

# No. ... Act on adult education and learning

(First draft)

In the framework of the lifelong learning policy and with the intention of creating a learning society in Armenia, in order to enable the exercising of the constitutional right to learning throughout the whole life of citizens, to enhance the possibilities of accessing adult education and learning<sup>1</sup> for all members of the society and to enable citizens to meet the challenges imposed by economic, cultural and technological development and to successfully participate in the labour market and continue to be successful through their lives, and to ensure the improvement of the quality of life through adult education and training, the General Assembly is adopting the following Act:

## Part I

### *GENERAL PROVISIONS*

#### Article 1

Under the framework of this act the state grants the right to participate in adult education and learning (hereinafter AEL) for everybody.

#### Article 2

(1) This act regulates adult training activities, service provision and administrative activities relating to adult training, along with the institution system and the subsidy system supporting the operation of AEL.

(2) Issues pertaining to adult training not regulated herein shall be governed by the provisions – as appropriate – of <sup>2</sup>Law on Education (hereinafter: LE 1999), those of Law on Higher Education (hereinafter LHE) Law On Vocational Education (hereinafter VE) and Primary Vocational (Artisan) and Secondary Vocational Education (hereinafter PVSVE, 2005)

#### Article 3

(1) With the exceptions specified in paragraph (4) The scope of this Act shall cover the following:

- a) adults participating in AEL or adults using services relating to adult training,
- b) in relation with their activities specified in paragraph (2)  
- public education institutions,

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<sup>1</sup> At the appendix of the act there can be used the list of key terms of policy paper

<sup>2</sup> The national experts studying the text of other existing acts can decide which laws may be advisable to mention here from the:

The Law on Education (LE,1999)

Law on Higher Education (LHE)

Law on Vocational Education (LVE)

Law on Employment and Protection of Unemployed ( 2005 EPU)

The Law on Education for People with Special Education Needs (2005 EPSN)

- vocational education institutions,
- higher education institutions,
- business organisations, corporations and other legal entities and businesses without legal personality, sole proprietors, and the associations of such established to perform adult training activities.
- public service corporations (non-profit organisations), associations, public bodies, foundations, public foundations and civil organisations

(2) For the purposes hereof AEL activities shall be construed as follows:

- a) training provided outside the schooling system on a regular basis, the objective of which may be :
- employability/adaptability
  - personal fulfilment,
  - active citizenship,
  - social inclusion
  - and:
- b) services relating to AEL

(3) Further to the activities specified in paragraph (2), for the purposes of the application of parts IV, V and VI hereof, the concept of AEL shall include training – falling under the scope of the - provided by higher education (by the Law on Higher Education (LHE) institutions for adult students, not receiving state subsidies under the LHE.

(4) The scope of this act does not cover legal entities established under the Act of on the freedom of conscience and religion and on churches, except where:

- a) such an entity falls under the scope of LE, LHE, VE, and is pursuing AEL activities,
- b) such entity has been established in order to perform exclusively AEL activities.

## Part II

### *THE GOVERNANCE AND INSTITUTION SYSTEM OF ADULT EDUCATION AND LEARNING*

#### *The governance of AEL*

#### Article 4

(1) In its scope of duties pertaining to adult training the Government shall specify the detailed rules on the following, in decrees:

- a) the accreditation of institutions performing AEL and of programmes,
- b) the use of normative subsidies provided for AEL the obligations pertaining to state subsidies of institutions performing subsidised training activities subsidised as specified in Part IV hereof.

(2) The tasks of the sectoral governance of AEL shall be performed by the Minister of Education and Science of Armenia. The Minister shall issue decrees regulating the following:

- a) the detailed rules of the entering of institutions, organisations performing adult education and learning activities in the register of such institutions;
- b) in addition to those specified in Article 16 (2), further rules governing the various forms of adult training.

### *National Adult Education and Learning Council*

#### Article 5

(1) The National Adult Education and Learning Council (hereinafter: NAELC) shall operate as a nation-wide body in charge of providing assistance to the performance of the tasks of the Minister of Education, of the preparation of technical/professional decisions to be made and of commenting and making proposals.

