

## CROATIAN PARLIAMENT

In accordance with Article 88 of the Constitution of the Republic of Croatia I hereby make a

### DECISION ON THE PROMULGATION OF THE ACT ON THE EDUCATION AND TEACHER TRAINING AGENCY

I hereby promulgate the Act on the Education and Teacher Training Agency, adopted by the Croatian Parliament at the session held on 13 July 2006.

Our ref: 011-01/06-01/47  
71-05-03/1-06-2  
Zagreb, 19 July 2006

President  
of the Republic of Croatia  
Stjepan Mesić, signed

### THE ACT ON THE EDUCATION AND TEACHER TRAINING AGENCY

#### I GENERAL PROVISIONS

##### Article 1

This Act establishes the Education and Teacher Training Agency (hereinafter: the Agency) and regulates the status, the role and function, and organisation of the Agency as a public institution.

##### Article 2

The founder of the Agency is the Republic of Croatia, and the rights and duties of the founder are exercised by the Ministry responsible for educational issues (hereinafter: the Ministry).

##### Article 3

- (1) The Agency is registered in the court register.
- (2) The Agency will operate under the name Education and Teacher Training Agency.
- (3) The seat of the Agency is in Zagreb.

#### II THE ROLE OF THE AGENCY

##### Article 4

- (1) The role of the Agency is to provide professional and advisory services in education.
- (2) The Agency participates in monitoring, improvement and development of education in the areas of pre-school, primary and secondary-school education, adult education, education of the children of Croatian citizens abroad, and children of foreign citizens.

(3) In performing its role and function the Agency:

- participates in the development and implementation of the national curriculum,
- provides professional assistance and guidelines for institutions, their principals, pre-school, primary and secondary-school teachers, and school counsellors (hereinafter: educational staff) in relation to providing education,
- organises and provides training for educational staff and principals, unless stated differently by separate regulations,
- administers license examinations for educational staff in accordance with separate regulations,
- administers the procedure of the promotion of educational staff and principals into higher ranks in accordance with separate regulations,
- gives opinions on programmes in pre-school education, teaching programmes in primary and general secondary education, general education programmes in secondary vocational schools and in adult education, unless stated differently by separate regulations,
- gives opinion on teaching programmes in general education, as a part of the verification process of educational institutions
- monitors the development and implementation of the Croatian National Educational Standard as a part of the national curriculum,
- exercises the supervision of educational staff,
- participates in the organisation and implementation of student competitions and annual reviews,
- participates in the development and monitoring of national programmes,
- is engaged in information-documentation and publishing activities,
- is engaged in other activities in the educational system in accordance with the law and regulations issued by the minister responsible for education (hereinafter: the Minister).

#### Article 5

(1) The Agency exercises the supervision of educational staff by on-site supervision of the work of an educational institution, the quality of work of its educational staff, and the school principal as the professional leader of the institution.

(2) The supervision of educational staff consists of monitoring the implementation of teaching plans and programmes, the organisation and delivery of lessons and other forms of educational work of institutions, and the work of educational staff.

(3) The principal, a teacher or the school counsellor of an institution is obliged to provide for inspection the documentation and other data necessary in the process of supervision and advisory work of persons appointed to carry out the supervision.

(4) In the scope of activities referred to in Article 4 of the Act, the Agency is responsible for the provision of professional assistance and advice to institutions in their work, and for the provision of professional assistance and advice with the aim of prevention or removal of mistakes in the work of principals and educational staff.

(5) The method of exercising the supervision of educational staff, and the criteria to be met by persons appointed for the supervision are regulated by the Statute of the Agency.

#### Article 6

(1) The Agency is obligated to deal with complaints made by citizens, state administration bodies, regional and local self-government bodies and legal persons if the complaints are

related to Agency's scope of activities, and subsequently inform the complainant about the measures taken.

(2) The Agency submits the report on its work to the Ministry.

(3) The means and deadlines for reporting are regulated by the Statute of the Agency.

#### Article 7

(1) The functioning of the Agency is funded from the State Budget.

(2) The Agency may acquire funds from other sources in accordance with the law.

