

LAW ON NATIONAL QUALIFICATIONS FRAMEWORK

I. Basic provisions

Content

Article 1

This law regulates national qualifications framework (in following text: Qualifications framework), levels and sub-levels of qualifications, types of qualifications, range of qualification and jurisdictions of bodies for proposing, adopting and alignment of qualifications.

Definition

Article 2

Qualifications framework is an instrument which provides classification, comparison, development and understanding of qualifications, their connection and clear overview of different ways of obtaining qualifications for labor market needs and society.

Principles

Article 3

Framework of qualifications is based on principles:

- Studying results are presented through knowledge, skills and competition;
- Classification of qualification in levels and sublevels,
- Transferability of credits;
- Comparability with European qualification framework (hereinafter referred to as EQF);
- Quality assurance in the process of acquiring and development of qualifications;
- Cooperation of all stakeholders; and
- Transparency.

Goals

Article 4

Goals of qualifications framework are:

- Clear definition of learning outcomes;
- Evaluation of different skills inside within the overall system;
- encouraging and developing life-long learning;
- To demonstrate clear links between different parts of system;
- To indicate the roads passable and growth (both horizontally and vertically) through and within system of education and training ;
- International comparability of qualifications;
- To promote importance of key professional competencies; and
- Quality assurance in the qualification system.

Use of gender-sensitive language

Article 5

All expressions which are used in this text for physical persons in male gender include the same expressions in female gender.

Glossary

Article 6

Some expressions in this law have the following meaning:

- 1) Descriptions of levels** are measurable indicators of complexity of knowledge, skills, and competencies which person has obtained and proved after learning procedure;

- 2) Learning outcomes** are statements which confirm what individual knows, understands and is able to do in the end of learning process, no matter of method of learning, and are defined through knowledge, skills and competencies ;

- 3) **Knowledge** is a set of obtained and connected information which are result of learning. That is set of data, principles, theories and practice which are connected by area of work or learning. In the qualification framework knowledge is described as theoretical and/or factual ;
- 4) **Skills** include abilities of application of knowledge in resolving tasks and problems. In the qualification framework skills are described as cognitive or practical;
- 5) **Competencies** are demonstrated abilities of use of knowledge and skills, the same as personal social and/or methodological abilities in working or learning environment. In the Framework of qualifications, competencies are determined on the base of independence and responsibility ;
- 6) **Montenegrin system of credit transfer (MSCT/ECTS)** is a process which provides that results of learning are achieved in one context can be recognized in another context. It is based on checking procedures, confirmation and recognition and it's in compliance with European credit transfer for high education (ECTS) and for professional education and training (ECVET);
- 7) **Credit value of qualification** (credit, credit spot, point) is quantitatively determination of scope of qualification which reflects totally invested effort and load of persons through mastering of program of education and learning;
- 8) **credit** (credit spot, point, score) is a key element of MSCT, which is assigned to some programs of education or to their parts (courses/modules/subjects) the same as to other forms of education, and learning (projects, seminars, research work, work in the field, work in teaching, work at home, seminar work, practical work, work in the library est.) and describes the quantity of study which each of them demand , in the relation to whole amount which is needed to be achieved certain scope of qualification ;
- 9) **Module** is finished set of learning with clear defined number of credits which can be single, or in a relation with other modules.

II. Framework of qualifications

Subject of Qualifications Framework

Article 7

Subject of framework of qualifications is qualification of certain scope which is obtained through checking process and mark of results of learning by confirmation and recognition of qualification, in accordance with special regulations.

Standards of qualification

Article 8

Standard of qualification from article 7 of this law is consists of:

- Name of qualification;
- Type of qualification;
- Level and sub level of qualification;
- Code of qualification;
- Credit value of qualification;
- Description of qualification; and
- Content of qualification (terms for enrollment, number of compulsory and elective courses and modules, checking system and criteria of checking results of studying) .

Standard of qualification can also consist of other elements which are needed for some qualification.