(2) The NAELC shall comment on the following:

- a) strategic issues pertaining to ALE.
- b) the principles of the adult training subsidy system.
- c) the drafts of legislation on AEL.
- d) the rules of the accreditation procedure and the technical/professional requirements of accreditation.

(3) The NAELC shall appraise the wealth of experience relating to the opportunities in the job market of former participants of adult training courses – particularly of those in disadvantaged positions – and shall make proposals concerning the necessary improvements.

#### Article 6

(1) The NAELC shall be comprised of .... members<sup>3</sup>, invited by the Minister of Education for a period of three years, as specified below:

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<sup>3</sup> It depends how big committee seems to be necessary for this task. (15-25 members?) It is important to have an odd number in terms of voting practice. Here it is the task to set up a criteria to choose representatives of the key institutions such as :

Ministry of Education and Science (MeS)  
The Ministry of The Ministry of Labour and Social Issues ( MoLS)  
Ministry of Economic Development  
Commission for Vocational Education and Training  
Development of Vocational Education (NBDVET) and Training  
National Centre for VET Development  
State Employment Agency (SEA)  
The State Labour Inspection of MoLS  
National Statistical Office, National Statistical Service  
Universities and research institutions  
Social partners as Employer's organisation, and federation trade unions  
Civil society organisations ( NGO training organisations and others as youth, women, environmental and any other kind of civil organisations as well especially the Adult Education and Lifelong Learning Association (Metsahasakneri usucum ev usumnarutyun vogch kjanqi ynthacqum)  
Training Enterprises on adult learning ( ICT, language etc.)

- a) one person representing the ministry in charge of the governance of education, of the planning of the central budget, of employment policy, of the governance of public (cultural) education and of the training of individuals of altered working capabilities each,
- b) four persons from among recognised experts of the various areas of AEL.
- c) one individual representing interest representing organisations of employees, one representing those of employers, one of those representing the chambers of economy and one representing the interest representing organisations of ALE institutions, providers.

The names of the members shall be disclosed in the official journal of the Ministry of Education.

- (2) One of the members of the NAELC shall be invited by the Minister of Education to act as the chairman of the Council.
- (3) The NAELC shall establish its own procedural rules.
- (4) The Minister of Education shall provide for the availability of the requisites for the operation of the NAELC.

### *National Adult Education and Learning Institute*

#### Article 7

The Minister of Education shall establish a National Adult Education and Learning Institute NAELI<sup>4</sup> ), which shall carry out the following:

- a) technical/professional and methodology development of ALE and training activities,
- b) tasks pertaining to the improvement of AEL,
- c) production and ongoing improvement of the technical/professional documents relating to adult training,
- d) co-ordination – on a nation-wide level – of research efforts and of the technical/professional services provided in the field of adult training,
- e) strengthening of the links and relationships between and among AEL, public education, higher education and public cultural education,
- f) development of international co-operation, including co-operation with the AEL institutions of the Member States of the European Union,
- g) the tasks of the secretariat of the Adult Education and Learning Accreditation Body (AELAB).
- h) the transparent governance of the NAELI and the constitution of the NAELI makes it possible to invite the representatives of the different sectors, providers of the AEL attending at the governing and advisory body of the NAELI.

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<sup>4</sup> National Adult Education and Learning Institute NAELI can be any existing institute with an upgraded and widened profile. ( See the list of key institutes above)

*Registration of institutions performing AEL activities*

Article 8

- (1) Subjects-at-law listed in Article 3(1) b) shall be entitled to launch adult training activities or the provision of services relating to adult training if they are included in the register of adult training institutions.
- (2) For the purposes of this act institutions performing adult training activities shall include institutions and persons contained in the register as specified in paragraph (1) (hereinafter institutions providing AEL).
- (3) Higher education institutions performing adult training activities shall be subject to the provisions comprised in paragraph (1) only if they perform training activities not falling under the scope of the Ftv.
- (4) The register of institutions providing adult training services shall be kept by the NAELI.
- (5) The NAELI shall enter an institution performing adult training services in its register if such institution meets the requirements specified in a separate piece of legislation. NAELI shall issue a certificate of such registration.
- (6) An applicant may lodge an appeal against a decision on the refusal by NAELI to register the applicant or against its deletion from the register, to the Ministry of Education. In the procedures relating to the register the provisions are harmonised by the rules of the state administration proceedings.

