

## **Decision Enacting the Law on Secondary Education**

**In the exercise** of the powers vested in the High Representative by Article V of Annex 10 (Agreement on Civilian Implementation of the Peace Settlement) to the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative is the final authority in theatre regarding interpretation of the said Agreement on the Civilian Implementation of the Peace Settlement; and considering in particular Article II.1. (d) of the last said Agreement, according to the terms of which the High Representative shall “[f]acilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation”;

**Recalling** paragraph XI.2 of the Conclusions of the Peace Implementation Conference held in Bonn on 9 and 10 December 1997, in which the Peace Implementation Council welcomed the High Representative’s intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian implementation of the Peace Settlement in order to facilitate the resolution of any difficulties as aforesaid “by making binding decisions, as he judges necessary” on certain issues including (under sub-paragraph (c) thereof) measures to ensure the Peace Agreement throughout Bosnia and Herzegovina and its Entities”;

**Noting** that the Peace Implementation Council, at its meeting held in Madrid on 16 December 1998, underlined the tasks of High Representative include the co-ordination of international efforts in regard to education”;

**Further noting** that the Steering Board of the Peace Implementation Council, at its meeting held in Brussels on 21<sup>st</sup> November 2002, concluded that Bosnia and Herzegovina needs to: “ develop a common core curriculum that is consistent with European standards and to rationalise existing structures in order to make financing and management (of education) more efficient” and “fully supported the five pledges”, which included a commitment to “develop, adopt and implement laws in the Entities and Cantons that are consistent with the human rights and education principles and standards embedded in the state – level law (at the least two months before the beginning of the school year 2004 –2005)”;

**Recalling** that the Council of Europe’s post-accession commitments obligated Bosnia and Herzegovina to eliminate by 24 April 2004 all aspects of ethnically based segregation and discrimination;

**Applauding** the overriding objective of the Education Reform Strategy to depoliticize education, while creating conditions that will ensure equal access to a high-quality, modern education throughout the country;

**Fully Cognizant** of the fact that in order to achieve this objective, all children must have access to quality education in integrated, multi-cultural schools free of political, religious, cultural and other bias and discrimination which respect the rights of all children;

**Noting** that the Steering Board of the Peace Implementation Council, in its Communiqué adopted at its meeting held in Sarajevo on June 12, 2003, “urged the BiH authorities to implement these reforms [by passing the draft State-level Framework Law on Primary and Secondary Education in Bosnia and Herzegovina]” and to take “steps toward harmonizing the three ‘ethnic’ curricula into one BiH-wide common core curriculum, for all subjects taught in primary and general secondary schools”;

**Further Noting** that the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (Official gazette of BiH no: 18/2003, 1<sup>st</sup> July 2003, hereinafter referred to as “the Framework Law”) provides: “[W]ith the aim of achieving adequate quality of education and standards of knowledge, as well as their comparability at domestic and international levels, the competent educational authorities are obliged to ensure that, by the beginning of school year 2003/2004 at the latest, teaching in all schools in the territory of Bosnia and Herzegovina shall be realized on the basis of the common core curriculum, as defined by this law”;

**Deploring** that Canton 10 has thus far failed to bring its legislation on Primary and Secondary education into line with the Framework Law;

**Having considered**, borne in mind and noted all the matters aforesaid, the High Representative hereby issues the following:

## **DECISION**

### **Enacting the Law on Secondary Education**

The said Law, which is hereunder attached as an integral part of this Decision, shall enter into force as a law of Canton 10 as provided for in Article 119 thereof, on an interim basis, until such time as the Cantonal Assembly of Canton 10 adopts this Law in due form, without amendment and with no conditions attached.

This Decision shall come into force forthwith and shall be published without delay in an official gazette of Canton 10.

*Sarajevo, 7 July 2004*  
*Paddy Ashdown*  
*High Representative*

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## **LAW ON SECONDARY EDUCATION**

### **I. GENERAL PROVISIONS**

#### **Article 1**

This Law shall regulate the functioning of secondary education as part of a single educational system in Canton 10 (hereinafter: the Canton ), and particularly:

The foundation, organisation and funding of schools;

The management structure of schools and procedures for appointing teachers, professional assistants and other employees;

The status of teachers, their professional development, supervision of their work and performance evaluation;

The forms of education and types of secondary schools;

The status of pupils; and

Other issues related to the activities of secondary schools.

#### **Article 2**

Secondary education is an activity which, following the completion of primary schooling, permits acquisition of the knowledge and skills necessary for work and the continuation of education. The scope of secondary education includes different types and forms of education, training and professional development for pupils of normal psychological and physical development, for pupils with difficulties in psychological and physical development, and for the supplementary education of adults.

The work of secondary education shall be carried out by institutions of secondary education and other organisations under the terms of this Law. Institutions of secondary education are secondary schools and pupil houses.

### **1. The Purpose of Education**

#### **Article 3**

The purpose of education is to contribute to the creation of a society founded on the rule of law and respect for human rights through the optimal intellectual, physical, moral and social development of the individual, in accordance with his/her capacities and skills, and to contribute to his/her economic development, which will secure the best living standards for all citizens.

## **2. The Objectives of Education**

### **Article 4**

The overall objectives of education derive from the generally accepted, universal values of democratic society, as well as from individual value systems, based on the specific qualities of the national, historical, cultural and religious traditions of the peoples and national minorities who live in Bosnia and Herzegovina .

The general objectives of education are as follows:

- a) Making knowledge available as the foundation for understanding oneself, others and the world in which we live;
- b) Ensuring the optimal development of every person, including those with special needs, in accordance with the age, possibilities and mental and physical abilities of each;
- c) Promoting respect for human rights and fundamental freedoms and preparing every person for life in a society that respects the principles of democracy and the rule of law;
- d) Raising the awareness of belonging to the state of Bosnia and Herzegovina, to one's own cultural self-confidence, language and tradition in a manner befitting civilised norms, learning about others and respecting their differences, and fostering mutual understanding, tolerance and solidarity among all people, nations and communities in Bosnia and Herzegovina and the world;
- e) Ensuring equal opportunities for education and the possibility of choice at all levels of education, regardless of gender, race, nationality, social and cultural background and status, family status, faith, psychophysical and other personal characteristics;
- f) Assuring a high-quality education for citizens;
- g) Achieving standards of knowledge comparable those abroad, i.e., on the European level, and which secure inclusion and maintenance of schooling in a European educational framework;
- h) Encouraging life-long learning;
- i) Promoting economic development; and
- j) Participating in the process of European integration.

