other advisory bodies.

Chapter II. Attributions of local public authorities in education

Article 153. Attributions of educational departments

(1) Departments of education are specialized bodies of management of education, which operate in rayons, municipalities and ATU Gagauzia.

(2) Standard form Structure and Standard form Regulation of departments of education is set up by the Government, on proposal of the Ministry of Education, in coordination with the ministries, other relevant central administrative authorities and local public administration authorities of the II-nd level.

(3) Director of Department of education is elected through competition and is appointed by the order of the minister of education, in coordination with the local public administration authorities of the II-nd level, for 4-year period, not exceeding 2 consecutive mandates.

(4) The head of department of education of the ATU Gagauzia is confirmed for the period of 4 years, not exceeding 2 consecutive mandates, by the Executive Committee of Gagauzia, on Governor's proposal, through coordination within the Minister of Education, based on professional and managerial competencies criteria.

(5) Departments of education have the following attributions:

- b) carry out management, monitoring and evaluation of education at the local level;
- b) ensure, within their territory, compliance with the legislation and promotion of the state policy on education;
- c) ensure collaboration between the subordinated educational institutions with the local public administration authorities and the Ministry of Education;
- d) supervise functioning of network of the general, extracurricular, arts and sport education under subordination and exercise school inspection;
- e) ensures didactic and methodological support to educational institutions and didactic staff;
- f) contribute to financing and development of the technical and material basis of the subordinated educational institutions;
- g) ensure jointly with the local public administration authorities, adequate conditions for activity of didactic staff and pupils, as well as social protection thereof;
- h) organize continuous professional training of didactic staff;
- i) coordinate organization of graduation exams at the educational institutions and academic competitions (olympiads);
- j) ensure, jointly with the parents and local public administration authorities, mandatory schooling of children under the age of 16 years old;
- k) employ, through competitive process, and dismiss directors of the preschool, primary, gymnasium, lyceum, extracurricular, arts and sport

educational institutions under subordination, with preliminary concern of the local public administration authorities at the relevant level.

Article 154. Attributions of the local public administration authorities in education

Local public administration authorities:

- a) ensure compliance with education legislation in the field;
- b) take decisions, within the limits of their competencies, on establishment, optimization and development of school network on the administrated territory;
- c) decide on proposals of the first level local public administration authorities on establishment, reorganization, or dissolution of institutions of public preschool and extracurricular education;
- d) lease the administrated territory to the general education institutions under subordination;
- e) set up location and keep records of the private education institutions from the territory;
- f) ensure mandatory schooling, jointly with other authorities, of the overall children under the age of 16 years old;
- g) ensure free transportation of pupils to the education institutions in the rural areas, to the distance exceeding 3 km;
- h) provide material and financial aid to the socially vulnerable families with preschool children and children involved in mandatory education, as provided by the law;
- i) ensure social protection of didactic staff of the education institutions;
- j) organizes free medical assistance, food and recreation for pupils during vacation;
- k) ensure employment of orphan graduates, as well as of persons disabled persons;
- l) ensures, within the area of activity, organization of sport competitions (championships, cups, tournaments etc.) and sport activities of mass nature.

Title XII

Financing and technical-material base of education

Chapter I. Financing of educational system

Article 155. Principles and sources of education financing

(1) Education system financing is done on the basis of education financing principle as a form of public investment.

(2) The major source of financing for public educational system is the state budget and budgets of territorial administrative units.

(3) Public educational institutions can benefit from other sources, as well:

- a) revenue generated from services rendered against payment, from scientific research contracts, design, consultancy or expertise as well as contracts for other educational and scientific services reflected on separate accounts according to the law;

b) revenue from sales of articles made in the course of studying process (in didactic households, experimental workshops, etc..), and the rent / lease of premises, equipment, land and other assets of public ownership;

c) grants, sponsorship, donations;

d) other legal sources.

(4) Nomenclature of educational services rendered by public educational institutions against payment shall be approved by the senior hierarchic body or the local public administration authorities, according to their competencies.

(5) The state guarantees financing of initial professional training and continues with the funding thereof from the state budget according to the Enrolment Plan, annually approved by the Government.

(6) Financing of private educational institutions shall be done from the founders' sources, school fee, sponsorship, credits, donations.

(7) Private preschool, elementary and gymnasium education institutions can benefit from the state support, as established by the Government.

(8) Relations between the educational institutions and individuals or legal entities shall be regulated based on contract on educational service against payment, whereby specifying the rights and obligations on the parties, term of instruction, study fee amount ,etc.

(9) The amount of study fee and other services shall be established by each educational institution separately.

