

PUBLIC EDUCATION ACT

(promulgated in Durzhaven Vestnik (the State Gazette), № 86 of October 10th, 1991; amended, № 90 of October 24th, 1996; amended and supplemented, № 36 of March 31st, 1998; supplemented, № 124 of October 27th, 1998; amended, № 153 of December 23rd, 1998; in force since January 1st, 1999)

Chapter one

GENERAL PROVISIONS

Article 1. This act gives provisions on the structure, the functions and the management of the public education system.

Article 2. The public education system comprises kindergartens, schools and servicing units.

Article 3. The public education system shall provide education in compliance with the state educational requirements.

Article 4. (1) Citizens have the right to education. They may continually improve their education and qualifications.

(2) No discrimination or privileges based on considerations of race, nationality, sex, ethnic or social origin, religion and social status shall be permitted.

Article 5. Education is secular.

Article 6. Education in state-maintained and municipal schools shall be free of charge.

Article 7. (1) School education up to 16 years of age is compulsory.

(2) (amended, the State Gazette, № 36/ 1998) Children shall start school education at the age of seven, and they are supposed to have turned or to turn seven in the year they join the first form/ grade. Six-year-olds may join the first form in case their physical and mental development allows for such a step according to their parents or guardians.

Article 8. (amended, the State Gazette, № 36/ 1998) (1) Bulgarian shall be the official language in kindergartens, schools and servicing units. School education shall provide the necessary conditions for the acquisition of standard Bulgarian.

(2) Schoolchildren, whose mother tongue is other than Bulgarian, besides the compulsory study of the Bulgarian language, may study their mother tongue in municipal schools under the protection and control of the state.

Article 9. (1) Each citizen may exercise his/ her right to education in a freely chosen school and type of education depending on his/ her individual preferences and faculties.

(2) The right referred to in paragraph 1 shall be exercised for people who have not come of age by their parents or guardians.

Article 10. (amended, the State Gazette, № 36/ 1998) (1) Kindergartens are state-maintained, municipal or private. Servicing units are either state-maintained or municipal.

(2) The term “state-maintained” refers to kindergartens, schools and servicing units that are of national importance and are funded by the state budget through the Ministry of Education and Science or through other ministries or government departments. Real estate granted for use to the former is public state property.

(3) The term “municipal” refers to kindergartens, schools and servicing units that are

funded by municipal budgets. Real estate granted for use to them is public municipal property.

(4) State-maintained and municipal kindergartens, schools and servicing units are legal entities.

(5) State-maintained kindergartens, state-maintained and municipal schools and servicing units shall be opened, reorganized and closed by the Minister of Education and Science. Municipal schools and servicing units shall be opened, reorganized and closed on the order of the Minister of Education following a motion of the respective municipal council.

(6) Municipal kindergartens shall be opened, reorganized and closed on the order of the mayor of the respective municipality following a decision of the municipal council.

(7) State-maintained and municipal kindergartens, schools and servicing units may become legal entities or shall stop functioning the date of the promulgation of the order in the State Gazette, unless something else has been prescribed by the order.

Article 11. (amended, the State Gazette, № 36/ 1998) (1) The term “private” refers to kindergartens and schools, that are opened and reorganized at the request of natural or legal persons, the former may not be funded by the state budget.

(2) The persons Referred to in Section 1 shall submit to the Ministry of Education and Science the documentation required of them by the Code of the Implementation of the Act.

(3) Private kindergartens and schools shall be opened and reorganized on the order of the Minister of Education and Science and become legal entities on the date of the promulgation of the order in the State Gazette.

(4) (supplemented, the State Gazette, № 124/ 1998) Private kindergartens and schools shall use private real estate or real estate granted to them for use, the latter kind of real estate being private state or private municipal property or real estate granted for use pursuant to Article 16, Section 2 of the State Property Act or pursuant to the Municipal Property Act respectively.

(5) The property granted for use under the procedure of Section 4 may be used only in a way that complies with the objects of the kindergarten or the school. This property may not be leased to third parties, neither may it be used for other purposes.

Article 12. (amended, the State Gazette, № 36/ 1998) (1) Bulgarian kindergartens and schools with foreign participation shall be opened or reorganized on the request of joint ventures between Bulgarian and foreign natural and /or legal persons, registered in the Republic of Bulgaria, following a decision of the Council of Ministers on the motion of the Minister of Education and Science.

(2) Foreign kindergartens and schools shall be opened and reorganized on the request of foreign legal entities in compliance with international agreements and under the procedure of Section 1.

(3) The persons referred to in Sections 1 and 2 shall submit to the Ministry of Education and Science the documentation required of them by the Code of the Implementation of the Act.

(4) Kindergartens and schools referred to in Sections 1 and 2 may become legal entities on the date the decision of the Council of Ministers is promulgated in the State Gazette.

(5) (supplemented, the State Gazette, № 124/ 1998) Kindergartens and schools referred to in Sections 1 and 2 may use private property or private state or private municipal property granted to them for use or real estate granted for use pursuant to Article 16, Section 2 of the State Property Act or pursuant to the Municipal Property Act respectively.

