

LAW ON HIGH SCHOOL

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LAW ON HIGH SCHOOL

I BASIC PROVISIONS

The Scope

Article 1

General secondary education shall be achieved in high schools, in the manner and under the conditions prescribed by this Law.

Aims

Article 2

Education in high schools is aimed to enable students:

- 1) the acquisition of necessary knowledge, skills, capabilities and habits based on the scientific, technical, culture and art achievements, all for the purpose of the continuation of education;
- 2) the achievement of internationally comparable level of knowledge;
- 3) the developing of critical thinking and attitudes;
- 4) the development of communication skills;
- 5) the developing of responsible approach to working and living surroundings;
- 6) the developing of capabilities for life in a pluralistic and democratic society;
- 7) the fostering of understanding, tolerance and solidarity.

Types of High Schools

Article 3

High schools shall be founded as public or private institutions, in line with a law.

High school may be founded as general and specialized high school.

Classes of a typical high school may be founded in general high schools, upon the permission of the Ministry competent for education and science (hereinafter referred to as: the Ministry).

The Duration of Education

Article 4

Education in high school shall last three or four years, in line with educational curriculum.

The Matura Exam

Article 5

The Matura exam shall be organized after the completion of the final grade of high school, or after the completion of the school-leaving course.

The preparation and the sitting for the international Matura exam may be organized in high schools having the potential for that, upon the permission of the Ministry.

A person who passed the international Matura exam is not in obligation to sit for the Matura exam referred to in paragraph 1 of this Article.

The Acquisition of Education

Article 6

A student who passed the Matura exam shall acquire the general secondary education.

Horizontal Passing

Article 7

Student may be transferred from the one type of high school into another one, or into vocational school, under the conditions prescribed by the law.

Vertical Passing

Article 8

Student, who passed the Matura exam, shall achieve the general condition for the continuation of education at a University.

The Education of Foreign Citizens

Article 9

Foreign citizens and persons without evidence of their citizenship may be educated in high schools, upon the permission of the Ministry and in line with international conventions.

The Education of Students with Special Needs

Article 10

The education of students with special needs (talented students and the students with difficulties in their development), in high schools, shall be achieved in line with this Law and with separate regulations.

The Adult Education

Article 11

The adult education in high schools shall be acquired in line with this Law and with separate regulation.

The Supervision

Article 12

The Ministry shall carry out the supervision of the application of the provisions of this Law.

II THE ENROLLMENT INTO HIGH SCHOOLS

Enrollment Requirements

Article 13

The first grade of high school may be enrolled by a person who finished primary education and who is younger than 17.

If the number of applied students that want to be enrolled in a high school, the Founder of which the Republic, or local self-government unit is, is bigger than the number offered by the competition, the enrollment shall be executed on the basis of the following criterions:

- 1) the success on the external testing of knowledge in the final grade of primary school;
- 2) the general success in the final cycle of primary school;
- 3) the success in the mother tongue, mathematics, and subjects important for further education, relating to the final cycle of primary school;
- 4) the results in contests, or the prizes and awards that have been won, and alike.

Exceptionally to paragraph 1 of this Article, the first grade of high school may be enrolled by a person up to the age of 18, as part time pupil, upon the permission of the Panel of Teachers.

The Founder shall define enrollment requirements for private high schools.

The Ministry shall prescribe the manner, the procedure and the evaluation of criterions for the enrollment of students into high schools.

The Enrollment of Foreign Citizens

Article 14

Foreign citizens, or persons without evidence on citizenship, shall be in obligation to submit the certificate on health condition, on the occasion of the enrollment into high schools.

The Ministry may prescribe the testing of the knowledge of persons, referred to in paragraph 1 of this Article, in the language in which the teaching process is carried out, as a specific requirement for the enrollment.

The Competition for Enrollment

Article 15

The enrollment into high schools shall be carried out in June and August terms, on the basis of public competition that has been announced by the Ministry.

The decision on the number of students that are enrolled into the first grade of high schools, the Founder of which the Republic or a local self-government unit is, shall be passed by high school and upon the approval of the Ministry.