## **The Right of the Child to Education and the Significance of Children's Rights**

### **Article 5**

In the event of any violation for any reason of a child's rights to education proceeding from the general educational principles set out in Articles 4 and 5 of the Framework Law on Primary and Secondary Education of Bosnia and Herzegovina ("Official Gazette of BiH", No. 18/03, hereinafter: the Framework Law), cantonal and municipal institutions are obliged to take all necessary measures within their competencies to protect the rights which shall best serve the interests of the child.

According to this Law, a child is considered to be every person under the age of eighteen.

### **Article 6**

In accordance with this Law, secondary education shall be accessible to all under equal conditions according to their capabilities.

### **Article 7**

The languages and alphabets of the constituent peoples of Bosnia and Herzegovina shall be used in secondary schools on the territory of the Canton in accordance with the Constitution of Bosnia and Herzegovina and the Constitution and curricula of the Canton.

Teachers shall respect and explain the differences among the three official languages of Bosnia and Herzegovina whenever relevant to the subjects they teach.

No discrimination against pupils, teachers and other employees on account of their religious, racial, national, sexual or cultural backgrounds and orientations shall be tolerated in schools; nor shall there be any discrimination based on an individual's use of any of the official languages and alphabets referred to in paragraph 1 of this Article.

The Ministry of Science, Education, Culture and Sport of Canton 10 (hereinafter, the Ministry) shall be obliged to ensure that requests by parents and guardians that pupils receive instruction in the national group of subjects or mother tongue are met in accordance with the Framework Law and Pedagogic Standards.

## **Article 8**

Schools shall promote and protect religious rights and freedoms, tolerance and dialogue, and shall enable legally recognised churches and religious communities in Bosnia and Herzegovina to hold regular classes of religious instruction in secondary schools in accordance with their beliefs and traditions.

Pupils may attend classes of religious instruction in accordance with their religious beliefs and the religious beliefs of their parents or guardians.

Pupils who do not attend classes of religious instruction shall in no way be disadvantaged in comparison to other children.

The school shall ensure that no pupil suffers any form of discrimination based on attending religious instruction in a given faith or, on the other hand, for not attending any one of the possible classes of religious instruction.

Pupils who choose not to take religious instruction in school shall attend classes in the subject of ethics.

A teacher of religion may not conduct classes of religious instruction in school if the legally recognised church or religious community has not issued a document (a written authorisation or certificate) authorising him or her to offer religious instruction.

## **II. THE FOUNDATION OF SECONDARY SCHOOLS, THE PROGRAMME OF SECONDARY EDUCATION, CURRICULA, TYPES OF SECONDARY SCHOOL AND THE ORGANISATION OF CLASSES**

### **1. The Establishment of Secondary Schools**

## **Article 9**

As public institutions, secondary schools may be established by the Cantonal Government (hereinafter: the Founder), independently or together with another legal entity or natural person when it is determined that there is a public interest in founding one in accordance with the law.

Secondary schools as institutions may be established by any other domestic and foreign legal entity and natural person under the conditions prescribed by this Law and with the prior approval of the Ministry.

Secondary schools may be established on the basis of a programme of public needs in the sector of secondary education of interest to the Canton.

The programme referred to in paragraph 3 of this Article shall be determined by the Cantonal Government upon a proposal from the Ministry.

An act founding a secondary school shall contain provisions prescribed by the prevailing Law on Institutions, as well as provisions on:

- Curricula and the methods and requirements for their implementation;

- The type and duration of education and the vocational and educational qualification to be obtained upon completion of the programme of the school in accordance with the Law and other regulations;
- Professional staffing;
- The deadline for adopting the school statute.

### **Article 10**

The founder of a secondary school on the territory of the Canton shall secure the funding necessary for the establishment and work of the secondary school in accordance with the Pedagogical Standards for secondary education (hereinafter: the Standards) and the General Rules for school premises, equipment and teaching materials (hereinafter: the General Rules).

If there are multiple founders or co-founders, their mutual relations shall be regulated by a special agreement.

## **2. Secondary School Programmes**

### **Article 11**

Secondary school programmes include:

- Programme for obtaining secondary school qualifications;
- Programme for obtaining secondary vocational qualifications;
- Programme for obtaining lower vocational qualifications;
- Programme for training and professional development;
- Programme for training courses.

The programmes for obtaining secondary school qualifications and both secondary vocational and lower vocational qualifications shall provide pupils with the knowledge and skills necessary for work and the continuation of their education.

The training and professional development programmes shall supplement acquired knowledge and the capacities and skills necessary for work in a trade or profession.

Upon completion of primary school, the training course programme shall provide the skills necessary for certain vocations.

## **3. Curricula**

### **Article 12**

Secondary school programmes shall be implemented on the basis of the curriculum.

The curriculum referred to in paragraph 1 of this Article shall determine the purpose, goals and tasks of the programme, the subjects taught and their content, the duration and basic forms of programme implementation, the annual and weekly number of class-hours, the number of class-hours for each subject, as well as the staffing, didactic and other conditions necessary for the implementation of the curriculum.

Curricula shall be adopted by the Ministry, on the proposal of the Education Institute in Mostar (hereinafter: the Education Institute) in accordance with the Common Core Curriculum developed by the Curriculum Agency and in accordance with Articles 42, 43 and 48 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina.

In the process of drafting curricula, the Education Institute shall cooperate closely with the Curriculum Agency in accordance with Article 48 of the Framework Law.

Performance standards for pupils and the assessment of their achievements set by the Standards and Assessment Agency shall be adopted and implemented by the Ministry in accordance with Articles 46 and 47 of the Framework Law.

### **Article 13**

The curricula for obtaining secondary school qualifications and secondary vocational and lower vocational qualifications shall contain common, vocational, elective and optional components. Common and vocational components of the curricula contain basic and vocational subjects that are mandatory for all pupils of a specific type of education. The elective component of curricula shall encompass subjects programmatically related to the type of school, with pupils being obliged to select one or more of those subjects according to their preference.

The optional component of curricula shall encompass subjects satisfying the interests of pupils in accordance with the resources of the school, as well as the content and forms of extracurricular activities.

Should a pupil decide to take an optional subject, he/she shall be obliged to attend the classes during the school year.

The common and elective components of curricula shall be adopted by the Ministry on the suggestion of the Education Institute.

The optional components of curricula shall be adopted by the school with the previous approval of the Ministry.

### **Article 14**

A privately owned secondary school that is established and is functioning in accordance with the provisions of this Law shall be defined as an accredited private school.

An accredited private secondary school shall operate on the basis of the curricula referred to in Articles 11 and 12 of this Law, or on the basis of its own curriculum.

The school's own curriculum referred to in paragraph 2 of this Article must contain the common components of the curricula referred to in Articles 11 and 12 of this Law, and may be introduced only with the approval of the Ministry.

A private secondary school shall be accredited after the Ministry approves the curriculum and authorises the school to begin work in accordance with Article 9 of this Law.