(6) Property granted for use under the procedure of Section 5 may be used in a way that complies with the objects of the kindergarten or the school. This property may not be leased to

third parties, neither may it be used to other purposes.

Article 13. (amended, the State Gazette, № 36/1998) (1) Kindergartens and schools referred to in Articles 11 and 12 shall be closed:

1. should it be established that they do not comply with the procedure prescribed by the Act and the Code of its Implementation;

2. in the event of the death of the natural person given clearance to open the kindergarten or the school or in case this natural person has been convicted of a crime committed intentionally and voluntarily and has been sentenced to solitary confinement on the basis of a verdict that has entered into force.

3. in the event of termination of the activity of the legal entity given clearance to open the kindergarten or the school.

(2) Kindergartens or schools referred to in Sections 1, 2 and 3 shall not be closed in case third parties submit to the Ministry of Education and Science the required documentation for the continuation of their activity (the documentation shall comply with the Code of the Implementation of the Act) within a month after the events referred to in Sections 1, 2 and 3 take place.

(3) Kindergartens and schools referred to in Section 1 may also be closed on the request of the person representing them.

(4) Students from schools closed following the procedure of Sections 1 and 3 may continue with their education in other schools following the procedure and conditions established by a regulation of the Minister of Education and Science.

(5) The resolution to close the school/ kindergarten shall be issued under the procedure of Sections 1, 2, 3 and 4 by the body that has endorsed the opening of the kindergarten or the school and shall be promulgated in the State Gazette.

Article 14. Schools and kindergartens shall promote the normal physical and mental health of preschoolers and schoolchildren.

Chapter two

STATE EDUCATIONAL REQUIREMENTS

Article 15. (Section 1, repealed, the text of Section 2 becomes Article 15, the State Gazette, № 36/ 1998) The state educational requirements stipulate the stages of the necessary general education and vocational training, they shall provide conditions for:

1. Development of free, moral, enterprising and law-abiding individuals, respecting other people's rights, culture, language and religion.
2. Fulfillment of individual interests and needs, acquisition of extensive general knowledge of the world.
3. Learning the basic scientific concepts and principles with a view to incorporating past experience and new information related to various fields of theory and practice.
4. Making a choice among various options of education and vocational training depending on the schoolchildren's aptitudes and the kind of school they are studying in.
5. Enhancement of the facilities and of the cultural and ecological conditions in kindergartens, schools and servicing units.

Article 16. (amended, the State Gazette, № 36/ 1998) State educational requirements shall concern:

1. nursery education and training;
2. the level of schooling, the general educational minimum and the syllabus;
3. the educational content;
4. the acquisition of standard Bulgarian;
5. the grading system;
6. vocational education and training;
7. the acquisition of professional qualifications;
8. the education of children suffering from chronic diseases and/ or with special educational needs;
9. textbooks and teaching materials;
10. the documentation used in the public education system;
11. extracurricular and extramural activities;
12. teacher's certificate and teacher qualification;
13. school facilities and equipment;
14. health care;
15. the safety of education, training and work;
16. research, information supply and libraries;
17. the annual cost per preschooler or schoolchild in state and municipal kindergartens, schools and servicing units;
18. working hours and remuneration in the public education system.

Article 17. (amended, the State Gazette, № 36/ 1998) The state educational requirements referred to in Article 16 are endorsed as follows:

1. items 2 and 6 - by an Act of the National Assembly;
2. items 12, 13, 14, 17 and 18 - by regulations of the Council of Ministers;
3. items 7, 8 and 10 - by regulations of the Minister of Education and Science in accord with the respective ministries and government departments;
4. items 1, 3, 4, 5, 9, 11, 15 and 16 - by regulations of the Minister of Education and Science.

Chapter three **KINDERGARTENS**

Article 18. (1) (amended, the State Gazette, № 36/ 1998)
Kindergartens shall be for children between the age of 3 and school age.

(2) Children are admitted to a particular kindergarten according to the wishes and the choice of their parents or guardians.

Article 19. (1) (amended, the State Gazette, № 36/ 1998)
The cost per child in state and municipal kindergartens shall be met by the state or municipal budgets respectively.

(2) (amended, the State Gazette, № 36/ 1998) Parents shall pay fees, quoted by municipal councils, in compliance with the Law on Local Taxes and Fees.

(3) Besides the fee referred to in Section 2, parents shall pay for activities other than those stipulated by the state educational requirements.

Article 20. (1) (amended, the State Gazette, № 36/ 1998) Preschoolers shall be prepared for school in kindergartens or in preparatory groups/ classes annexed to schools.

(2) Special preparatory classes shall be formed for children whose Bulgarian is not fluent.

Article 21. Special kindergartens and servicing units shall be established for children suffering from chronic diseases or with special educational needs.

Chapter four **SCHOOLS**

Article 22. (amended, the State Gazette, № 36/ 1998) (1) School education may be primary and secondary with respect to the level of schooling; it may be general and vocational with respect to the content and type of instruction.

(2) General education shall provide for the acquisition of the general educational minimum and if possible, shall also provide for specialized training in compliance with the state educational requirements.