### III ORGANISATION AND AGENCY'S BODIES

#### Article 8

(1) The Agency is organised into divisions.

(2) The Agency has regional offices in Split, Rijeka, and Osijek. The Agency may also establish offices in other cities.

(3) The divisions are managed by heads of divisions, and regional offices by heads of regional offices.

(4) Organisation of the Agency is defined in detail by the Statute.

#### *Governing Board*

#### Article 9

(1) The Agency is managed by the Governing Board.

(2) The Governing Board consists of the chairperson and six members.

(3) The mandate of the Governing Board is four years from the date of its constitution.

(4) The mandate of the chairperson or a member of the Governing board may be terminated before the end of term referred to in Item 3 of the Article, on written personal request, or if the chairperson or a member do not fulfil obligations defined by the Statute of the Agency.

(5) The chairperson and the members of the Governing Board are appointed and disengaged by the Government of the Republic of Croatia at the Minister's proposal.

#### Article 10

(1) The Governing Board of the Agency

- adopts the Statute of the Agency, with the prior consent of the Ministry,
- adopts the Annual work plan and Financial plan, with the prior consent of the Ministry,
- adopts the General Legal Act on Workplaces and the number of professional, advisory, administrative, technical and support staff, with the prior consent of the Ministry,
- adopts other general legal acts of the Agency,
- publishes an open competition for the appointment of the director of the Agency,
- defines the Development plan of the Agency,
- makes decisions on the property management in accordance with the law and the Statute of the Agency,
- appoints and dismisses Agency's assistant directors, at the proposal of the director,

- makes decisions on the distribution of Agency’s profit in accordance with the law,
  - decides on the employer's rights pertaining to work relations, as the 2nd instance body
  - is engaged in other activities in accordance with the law and the Statute of the Agency.
- (2) Governing Board makes decision by majority vote of the total number of the members.
- (3) The work of the Governing Board is defined in detail by the Statute of the Agency.

### *The Director*

#### Article 11

- (1) The director is the executive and professional leader of the Agency.
- (2) A person who meets the criteria set for senior adviser may be appointed as the director of the Agency in accordance with the provisions of this Act and the Statute of the Agency,
- (3) The director is appointed following the selection based on an open competition, for the period of four years and may be re-appointed.
- (4) The director is appointed and dismissed by the Governing Board.
- (5) The procedure of appointment and dismissal is defined in detail by the Statute of the Agency.

#### Article 12

##### The director of the Agency

- manages administrative and professional work of the Agency,
- proposes the Annual work plan and Financial plan of the Agency, and is responsible for their implementation,
- proposes the draft Statute and general legal acts of the Agency to the Governing Board,
- proposes the appointment and dismissal of assistant directors and the Agency’s secretary to the Governing Board,
- decides on the start and end of employment of Agency’s employees,
- participates in the work of Governing Board without decision-making right,
- submits reports on the work and functioning of the Agency to the Governing Board and the Ministry,
- is engaged in other activities in accordance with the law and the Statute of the Agency.

#### Article 13

- (1) The director of the Agency has assistants.
- (2) A person who meets the criteria set for senior adviser may be appointed as the assistant director in accordance with the proceeding of this Act and the Statute of the Agency,
- (3) The number of assistant directors, the appointment procedure, and the scope of their work is regulated by the Statute of the Agency.

#### Article 14

- (1) The Agency has a secretary.
- (2) The Statute of the Agency defines in detail the means of selection and the scope of the work of the secretary, and the criteria set for the secretary of the Agency.

#### Article 15

- (1) The Agency may have professional and advisory bodies.
- (2) The composition, work and scope of professional and advisory bodies is regulated by the Statute.

#### Article 16

- (1) The inspection of the legality of Agency's work is in the authority of the Ministry.
- (2) The supervision of the professional work of the Agency is done by a professional committee appointed by the Minister.

