

REPUBLIC OF BULGARIA
GRAND NATIONAL ASSEMBLY

NATIONAL EDUCATION ACT

Promulgated State Gazette No. 86/18.10.1991

Amended SG No. 90/1996

Chapter One

GENERAL PROVISIONS

Article 1

This Act shall regulate the structure, functions and management of the system of national education.

Article 2

The system of national education shall include kindergartens, schools and auxiliary units.

Article 3

The system of national education shall ensure education in conformity with state educational requirements.

Article 4

(1) Citizens shall have the right to education. They shall constantly be able to heighten their education and qualifications.

(2) Restrictions or privileges based on race, nationality, sex, ethnic and social origin, religion and social status shall not be tolerated.

Article 5

Education shall be secular.

Article 6

Education in state and municipal schools shall be free of charge.

Article 7

(1) School education until the age of 16 shall be compulsory.

(2) School education shall start at 6 or 7 years of age depending on the choice of parents or guardians.

Article 8

(1) School education shall ensure the mastery of the official Bulgarian literary language.

(2) Pupils whose mother tongue is not Bulgarian, besides the compulsory study of the Bulgarian language, shall have the right to study their own mother tongue outside the state school in the Republic of Bulgaria under the protection and control of the state.

Article 9

(1) Every citizen shall realize his right to education in the school and type of his choice in keeping with his personal preferences and potential.

(2) The right pursuant to Paragraph (1) for minors shall be used by their parents or guardians.

Article 10

(1) Schools and kindergartens shall be state, municipal and private.

(2) The state and municipal school and auxiliary units shall be juridical persons.

(3) State and municipal schools and auxiliary units shall be opened, reformed and closed by the Minister of National Education.

(4) State and municipal kindergartens shall be opened, reformed and closed by the Minister of National Education.

Article 11

(1) Citizens and organizations shall be able to set up schools and kindergartens with the permission of the Minister of National Education.

(2) Whenever an individual citizen or organization opens a kindergarten or school, they shall be obliged to present to the Minister of National Education a programme conforming to state educational requirements. These schools and kindergartens shall be established as juridical persons after the permission of the Minister of National Education has been promulgated in the State Gazette.

Article 12

Foreign schools and kindergartens or Bulgarian schools and kindergartens with foreign participation shall be opened by the Council of Ministers at the proposal of the Minister of National Education. These schools and kindergartens shall be established as juridical persons after the decision of the Council of Ministers been promulgated in the State Gazette.

Article 13

(1) The closing of private schools and kindergartens shall take place with the decision of the Ministers of National Education.

(2) The closing of foreign school and of Bulgarian schools with foreign participation, as well as of kindergartens, shall take place with the decision of the Council of Ministers at the proposal of the Minister of National Education.

(3) The closing of private schools, foreign schools, Bulgarian schools with foreign participation and of kindergartens shall take place at the request of the citizens and organizations which have established them, or when the requirements of Article 3 of this Act have not been observed.

(4) Decisions pursuant to Paragraphs (1) and (2) shall be promulgated in the State Gazette.

Article 14

Schools and kindergartens shall create conditions for the normal physical and mental development of children and pupils.

Chapter Two

STATE EDUCATIONAL REQUIREMENTS

Article 15

(1) State educational requirements in the system of education shall be endorsed by a Supreme Education Council with the Minister of National Education. One third of the members of the Supreme Education Council shall be teachers.

(2) State educational requirements shall determine the levels of the necessary general educational and professional training and shall create conditions for:

1. the formation of a free, moral and enterprising personality, respecting the laws and rights of others, their culture, language and religion;
2. the satisfaction of individual interests and needs and the acquisition of broad general knowledge;
3. the acquisition of basic scientific concepts and principles for integrating past experience with new knowledge in the different spheres of science and practice;
4. the choice of variants for training and professional qualification in keeping with the potential of pupils and the school chosen by them;

5. the development of the material, cultural and ecological environment of kindergartens, schools and auxiliary units.

Article 16

State educational requirements shall apply to the following:

1. kindergarten;
2. preparatory group and preparatory class;
3. type of school;
4. level of education;
5. profession, speciality and qualification after a completed level of education;
6. knowledge and skills;
7. level of the mastery of the official Bulgarian literary language;
8. training of children with chronic ailments;
9. training of children with specific educational needs;
10. system of assessment;
11. textbooks and study aids;
12. documentation of education;
13. workload of pupils;
14. extracurricular activity;
15. teaching certificates, professional suitability and qualification of teachers and headmasters;
16. material, cultural and ecological environment;
17. health services and health and hygiene education in kindergartens, schools and auxiliary units;
18. action during natural calamities, emergency situations and traffic safety;
19. psychological and pedagogical services;
20. scientific, information and library services;

21. one year cost per pupil in the different types and levels of schools;
22. standardization and payment of labour in the system of national education.