(3) Vocational education shall provide for the acquisition of the general educational minimum, as well as of professional qualifications in compliance with the state educational requirements.

(4) Vocational training shall provide for the acquisition of professional qualifications in the respective vocation in compliance with the state educational requirements.

Article 23. (amended, the State Gazette, № 36/ 1998) (1) Primary education comprises two stages: basic education - from form I to form IV including and pre-secondary education - from form V to form VIII including.

(2) Schoolchildren who have successfully completed the first stage of primary education shall be given a form IV-leaving certificate.

(3) Primary education acquisition shall be attested with a final certificate for the completion of primary education.

(4) The primary education completion certificate shall be given to schoolchildren who have successfully completed form VIII, it shall entitle schoolchildren to continue with their education or grant them the right to vocational training.

Article 24. (amended, the State Gazette, № 36/ 1998) (1) Secondary education shall be acquired when form XII is finished and state matriculation exams are passed and shall be attested with a school-leaving certificate. The certificate shall be final and shall entitle schoolchildren to continue with their education or grant them the right to vocational training.

(2) State matriculation exams shall number three, they shall be specified in the syllabus, one of them shall be in Bulgarian grammar and literature.

(3) State matriculation exams shall be taken in compliance with the state educational requirements holding at the particular moment. There shall be no age restrictions, neither shall there be a restriction on the number of examination sessions.

(4) The same level of schooling may not be acquired twice by the same person in state and municipal schools.

Article 25. (amended, the State Gazette, № 36/ 1998) (1) The acquisition of vocational education acquisition shall be attested with:

1. a certificate as provided by Article 24, Section 1;
2. a professional qualifications certificate, which shall be obtained after the vocational

training has been completed;

3. a certificate granting the right to practice a profession, issued for professions requiring a licence.

(2) The completion of a vocational training course as provided by Article 22, Section 4 shall be attested with:

1. a certificate as provided by Article 23, Section 4;

2. a professional qualifications certificate, which shall be obtained after the vocational training has been completed;

3. a certificate granting the right to practice a profession, issued for professions requiring a licence.

4. vocational training certificate

(3) The documents referred to in Sections 2, items 2, 3 and 4 may not entitle students to continue with their education.

(4) The documents referred to in Sections 1 and 2 shall be issued only by a school, unless a law stipulates that another competent body shall do so.

Article 26. (1) Schools are:

1. junior - from form I to form IV including;

2. middle - from form V to form VIII including;

3. primary - from form I to form VIII including;

4. secondary - from form IX to form XII including;

5. specialized secondary - from form VIII to form XII including;

6. comprehensive schools - from form I to form XII including;

7. vocational training schools and/or technical schools - from forms VIII or IX to form XII including;

8. vocational training schools - from forms VI or VII offering a three-year-long training course, from form IX - offering an up-to-four-year-long training course or after secondary education acquisition - offering a two-year-long training course;

9. sports schools;

10. art schools;

11. special schools.

(2) Students may change schools following the procedure established in the Code of the Implementation of the Act.

Article 27. (1) Special schools and servicing units are established for children suffering from chronic diseases and for children with special educational needs.

(2) Schools shall provide conditions affording children suffering from chronic diseases and with special educational needs the opportunity to be transferred to the schools listed in Article 26.

Article 28. (1) Special schools for children suffering from chronic diseases and for children with special educational needs shall be boarding schools.

(2) Schools referred to in Section 1 shall admit children following a procedure established by the Ministry of Education and Science in conjunction with the competent state authorities and the municipal councils.

(3) Education is provided to individuals deprived of freedom who have not completed secondary education.

Article 29. Evening (night) schools shall be available to individuals over 16 years of age.

Article 30. (1) Religious institutions on the territory of Bulgaria may open divinity schools for their own ritual needs for children who have completed primary education with the permission of the Minister of Education and Science.

(2) Education in religious schools may be recognized as equal to secular education by the Ministry of Education and Science should it meet the state educational requirements on the respective level of schooling.

Article 31. Training is of the following types:

1. day;
2. evening;
3. part-time;
4. by correspondence;
5. individual;
6. external;
7. (new, the State Gazette, № 36/ 1998) distance.

Article 32. (1) Practical training for high-risk occupations may begin after the age of 15.

(2) The Ministry of Health Care and the Ministry of Education and Science shall establish the specific requirements for the practical training of schoolchildren referred to in Section 1.

Article 33. Schools and other units within the public education system organize extra-curricular activities for preschoolers and schoolchildren depending on their interests and aptitudes in the various fields of art, science, technology, manufacturing and sports.

Article 33a. (new, the State Gazette, № 36/ 1998) (1) Servicing units are:

1. research-informational;
2. non-school pedagogical institutes;
3. for the management of international programmes;
4. for organized recreation and sports;
5. socially oriented.

(2) Servicing units shall organize their activities in compliance with a code endorsed by the Minister of Education and Science.

Section five

MANAGEMENT AND RESOURCE SUPPLY

Article 34. (1) State policy in the education sector is implemented by the Council of Ministers.

(2) The Ministry of Education and Science is a specialized body of the Council of Ministers responsible for the management of the education system.