The Ministry shall announce the competition for the enrollment into the first grade of high schools referred to in paragraph 2 of this Article four months before the commencement of a school year, at the proposal of high school.

III THE ORGANIZATION OF EDUCATIONAL WORK

1. Educational Work

The contents of educational work

Article 16

Educational work in high schools shall include:

- 1) theoretical teaching and practice in the fields of compulsory and optional subjects;
- 2) compulsory optional contents;
- 3) the monitoring of students achievement, the assessment and the marking;
- 4) exams;
- 5) excursions and picnics;
- 6) extra and optional teaching;
- 7) cultural and public activities;
- 8) other forms of educational work that are of importance for high schools.

The Organization of Teaching

Article 17

The teaching shall be executed in line with the educational curriculum.

Compulsory, optional subjects, or the groups of subjects and the compulsory optional contents shall be studied within the framework of educational curriculum.

Theoretical teaching in the field of compulsory subjects shall be executed with students of one class of a same grade.

General educational and professional subjects, as well as classic languages, depending on the type of high schools, shall be studied within the framework of compulsory subjects.

The organization and the execution of theoretical teaching in the optional subjects, or in the groups of subjects, shall be defined by high school itself.

The practices, as the functional application of the adopted theoretical contents, shall be executed in groups.

The compulsory optional contents may be executed in high schools and out of them.

The teaching subjects may be studied both at standard and higher level, in line with the educational curriculum.

The Annual Schedule of Work

Article 18

Educational work in high schools shall be executed according to the annual schedule of work.

The annual schedule of work shall contain:

- 1) the scope and the arrangement of teaching and other forms of educational work per subject, or per group of subjects;
- 2) the scope of compulsory optional contents;
- 3) the quality assurance through internal evaluation;
- 4) the enrollment plan;
- 5) the assignment of student to classes and to groups;
- 6) the terms for the sitting for exams;
- 7) the professional education of teachers, associates in the teaching process and professional associates;
- 8) the cooperation with parents, local self-government, other schools and with student dormitories, research, sports and cultural organizations;
- 9) other contents of importance for high schools.

Week Number of Lectures, and the Duration of a School Lecture

Article 19

A teaching lesson shall last 45 minutes.

For the same, or related teaching areas, the joint block-lessons may be arranged.

Students may have seven lessons during one day, at most.

Students may have up to 32 lessons during one week, whereas a week number of lessons may not be more than 35 lectures, including the compulsory optional contents.

The Number of Students in a Class

Article 20

A class shall have 30 students, as the rule.

Exceptionally to paragraph 1 of this Article, the Ministry may, at the proposal of a high school, approve the enrollment of three students more.

The educational curriculum can prescribe the smaller number of students per class, or per group in high schools.

2. Progression and Marking

The Aim

Article 21

The monitoring of students achievements, the assessment and marking of their knowledge shall establish their success in the achievement of knowledge standards, or the fulfillment of duties that have been prescribed by the education curriculum.

Marking Scale

Article 22

The success in particular subjects shall be expressed by marks ranging from 1 to 5 as follows:

- 1) excellent (5),
- 2) very good (4),
- 3) good (3),
- 4) sufficient (2),
- 5) insufficient (1).

The marks expressed by words such as excellent, very good, good and sufficient are the positive ones.

Student Success

Article 23

It shall be considered that a student finished a grade if the positive marks have been achieved in all teaching subjects.

The general success of a student shall be established on the basis of the average of positive marks in all teaching subjects.

A student completed a grade: with excellent success if the average mark is 4.50 at least; very good success if the average mark is 3.50 at least; with good success if the average mark is 2.50 at least; with sufficient success if the average mark is 2 at least.

Repetition

Article 24

A regular student having more than three negative marks at the end of a teaching year may not complete the grade.

A student, who did not pass the remedial exam, may not complete the grade as well.

A full-time student may repeat the same grade only once.

A full-time student may repeat two times during the education in a high school.

The Establishing of Marks

Article 25

Marks in particular subjects, manners and in general success shall be established at the end of each quarter, term and at the end of teaching, or school year.

Subject teachers shall propose marks in their subjects.