Article 17

State educational requirements pursuant to Items 3, 4, 5, 12 and 15 of Article 16 shall be adopted by law.

Chapter Three

KINDERGARTENS

Article 18

- (1) Kindergartens shall cater for children aged from 3 to 6 years.
- (2) Children shall be enrolled in kindergartens in keeping with the desire and choice of parents or guardians.

Article 19

- (1) The cost of children in kindergartens shall be borne by the municipal councils.
- (2) Parents shall pay fees to the amount determined by the Council of Ministers.
- (3) Besides the fee pursuant to Paragraph (2), parents shall also pay for activities outside the state educational requirements.

Article 20

- (1) The preparation of children for school shall be carried out in the preparatory groups of kindergartens or in the preparatory classes of schools.
- (2) Preparatory classes shall be organized for children with poor command of the Bulgarian language.

Article 21

Special kindergartens and auxiliary units shall be set up for children with chronic ailments and for children with specific educational needs.

Chapter Four

SCHOOLS

Article 22

School education shall be general and professional.

Article 23

General education shall consist of the following levels:

1. primary education lasting 4 years;
2. basic education lasting 4 years after primary education;
3. secondary education for up to 5 years after basic education.

Article 24

(1) Professional education shall be received:

1. after the completion of primary education;
2. concurrently with or after completion of basic or secondary education.

(2) Professional education shall provide training by professions and specialities in conformity with state educational requirements.

(3) The duration of professional training shall be determined for every profession and speciality by the state educational requirements.

(4) Corresponding professional qualifications shall be gained after completed professional training and examinations.

(5) The activities pursuant to Paragraphs (2), (3) and (4) are realized in coordination with the specialized ministries and departments.

Article 25

(1) Every educational level with the exception of primary education shall end with examinations and shall be certified by a document.

(2) The document received for completed level of education or class shall be final and shall grant the right for continuing education at the next educational level or class.

(3) Professional qualification shall be certified by a document which shall grant the right to practise a certain profession or speciality.

(4) The document for professional qualification shall not grant the right to continued education.

(5) The document for professional qualification, heightening of qualification and re-qualification shall be issued only by a school, provided no other competent body has been provided by law.

Article 26

(1) According to the type and level of education school shall be:

1. primary schools - from 1st to 4th grade incl.;
2. middle schools - from 5th to 8th grade incl.;
3. basic schools - from 1st to 8th grade incl.;
4. vocational schools - enrolling pupils having attained the age of 13, with primary or basic education, who are trained for a given profession and speciality;
5. secondary schools - from 9th to last (11th, 12th or 13th) grade incl.;
6. comprehensive schools - from 1st to last (11th, 12th or 13th) grade incl.;
7. professional high schools - from 9th to last (11th, 12th or 13th) grade incl.

(2) The passing from one type of school to another shall be realized in accordance with the conditions of the state educational requirements.

Article 27

(1) Special schools and auxiliary units shall be set up for children with chronic ailments and for children with specific educational needs.

(2) Schools shall be obliged to create conditions for the inclusion of children with chronic ailments and of children with specific educational needs in the school under Article 26.

Article 28

(1) The special schools for children with chronic ailments and for children with specific educational needs shall be boarding-schools.

(2) In the schools under Paragraph (1) children shall be accommodated in the order specified by the Ministry of National Education jointly with the competent state bodies and municipal councils.

(3) Prisoners with uncompleted secondary education shall have training organized for them.

Article 29

For persons having attained the age of 16, evening (shift) schools shall also be opened.

Article 30

(1) With the permission of the Minister of National Education, religious institutions in the country shall be able to open theological schools for their ritual needs for children having completed their basic education.

(2) The education received in theological schools shall be given the same status as secular education by the Ministry of National Education, provided the state educational requirements for the given level of education have been observed.

Article 31

The forms of education shall be:

1. day schools
2. evening schools
3. extramural
4. correspondence courses
5. individual
6. independent.

Article 32

(1) In the case of professions and specialities practised in harmful and dangerous working conditions, practical training shall start after the age of 15 years has been attained.

(2) The Ministry of Health and the Ministry of National Education shall determine the specific requirements for the practical training of pupils pursuant to Paragraph (1).

Article 33

In keeping with the interests and abilities of children and pupils in the sphere of art, science, technology, production and sport, activities shall be organized during their leisure time in the schools and auxiliary units within the system of national education.