An accredited private secondary school shall have the same rights and responsibilities as any public secondary school unless otherwise stipulated by the provisions of this Law.

A private secondary school that has obtained accreditation shall be obliged to add the word "accredited" to its name.

### **Article 15**

Training and professional development programmes shall be conducted on the basis of a one-year curriculum.

## **4. Types of Secondary Schools**

### **Article 16**

Depending on the type of curriculum, secondary schools may comprise:

Gymnasias;

Vocational schools;

Schools for the arts.

## **GYMNASIA**

### **Article 17**

A gymnasium shall implement a curriculum in no less than four years, after which period a pupil shall obtain a secondary school qualification.

Gymnasias may be general, classical, for languages and for the natural sciences, depending on the type of curriculum.

### **Article 18**

Pupils who successfully complete their regular primary education may enrol in a gymnasium.

Upon enrolment, there shall be a compulsory entrance examination in those subjects essential for the particular type of gymnasium.

Admission shall be based on a pupil's general achievement during the four final forms of primary school, on his/her achievement in the subjects relevant to the specific type of gymnasium, and on the result of an entrance exam.

### **Article 19**

Gymnasium pupils who withdraw from school for objective reasons shall be entitled to complete their education by taking a special form exam and by compulsory attendance at classes representing at least 40 per cent of the curriculum's content, as determined by the teachers' council of the secondary school.

### **Article 20**

Upon completion of his/her course of education in a gymnasium, the pupil shall sit the graduation examination according to the curriculum of each gymnasium.

### **Article 21**

The Minister of Science, Education, Culture and Sport of Canton 10 (hereinafter: the Minister) shall adopt more specific regulations on the content and procedure for sitting entrance and graduation examinations in gymnasias.

### **Article 22**

Pupils of vocational, art and similar schools may obtain supplementary education in a gymnasium – and receive a certificate to that effect issued by the gymnasium – by taking subjects essential for the continuation of their education in certain institutions of higher education.

The programme of supplementary education referred to in paragraph 1 of this Article shall be adopted by the gymnasium with the approval of the Minister.

## **VOCATIONAL SCHOOLS**

### **Article 23**

Vocational schools shall implement their curricula in a period of from one to four years. Upon completion of at least three years of vocational education, a pupil shall obtain a secondary vocational qualification.

Upon completion of one or two years of vocational education, a pupil shall obtain a lower vocational qualification.

Vocational schools are technical, industrial, artisanal, etc., depending on the type of curriculum.

### **Article 24**

A vocational school with a curriculum designed for one craft or trade shall be named after that particular vocation. Vocational schools with curricula embracing two or more vocations shall not include one trade or craft in its name, but only the words "Vocational School."

### **Article 25**

Should it not be possible to organise individual schools with the curricula of a gymnasium or vocational school, a single secondary school with such curricula shall be organised.

A secondary school with both gymnasium and vocational school curricula shall not cite those programmes in its name, but only the words "Secondary School."

#### **Article 26**

Qualified workers may obtain the title of "majstor" in vocational schools that meet specific requirements through obligatory attendance at classes over a period of three to six months or by attending not less than 40 per cent of all classes.

Entrants who have completed levels III and IV of the vocational education course and have at least two years of relevant professional experience shall have the right to higher education.

The curriculum, conditions of education and the procedure for taking the master's examination referred to in paragraph 1 of this Article shall be confirmed by the curriculum adopted by the Ministry.

#### **Article 27**

Those completing their courses of study in a secondary vocational school shall sit a final examination according to the curriculum for each type of vocational occupation.

#### **Article 28**

The organisation of tests to assess the knowledge and skills of entrants to vocational schools, as well as of final examinations, shall be determined by the school rules.

#### **Article 29**

The Ministry shall adopt more detailed regulations on the content and procedure for taking entrance and final examinations in vocational schools.

#### **Article 30**

Practical training classes in vocational and similar schools shall be organised in accordance with the curriculum and take place in school workshops, laboratories and demonstration rooms, as well as in other teaching premises equipped according to the appropriate standards.

Practical training shall be organised under the expert supervision of the secondary school in enterprises, institutions and privately owned businesses that have the appropriate modern equipment, technical and technological devices, and which meet other requirements in accordance with the curriculum.

Requirements, forms, methods and procedures for practical training and qualified supervision shall be regulated by agreement between the secondary school and the enterprise, institution or private business owner.

#### **Article 31**

The curricula of secondary vocational and similar schools shall regulate the programme of practical training for pupils during school holidays.

More detailed conditions for conducting practical training during school holidays shall be set out in the agreement with the enterprise, institution or private business owner.

### **SCHOOLS FOR THE ARTS**

#### **Article 32**

Schools for the arts shall implement their curricula over a period of no less than four years, after which a pupil shall obtain a secondary vocational qualification.



Primary schools for the arts may be organised within a secondary school for the arts.

Schools for the arts comprise schools for music, dance, the visual arts, etc, depending on the curriculum.

### **Article 33**

Pupils who successfully complete their regular primary education may enrol in schools for the arts.

Upon enrolment in a school for the arts, there shall be a compulsory entrance examination.

Admission shall be based on a pupil's general achievement during the four final forms of primary school, on his/her achievement in the subjects significant for the specific artistic field, and on the result of the entrance exam.

### **Article 34**

On completion of a course of study in a school for the arts, pupils shall take a final examination according to the curriculum of the school.

### **Article 35**

The organisation of tests to assess the knowledge and skills of entrants to schools for the arts, as well as of final examinations, shall be determined by the school rules.

### **Article 36**

The Ministry shall adopt more detailed regulations on the content and procedure for entrance and final exams in schools for the arts.

## **5. The Organisation of Classes**

### **Article 37**

A secondary school shall adopt its annual programme on the basis of its established curriculum.

Secondary schools shall adopt their annual work programme for the current school year no later than 30 September.

### **Article 38**

Textbooks approved by the Ministry shall be used in secondary schools.

Secondary schools shall have a library. The work of the library shall be an integral part of a school's activities.

A librarian in a secondary school may be a person holding a university degree in teaching or a higher professional qualification in teaching if he or she is a teacher of one of the official languages of Bosnia and Herzegovina.

### **Article 39**

Teaching shall be organised by forms and directly conducted in specific classes or in educational groups.

The number of pupils in a class and the number of students attending practical training and other forms of group activity shall be prescribed by the Ministry.

The method of organising teaching in artisanal schools and practical training in vocational schools shall be regulated by the Ministry.

### **Article 40**

The number of teaching weeks per year shall not exceed 35; and for final-year pupils it shall not exceed 32 weeks.

The number of teaching hours per day and week, and the number of hours for exercises and practical training, shall be determined by the school timetable in accordance with the curriculum and Pedagogical Standards.