Structure of Qualification Framework

Article 9

Framework of qualification covers:

- Levels and sub levels of qualifications;
- Descriptions of levels and result of studying for each level and sub level of qualifications;
- Types of qualifications and documents which prove obtained qualifications;
- Scope of qualifications.

Levels and sub levels of qualifications

Article 10

General theoretical and practical knowledge, skills and competencies are determined through general description of levels and sublevels of qualifications.

Qualifications are classified on bases of complexity of achieved results of studying, which are described through knowledge, skills and competencies in eight levels of Framework of qualifications and that:

First level (I)

In sublevel one (I1):

- Qualification which is obtained by the end of part of program of elementary education (finished at least first cycle of elementary education or program of functional literacy);
- Professional qualification or part of professional qualification with minimum of one credit of MSCT.

In sublevel two (I2):

- Qualification of finished elementary education; and
- Professional qualification or part of professional qualification with minimum of one credit of MSCT.

Second level (II)

In level two (II):

- Qualification of lower professional education (120 credits of MSCT);
- Professional qualification or part of professional qualification with minimum of one credit of MSCT

Third level (III)

In level three (III):

- Qualification of middle professional education (180 credits of MSCT) ;
- Professional qualification or part of professional qualification with minimum of one credit MSCT.

Fourth level (IV)

In sublevel one (IV1):

- Qualification of middle general and professional education (240 credits MSCT);
- Professional qualification or part of professional qualification with minimum of one credit of MSCT.

In sublevel two (IV2):

- Qualification master (60 credits of MSCT).

Fifth level (V)

In level five (V):

- Qualification of higher professional education (120 credits of MSCT));
- Professional qualification or part of professional qualification with minimum of one MSCT credit.

Sixth level (VI)

In level six (VI):

- Qualification of higher education (180 MSCT credits);
- Professional qualification or part of professional qualification with minimum of one MSTC credit.

Seventh level (VII)

In sublevel one (VII1):

- Qualification of high education (240,180+60, 300, respectively 360 MSTC credits).
- Professional qualification or part of professional qualification with minimum of one MSTC credits.

In sublevel two (VII2):

- Qualification of high education (180+120 or 240+60 MSTC credits);
- Professional qualification or part of professional qualification with minimum of one MSCT credit.

Eighth level (VIII)

In level eight (VIII):

- Qualification of high education (300+180 MSCT credits);
- Professional qualification or part of professional qualification with minimum of one MSCT credit.

Descriptions of levels and sublevels of qualifications are determined by regulation of body of public administration in charged for education affairs (hereinafter referred as to as Ministry) by prior opinion of state agency in charged for certain level of qualification.

Qualification type

Article 11

Qualification types are:

- Qualification of education level;
- Professional qualification; and
- Other qualifications.

Qualification acquisition

Article 12

Qualification of level of education is acquired when public valid education program is finished and needed scope of qualification is achieved, after prescribed check and when prove about obtained education is obtained, respectively one or more professional qualifications, in accordance with special regulation.

Professional qualification is obtained when part of public valid education program is finished (module, seminar), when special education program is finished and after knowledge check for achieving needed qualification scope, respectively when international certificate is recognized, in accordance with special regulation.

Other qualifications are qualifications which are obtained beside program from paragraph 2 of this article.

Types of documents

Article 13

The diploma is evidence of acquired qualification of level of education.

Exceptionally from paragraph 1 of this article, testimony is evidence about finished primary education, respectively acquired qualification of level one of education , respectively of sublevel I2.

Certificate respectively confirmation or assurance is evidence about obtained professional qualification, part of qualification or another qualification.

Documents from paragraphs 1, 2 and 3 of this article are issued in accordance with specific regulation.

Article 14

Qualification scope is determined by number of credits.

Certain number of credits is assigned to unit of studying, to subject, to module respectively to program.

Minimal number of credits, which is assigned in sense of paragraph 2 of this article, could not be less than one.

Qualification scope of education level is determined by the smallest number of 60 credits of Montenegrin System of Credits Transfer (hereinafter referred as to MSCT), what is equal to one school, respectively academic year (in formal education).