Article 156. Financing modalities and financial management of education

(1) Financing of education is carried by four compartments F:

a) standard financing: standard cost per pupil/student and adjustment coefficient;

b) compensatory financing: for children with special needs, gifted children, experimental and alternative programs, performance programs in high education etc.;

c) complementary financing: for upgrading of technical and educational materials, for subsidizing of food, transportation, accommodation etc.

d) financing by programmes on competitive basis.

(2) Standard-cost can serve as a basis for tuition fee calculation.

(3) According to the law, vocational/technical and higher education institutions, as well as continuous professional training institutions, can accumulate and use special funds generated from fees paid by natural and legal entities, including from abroad for training, development and professional retraining on a contract basis.

(4) Financing of special means, including donations and sponsorships, irrespective of the size thereof, do not condition reduction of budgetary allocations for education.

(5) Financing norms for private educational institutions may be less than financing norms for public education institutions.

(6) Vocational/technical, higher education and continuous professional training institutions can carry out economic activities in conditions of self financing, as set up by the legislation.

(7) Education can be supported by societies, professional and patronage associations, in accordance with the law

(8) Legal entities and entrepreneurs, in accordance with the legislation in force, are entitled to support from its own resources development of the technical and material basis of public and private educational institutions, including expenditures for staff preparation and continuous training thereof.

(9) Educational institution's revenues obtained from economic activities, are intangible and shall be used for institution's development.

(10) Educational institution shall be tax exempted, including land tax.

(11) School canteens own products are exempted from value added tax.

(12) Ministry of Education maintains Special Fund for manuals annually approved by the state budget law for the respective year. The mode and mechanism of Special Fund's operation shall be regulated by the Government.

(13) Educational institution shall foresee in financing plans annually expenditures for own internal informational system development, at no less than 1% from the overall approved annual allocations.

(14) Labour remuneration in private educational institutions shall be done in accordance with own statute, labour legislation and cannot be inferior than labour remuneration in public education.

(15) Economic entities shall participate in staff professional training, in conformity with the provisions of the Labour Code.

Chapter II. Patrimony and technical and material basis of educational system

Article 157. Educational system patrimony (property)

(1) Patrimony (property) and technical and material basis of the educational system comprises buildings, engineering installations, libraries, laboratories, workshops, canteens, clinics, land, didactic and scientific households, equipment, transportation means, machines and other fixed assets and working capital.

(2) Fixed assets and working capital of public educational institutions represent the state property and shall be attributed to educational institutions with the right of operational management.

(3) Patrimony of the private educational institution cannot be withdrawn in the course of its activity, except for the case envisaged in the legislation.

(4) Confiscation and alienation of rented or leased buildings of the private educational institutions shall be allowed only following the expiry of the tenancy contract term or putting into use the respective buildings.

(5) Alienation and transfer with the property right on buildings, constructions and related land is not allowed, being the property of public

educational institutions, except for the cases when alienation and transfer take place within the system and for ensuring of efficient operation thereof.

(6) In exceptional cases (deterioration or long-term non-use), changing of the scope (destination), alienation and transfer of buildings, constructions and related land, being the property of the public educational institutions, for other purposes than those educational ones, shall be done on proposal of local public administration of the second level and with concern of the Ministry of Education, through the Government Decision.

(7) Educational institutions are entitled to transfer premises, related plots of land and other goods under their property in lease/rent, only with founder's concern through public bidding procedure.

(8) Private educational institutions are entitled to the priority right for purchasing (privatization) of the state or municipality buildings leased by them and subjected to the alienation process.

Article 158. Technical and material basis of the educational system

(1) Development of technical and material basis of the educational institutions shall be ensured from the budget proceeds, institutions' special means and other legal sources.

(2) The state ensures development of technical and material basis of the public educational system, equipping of the educational institutions at the level of the national standards elaborated by the Ministry of Education, construction of buildings for teaching and education, sport and leisure complexes, hostels for pupils and students.

(3) Private educational institutions shall have available with the right of private property or with the right of use, the technical and material basis for educational process, according to the state standards.

(4) Central Public Administration Authorities and the authorities of the local public administration, economic entities are entitled, in line with the legislation in force and in the educational scope to transfer in free use or against payment to educational institutions buildings, equipment, materials for organization of educational process, installations, machines, transportation means, living spaces, plots of land, etc.

(5) Economic entities are entitled to support from own proceeds development of technical and material basis of educational institutions, including expenditures to cover staff training and continuous professional development.

Title XIII

External Relations and international cooperation in education

Article 159. International cooperation

(1) International cooperation in the field of education is carried out in conformity with the legislation of the Republic of Moldova and with the international treaties whereby the Republic of Moldova makes part of.