#### **Article 41**

The school year shall begin on 1 September and end on 31 August the following year and have two teaching semesters.

Pupils shall be entitled to winter, spring and summer holidays during the school year.

The work calendar for every school year shall be prescribed by the Minister no later than 30 days before the start of the school year.

#### **Article 42**

Secondary schools shall identify, monitor and encourage gifted pupils, and organise extra work for them according to their preferences, skills and interests.

Gifted pupils may complete their education in a shorter period than prescribed.

The Ministry shall prescribe the conditions and means for educating gifted pupils.

#### **Article 43**

The education of pupils with developmental difficulties shall be organised by the application of individualised procedures in secondary schools, within either regular or special class units or educational groups.

Pupils with greater developmental difficulties shall be educated in special institutions.

Special institutions, programmes and conditions, the method and procedure of enrolment, and the education of pupils with lesser or greater developmental difficulties shall be prescribed by the Ministry.

#### **Article 44**

A secondary school may conduct evaluations of the worth of new educational materials, forms and methods of work, as well as of new teaching equipment, according to an experimental programme to be approved by the Ministry.

#### **Article 45**

A secondary school may serve as training facility for students attending teacher-training faculties.

The conditions, method of work and network of training facilities shall be prescribed by the Ministry at the request of teacher-training faculties.

### **III. SECONDARY EDUCATION FOR ADULTS**

#### **Article 46**

Secondary education for adults shall include:

Programmes for obtaining secondary or vocational qualifications, which are conducted according to special curricula;

A retraining programme;

A programme of training and professional development;

A programme of training courses.

The education referred to in paragraph 1 of this Article may be obtained by attending classes or passing examinations.

The conditions and means of conducting teaching and attaining a secondary school education by adults, as well as

the special curricula referred to in paragraph 1, item 1 of this Article, shall be prescribed by the Ministry. The programmes referred to in paragraph 1, items 2, 3 and 4 of this Article, shall be adopted by the implementing institution with the approval from the Ministry.

#### **Article 47**

A retraining programme shall make possible, after completion of secondary education, the attainment of other forms of academic or vocational qualifications at the same level of education.

Retraining programmes, programmes for training and professional development, and programmes of training courses shall be independently adopted by the implementing organisations.

#### **Article 48**

Secondary education of adults shall be provided by secondary schools, adult education institutions (open and popular universities) and other legal entities under the conditions specified by Article 46, paragraph 3, of this Law.

#### **Article 49**

The costs of secondary education for adults shall be borne directly by them, by the company or institution for which they work, or by the Employment Bureau.

The level of charges, that is, the prices for the written and oral parts of exams, the enrolment fee and other costs shall be regulated by special by-laws passed by schools and approved by the Ministry.

### **THE LEGAL STATUS OF SCHOOLS AND PUPIL HOUSING UNITS**

#### **The Secondary School**

#### **Article 50**

A secondary school's basic charter shall be its statute.

Statutes shall be adopted by the school board with the prior consent of the Ministry.

Statutes shall regulate: the internal structure, operational methodology, school administration, the rights and responsibilities of pupils and teachers, as well as other issues relevant for the work of schools in accordance with this Law.

#### **Article 51**

A secondary school may begin work and enrol pupils if it fulfils the conditions stipulated by this Law and if it has:

An annual programme of work;

Selected the teachers necessary for implementation of the curriculum, and premises and equipment in accordance with the norms established by the Ministry;

The Minister shall prescribe the method and procedure for confirming the fulfilment of the conditions necessary for a secondary school to start work. Should the Ministry determine that a secondary school has not met the necessary requirements referred to in paragraph 1 of this Article, it shall set a deadline by which the school shall be obliged to eliminate the said defects.

Should a school fail to eliminate such defects within the deadline referred to in paragraph 2 of this Article, the Ministry shall propose to the founder that it adopt an act dissolving the school.

Should a founder fail to adopt an act dissolving the school within 60 days of receiving such a proposal, the Minister shall pass an act of dissolution.

An act dissolving a secondary school shall set the term for and manner of its dissolution.

A secondary school may cease operation either at once or gradually.

If a school ceases to operate at once, it shall stop work at the end of the school year in which the decision on termination was taken. In a case of gradual cessation of work by a school, the act of dissolution shall stipulate the school year in which the school ceases to operate.

Should a secondary school be dissolved, the founder shall be obliged to ensure that affected pupils are enabled to complete their education in another school under the same conditions as those in effect at the time of their enrolment.

The status of employees of a dissolved school shall be regulated in accordance with this Law, the Labour Law and the collective agreement.

## **Housing for Pupils**

### **Article 52**

A pupil house (dormitory) shall organise accommodation and meals, educational work and other activities for pupils.

The activities of pupil houses are a part of and linked programmatically to the process of secondary education.

Secondary schools may also operate pupil houses.

### **Article 53**

As a rule, full-time pupils are entitled to accommodation and meals in a pupil house.

The admission of pupils shall be conducted by means of public competition.

The right to admission shall be determined on the basis of a pupil's previous educational performance and the material circumstances of the pupil and his/her family. The Ministry shall prescribe more detailed conditions for the admission of pupils, the costs of accommodation and meals in pupil houses, as well as norms regarding premises and equipment and the educational programme for pupils.

Privately owned houses for pupils shall independently establish their conditions for admitting pupils, as well as their charges for accommodation and meals.

### **Article 54**

Educational groups of 25 or more pupils shall be organised in pupil houses.

### **Article 55**

The provisions of this Law relating to the legal status, foundation, and start and termination of secondary schools shall apply to the legal status, foundation, and start and termination of work of pupil houses.

## **Registration**

### **Article 56**

Secondary schools and pupil houses are legal entities and shall be entered in the court register and register of secondary schools kept by the Ministry.

Schools entered in the Register of secondary schools may issue diplomas and other public documents relating to the completion of education, that is, to the completion of individual forms (grades) and types of education.

A list of authorised secondary schools shall be published in the official gazette of the Canton.

The Ministry shall adopt more detailed regulations on the procedure for determining the conditions, contents and manner of maintaining the Register of secondary schools.

## **Documentation and records**

### **Article 57**

A secondary school has the right to a stamp (seal) in accordance with the cantonal regulations governing this matter.

### **Article 58**

Records of secondary schools and pupil houses, employees and pupils, as well as other records of importance for monitoring the state and development of secondary education shall be kept.

The Ministry shall adopt more specific regulations on the bodies, institutions and organisations responsible for keeping records, as well as about the types of records, their content and maintenance.

## **THE ADMINISTRATION AND MANAGEMENT OF SECONDARY SCHOOLS AND PUPIL HOUSES**

### **Article 59**

The school board is the administrative organ of the secondary school.

The director of the school is the management organ of the secondary school.