Chapter Five

MANAGEMENT AND RESOURCES

Article 34

- (1) State policy in the sphere of education shall be implemented by the Council of Ministers.
- (2) The Ministry of National Education shall be a specialized body of the Council of Ministers for the management of the system of education.

Article 35

The Ministry of National Education shall exercise control over the activity of all types and levels of kindergartens, schools and auxiliary units in the system of national education opened pursuant to this Act.

Article 36

The municipal councils shall ensure:

1. compulsory school education of children up to the age of 16;
2. health services and the safety of kindergartens and schools, of children and pupils;
3. funds for the maintenance, construction, furnishing and general repairs of schools and kindergartens;
4. conditions for canteens, hostels, recreation, sports facilities and transport for children, pupils and teachers;
5. scholarships and special grants to pupils.

Article 37

- (1) Schools, kindergartens and auxiliary units shall be governed by headmasters.
- (2) Candidates for the position of headmaster of a school should have university education and teaching practice. Candidates for the position of kindergarten headmaster should have a university or college degree and teaching practice.
- (3) The Ministry of National Education shall hold a competition for headmasters in which candidates shall present draft programmes on the development of the given school or auxiliary units in conformity with state educational requirements.
- (4) The Ministry of National Education shall determine the commission which includes representatives of the teaching staff and of the municipal council. The

commission shall hear the defence of the programmes and offers or does not offer the signing of a working contract.

(5) The Minister of National Education shall conclude or terminate working contracts with the headmasters of state and municipal schools, as well as of the auxiliary units within the system of education.

(6) At the proposal of the commission pursuant to Paragraph (4) the mayor of a municipality shall conclude working contracts with the headmasters of kindergartens.

(7) Every five years the Ministry of National Education shall periodically and obligatorily give testimonials to the headmasters of schools and the directors of the auxiliary units.

(8) The decisions of the headmaster of the school and of the director of the auxiliary unit shall only be repealed by the Minister of National Education.

Article 38

(1) The Pedagogical Council is a specialized body which shall discuss and solve basic pedagogical questions.

(2) The School Council is an elective consultative body whose composition shall include pupils, teachers, parents and public representatives.

(3) The composition and functions of the Pedagogical Council and of the School Council shall be determined by the Ordinance on the enforcement of the National Education Act and the school regulations.

Article 39

(1) A citizen who holds a teacher's certificate can be a teacher (tutor).

(2) Teacher training shall be carried out within the system of higher education.

(3) Persons educated in a given speciality shall also be able to engage in the professional training of pupils.

(4) Teachers and headmasters shall be ensured conditions for heightening their qualifications.

Article 40

(1) The teachers (tutors), headmasters and assistant headmasters in state and municipal schools, in kindergartens and in the auxiliary units within the system of national education shall be civil servants.

(2) Working contracts with the assistant headmasters, teachers and staff shall be concluded respectively by the school headmaster, the kindergarten headmaster or the director of the auxiliary unit.

(3) The establishment, changes and termination of labour relations under Paragraph (2) shall be effected in compliance with the Labour Code.

Article 41

The funds for the maintenance and development of education shall be determined with the state budget passed by the National Assembly and with the municipal budgets.

Article 42

(1) The Ministry of National Education shall determine the cost of education per pupil per annum in conformity with the state educational requirements, differentiated by level of education, type of school and in keeping with the conditions of the residential area.

(2) After endorsing the funds pursuant to Article 41, the Ministry of National Education shall earmark budget means for capital investments, for subsidizing scientific research in the sphere of education and for the qualification of teachers and headmasters.

(3) The Ministry of National Education and the Ministry of Finance shall approve the standards and guarantee the regulators and other economic conditions for the realization of activities in the national education system.

(4) Funds for maintenance and working wages shall be indicated on a separate line on education in the budget of the municipalities and of the Ministry of National Education.

(5) The professions and specialities, types of schools and auxiliary units in which education is realized entirely at the expense of the state budget, shall be determined according to a list endorsed by the Council of Ministers.

Article 43

The Ministry of National Education shall create conditions for the discovery and training of gifted children and shall set up funds by name of scholarships for gifted children and scholarship funds for children with chronic ailments and for children with specific educational needs.

Article 44

(1) Besides from the state budget and from the budgets of the municipalities, schools, kindergartens and the auxiliary units within the national education system shall also secure maintenance funds from additional activities,

donations and earmarked contributions by companies and government agencies.

(2) A school shall also be able to secure its own means through the signing of contracts with companies and citizens for renting school and sports premises, machinery, equipment, farm land and other property, as well as for the rendering of pedagogical and other services.