Qualification sectors

Article 15

Depending on area of operation of qualification, except type, level and scope, qualifications are aligned in Qualification framework by sectors:

Qualification sectors are:

1. Education and training;
2. Humanities and arts;
3. Natural sciences;

4. Social sciences;
5. Engineering, manufacturing technologies (mechanical engineering and metalworking, electrical engineering and automation, metal engineering e.c.t.);
6. Construction and landscaping;
7. Economy and law;
8. Agriculture, food and veterinary;
9. Health and social work;
10. Tourism, trade and catering;
11. Transport and communication;
12. Services;
13. Interdisciplinary fields;
14. Mining, metallurgy and chemical industry and
15. Information technologies.

Qualification sectors include, subsectors, areas and subareas.

III. Competence of agencies and bodies

Article 16

Agencies and bodies which within its jurisdiction develop, check, adopt, recognize and classify qualifications in Qualification framework are:

- Ministry;
- State governance agency which are responsible for labor work;
- Center for professional education;
- Institute for Education;
- Examination center;
- Educational institutions/educational organizers;
- Governance agency responsible for statistics affairs;
- Qualification Council;

- National Council for Education;
- Council for High Education; and
- Commissions for sectors.

Council for Qualification

Article 17

In order to improve system of qualifications, approvals and classification of qualifications in the qualifications framework, The Government has just established Council for Qualification (hereinafter referred to as Council).

Council consists of at least 11 members, appointed for a term of four years from among:

- Ministry;
- Bodies of state administration in charge of labor;
- University;
- Employment Agency of Montenegro;
- Montenegrin Chamber of Commerce;
- The representative association of employers;
- The representative trade union organization;
- Center for Vocational Education;
- Department for Education; and
- Examination centre.

President of Council for high education and president of National Council for Education are, according to function, members of Council.

Foundation act of Council determines closer structure, number of members, work method and decision adoption and other questions relevant for Council.

Organization and work method of Council are closer determined by Rules of Procedure.

Member of Council

Article 18

For member of Council shall be appointed individual who has at least:

- At least high education;
- At least five years of work in professional, scientific area; and
- Experience in development of qualification system

Member of Council can be reappointed..

Jurisdiction of Council

Article 19

Council:

- adopts decisions on classification of qualification in Qualification Framework;
- proposes to institution in charged development and improvement of qualifications;
- adopts decisions about compliance of existing qualifications for classification in Qualification Framework;
- monitor development of Qualification Framework as a whole;
- adopts document on methodology for the classification of qualification
- establish criteria for the election of commission of sectors
- shall issues instructions and guidelines on work of committees of sectors, coordinate their work and decides about on their proposals;
- ;
- Pass the act on committees of sectors;
- Decides on the definition of sub-sectors, regions and sub-regions within the qualifications, the proposal of committees of sectors;
- Review and approve reports on the work of committees of sectors;
- Submits work reports to Government of Montenegro; and

- Perform other duties in the accordance with founding.

Evaluation of qualification

Article

20

National Council for Education, respectively Council for High Education decides on evaluation of qualification levels and determines about qualification scope for each educational respectively study program, by sectors of qualification.

Decision about evaluation of educational program, by determining scope of vocational qualification or part of qualification, by sectors of qualification, is adopted by Council.

Commission of sectors

Article 21

For each sector the Council nominates commission for qualification (hereinafter referred as to: commission of sectors).

Commission of sectors consists of at least seven members which are elected for term of four years.

Members of commission of sectors for sector of qualification from article 15 paragraph 2 of this law, are elected, according to rule from:

- Body of state administration in charged for that sector of qualification;
- Montenegrin chamber of commerce;
- Representative association of employers;
- Representative association of employers in that sector of qualification;
- University and independent institution of high education,
- Center for vocational education and Department for education or other educational institution
- Ministries; and

- Suitable body in charged for certain vocations (lawyer, engineering, doctoral chamber est...).