The school board shall have the status and authority of the administrative organ, while the school director is the executive organ and pedagogical manager.

### **Article 60**

The founder shall appoint and dismiss the president and members of the school board in a secondary school that is not a public institution.

### **Article 61**

A school board shall have nine members.

Members of a school board shall be selected from among the ranks of teachers and professional assistants, the founder and members of the local community, and parents, in accordance with the prescribed procedure and the principle of equal representation by representatives of the aforementioned components.

The composition of a school board must represent the national composition of the community in which the school operates.

One-third of school board members shall be selected from among the ranks of teachers and professional assistants; one-third shall be selected by the founder, according to the procedure envisaged by legal regulations; and one-third shall be selected from among the ranks of pupils' parents.

Members of a school board shall be selected on the basis of a public competition announced by the founder for a term of four years. Decisions shall be taken by majority vote of school board members.

The founder shall appoint and dismiss members of a school board.

Members of a school board shall select the president of the board at the first board meeting.

Service on school boards is voluntary and unpaid.

A school's director, assistant director and union leaders may not be members of the school board.

The school statute shall prescribe the school board's method of operation and selection in greater detail.

### **Article 62**

Should a school board fail to carry out the tasks within its sphere in accordance with the law, or should it perform them in a manner detrimental to the normal operation of the school, the Minister shall dissolve the school board.

Following the dissolution of a school board, the Minister shall appoint a three-member commission that will exercise the powers of the school board, except that of appointing or dismissing the director.

The powers of a commission shall be temporary, and shall last until new members of the school board are chosen, but in no case for longer than six months.

### **Article 63**

In addition to activities and tasks determined by law, a school board shall perform the following functions:

Adopt the annual work plan and assess its realisation;

Discuss the results of the educational and pedagogical work;

Upon the proposal of the director, and with the previous consent of the Ministry, announce competitions for employment in the school;

Select an assistant director of the secondary school in accordance with the provisions of this Law;

Upon the proposal of the director, decide on employing or removing employees of the school;

Decide on the termination of the right of teachers and professional assistants to continue working in education;

Pass decisions on the number, organisation and closure of departments within the secondary school;

Consider proposals and recommendations addressed to the school board and take appropriate measures;

Consider and resolve complaints by pupils, parents, teachers and other school employees;

Consider petitions and proposals from citizens concerning issues of interest to the work of the school;

Carry out other duties in accordance with the Law and the Statute of the school.

### **Article 64**

The director of a public secondary school shall be appointed (after a public competition) and removed by the school board, it having received both the expert opinion of the Ministry and the consent of the Government of the Canton .

If a proposal to appoint a director is not submitted to the Government of the Canton for approval within two months of the expiry of the competition period – or if the founder denies its consent – the Minister shall appoint an acting director for a period of no longer than one year.

An acting director shall have all the powers of a director.

### **Article 65**

A person may be appointed as director of a public secondary school if he/she:

Possesses a university degree;

Has at least five years of working experience in teaching or in other positions closely linked with education.

A director shall be appointed for a four-year term, with the possibility of reappointment.

### **Article 66**

The director shall directly organise the work of the school, act on behalf and represent the school, and take responsibility for the legality of its work.

In particular, the director:

Proposes the educational and pedagogical work programme and measures for its improvement within the annual plan of work;

Reports on the results of the educational work and operations of the school;

Ensures implementation of decisions by the school board, the teachers' council and other bodies;

Proposes decisions on hiring and dismissing school employees to the school board;

Decides on the assignment of teachers and other secondary school employees to specific duties in accordance with both the Rulebook on the organisation and systematisation of working places in the secondary school and the results of their work;

Carries out other duties determined by Law and the statute of the school.

The report referred to in paragraph 2, line 2 of this Article shall be submitted at least once a year to the administrative organs responsible for educational affairs.

### **Article 67**

A school board may remove a director before the expiry of the term for which he/she was appointed if the School board establishes that the director is failing to fulfil the obligations prescribed by this Law or other regulations.

Should a director be dismissed, the Minister shall appoint an acting director for a period of no longer than one year.

An acting director shall have all the powers of a director during his/her tenure.

The director of a secondary school established by a physical or legal person shall be appointed or dismissed in the manner prescribed by the school's founding act or statute.

### **Article 68**

A secondary school may have an assistant director, as regulated in greater detail by the Pedagogical Standard.

The terms, appointment procedure and scope of work of an assistant director shall be regulated by the rules of the secondary school.

### **Article 69**

The professional bodies of a secondary school comprise: the teachers' council, the form council, and the professional board.

A teachers' council shall consist of all teachers in the school.

A form council shall consist of the teachers who teach in one form.

The professional board shall consist of teachers of the same or related subjects.

### **Article 70**

The director of a secondary school shall manage the teachers' council.

A teachers' council shall carry out the following tasks:

Make decisions on the organisation of educational work in the secondary school and undertake measures to promote that work;

Monitor the implementation of curricula, take measures for their realisation, and submit reports to the school board;

Confirm final marks;

Confirm the proposal and consider the realisation of the programme of professional development for teachers and professional assistants, as well as the work programmes of professional bodies and commissions;

Select the form of teaching and the consequent assignment of pupils and division of subjects among teachers, i.e. a weekly timetable of work;

Analyse pupils' performance and the work of form councils;

Designate heads of the form councils, upon proposals by the director;

Consider the work of teachers and professional assistants and confirm proposals for their promotion;

Appoint examination commissions;

Approve and organise entrance exams and graduation exams or final exams, in the secondary school in accordance with this Law, and consider and adopt reports on examinations and propose the annulment of exams;

Consider reports on the sitting of examinations;

Consider reports on the implementation of professional supervision and inspections, undertake corresponding measures, and monitor the implementation of such measures;

Approve pupils' completion of two forms (grades) in the course of a single school year;

Consider educational-disciplinary measures and make appropriate decisions;

Approve special curricula for exceptional pupils;

Recommend the procurement of professional journals and other specialist literature;

Carry out other duties prescribed by law and the regulations of the secondary school.

## **Article 71**

The form's senior member manages the form council.

The form council shall perform the following tasks:

Monitor continuously the work and progress of the form;

Monitor the realisation of the curricula and the anticipated number of working hours;

Monitor pupils' development and suggest a choice of curricula for both exceptional pupils and those falling behind in mastering the syllabus;

Co-ordinate the work of teachers in the educational process;

Propose final marks to the teachers' council;

Analyse the work of teachers and professional assistants and propose measures for improving the educational process;

Propose disciplinary measures;

Carry out other tasks prescribed by law and the regulations of the secondary school.

## **Article 72**

More detailed provisions on the work of the professional board and the heads of form shall be defined by the rules of the secondary school.