(3) The activity of the auxiliary units in the national education system shall be realized in conformity with specific economic rules endorsed by the Minister of National Education in consultation with the Minister of Finance.

Article 45

The construction, reconstruction and modernization of the material and technical base of schools, kindergartens and auxiliary units shall also be carried out with means from the budgets of the municipalities, from the funds of the organizations for whose needs personnel is trained, and with means from other sources.

Article 46

Within the meaning of this Act the auxiliary units within the system of national education shall include: homes for children and juveniles, boarding schools, central and local extracurricular institutions, scientific research institutes on education, pedagogical consulting offices, problem groups on education, the editorial offices of pedagogical publications, printing houses of the education system, computer and qualification recovery centres, school museums, teachers' professional training centres, sports schools for pupils, school camps, etc.

Chapter Six

PENALTY PROVISIONS

Article 47

Parents or guardians who do not ensure the school attendance of their children during the time they are liable to compulsory education, shall have fines ranging from 300 to 1000 leva imposed on them.

Article 48

(1) Violations shall be established with statements drawn up by bodies of the municipal councils.

(2) Penalty decrees shall be issued by the mayor of the municipality.

(3) The establishment of violations, the issue, appeal and execution of the penalty decrees are effected in compliance with the Administrative Misdemeanour and Penalties Act.

Article 49

The Ministry of National Education jointly with the Ministry of Finance shall exercise control on the spending of budget and off-budget means intended for the training of pupils, for the construction, reconstruction and modernization of school facilities, as well as for other activities within the system of national education.

SUPPLEMENTARY PROVISIONS

§ 1. In the secondary military schools in the system of the Ministry of Defence, the Ministry of the Interior and other ministries and departments, this Act shall be enforced insofar as there are no other provisions in their statutes and in the special acts concerning their constitution and activities.

§ 2. Bulgarian state schools abroad shall be opened and their activity shall be organized by the Ministry of National Education in compliance with this Act and international contractual agreements.

§ 3. This Act shall be enforced with respect to the Bulgarian citizens studying in Bulgarian state schools abroad.

§ 4. (1) Foreign citizens shall have the right to study in Bulgarian schools in conformity with the laws and statutory acts of the Republic of Bulgaria.

(2) School education shall be free for those foreign citizens who have been granted a permanent stay in the country under the conditions of mutual agreement.

(3) Foreign citizens shall also be able to study in Bulgarian schools in the country and abroad against payment.

§ 5. Certificates of completed education and professional qualification issued by the schools of other states shall be legalized by the Ministry of National Education.

§ 6. Foreign citizens shall be able to teach in Bulgarian schools under the conditions specified by the state educational requirements.

TRANSITIONAL AND CONCLUDING PROVISIONS

§ 7. Pupils enrolled prior to this Act coming into force in secondary technical schools, vocational colleges, art schools, specialized high schools and the secondary course of comprehensive general education schools, shall be trained and complete their education in compliance with the acting law during their enrollment.

§ 8. (1) Up to one year after this Act comes into force, the state bodies shall guarantee the standards, regulators and other economic conditions

for the realization of the activities in the system of national education in conformity with current statutory acts.

(2) Until the adoption of the new state educational requirements schools and kindergartens shall pursue their activity in conformity with current requirements.

§ 9. (Amended SG No. 90/1996) The currently appointed headmasters of schools, headmasters of kindergartens and directors of auxiliary units shall retain their rights until the announcement of a competition for the respective position, but not exceeding 7 years after this Act has come into force.

§ 10. This Act rescinds:

1. The National Education Act (prom. in State Gazette No 218 of 1948; corrected in No 223 of 1948; amended in No 235 of 1948, No 10, 207 and 271 of 1950; SG No 75 and 104 of 1951 and partially repealed in No 90 of 1954).

2. The Act on closer links between school and life and on the continued development of national education in the People's Republic of Bulgaria (publ. SG No 54/1959; amended in SG No 99/1963, No 36/1979, No 27/1986, No 68/1988, No 45 and No 99, 1989).

3. Decree No 330 on National Education (prom. SG No 90/1954; amended in SG No 33/1965 and No 68/1988).

4. Decree No 2213 on the continued development of education (SG No 59/1983).

§ 11. (1) This Act is hereby referred for enforcement to the Minister of National Education.

(2) The Minister of National Education shall issue a Regulation on the implementation of the National Education Act.

(3) The Minister of National Education shall issue a separate Regulation on the composition and activity of the Supreme Education Council.

This Act was submitted to a vote and duly adopted by the Grand National Assembly on October 1st, 1991, and the State Seal was affixed hereto.

Chairman of the Grand National Assembly: Nikolai Todorov