Article 35. (amended, the State Gazette, № 36/ 1998) (1) The Ministry of Education and Science exercises control over the activities of all types of kindergartens, schools, servicing units and over the levels of schooling.

(2) Education inspectorates are the local subdivisions of the Ministry of Education and Science in the management and monitoring of the public education system.

(3) Education inspectorates are legal entities. Their structure, functions, the municipalities on whose territory they function and their seats shall be specified in a regulation of the Minister of Education and Science.

(4) The Minister of Education and Science shall conclude and abrogate labour contracts with the heads of education inspectorates and with inspectors.

(5) The Minister of Education and Science shall conclude and abrogate contracts with experts of the education inspectorates on the motion of the heads of inspectorates.

Article 36. (amended, the State Gazette, № 36/ 1998) Municipalities shall provide:

1. the compulsory school education of children up to 16 years of age;
2. health care and safety to schools and kindergartens, preschoolers and schoolchildren;
3. (supplemented, the State Gazette, № 36/ 1998) funding for the maintenance, construction, furnishing and repair of schools, kindergartens and servicing units;
4. (new, the State Gazette, № 36/ 1998) funding for meeting the state educational requirements referred to in Article 16, items 17 and 18, as well as for the financial back-up of all sections of the syllabus of municipal kindergartens, schools and servicing units;
5. (former item 4, the State Gazette, № 36/ 1998) appropriate conditions in canteens, boarding houses, recreation and sports facilities, as well as transportation for preschoolers, schoolchildren and teachers;
6. (former item 5, the State Gazette, № 36/ 1998) grants and special support for schoolchildren.

Article 37. (1) Schools, kindergartens and servicing units are managed by a head-teacher.

(2) (amended, the State Gazette, № 36/ 1998) Heads of kindergartens, schools and servicing units shall hold an academic degree - “Bachelor” or “Master”. Heads of kindergartens and schools shall have teaching experience.

(3) (amended, the State Gazette, № 36/ 1998) The Minister of Education and Science concludes and abrogates labour contracts with the heads of state kindergartens, schools and servicing units.

(4) (amended, the State Gazette, № 36/ 1998) The head of the education inspectorate shall conclude and abrogate contracts with the heads of municipal schools and servicing units.

(5) (amended, the State Gazette, № 36/ 1998) Mayors of municipalities shall conclude and abrogate labour contracts with the heads of municipal kindergartens.

(6) (amended, the State Gazette, № 36/ 1998) The position of a head of a state-maintained or municipal kindergarten, school and servicing unit shall be assumed on the basis of a competitive interview, carried out under the procedure of the Labour Code by the bodies referred to in Sections 3, 4 and 5.

(7) (amended, the State Gazette, № 36/ 1998) Administrative resolutions of the heads of state-maintained kindergartens, schools and servicing units may be declared null and void by the Minister of Education and Science. Administrative resolutions of the heads of municipal schools and servicing units may be declared null and void by the head of the education inspectorate and those of the heads of municipal kindergartens may be declared null and void by the mayor of the respective municipality.

(8) (repealed, the State Gazette, № 36/ 1998).

Article 38. (1) The Pedagogical Council is a specialized management body which discusses and settles major issues related to pedagogy.

(2) (repealed, the State Gazette, № 36/ 1998).

(3) (amended, the State Gazette, № 36/ 1998) The membership and the functions of the

Pedagogical Council are stipulated in the Code of the Implementation of the Act and the schools' codes of practice and guidelines.

(4) (new, the State Gazette, № 36/ 1998) The school board is a public body that shall provide assistance to the school and the kindergarten. Its structure and functions shall be specified in a code of practice and guidelines endorsed by the Minister of Education and Science.

Article 39. (1) Anyone having the relevant legal capacity may be appointed as a teacher (tutor).

(2) Teachers are trained in higher education institutions.

(3) Vocational training of schoolchildren may also be done by persons who have qualifications in the relevant vocation.

(4) Teachers and head-teachers shall be provided conditions for the improvement of their qualifications.

Article 40. (1) Teachers (tutors), head-teachers and deputy heads in the state-maintained and municipal schools, kindergartens and servicing units are deemed civil servants.

(2) The head-teacher of the school, kindergarten or the servicing unit concludes labour contracts with the deputy heads, the teaching and the non-teaching staff.

(3) The initiation, reconsideration and termination of the legal relations referred to in Section 2 shall be settled in accordance with the provisions of the Labour Code.

(4) (new, the State Gazette, № 36/ 1998) The positions of head-teacher, deputy head, teacher (tutor) may be assumed only by individuals, who have not been convicted of a crime committed intentionally and voluntarily, having been sentenced to solitary confinement on the basis of a verdict that has entered into force, who have not been deprived of the right to practice their profession, who do not suffer from diseases and deviations that threaten the life and health of preschoolers and schoolchildren. The latter conditions shall be specified in a regulation of the Minister of Education and Science in conjunction with the Minister of Health Care.

(5) (new, the State Gazette, № 36/ 1998) Teachers shall be shown proper respect by the schoolchildren, administrative bodies and the community as a whole. Acts of offending teachers' dignity as well as of undermining their authority shall not be tolerated.