Commission of sector for sector of qualification from article 15 paragraph 2 more concrete 2, 3 i 4 of this law, according to rule, doesn't consist of representative from article 2 al. 2, 3 and 4.

Responsibilities of commissions of sectors

Article 22

Commission of sectors:

- analyzes conditions and tendencies on labor market;
- proposes qualification for sector from first to eighth level of education;
- analyzes the existing qualifications;
- identifies and defines needs for all types of qualifications, in accordance with needs of labor market as a whole;
- considers proposals for the introduction of the new qualifications;

- proposes priorities in development of new and additions of existing qualifications;
- provides basic profile/description of qualifications;
- provides an opinion on compliance of occupational standards and the test catalogue;
- promotes sector of qualifications and employment possibilities in that sector; and
- performs other duties in line with founding act.

Administration and technical duties

Article 23

Administration and technical duties for needs of Council and sectoral commissions perform Ministry.

Coding

Article 24

Qualifications in the National Qualification Framework are coded by the type, level, scope and sector.

Each qualification is code, in accordance with paragraph 1 of this article.

Based on the assigned reference code qualification is entered into the information system.

Way of assigning reference code shall be determined in accordance with methodology document, adopted by Montenegrin qualifying body.

Allocation procedures and entering code in information system of qualification regulates body of state administration in charged for statistics affairs, MONSTAT, in accordance with its regulation

Development of qualification

Article 25

By decision of the competent Council, Centre for Vocational Education, and the Department for Education develop qualifications from level one to five in accordance with special regulations.

Qualifications from sixth to eighth level of education higher education institutions develop and submit to the process of accreditation for the Council for Higher Education in accordance with special regulations.

Vocational qualifications from level six to eight develop institutions of higher education by themselves at the proposal of relevant commissions of sectors and submit to the Council for Qualifications for the final evaluation.

Procedures of qualification development from paragraph 1, 2 and 3 of this article, are determined by special regulations adopted by Ministry.

Quality assurance

Article 26

Standards and quality assurance procedures are carried out in accordance with special regulations related to:

- Evaluation of qualifications;
- Accreditation and licensing, and evaluation of educational institutions and education providers
- Teaching;

- Assessments of students;
- Accreditation of the competent authorities;
- Certification
- Evaluation; and
- Publication.

IV. Final provisions

Equivalence of existing qualifications

Article 27

Previously acquired level of education is equated with qualifications levels of education at the following way:

- Diploma of the fifth level of education master exam and training within vocational education with IV2 sub-levels of qualification;
- Diploma of higher education acquired at the university level qualifications with VI in terms of knowledge, skills and competence to perform;
- Bachelor degree of higher education (180 MSCT) with the VI level of qualifications;
- Bachelor degree of higher education (240 MSCT) with VII1 sub-levels of qualifications;
- Diploma of seventh level of education with VII 1 sublevel of qualifications;
- Diploma of Specialist (240 MSCT) with VII1 sub-level of qualifications;
- Diploma of Master of Science with VII 2 level of qualifications.

Deadline for adoption of regulations

Article 28

Regulation from article 10 paragraph 2 of this law shall be adopted 30 days from the day of foundation of Council.

Regulations from article 25 paragraph 4 shall be adopted six months from the day when law enters into force.

Methodology documents for the classification of qualification in Qualification framework, the same as coding qualifications, shall be adopted one year from the day of the day when this law enters into force.

Deadline for foundation of Council

Article 29

Council from article 17 of this law shall be founded 60 days from the day when this law enters into force.

Harmonization

Article 30

Competent institutions, agencies and bodies are obligate to harmonize work and organization with provisions of this law in term of one year from the day when this law enters into force.

Termination of acting

Article 31

Entering into force of this law provisions of article 29 and 30 paragraph 2 of National vocational qualifications law („Official publication of Montenegro“, number 80/08) stop acting.

Entering into force

Article 32

This law enters into force in term of eight days from the day of publication in „Official publication of Montenegro“