### **Article 73**

Parents of pupils attending a school have the right – and the school has the obligation – to establish a parents' council, the members of which shall be nominated by the pupils' parents.

Parents of pupils, teachers, administrative staff members, pupils and interested members of the community may be members of the parents' council.

The exact manner and procedures of work of a parents' council shall be defined by the school's general by-laws.

The general activities of a parents' council may include the following:

Promoting the interests of the school in the community in which it is located;

Presenting the views of parents of pupils to the school board or to any other interested party;

Supporting the active participation of parents and the community in the work of the school;

Reporting to the school board and to any other interested party on the views of the body, whenever that appears necessary or is requested by the board or other interested parties, about all questions linked to the work and management of the school;

Selecting and appointing representatives of the parents to the school board;

Taking part in preparing and realising appropriate projects that support and promote the educational work of the school;

Developing communications among pupils, teachers, parents and the community.

### **Article 74**

The pupils of a school may establish pupils' councils for each form, as well as a council of all the school's pupils.

The manner and procedure for founding and operating pupils' councils shall be defined in a school's general by-laws.

### **Article 75**

The director and board for pupil housing shall manage accommodation for pupils.

The provisions of this Law concerning school directors and school boards shall accordingly apply to the management of pupil housing, except that those provisions relating to the manner of selection and tenure of directors and board members shall not apply to privately owned dormitories.

The professional body of a pupils' house is the educational council.

More detailed provisions on the scope of the work of the body referred to in paragraphs 1 and 3 of this Article shall be defined by the statute.

## **PUPILS**

### **Article 76**

The status of full-time pupil shall be acquired upon enrolment in a secondary school.

A pupil may have full-time status in only one secondary school.

As an exception to paragraph 2 of this Article, a pupil enrolled in secondary school for the arts may enrol in another school at the same time if he/she meets the entrance requirements for both schools.

### **Article 77**

All candidates for admission who completed primary school shall be entitled to enrol in secondary school under the same conditions, within the number determined by the decision on enrolment.

Full-time pupils of up to 17 years of age shall enrol in the first form or, exceptionally and with the approval of the school board, up to the age of 18.

The Ministry shall prescribe factors and criteria for the selection of candidates for all types of secondary school.

The Ministry shall pass a decision on enrolment for each school year.

Secondary schools are obliged to report to the Ministry on their enrolments of full-time and part-time students after each enrolment period.

Accredited private secondary schools shall set their own admissions' criteria and make their own decisions on enrolment.

### **Article 78**

Competitions for the admission of pupils to secondary schools shall be advertised in the public media.

Advertisements of the competition must contain:

The number of pupils who may enrol according to the decision on enrolment;

Conditions and criteria for the selection of candidates;

The method and procedure for carrying out the competition.

### **Article 79**

A full-time pupil may normally change the programme of study for which he/she enrolled after completing the first form.

Changes of programme may be conditional on sitting differential or supplementary exams. The content of differential or supplementary exams, and the manner and deadlines for sitting them, shall be determined by the Teachers' Council.

### **Article 80**

Certificates and diplomas testifying to completed education, acquired according to a given curriculum and issued by accredited educational institutions in Bosnia and Herzegovina , shall have a status equal to certificates and diplomas issued in the Canton .

Time spent studying on an appropriate education programme elsewhere in Bosnia and Herzegovina , but which has not resulted in the award of a certificate or diploma, shall be recognised unconditionally for further study on and completion of the same curriculum in the Canton .

For pupils who transfer from one programme of education to another within the same field, the time spent in the previous programme of education, wherever in Bosnia and Herzegovina , shall be recognised for further education in the Canton , in accordance with the curriculum and other conditions established by valid regulations.

A pupil shall enrol in the next form and the school shall be obliged to enable him or her to make up any consequent differences in subjects, including by specific tests, by 15 April of the current year.

### **Article 81**

A pupil who has attained a lower professional qualification has the right to acquire a secondary school or vocational school qualification by continuing his/her education or sitting examinations.

Exercise of the right referred to in paragraph 1 of this Article shall be conditional upon the compulsory passing of differential or supplementary examinations.

## **Article 82**

The performance of full-time pupils shall be monitored and assessed during teaching.

The teacher shall publicly affirm in the class or educational group a student's achievement and final mark for every subject at the end of teaching.

The Minister shall prescribe special regulations for the manner of monitoring and assessing secondary school pupils.

## **Article 83**

A pupil who is not satisfied with the final mark in a given subject shall be entitled to request re-examination before the commission.

An application for re-examination shall be submitted to the form council within 24 hours of the announcement of the mark.

Marks of the commission shall be final.

More detailed regulations on repeating examinations shall be prescribed by the school's statute.

## **Article 84**

A full-time pupil who has received unsatisfactory marks in as many as two subjects at the end of teaching shall sit a remedial exam.

A remedial examination shall be taken before the commission in an examination period no less than 15 days after the end of teaching.

The Minister shall confirm more detailed provisions regarding remedial examinations, examination periods and the manner of sitting remedial examinations in a special rulebook.

## **Article 85**

A full-time pupil shall acquire the right to enrol in the next form if, before the expiry of the deadline for enrolment, he/she has received passing marks in all subjects.

A full-time pupil pursuing either a secondary school or vocational qualification may repeat a form twice during his/her studies.

The same form can be repeated only once.

A full-time pupil who repeats a form a second time shall bear a part of the costs of his/her education in that school year to an extent to be determined by the school board, except if he/she is repeating a form because of a long-term illness.

Decisions referred to in paragraph 4 of this Article shall be made by the teachers' council on the suggestion of a competent physician.

A full-time pupil of a programme for acquiring a lower vocational qualification may repeat a form only once.

A pupil who falls behind in mastering the course content or fails to complete a form may shift to a simpler educational curriculum.

A pupil who demonstrates exceptional achievements in learning and behaviour may, having passed different subjects, be redirected to a more complex profession.

## **Article 86**

The performance of pupils in individual subjects shall be assessed as follows: excellent (5), very good (4), good (3),

satisfactory (2) and unsatisfactory (1).

The marks excellent, very good, good and satisfactory are passing marks.

The general achievement of a pupil with no unsatisfactory marks shall be determined by the average of the marks in all subjects: excellent (5), if the average mark is at least 4.50; very good (4), if the average mark is at least 3.50; good (3), if the average mark is at least 2.50; and satisfactory (2), if the average mark is less than 2.50.

Marks for the behaviour of pupils shall be: exemplary, good and poor.

Marks for behaviour shall not affect the general level of achievement.

### **Article 87**

A full-time pupil who could not attend classes and be assessed in one or more subjects for justified reasons (a long-lasting illness or other justified situations), and has missed at least one-third of the total number of teaching hours envisaged by the curriculum, may sit subject or form exams and so acquire a secondary education in the regular period.