Article 9

- (1) The register of institutions providing AEL services shall contain the following data:
  - a) the name of the institutions providing adult training services,
  - b) the number of the entry in the register,
  - c) the date of recording in the register,
  - d) the deadline set for the performance of the reporting obligation [Article 9(5)],
  - e) the objective of the prospective adult training activities as specified in Article 3(2) and the form of the services relating to the prospective adult training activities,
  - f) in the case of language training: whether the training is aimed to enable the acquisition of a certificate of language proficiency recognised by the state or recognised on an international basis and if so the level(s) of such certificates and the language(s) concerned,
  - g) the entitlement to the organisation of state-recognised language proficiency examinations, the accreditation number,
  - h) in the case of vocational training: whether the training is aimed to enable the acquiring of a certificate of vocational qualification recognised by the state or recognised on an international basis and the vocations (s) concerned,
  - i) in the case of state-recognised vocational qualifications the entitlement to the organisation of vocational examinations, the number of the piece of legislation on which such entitlement is based and the title (name) of the vocational qualification(s) concerned,

- j) the title(s) of the accredited adult training programmes and their identification number(s),
- k) the date and reason for the deletion from the register and that of the suspension of the register.

(2) An institution providing AEL services shall always apply its registry number in the documents used in the course of its training activities (attendance sheets, progress logs, certificates etc.) as well as in the business documents pertaining to the training operations and shall communicate such to its customers, include it in the brochures and programme booklets covering its activities and post it in a prominent place at its premises available for its customers.

(3) An institutions providing AEL services shall pay an administrative service fee for the procedure of its recording in the register, the amount of which shall be specified by law.

(4) The register of institutions providing AEL services shall be accessible for the public; it shall be published by NAELI once a year. The data included in the register and the attached documents shall be available for public inspection at the venue of the register. Anyone may take notes from the register and may apply for copies of the register –against payment of an administrative service fee.

(5) An institution providing AEL services shall produce reports on its operations once every two years after its registration as specified by law, and shall submit such report to the organisation keeping the register.

#### *Supervision and monitoring of institutions providing AEL services*

##### Article 10

(1) The following shall be checked by NAELI:

- a) whether a given institution providing adult training services is included in the register,
- b) whether its operations are in line with the conditions specified by law and those underlying the issuance of its certificate.

(2) That any institution providing adult training services shall provide for the requisites and requirements for such an audit, as specified by law.

(3) In the course of the performance of its official duties as an authority NAELI shall retain experts designated by the minister in charge of the vocational qualification(s) concerned.

(4) In other respects the controlling power of NAELI shall be governed by the provisions of the rules concerning the controlling activities performed by the authorities.

#### *Regional and local labour development and AEL centres*

##### Article 11

(1) In order to ensure the performance of tasks relating to AEL the Minister of Education shall operate regional labour development and training centres (hereinafter: centres).

- (2) A training centre shall operate as a central budgetary organ.
- (3) The tasks pertaining to the supervision of training centres shall be carried out by the Minister of Education whilst allowing the exercising of the rights of the entity in charge of the maintenance of such centres as specified in the Act on the general government system. The costs of the basic level of operation of a training centre shall be borne by the central budget.
- (4) The fundamental tasks of a training centre shall include the following:
  - a) close co-operation with the local and regional agencies of the State Employment Agency (SEA)
  - b.) performance of the training of social groups specified in the central training programmes,
  - c) participation in the implementation of training programmes facilitating employment harmonized with the training provisions of SEA dealing with unemployed
  - c) performance of the partial tasks imposed on such an institution by the act on vocational training,
  - d) participation in international programmes pertaining to AEL,
  - e) provision – on an optional basis – of services relating to AEL.