Article 41. Funding for the maintenance and development of education is provided by the state budget (as approved by the National Assembly) and by municipal budgets.

Article 42 (1) (amended, the State Gazette, № 36/ 1998) The annual cost per preschooler and schoolchild in state-maintained and municipal kindergartens, schools and servicing units shall be quoted by the Ministry of Education and Science in conjunction with the Ministry of Finance in compliance with the state educational requirement referred to in Article 16, item 17.

(2) After approval of the funding referred to in Article 41 the Ministry of Education and Science shall allocate budget funds for capital investment, subsidies for scientific research in the field of education and for the training of teachers and head-teachers.

(3) The Ministry of Education and Science and the Ministry of Finance shall endorse the regulations and provide the regulators and other economic conditions to ensure the efficient operation of the public education system.

(4) Funding for maintenance and pay shall come under a separate heading ("Education") in the budgets of the municipalities and the Ministry of Education and Science.

(5) (amended, the State Gazette, № 36/ 1998) The Minister of Education and Science shall exercise control over the spending of the funds meant for pay and maintenance.

(6) (new, the State Gazette, № 36/ 1998) Professions and qualifications acquired at school

shall be specified in a list endorsed by the Minister of Education and Science in conjunction with the respective ministers and heads of government departments.

Article 43. (1) (former Article 43, the State Gazette, № 36/ 1998) The Ministry of Education and Science shall provide conditions for the selection and training of talented children, it shall set aside individual funding for scholarships to talented children and funding for grants to children suffering from chronic diseases or with special educational needs.

(2) The Ministry of Education and Science shall provide additional educational opportunities for students who are likely to drop out of school.

Article 44. (1) (amended, the State Gazette, № 36/ 1998) Kindergartens, schools and servicing units may raise funds by carrying out additional activities, by accumulating donations or earmarked contributions made by natural and legal persons, for the maintenance and development of facilities. These funds may be used for the latter purpose together with the funds provided by the state and municipal budgets.

(2) Funds may be raised by leasing school and sports facilities, machinery and equipment, agricultural land, by the organization of training courses, by pedagogical and other services, specified in a regulation of the Minister of Education and Science.

(3) (new, the State Gazette, № 36/ 1998) The funds referred to in Sections 1 and 2 may only be spent to meet the objectives of the kindergarten, school and servicing unit, that has raised the funds..

(4) (new, the State Gazette, № 36/ 1998) Activities (that are not on the list of state educational requirements) carried out in state-maintained and municipal schools and servicing units as well as vocational training courses attended after secondary education is acquired shall be paid for. Fees shall be paid under conditions specified in an order issued by the Minister of Education and Science.

(5) (former Section 3, the State Gazette, № 36/ 1998) Units within the public education system shall follow specified economic rules endorsed by the Minister of Education and Science in conjunction with the Minister of Finance.

(6) (new, the State Gazette, № 36/ 1998) Funds from the state budget and municipal budgets shall be granted to schools, kindergartens and servicing units on the basis of criteria endorsed by the funding body as well as in compliance with Article 16, item 17.

(7) (new, the State Gazette, № 36/ 1998, repealed № 153/ 1998)

(8) (new, the State Gazette, № 36/ 1998) Ministries, government departments and municipalities may not lower the subsidy, quoted under the conditions and the procedure of Section 6 of Article 41 and Section 1 of Article 42, of state-maintained and municipal kindergartens, schools and servicing units at the expense of their self-generated income from activities referred to in Sections 1, 2 and 4.

Article 45. The building, reconstruction and modernization of the facilities of schools, kindergartens and servicing units may also be funded by local authorities, by the organizations for whose needs schoolchildren are trained or by other sources.

Article 46. (repealed, the State Gazette, № 36/ 1998)

Chapter six

ADMINISTRATIVE AND PUNITIVE PROVISIONS

Article 47. (amended and supplemented, the State Gazette, № 36/ 1998) Parents or

guardians who do not ensure the attendance of their children of compulsory school age at school are subject to fines ranging between 20, 000 and 100, 000 BGL. If the breach is committed for the second time The fine shall range between 50, 000 and 250, 000 BGL, should the breach be committed for the second time..

Article 48. (1) (amended , the State Gazette, № 36/ 1998) Breaches shall be ascertained by statements compiled by the respective municipal bodies.

Article 48a. (new, the State Gazette, № 36/ 1998) (1) Natural and legal persons shall be punished with a fine amounting to 5 000 000 BGL in case they:

1. organize and carry out activities related to the raising and educating of minors in units that have not been opened under the procedure of this Act;

2. organize and provide training to students with the purpose of issuing a document for the successful completion of a form/ grade or of a level of schooling, as well as with the purpose of issuing a professional qualifications certificate in units that have not been opened under the procedure of this Act.

(2) Fines shall amount to 10 000 000 BG should breaches referred to in Section 1 be committed for the second time.