Full-time pupils referred to in the previous paragraph of this Article shall apply to the teachers' council, which shall in each individual case, assess the validity of the reasons for not attending classes regularly and issue a decision on sitting subject or form exams.

The decision of the teachers' council shall be final.

The rules of a secondary school shall define the manner by which full-time students referred to in paragraph 1 of this Article shall take subject or form exams.

### **Article 88**

For reasons of health, a pupil may be permanently or temporarily excused from mastering certain parts of the syllabus of a subject if those parts are not fundamental to the vocation.

The teachers' council shall take decisions under paragraph 1 of this Article upon proposals from competent physicians.

In situations referred to in paragraph 1 of this Article, a pupil shall be assessed in a given subject on the basis of the subject content and activities from which he/she was not excused.

### **Article 89**

Pupils who demonstrate exceptional achievements and have excellent marks during their education may accelerate their studies and complete two forms during one school year.

Secondary schools shall define the manner of faster advancement, i.e. the completion of two forms in one school year, in their rules.

### **Article 90**

Full-time pupils who have the status of top athletes or are distinguished artists may complete secondary school by attending classes or taking exams over a period half again as long as specified in the prescribed curriculum.

### **Article 91**

At the end of his/her secondary education, the pupil shall take a graduation or final examination.

Gymnasium pupils shall take the graduation exam.

Pupils of vocational schools and schools for the arts shall take final exams.

A pupil who completes his/her secondary education with marks of excellent throughout shall be exempt from

taking a graduation or final exam.

The Minister shall prescribe the conditions, manner and procedure for sitting graduation or final exams.

Graduation or final examinations may begin no earlier than 21 days after the end of teaching.

### **Article 92**

Pupils shall at end of each form be issued with a certificate attesting to their completion of the form.

Pupils shall be issued with a secondary school diploma or final exam certificate upon completing secondary school.

Persons who completed development, advancement and training programmes shall be issued with the relevant certificates and diplomas.

The documents referred to in paragraphs 1, 2 and 3 of this Article shall be considered public documents.

The Ministry shall prescribe the contents and form of certificates and diplomas.

### **Article 93**

Secondary schools and pupil houses shall maintain pedagogical documentation and records about pupils.

The Ministry shall prescribe the form and contents of pedagogical documentation and records.

### **Article 94**

Pupils who distinguish themselves in their studies and behaviour may be commended or rewarded.

Pupils may be subjected to the following pedagogical-disciplinary measures for dereliction of duty or failure to fulfil obligations: warning, reprimand, final warning prior to expulsion, and expulsion from school.

Sentences of expulsion from school shall be carried out in the current teaching year.

Pupils and their parents or guardians shall be entitled to appeal against the pronouncement of pedagogic-disciplinary measures up to three days after receipt of written notice thereof.

Appeals against a decision to expel a pupil may be submitted to the Ministry. The decision of the Ministry shall be final.

A pupil expelled from school before 1 April of the current school year shall be entitled to sit a form exam in another secondary school.

A pupil expelled from one school may continue his/her education in another secondary school.

The provisions of paragraphs 1 to 6 of this Article shall apply where relevant to pupils in pupil houses.

A school shall regulate by statute the conditions, manner and procedure for commending and awarding pupils, as well as for pronouncing pedagogical-disciplinary measures.

### **Article 95**

A pupil shall lose the status of full-time pupil by:

Withdrawing from secondary school;

Losing the right to further regular education in that secondary school;

Expulsion from secondary school

Dropping out of secondary school.

A pupil shall lose the status of full-time student: when he/she fails for the second time to complete the same form successfully; when he/she is absent unjustifiably from regular classes; and when he/she repeats a serious disciplinary offence.

A secondary school shall prescribe in its rules the procedure and conditions for the expulsion of and loss of secondary school status by pupils.

## **TEACHERS, PROFESSIONAL ASSISTANTS AND TEACHING ASSISTANTS**

### **Article 96**

Teachers in secondary schools shall be guaranteed freedom of pedagogical work and teaching within the established curricula.

### **Article 97**

The curriculum, depending on the kind and type of secondary school, shall determine the appropriate professional qualifications of teachers and professional assistants in general, vocational-theoretical, and practical classes.

Teachers in secondary schools are: teachers of general education; teachers and graduate engineers in vocational-theoretical classes; and vocational teachers in practical classes.

Persons possessing the appropriate qualifications and pedagogical-psychological education, as well as meeting the general conditions in accordance with the provisions of this Law, may be selected as teachers.

A school board shall confirm the fulfilment of the conditions referred to in paragraph 3 of this Article.

### **Article 98**

Persons legally convicted of criminal offences against the constitutional order, against life and limb, against sexual freedom and morality, against marriage, family and young people, or convicted of any other criminal offence which makes them unworthy of the occupation of teaching shall thereafter be barred from performing any teaching duties. either as a teacher or expert-associate.

Secondary school teachers shall be obliged to take measures to protect the rights of children, and to report to social welfare bodies or other competent bodies any violation of those rights, particularly any form of physical or mental abuse of a child.

### **Article 99**

Teachers of general education and teachers and engineers in vocational-theoretical classes shall organise and conduct theoretical and practical classes and exercises, as well as other activities defined in the annual programme of the school and the pedagogic norms.

Expert teachers shall independently conduct exercises and practical classes. Exceptionally, expert teachers may independently conduct theoretical classes if the qualifications they obtained in that vocational or artistic domain are of the highest level and if such activity is prescribed by the Ministry.

Professional assistants shall organise and conduct professional activities related to the work of the secondary school and pupil houses (pedagogic, psychological, health-related, matters related to special education, social, library-related, programmatic, etc).

Pedagogues shall organise work in pedagogical groups, co-operate with parents and teachers and the pupil house board, as well as perform such other duties for which they are qualified.

Teaching assistants shall conduct exercises and practical classes under the direct supervision of a teacher, and shall perform such other duties for which they are qualified.

### **Article 100**

Persons who have completed an appropriate university degree course and possess the necessary pedagogical and

psychological education may be selected as teachers, professional assistants and pedagogues.

Persons who have completed appropriate university-level studies and who possess the necessary pedagogical and psychological education may be selected as special teachers.

Persons who can conduct practical classes and exercises under the direct supervision of a teacher, and who possess the appropriate secondary school qualifications, five years of working experience in the particular field, and the necessary pedagogical and psychological education as defined in the curriculum, may be selected as teaching assistants.

If a person enters a competition for employment as a teacher who has the appropriate qualifications, but does not also have the necessary pedagogic and psychological education, such a person may be selected under the condition that he/she shall obtain the required education within a period of one year from his/her date of appointment.

If a teacher fails to meet the condition referred to in paragraph 4 of this Article, his/her contract of employment shall be terminated on the day after the deadline referred to in paragraph 4 expires.