### Part III

#### *CONTENT REQUIREMENTS OF ADULT EDUCATION AND LEARNING*

##### *Accreditation of institutions providing AEL services*

#### Article 12

- (1) An institution providing AEL services recorded in the register as specified in Article 8 may apply for its accreditation based on the conditions specified in a separate piece of legislation. ( i.e. separate government decree)
- (2) In the course of the accreditation procedure the Adult Education and Learning Accreditation Body (AELAB) shall issue the certificate of accreditation.
- (3) One pre-requisite for the accreditation procedure shall be that the institution providing AEL services has an annual training plan approved by the technical/professional advisory body as specified in Article 14 and that besides adult training it provides services relating to AEL.
- (4) The accreditation of an institution providing AEL services shall expire upon the end of the fourth year after its issuance.
- (5) An institution providing AEL services shall submit its application for accreditation to the AELAB.
- (6) An institution providing AEL services shall pay a procedural fee for the accreditation procedure, as specified in a separate statute of law.

##### *Adult Education and Learning Accreditation Body (AELAB)*

#### Article 13

- (1) In order to carry out the tasks of the accreditation of institutions providing AEL services and adult training programmes the Minister of Education shall establish the AELAB.
- (2) The AELAB shall check the AEL activities of accredited institutions providing adult training services, and, in view of the findings of such checks, it shall decide on whether or not to withdraw accreditation.
- (3) The AELAB shall operate as an independent professional body.
- (4) The AELAB shall be comprised of **up to ....members**. The members of the AELAB shall be invited by the Minister of Education for a period of three years, from among those persons designated by the minister<sup>5</sup> in charge of education policy, employment policy and the integration of these with altered working capabilities and people with disabilities to represent the ministry, along with representatives religious institutions, chambers of economy, employers, employees, local governments and institutions providing adult training services as well as recognised experts of adult training.
- (5) The names of the members of the AELAB shall be disclosed in the official journal of the Ministry of Education.
- (6) One of the members of the AELAB shall be invited by the Minister of Education to act as its chairman.
- (7) In the course of its operations the AELAB shall take into account the resolutions and proposals made by the Higher Education Accreditation of Armenia Committee fulfilling a consonance and shall provide for the participation of such a body in the meetings of the AELAB with a consulting right.
- (8) The Minister of Education shall exercise legal supervision of the operation of the AELAB.

*Professional advisory body*

Article 14

- (1) In order to provide for the continuous maintenance of the quality of its technical/professional work and that of training, and in order to ensure the quality standards that meet the requirements of the users of its services, an institution providing AEL services may set up professional advisory bodies.
- (2) A professional advisory body shall be comprised of a minimum of three/ five members, representing instructors from the institution, professional advisory bodies in the area of the main field of training provided by the institution and of employers. The number of members of the body employed by the institution providing AEL concerned shall not be higher than a third of the total membership of the body.
- (3) The duties of the professional advisory bodies shall include the following:
  - a) commenting and formulating its position on the annual AEL plan, bi-annual report of the institution providing AEL services,
  - b) participation in the development of the quality assurance system of the institution providing AEL services,

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<sup>5</sup> See the key institutes and all sectors of providers of AEL included employers and universities. Dealing with the number of members it is important to have a size of optimal in order to operation, odd number, and representing all forms (formal, non-formal, informal) of AEL.

- c) promotion of the development of professional publicity and public relations of the institution providing adult training services.
- (4) A professional advisory body shall establish its own procedural rules.

*Annual AEL and training plan*

Article 15

- (1) The annual training plan shall include planned training programmes, their target groups, and the sources of funding and the mode of the provision of the personal and material requisites for the training courses conducted by the given institution providing adult training services.
- (2) Such annual training plans shall be made available for those interested in the training activities of the institution providing adult training services.
- (3) In the course of its operations the institution providing adult training services shall submit annual reports to the professional advisory body on the accomplishment of the annual AEL plan.