(3) Statements ascertaining breaches shall be compiled by the subdivisions of the Ministry of Education and Science. Penal decrees shall be issued by the Minister of Education and Science or by officials authorized by him/ her. The provisions of the Law on Administrative Breaches and Penalties shall be implemented when statements are compiled, as well as when penal decrees are appealed and executed.

Article 49. The Ministry of Education and Science and the Ministry of Finance exercise joint control over the expenditure of budget and other means allocated for schoolchildren's education, building, reconstruction and modernization of school facilities, as well as for other activities in the public education system.

SUPPLEMENTARY PROVISIONS

§ 1. (new, the State Gazette, № 36/ 1998) (1) The Minister of Education and Science shall specify in an order the kindergartens, schools and servicing units that are referred to as by the term "state-maintained" in the sense of Article 10, Section 2, in compliance with criteria stated in the Code of the Implementation of the Act.

(2) The Ministry of Education and Science shall compile and keep a register of state-maintained kindergartens, of state-maintained and municipal schools and servicing units, of kindergartens and schools referred to in Articles 11 and 12 as well as of divinity schools referred to in Article 30.

§ 1a. (former § 1, the State Gazette, № 36/ 1998) This Act shall apply to the military secondary schools within the system of the Defence Ministry, the Ministry of the Interior and other ministries and government departments only to the extent that the resolutions for their establishment and the special laws referring to their structure and functions do not provide something different.

§ 2. Bulgarian state-maintained schools shall be opened and organized abroad by the Ministry of Education and Science in compliance with this Act and international agreements.

§ 3. This Act shall apply to Bulgarian citizens being trained in Bulgarian state-maintained

schools abroad.

§ 4. (1) Foreign nationals are entitled to receive education in Bulgarian schools in which case they should be subject to the provisions of the laws and other legal regulations of the Republic of Bulgaria.

(2) (amended , the State Gazette, № 36/ 1998) School education shall be free of charge for foreign nationals who have been:

1. allowed to stay in Bulgaria on a permanent basis;
2. approved by resolutions of the Council of Ministers;
3. approved by intergovernmental agreements, in which this issue has been settled.

(3) (amended , the State Gazette, № 36/ 1998) Foreign nationals may be trained in Bulgarian schools in the country and abroad on a fee paying basis. The fees to be paid by foreign nationals to state-maintained and municipal schools shall be endorsed by the Minister of Education and Science. The sums shall be used to promote the training process in the schools where the foreign nationals are being trained.

§ 5. Certificates for completed education and vocational training issued by foreign schools shall be legalized by the Ministry of Education and Science.

§ 6. Foreign nationals may be teachers in Bulgarian schools under conditions stipulated by the state educational requirements.

TRANSITORY AND CONCLUDING PROVISIONS

§ 7. Schoolchildren who have entered the secondary vocational and technical schools, the vocational training schools, the art schools, the specialized secondary schools and the comprehensive schools shall be educated and shall complete their education in compliance with the legal regulations valid at the time of their admittance to the respective school.

§ 8. (1) Up to a period of a year after this Act has come into force government bodies shall provide the regulations, regulators and other economic conditions for the efficient operation of the public education system in accordance with the legal regulations operating at present.

(2) Until the new state educational requirements are adopted schools and kindergartens shall function in accordance with the legal regulations operating at present.

§ 9. (amended, the State Gazette, № 90/ 1996) Individuals occupying the position of a head of a school, kindergarten or servicing unit when this Act comes into force, shall maintain their rights until a competition for the respective position is announced which shall be no later than 7 years after this Act comes into force.

§ 10. This Act nullifies:

1. The Public Education Act (promulgated in the State Gazette, № 218/ 1948; amended, № 223/ 1948; amended and supplemented, № 235/ 1948, Nos. 10, 207 and 271/ 1950; the *Izvestia (News)* newspaper, Nos. 75, 104/ 1951 and partially repealed, № 90/ 1954).

2. The Law on the closer link between the school and life and on the further development of public education in the People's Republic of Bulgaria (promulgated in the *Izvestia (News)* newspaper, № 54/ 1959; amended and supplemented, the State Gazette № 99/1963, № 36/ 1979; № 27/ 1986, № 68/ 1988, Nos. 45 and 99/ 1988).

3. Decree № 330 on public education (promulgated in the *Izvestia (News)* collection of papers, № 90/ 1954; amended and supplemented, the State Gazette № 33/ 1965 and № 68/ 1988).

4. Decree № 2213 on the further development of the education service (the State Gazette №

59/ 1983).

§ 11. (1) This Act shall be administered by the Minister of Education and Science.

(2) The Minister of Education and Science authorizes the Code of the Implementation of the Public Education Act.

(3) (repealed, the State Gazette № 36/ 1998)

LAW

on the amendments and supplements to the Public Education Act

(the State Gazette № 36/ 1998)

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Supplementary Provisions

§ 34. A breach committed “for the second time” in the sense of Article 48, Section 2 is an identical breach committed within two years after the penal decree on the first breach has entered into force.

§ 35. Additional remuneration shall be obtained three times a year by people involved in the public education system following an order of the Minister of Education and Science, in conjunction with the Minister of Finance, as from January 1, 1999.