### IV AGENCY'S EMPLOYEES

#### Article 17

- (1) Professional tasks in the Agency are done by advisers and senior advisers.
- (2) Advisers and senior advisers become employed on the basis of an open competition published in the daily press.
- (3) Adviser may be a person who holds an appropriate university degree defined by the General Legal Act of the Agency, has 3 years of work experience in performing educational activities, and complies with other criteria defined by the Statute or another general legal act of the Agency.
- (4) Senior adviser may be a person who holds an appropriate university degree defined by the General Legal Act of the Agency, has 7 years of work experience in performing educational activities, and complies with other criteria defined by the Statute or another general legal act of the Agency.
- (5) Continuous professional development is obligatory for advisers and senior advisers, and the means and form of professional development are defined by the Statute of the Agency.
- (6) Advisers and senior advisers for educational institutions which provide programmes in languages of national minorities are selected in accordance with the provisions of the Act on the Education in Minority Language.

#### Article 18

The activities in the scope of responsibility of the Agency may also be done by external associates – scientists, teacher trainers and other experts in education, in accordance with the director's decision and the Statute of the Agency.

#### Article 19

- (1) Workplaces and the number of employees needed for performing professional, advisory, administrative and technical support tasks are defined by the General Legal Act adopted by the Agency upon the agreement of the Ministry.
- (2) The terms of employment of Agency's workers are defined by the Statute or another general legal act of the Agency.
- (3) The provisions of this Act and general regulations on labour define the terms of beginning and termination of employment and the legal status of employed advisers, senior advisers and other employees of the Agency.
- (4) The salaries of advisers, senior advisers and other employees of the Agency are defined in accordance with the provisions on the Act on Salaries in Public Institutions.

## Article 20

The work in the Agency cannot be done by a person who, in accordance with special regulations, cannot work in educational institutions.

## V. THE PROPERTY OF THE AGENCY

### Article 21

- (1) The property of the Agency are assets provided by the founder, by providing services, or from other sources, in accordance with the law.
- (2) The Agency is not allowed to acquire, mortgage or sell real-estate or other property whose value exceeds the value defined by the Statute of the Agency.

### Article 22

- (1) The Agency guarantees for its commitments with the whole property in its possession.
- (2) The founder guarantees for all the Agency's obligations in solidarity and without limits.

## VI. FINAL PROVISIONS

### Article 23

The Agency is the legal successor of the Institute of Education of the Republic of Croatia established by the Act on the Institute of Education of the Republic of Croatia (Official Gazette 153/02) and takes over all equipment, archive, material and financial assets, rights and obligations and employees.

### Article 24

- (1) The Governing Board, referred to in Article 9 of this Act, will be appointed by the Government of the Republic of Croatia on the proposal of the Minister within 30 days from the date of entry into force of this Act.
- (2) The Governing Board of the Agency will adopt the Statute and other general legal acts of the Agency in accordance with this Act within 60 days from its appointment in accordance with this Act.
- (3) The Governing Board of the Agency appointed in accordance with this Act will publish an open competition for the director within 30 days from the date of adoption of the Statute of the Agency.
- (4) Until entry into force of the Statute and other general legal acts of the Agency, referred to in Item 2 of this Article, the Statute and legal acts of the Institute of Education of the Republic of Croatia apply.

### Article 25

- (1) The acting director of the Institute of Education of the Republic of Croatia on the day of entry of this Act into force will remain at this position as temporary director of the Agency until the appointment of the Agency director in accordance with this Act.

(2) Temporary director has the authority to prepare the beginning of work of the Agency, especially in relation to entering the Agency into court register and organising the beginning of work of the Agency.

#### Article 26

Employees found at the workplaces in the Institute of Education of the Republic of Croatia on the day of entry of this Act into force will continue working at those places until they are reassigned to other workplaces defined by the legal act of the Agency.

#### Article 27

On the day of entry of this Act into force the Act on the Institute of Education of the Republic of Croatia (Official Gazette 153/02) is annulled.

#### Article 28

This Act enters into force on the eighth day from the day of its publication in the Official Gazette.

Our ref: 600-01/06-01/01  
Zagreb, 13 July 2006

CROATIAN PARLIAMENT  
President  
of the Croatian Parliament  
Vladimir Šeks, signed