*The contents and the accreditation of the contents of a training programme*

Article 16

- (1) AEL may be performed only on the basis of a training programme.
- (2) A training programme shall contain the following elements:
  - a) the competence(s) to be acquired through the course,
  - b) the requisites for the joining of and participation in the course,
  - c) the planned training period,
  - d) the techniques of training (individual preparation, group training, tele-teaching etc.),
  - e) the units (modules) of the syllabus, their objectives, contents and scope,
  - f) the maximum number of participants in a group,
  - g) the description of the system of evaluation of the performance of participants,
  - h) the conditions of the issuance of the certificate of the training and of the completion its various units (modules),
  - i) the personal and material requisites for the implementation of the training programme and the mode of the provision of such.
- (3) A training programme may also be of a modular structure.

Article 17

- (1) The AEL programme shall be adjusted to the preliminary qualifications and skills of the adults participating in the course.
- (2) An adult intending to participate in training may request ex-ante assessment of the level of his or her knowledge/skills which the institution providing AEL services shall assess and take into account.

Article 18

The AEL and training of adults may also be organised in the form of open or distance-teaching and learning.

#### Article 19

- (1) An institution providing adult training services listed in the register specified in Article 8 shall apply for the accreditation of their training programmes in accordance with the rules laid out in a separate statute of law.
- (2) Based on the accreditation procedure the AELAB shall establish the deadline for the validity of the programme accreditation and shall issue the programme accreditation certificate.
- (3) Training programmes accredited under authorisations granted by other statutes of law or authorised under other the scope of power of relevant authorities, in accordance with the provisions laid out in a separate statute of law, shall be reported to the ELAB. Based on such a report the AELAB shall issue the program accreditation certificate.
- (4) In the course of the accreditation of adult training institutions of churches and their training programmes the contents of subjects pertaining to theology and those relating exclusively to religious practices shall not be reviewed.

#### *Adult Education and Learning Contract*

#### Article 20

- (1) An institution providing adult training services and an adult participating in such training shall conclude an adult training contract.
- (2) The adult training contract shall contain the following details:
  - a) the vocational qualification or competence to be acquired through the training,
  - b) the mode of the testing and evaluation of the performance of the participant,
  - c) the place, duration and schedule of training,
  - d) the amount of the training fee – including the examination fee,
  - e) the consequences of any breach of contract by the adult participant or the institution providing adult training services,
  - f) all other items specified by law.
- (3) An adult training contract shall be concluded in writing which shall be preserved the institution providing adult training services concerned, for a period of five years.

#### Part IV

#### *ADULT EDUCATION AND LEARNING SUBSIDIES*

#### *General rules on subsidies*

#### Article 21

- (1) Adult education learning provided for an adult individual of Armenian citizenship shall be provided financial assistance by the state in accordance with the provisions laid out in Part IV hereof.
- (2) The sources of subsidies for adult training, in the general government system:
  - a) central budget,

- b) the part of the vocational training contribution to be allocated to adult training,
- c) the parts of the Labour Market Fund (LMF)<sup>6</sup> devoted to employment, development and training,
- d) tax allowances specified in a separate statute of law.

#### *Normative subsidy for AEL*

#### Article 22

- (1) The state shall provide normative adult training subsidy, of an amount specified in the budget act each year, for the training of adults and of adults with disabilities, participating in training courses aimed at the acquiring at the given institution providing adult training services, of a first vocational qualification, recognised by the state, included in the National Vocational Qualifications Register (NVQR).
- (2) Based on the proposal made by the Minister of Education the Government shall be entitled to specify each year an additional group of adults for the training of whom the state may provide normative adult training subsidy as specified in the budget act.
- (3) Based on the proposal made by the Minister of Education the Government shall specify each year the total number of adults who may be granted normative adult training subsidies as laid out in paragraphs (1) and (2).
- (4) Normative adult training subsidy may be provided exclusively for an institution providing adult training services accredited as specified in Article 12, which has concluded an agreement with the Ministry of Education on the subsidising of adult training, as specified in a separate act of law.

#### *Subsidising of training programmes facilitating employment*

#### Article 23

- (1) In the cases and under conditions specified in Law On Employment and Protection of the Unemployed (2005EPU) and on the provision of services for the unemployed the training of an adult may be subsidised from the LMF.
- (2) Under this paragraph only the training of an adult receiving training in an institution providing adult training services accredited as specified in Article 12.