Transitory and Concluding Provisions

§ 36. (1) The Council of Ministers shall submit the bills referred to in Article 16, items 2 and 6 to the National Assembly within a year from the date this Act comes into force.

(2) The provision of Article 24, Section 1 shall be implemented after the bills referred to in Article 16, items 2 and 6 have become Acts of the National Assembly.

§ 37. The Minister of Education and Science shall issue the regulation referred to in Article 40, Section 4, in conjunction with the Minister of Health Care, within six months from the date this Act comes into force.

§ 38. (1) The Minister of Education and Science shall issue the order referred to in Paragraph 1, Section 1 of the Supplementary provisions within six months from the date this Act comes into force.

(2) The provisions of Article 37, Section 3 concerning state-maintained kindergartens and those of Article 37, Section 4 shall be implemented after the order referred to in Section 1 has been issued.

(3) The list referred to in Article 42, Section 6 shall be compiled within a year from the date this Act comes into force.

§ 39. The Minister of Education and Science shall issue new Code of the Implementation of the Public Education Act within a year from the date this Act comes into force.

§ 40. Throughout the whole Act the words “Ministry of Public Education”, “the Ministry of Public Education” and “the Minister of Education and Science” are replaced by “Ministry of Education and Science”, “the Ministry of Education and Science” and “the Minister of Education and Science”.

LAW

on the level of schooling, the general educational minimum and the syllabus

Chapter one

GENERAL PROVISIONS

Article 1. This Law gives provisions on the state educational requirement for the level of schooling, the general educational minimum and the syllabus within the public education system.

Article 2. The state educational requirement referred to in Article 1 establishes the conditions and the procedure for the completion of a level of schooling and joining the next one. It also stipulates the characteristics of the general educational minimum and the syllabus.

Chapter two

LEVEL OF SCHOOLING

Article 3. (1) Levels of schooling shall ensure the acquisition of the necessary volume of learning, as well as consistency in and continuity of education.

(2) The levels of schooling are of two types, primary and secondary.

(3) Primary education comprises two phases:

1. basic – over a four-year period (from form I to form IV);
2. pre-secondary - over a four-year period (from form V to form VIII);

(4) Secondary education comprises one phase – secondary, over a four-year period (from form IX to form XII).

Article 4. Any length of the phases other than the one stated in Article 3, Sections 3 and 4 shall be stipulated in a regulation of the Minister of Education and Science in case training is provided:

1. in a form different from day training;
2. in specialized secondary schools, in sports schools and in art schools;
3. in special schools for schoolchildren suffering from chronic diseases and with

special educational needs.

Article 5. The completion of the respective level of schooling shall ensure the acquisition of the general educational minimum, as well as of knowledge and skills corresponding to the interests and individual aptitudes of schoolchildren.

Article 6. (1) The schoolchildren who have completed the first stage of primary education shall receive a form IV-leaving certificate.

(2) Primary education is acquired after the completion of the pre-secondary stage, it shall be attested with a certificate.

(3) State educational requirements referred to in Article 16, items 5 and 10 of the Public Education Act stipulate the layout of the documents referred to in Sections 1 and 2.

(4) The schoolchildren who have completed primary education are entitled to training in the next level of schooling, to vocational training, as well as to practice professions requiring the completion of primary education.

Article 7. (1) Secondary education is acquired when form XII is finished and three state matriculation examinations are passed – in Bulgarian grammar and literature, in social science and civil education and in another subject depending on the syllabus.

(2) Besides the state matriculation examinations referred to in Section 1, schoolchildren shall take two state examinations for professional qualifications to the end of acquiring vocational education pursuant to the state educational requirements referred to in Article 16, item 7 of the Public Education Act.

(3) The state matriculation examinations referred to in Section 1 are compulsory, no schoolchild may be relieved of them.

(4) A schoolchild, who has successfully finished form XII without having taken the state matriculation examinations referred to in Section 1 may receive a certificate for the completion of the last form of secondary education, which shall entitle him/her to vocational training for the acquisition of professional qualifications.

(5) The organization of state matriculation examinations for the acquisition of secondary education is outlined in the state educational requirement on the grading system, while their content is outlined in the state educational requirements on the teaching content.

(6) The organization and content of state matriculation examinations for the acquisition of professional qualifications are stipulated in the Law on Vocational Education and Training.

Chapter three

GENERAL EDUCATIONAL MINIMUM

Section I

Objectives and content of general education

Article 8. (1) General education is based on the premise that Bulgarian schools are meant to afford each Bulgarian citizen the opportunity to develop.

(2) General education is based on the principle of respecting:

1. basic human rights;
2. children's rights;
3. Bulgarian traditions in culture and education;
4. world cultural heritage;

5. the values of civil society;
6. the freedom of consciousness and the freedom of thought.

Article 9. The aims of general education shall be:

1. to promote the physical and spiritual development of schoolchildren, to help them receive successful social orientation, adaptation and career;
2. to provide conditions for the formation of values, creating a sense of Bulgarian national identity, a sense of respect, compassion, as well as of civil duty;
3. to provide conditions for the development of a need for, interest in and disposition for learning, as well as for continuing education and self-perfection.