The Ministry shall define the appropriate professional qualifications and the necessary pedagogic and psychological education.

### **Article 101**

Teachers shall be selected on the basis of a public competition.

The school board shall announce the public competition.

The competition must be advertised in one of the daily newspapers or in one of the other public media in the Federation of Bosnia and Herzegovina.

### **Article 102**

Teachers without any previous working experience shall be employed as probationers.

Secondary schools may provide persons without working experience with opportunities for training, but without establishing a contractual relationship, i.e. through voluntary work.

Probation shall last one year. After the expiry of the probationary period, the probationer is obliged to pass a professional examination within one year.

Should a probationer fail the exam, his/her employment shall be terminated on the first day after the expiry of the deadline referred to in paragraph 2 of this Article.

A school's teachers' council shall determine the programme of probationary employment.

The Ministry shall prescribe the programme, manner and conditions for sitting a professional examination.

### **Article 103**

In the event that subject teaching is urgently required, a teacher may be engaged on a fixed-term contract without a competition, as decided by the school director.

Employment under paragraph 1 of this Article may not last longer than three months in any one school year.

### **Article 104**

The working week for the director and teachers shall be 40 hours.

The weekly norm for teachers and other employees shall be set by the school's annual work programme in accordance with the pedagogic regulations adopted by the Ministry.

## **Article 105**

The work of teachers shall be assessed.

Teachers may be promoted in their fields and attain the titles of mentor and adviser.

The Ministry shall prescribe the procedure, means and conditions for assessing and promoting teachers.

Teachers or professional assistants whose work is twice assessed as unsatisfactory may no longer engage in educational work with pupils and shall cease to work in the school.

The school board shall make the decision on termination of employment on the advice of the director.

Persons referred to in paragraph 4 of this Article may, no earlier than one year after the date of their termination, submit an application to the Ministry seeking to return to work. The Ministry shall in that case confirm the reasons why the person was negatively assessed and evaluate the extent to which circumstances may have changed in the meantime and because of which the person might be offered a new opportunity to work.

If a teacher or professional assistant reinstated by decision of the Ministry again receives a negative assessment, that person shall lose forever the right to work in a secondary school.

## **Article 106**

Teachers have the right and duty of professional and pedagogical advancement. The Ministry shall prescribe a programme and organisation of mandatory forms of professional development.

## **Article 107**

All secondary school and pupil house employees must undergo medical examination every three years, the costs of which shall be covered by the Ministry.

If the director considers that an employee's psychophysical health has been impaired to the extent that it crucially reduces his/her capacity for work, the director shall issue a decision referring the employee for medical treatment before the expiry of the period referred to in paragraph 1 of this Article. An employee who refuses to comply with a decision instructing him/her to seek medical treatment shall cease to be employed.

If the medical report confirms that the mental or physical health of a teacher has critically reduced his/her capacity to perform educational work, the director shall issue a decision releasing that teacher from direct educational and pedagogical work.

A secondary school shall be obliged to reassign the teacher referred to in paragraph 3 of this Article to another appropriate position, depending upon his/her residual working capacity. If a teacher refuses reassignment, his/her employment shall be terminated.

## **Article 108**

A teacher or professional assistant shall cease employment at the end of the school term in the year in which the conditions for his/her termination have been fulfilled in accordance with the provisions of the Labour Law.

## **SECONDARY SCHOOL FUNDING**

## **Article 109**

Secondary schools founded by the Cantonal Government shall be financed from the Cantonal budget.

Accredited private secondary schools shall be financed by their founders.

The Cantonal Government may, upon a proposal of the Ministry, decide to co-finance accredited private secondary schools if that is in the interest of the Canton.

## **Article 110**



Secondary schools may acquire funds through the sale on the market of goods and services closely related to the school's activities, as well as from payments by pupils, rent, donations and other sources in accordance with the Law.

The conditions, standards and means of acquiring the funds referred to in paragraph 1 of this Article shall be regulated by the general by-laws of the school, with the approval of the Ministry.

## **LEGAL AND PROFESSIONAL SUPERVISION**

### **Article 111**

The Ministry of Science, Education, Culture and Sport of Canton 10 shall supervise implementation of this Law.

### **Article 112**

The Institute for Education in Mostar shall provide professional pedagogical supervision of the institutions and organisations referred to in Article 2 of this Law.

The education inspectorate shall provide administrative supervision of the work of secondary schools and other organisations providing secondary education.

The Ministry shall prescribe the manner, conditions and procedure for the supervision referred to in paragraphs 1 and 2 of this Article.

## **PENALTIES**

### **Article 113**

A school director or other responsible person shall be liable to fines ranging from KM 500 to 2000 for the following offences:

If a secondary school commences work before fulfilling its conditions for work;

If teaching is not conducted according to a curriculum adopted by the Ministry;

If a school fails to adopt an annual programme of work;

If a school does not use textbooks prescribed by the Ministry.

The competent municipal court shall decide the magnitude of the fine on application by the education inspector.

## **TRANSITIONAL AND FINAL PROVISIONS**

### **Article 114**

Persons who completed at least a two-year secondary school and final exam before 31 August 1971 shall be recognised as holding secondary vocational qualifications.

Persons who attained secondary school qualifications of the third (III), fourth (IV) and fifth (V) levels according to previous regulations shall be recognised as holding secondary vocational qualifications.

Persons who attained a secondary education of the first (I) and second (II) level according to previous regulations shall be recognised as holding lower vocational qualifications.

Persons who obtained certificates or secondary school diplomas on the territory of the republics of the former Yugoslavia before 31 August 1992, including from military and religious schools, shall be recognised as holding qualifications according to criteria referred to in paragraphs 1, 2 and 3 of this Article.

### **Article 115**

The Cantonal Government shall take over the rights and duties of the founder of existing secondary schools,

founded in accordance with previous regulations, on the territory of the Canton.

#### **Article 116**

Members of school boards shall be appointed in all public secondary school institutions, in accordance with Article 61 of this Law, within six months of the day this Law enters into force

The Ministry is obliged to harmonise all rulebooks and other adopted regulations with this Law within six months of the day this Law enters into force.

The terms of directors appointed in accordance with previous regulations shall be maintained until directors are selected in accordance with Article 64 of this Law.

#### **Article 117**

Existing secondary schools shall be obliged to harmonise their organisation, activities and general by-laws with the provisions of this Law within six months of its enactment.

#### **Article 118**

On the day this Law enters into force, the Law on Secondary Education ("Narodne novine Hercegbosanske županije", No. 10, No. 3/98) shall cease to apply.

#### **Article 119**

This Law shall enter into force on the day of its publication in the official gazette of the Canton and the provisions that refer to pupils shall apply from the start of the 2004-05 school year.