#### *Subsidising of the training by businesses of their own employees*

#### Article 24

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<sup>6</sup> The Labour Market Fund has to be created by the two ministries (Ministry of Education and the Ministry of Labour) in deep consultation with the organisations of employers and employees. Having a consensus it may result in a specific government decree which makes possible to oblige all corporations to pay to the fund of the 1, 5% of the gross paid wage of the corporation. The corporation can reduce its tax-base by this sum, and can keep 0, 5% for its own inside training freely. Finally the firms contribute 1% of their gross salary to the LMF. The National Adult Education and Learning Council NAELC based on its annual plan can call for applications of the AEL providers, corporations, etc to give support from the LMF. The LMF can decide its annual, midterm priority for support. This way the state gives advantages for the corporations in terms of tax and free AEL on the other hand the corporations can contribute to the increasing level of investment into the AEL public resources.

The AEL and training of an adult employee may be subsidised by the employer in the way and to the extent specified in EPU, 2005 and from the LMF on the vocational training contribution and the subsidising of the development of the training system.

*Subsidising the improvement of the technical conditions of adult training*

Article 25

In order to promote the development of the technical conditions of adult training the Minister of Education – having elicited the opinion of the *National Adult Education and Learning Council (NAELC)* – may put out an invitation of applications to be submitted by accredited institutions providing adult training services for subsidies from the development and training parts of the Labour Market Fund

*Personal income tax allowance*

Under the provisions on personal income taxation an adult – adult participant of an AEL course – shall be entitled to a personal income tax allowance on the basis of his or her participation in a training course. The detailed government decree will specify which kind of tax allowances will be issued by the fiscal year.

Article 26

*Registration and supply of statistics*

Article 27

- (1) Institutions providing AEL services shall register and manage data specified in the *annex* hereto. Apart from the exceptions specified by law such data may be disclosed to third parties only with the consent of the person covered by such statistical data.
- (2) An institution providing adult training services shall be obliged to provide data for purposes of the compiling and processing of statistics under the provisions of Act on statistics.

Part V

*INTERPRETING PROVISIONS*

Article 28

For the purposes hereof:

1. *Institution accreditation*: assessment and authentication from the aspect of quality of the training (syllabus development, education/training, evaluation) performed by an AEL institution and of service providing activities relating to adult training along with the standards of the management and decision making processes of the institution concerned.

2. *Programme accreditation*: assessment and authentication of the accomplishment of the objectives of training (with particular attention to its requirement in the labour market and the improvement of the quality of life), of feasibility and of the satisfaction of pedagogy and andragogy related requirements.
3. *AEL organised in the form of open training or tele-teaching* is based on the application of specific info-technological and communication based means of training and knowledge transfer methods which enable training based on the interactive connection between the trainer and the adult participant of the training as well as on the autonomous learning activities of the participant. The duration of such training and the forms of the checking of the success of knowledge transfer and of the acquiring of the knowledge/skills shall be specified by the institution providing adult training services in the adult training contract concluded with the adult participating in the training programme.
4. *General purpose training*: training aimed to enhance general education contributing to the development of the personality of adult and to the development of equal opportunities in the society and of citizens' competencies.
5. *Adult*: a natural person participating in AEL, who has satisfied his or her schooling obligations as specified in a separate statute of law.
6. *Adult in disadvantaged position*: an adult whose access to training opportunities is more difficult than the average without state aids, on account of social, lifestyle-related or any other circumstances.
7. *The forms of services* provided in relation with AEL activities include, in particular, the ex-ante assessment of the knowledge/skills level, vocational orientation or adjustment consultancy, the assessment of training requirements and the provision of training advice and the provision of job seeking advice along with the training of job seeking techniques.
8. *Adults with disabilities*: an adult – under the provisions hereof - categorised as an individual with disabilities as specified in the Law on Education for People with Special Education Needs (2005) based on the rights and the equality of opportunities of people with disabilities.
9. *Training outside the schooling system*: training whose participants are not regular students of (in such legal relationship with) the training institution.
10. *Unemployed adult*: a natural person as registered unemployed as it is defined in the Law on Employment and Protection of the Unemployed of 2005
12. *AEL and training provided on a permanent basis* shall qualify as training conducted on a regular training along with training provided in repeated cycles within a given year, if the minimum duration of the training course is not shorter than 15 hours and 3 days.