Article 10. General education in Bulgarian schools is provided through the teaching and learning of subjects related to the following fields of culture and education:

1. Bulgarian grammar and literature;
2. Foreign languages;
3. Mathematics, Computing, Information Technology;
4. Social sciences and civi education;
5. Natural sciences and ecology;
6. Arts;
7. Culture and technology;
8. Physical education and sports.

Article 11. (1) The fields of culture and education shall be in compliance with the outlined aims of general education, they shall afford the opportunity to make a choice within the framework of the school's syllabus.

(2) Each field of culture and education shall ensure the interrelation between separate subjects.

Section II

Characteristics of the general educational minimum

Article 12. (1) The general educational minimum forms the basis of general education. It comprises compulsory knowledge and skills needed for the successful performance of schoolchildren in the next level of schooling.

(2) The general educational minimum is compulsory for all schools.

Article 13. The apportionment of school time among subjects to the end of meeting the general educational minimum by grade/form, stage and level shall be stipulated in a regulation of the Minister of Education and Science.

Article 14. The content of the general educational minimum established pursuant to Article 13 may be updated every four years.

Chapter four

THE SYLLABUS

Article 15. (1) The structure of the syllabus is based on three types of instruction: compulsory, compulsorily chosen and optional.

(2) Compulsory instruction shall ensure the acquisition of the general educational

minimum.

(3) Compulsorily chosen instruction shall provide additional training within the framework of subjects belonging to the fields of education and culture referred to in Article 10, corresponding to the interests and individual aptitudes of schoolchildren. Compulsorily chosen instruction shall include the study of the mother tongue pursuant to Article 8, Section 2 of the Public Education Act.

(4) Optional instruction shall provide training in fields and activities suggested by the school and chosen by the schoolchildren, the former may not belong to the fields of education and culture listed in Article 10. This type of instruction may take up to four classes a week for all grades/forms in accordance with the school's syllabus and it shall not be compulsory for the schoolchildren.

Article 16. (1) Compulsorily attended classes shall provide compulsory and compulsorily chosen instruction.

(2) The compulsory classes per school week may not exceed:

1. twenty two classes in forms I and II;
2. twenty five classes in forms III and IV;
3. thirty classes in form V to form VIII including;
4. thirty two classes in form IX to form XII.

(3) The ratio between compulsory and compulsorily chosen classes depends on the stage and level of schooling. Compulsory instruction:

1. in the first stage comprises 90 percent of the compulsory classes;
2. in the pre-secondary stage comprises between 80 and 90 percent of the compulsory classes;
3. in the secondary stage comprises between 45 and 80 percent of the compulsory classes;

Article 17. The syllabus comprises:

1. the names of the subjects coming under the headings of compulsory, compulsorily chosen and optional instruction;
2. the distribution of subjects by grade/form;
3. the annual or weekly number of classes per subject;
4. schedule of the school year.

Article 18. (1) Each school shall design its own syllabus following the provisions of this Law.

(2) The individual school's syllabus establishes the subjects that are part of compulsorily chosen and optional instruction and the distribution of classes by subject. It shall correspond to interests of the schoolchildren and to the capacity of the school.

(3) The school's syllabus shall be approved by a decision of the school's Pedagogical Council, it shall be endorsed by the head of the respective education inspectorate.

(4) The school's syllabuses meant for specialized groups of schoolchildren in the comprehensive secondary schools, for art schools and for sports schools shall be designed on the basis of syllabuses endorsed by the Minister of Education and Science in conjunction with the respective government departments.

Article 19. (1) The syllabuses of special schools shall be in conformity with the schoolchildren's health condition or social status.

(2) the syllabuses referred to in Section 1 shall be endorsed by the Minister of

Education and Science.

(3) The conditions and procedure for the acquisition of primary or secondary education in special schools are established in the state educational requirement referred to in Article 16, item 8 of the Public Education Act.

Article 20. Each schoolchild is entitled to complete a definite stage of his/her education following the syllabus that was in force at the beginning of his/her training, at the same school.

SUPPLEMENTARY PROVISION

§ 1. The state budget and municipal budgets shall provide funding for compulsory, compulsorily chosen and optional instruction in state-maintained and municipal schools.

TRANSITORY AND CONCLUDING PROVISIONS

§ 2. The general educational minimum shall be binding from form IX up for the school year of 1999-2000.

§ 3. In the Public Education Act (promulgated in Durzhaven Vestnik (the State Gazette), № 86 of October 10th, 1991; amended, № 90/ 1996, Nos. 36, 124 and 153/ 1998), Article 26, Section 1, item 5 the words “from form VIII to form XII including” shall be obliterated.

§ 4. The Minister of Education and Science shall issue the regulation referred to in Article 13 within a month from the date this Law comes into force.

§ 5. The Law shall come into force from the date of its promulgation in the State Gazette.

§ 6. The Law shall be administered by the Minister of Education and Science.

The Law was adopted by the 38th National Assembly on July 14, 1999 and it was sealed with the official seal of the National Assembly.

Deputy Chairman of the National Assembly:
Ivan Kurtev