(2) The Ministry of Education is entitled to establish relations and to conclude agreements, protocols, aide-memoires within international collaboration,

as well as to participate in the international projects and performances in the field of educational and scientific research.

(3) Educational institutions are entitled to establish direct relations of collaboration and partnership with the educational institutions from overseas, coordinated with the Ministry of Education and other central public administration authorities, on a need basis, with respect of:

- a) participation in the mobilizing and academic exchange programmes;
- b) implementation of research and common scientific activities;
- c) carrying out of the fundamental and applied scientific research against order of the legal entities from overseas;
- d) elaboration and application in collaboration with educational institutions from overseas, of the common curricula;
- e) foundation, with participation of the foreign partners of the structured units of the educational institution (centres, laboratories, technical parks);
- f) obtaining membership right of the regional international non-governmental organizations;
- g) participation in regional and international programmes and projects

(4) Actions within agreements, interstate and non-governmental or interministerial protocols, are being financed in conformity with the legislation in force .

(5) International programmes and projects are financed according to the legislation in force, or in some cases within the European policy legal framework.

(6) Annually, through the law on state budget, financial means to support academic and professional mobility outside the country are being approved.

Article 160. Cooperation with regional and international organizations

(1) The Ministry of Education assigns priority to cooperation in the field of education with European Union under partnership and cooperation projects and programmes.

(2) In order to modernize national educational system and align it to the European values and standards, as well as in order to participate in establishment of European area of high education under Bologna process, the Ministry of Education takes part in cooperation programmes and projects at regional and international level promoted by the international organizations.

(3) The Ministry of Education authorizes and monitors activity of foreign volunteers providing educational services and non-governmental organizations that implement different international projects and programmes under the national educational system according to the legislation in force.

Article 161. Studies abroad

(1) The state ensures academic and professional mobility in conformity with national and international normative acts.

(2) The citizens of the Republic of Moldova are entitled to studies abroad based on interstate and intergovernmental or interministerial agreements on

collaboration, as well as based on individual contracts with educational institutions from abroad.

(3) The persons enrolled to studies abroad based on collaboration agreements/protocols benefit from facilities and rights stipulated in the respective documents.

(4) The citizens of the Republic of Moldova, graduates of foreign educational institutions, while getting their jobs, benefit, from equal rights as the graduates of the similar educational institutions from the Republic of Moldova.

(5) Acts of study obtained abroad are recognized and confirmed by the Ministry of Education.

Article 162. Enrolment, rights and obligations of pupils, BA students, PhD students -foreign citizens

(1) Enrolment of foreign citizens and stateless individuals is being done based on:

- a) international treaties to which Moldova makes part of;
- b) agreements between educational institutions authorized accordingly;
- c) academic mobility programs;
- d) individual contracts concluded with educational institutions

(2) Admission of foreign citizens and stateless individuals to studies shall be done with agreement of the Ministry of Education, following the recognition and equivalence of education certificates submitted by candidates.

(3) The right to organize studies for foreign citizens and stateless persons shall have, exclusively, public and private institutions for accredited specialties.

(4) Training of foreign citizens and stateless persons shall be in Romanian or at the request of applicants, in another international language, depending on educational system possibilities and within budget resources limit allocated for this purpose.

(5) Foreign citizens and stateless persons studying in the Republic of Moldova except for those who benefit from the state scholarships, shall pay tuition fee in accordance with the regulations in force.

(6) If foreign citizens and stateless persons do not speak Romanian, studies shall be preceded by training courses for admission to higher education. Training courses for foreign citizens, enrolled to studies based on inter-governmental and interministerial agreements, are considered an integral part of higher education.

Title XIV

Final and Transitional Provisions

Article 163.

(1) Beginning with the 2010-2011 academic year, enrolment of general education graduates to higher education institutions shall be done based on the baccalaureate diploma.

(2) Starting with 2010-2011 academic year, admission of graduates of gymnasium schools to comprehensive secondary schools shall not be allowed.

(3) General comprehensive secondary schools shall be reorganized into gymnasiums or lyceums according to the academic potential and material and technical base of these institutions.

(4) Upon entry into force of this Code, the contests to choose the management of educational institutions at all levels (general, vocational / technical and higher), except for those that have already been selected on competitive basis shall be organized.

Article 164.

Upon entry into force of this Code, the Law on Education no. 547-XII dated July 21, 1995, Law no. 1257-XIII dated July 16, 1997 on assessment and accreditation of educational institutions in the Republic of Moldova and the Law. 423-XIV dated June 4, 1999 on approval of the Regulation of assessment and accreditation of educational institutions shall be abolished.

Article 165.

The Government, within six months from the date of entry into force of this Code, shall bring its legislation in accordance with this Code.

Article 166. This Code enters into force on _____.