## Part VI.

### CLOSING PROVISIONS

#### Article 30

- (1) This Act shall enter into force on ....2008, with the exception of the following paragraphs.
- (2) Upon the entry into force hereof Articles of Acts shall be abrogated.

**Approved by the General Assembly of the Republic of Armenia  
Yerevan, 2008**

**Annex  
to  
Act on Adult Education and Learning**

1. Data to be managed under this act:
  - a) Name, date and place of birth, and citizenship of the individual, address of residence and telephone number of the individual,
  - b) data relating to the training relationship, including, in particular,
    - data on schooling and vocational qualifications,
    - data on admission to the course,
    - assessment and qualifications of the studies of the individual, examination details,
    - data on disciplinary and compensation issues,
    - other data with the consent of the person concerned.
  - c) data required for the establishment of various benefits to be provided to the adult (personal income tax allowance, state grant, social subsidy, other aids) in proof of his or her income and social position.

Data listed in the Annex may be used for purposes of collection and processing of statistics and may be handed over for such purposes in forms not enabling the identification of the persons concerned. The name, date and place of birth of an adult participating in adult training financed by the state shall be submitted to the Ministry of Education for registration.

**Appendix of the draft text issued above:**

The draft text has been composed by using a number of acts from different countries, including among others, Hungary, Slovenia, Germany, Denmark, and the UK as well as other European scientific studies. The policy development recommendations of the EU Commission issued 2000-2007 were also used. It remains the decision of the law maker which parts are embedded as mandatory and which elements are inserted as discretionary in this draft text of the Act. The most important factor is to discuss the draft and to reach a consensus about its priorities.

Certain elements can be added to the Act later, based on existing experiences it is necessary to update the law regularly. Which parts are responding to the reality of the country in question and how they can serve most efficiently the gradual or faster development of the AEL sector can be identified. A well designed social dialogue allowing more investment of time and energy is very crucial and gaining consensus is the main factor for success. At the same time there is a lot of demand for information, guidance and training of all actors who contribute to the law making process and the following implementation of the law in practice. The time framework of the contract of the UNDP and the agreed size of this paper does not allow more. The author is available to explain or debate and he is at disposal for any further consultations.

**Justification of the law:**

**Institutions created by this law:**

***1. National Adult Education and Learning Council***

*There is need for a relatively independent body consisting of a wide range of actors to advise the minister and be able to mobilise society for the development of AEL.*

## **2. Adult Education and Learning Accreditation Body (AELAB).**

*The AELAB could be the main body for developing the system and practice of quality assurance which guarantees the high performance in producing training and learning outcomes.*

## **3. Professional advisory body of each AEL provider**

*This body plays an important role to be independent either the management or the adult learners to support the leadership of the provider organisation*

## **4. Labour Market Fund (LMF)**

*The LMF is a key institute to increase state subsidies in an indirect way. These exist in several EU countries in order to involve corporations into financing of the knowledge economy education, training and learning.*

### **Measures created by this law:**

#### **1. Registration of institutions performing AEL activities**

*A very simple registration form which makes transparency in the diverse field of AEL visible to all actors. It may efficiently filter out the dishonest service providers who are not providing services in reality and only want to profit etc.*

#### **2. Accreditation of institutions providing AEL services**

*The accreditation process is a high level activity which serves to guarantee the quality of the service, and at the same time it saves the public subsidy in terms of making getting public funds conditional in the case of being accredited. It is not ruled directly by the authorities, which can help to combat corruption.*

#### **3. Annual AEL and training plan (national, regional, level providers )**

*Annual planning has been introduced in several countries since the EU Commission started expecting a strategic planning and regular reporting of the member countries on the development of lifelong learning. The decentralised annual planning may focus on the regional, local or organisational priorities (poverty-reduction, unemployment etc.)*

#### **4. Accreditation of AEL programmes**

*Accreditation makes it possible for the supporters of AEL (whether they are public authorities, businesses, individuals or non-profit donors) to define priorities in terms of programmes and target groups for a more harmonised, concerted efforts.*

**5. Adult Education and Learning contract (between the provider and the adult learner)** *The AEL contract based on the philosophy of a mutual trust and responsibility which specifies certain rules (rights and responsibilities, duties) on both sides of the service provider and the individual) It is based on the practical experience of whether the education service is too expensive the adult cannot pay the fees and a contribution of public money is necessary. However, cheap services often do not have value in the eyes of the adults or they require only the certificate or they want to spend the time flexibly and not with learning. It can happen frequently in the labour market that training is forced by the employer. The output is not a learning result only a formal attendance.*

#### **6. Tax allowance, Personal Income Tax Allowance**

*It may be specified by a separate statute of law and/or in a government decree concerning the annual public budget approved by the General Assembly of Armenia. The government is able to efficiently motivate its citizens to offer financial advantage for tax payers if they partly invest in their own education and training. This tool can be developed to use many other methods as it is practice in many advanced countries. These are for example the individual learning-account(UK) ,the learning voucher (Finland) for learning, learning bank card of employees( Sweden) etc.*

*All these methods aim to implement the idea of co-financing. All actors ought to contribute to the education and learning (the state, the local government, the firms, the families and individuals). The individual learning account mechanisms were introduced first in the USA and UK and spread in the*

most developed countries of the EU. The OECD has taken part in the development of the co-financing measures in order to facilitate the increase of the investment in the human resources.

#### **6. National Vocational Qualifications Register (NVQR).**

The current Armenian NVQ seems to be partly or mostly outdated. In order to forecast future economic development there is a need of developing a skill-demand forecast of the economy and society. Based on that research and surveys using a long and systematic dialogue between the actors (AEL providers, firms) a smaller number of professions in Armenian NVQ can be developed, having much wider profile of the individual jobs as the current one, which fit to the concept of the European Qualification Framework. The EQF provides the possibility for compatibility of the job descriptions and professions in order to have a greater opportunity for mobility and exchange of the labour force internationally. Same time the EQF is a voluntary reference for development of the consonance of the whole European labour market.

#### **7. Normative Adult Education and Learning subsidies**

In the case of stressed target groups – the government can regularly decide to which social groups, or categories of employees specific (adult learner, person / capita fund) support will be provided. The principle can be mandatory and the government decree can regulate the annual preferences based on the actual public budgetary position. See on the page 12. The point 12 dealing with AEL and Training provided on a permanent basis.

#### **8. Supply statistics, set up indicators and benchmarks**

See in the policy paper the recommendation 4.2 dealing with international standards. Following the elimination of deficiencies occurring in the data service methodology and in the data itself, benchmarks must be set in the fields of education and training if it wants to keep to a proportionate and adequately paced rate of catch-up. If the country wants to consider the EU system as one of the main references points it is timely through the ETF activities and through other possibilities to introduce the EU indicator and benchmark system into daily practice of the national and regional and institute level. It is proposed to use the monitoring and evaluation system and methods in all sub-sectors, as well as at national, regional, local level.

#### **9. Ex-ante assessment of the knowledge/skills level**

In the Danish law on adult education and continuing training there has been introduced the concrete procedure of recognising the prior learning of the adults. (In that field the Nordic countries are the most the advanced) All the adult have a right to be assessed their skills. It is serving to recognise the real competence instead of a piece of paper as certificate or diploma. It shows the real employability of the person on the labour market and it makes possible to save money to avoid parallel or repeated costly training provisions carried out to certain target groups. The modular system serves the flexibility to build up a suitable and well tailored training programme for the target group.

#### **10. Vocational orientation or adjustment guidance**

The adults ( as citizens, employees and persons ) needs continuing guidance about their right paths of learning and further training in order to fulfil their demand of personal development or keep their level of employability.

#### **11. Assessment of training requirements**

The ALE providers regularly evaluate the feedback of their clients about their further needs and seeking mostly the majority of non-learners to explore their hidden demands which is in most cases not an explicit educational or learning need or themselves the adult not considering it as a learning demand.

The wide range of activities dealing with motivation belongs to this matter.

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