The Panel of Class Teachers shall establish the final mark.

In case a mark cannot be established in the manner prescribed by paragraph 3 of this Article, the Panel of Teachers shall establish the mark at issue.

The Manner of Marking

Article 26

Marking shall be carried out openly, along with the explanation of marks before class students.

The assessment of student knowledge may be oral and in writing, in line with the educational curriculum.

Students have to have one mark, at least, in each teaching subject at the end of each quarter.

Students may have one written assessment of knowledge during one day at most, whereas they may have two written assessments of knowledge during a week at most.

Re-assessment of Knowledge

Article 27

If more than a half of students got negative marks on a written assessment of knowledge (written schoolwork, test, graphic paper, control test and alike), the written assessment of knowledge shall be repeated both for the students that got insufficient marks and the students unsatisfied by their marks.

The written assessment of knowledge referred to in paragraph 1 of this Article shall be repeated once.

If a student gets smaller mark on the occasion of the written re-assessment of knowledge than the one in earlier assessment was, the higher mark shall be recorded.

The Right to Complain

Article 28

Students, or their parents, shall have the right to complain because of the final marks in teaching subjects or in manners at the end of a teaching, or a school year.

The complaint shall be submitted to the Panel of Teachers of a high school within the period of two days as of the day of the receipt of certificates.

The exception of subject teachers from the Commission may be asked in the aforesaid complaint.

The Panel of Teachers of a high school shall decide on the complaint on mark in such manner that it composes three-member professional commission to establish the marks, or to test a student, and all within three days as of the day of the receiving of the complaint.

The Commission marks shall be final.

Any administrative procedure may not be instituted against the final marks.

Manners

Article 29

The manners of students shall be expressed by the following expressions: exemplary, good and unsatisfactorily.

The Panel of Class teachers, at the proposal of the Class Master, shall establish the marks in manners.

By-laws

Article 30

The monitoring of the achievements of students, of the manner and the procedure of progress, and of the marking shall be closer defined by the Ministry's regulations.

3. Exams

The Types of exams

Article 31

The remedial, extra, differential, grade and the Matura exams shall be sat for in high schools.

Remedial Exams

Article 32

Students having one, two or three insufficient marks at the end of a teaching year shall sit for remedial exams.

A student having one or two insufficient marks at the end of a teaching year shall sit for the remedial exam before the three-member commission, in the composition of which also the teacher of the subject in which the student got insufficient mark is.

A student having three insufficient marks at the end of a teaching year shall sit for the grade exam before the three-member commission, in the composition of which at least one member not executing the teaching in that high school is.

The remedial exam shall be sat for in the high school that the student attends.

Students of the first, the second and of the third grades of high schools shall sit for remedial exam in August term, whereas students of the fourth grade shall sit for remedial exams in June and August terms.

Extra Exam

Article 33

Extra exam shall be sat for in those teaching subjects that students learned in smaller extent than the one required by the educational curriculum is.

A student shall sit for extra exam on the occasion of the inclusion into the other educational curriculum, when there is a wish to achieve the education in high school after the completion of vocational education, or when the obligation of the sitting for extra exam has been established on the occasion of the Nostrification.

Extra exams and the terms of their sitting for (on the occasion of a student's inclusion into the other educational curriculum, and when a student wishes to achieve the education in high school after the completion of vocational education) shall be defined by the Panel of Teachers of the high school the student wants to continue the education in, and at the proposal of the commission appointed by the Principal.

Differential Exams

Article 34

Differential exams shall be sat for in those teaching subjects that students have not been learning during the prior education.

The provisions of paragraphs 2 and 3 of Articles 33 of this Law shall be accordingly applied to differential exams as well.

The Grade Exam of Full-Time Students

Article 35

Grade exam shall be sat for by full-time students who, for justifiable reasons, have not been marked at the end of a teaching year in one or several teaching subjects.

A full-time student shall sit for the grade exam also in those subjects in which one third, or more, of lessons foreseen by the educational curriculum has not been completed.

In case a high school failed to complete at least one third of lessons foreseen by the curriculum, the high school shall be in obligation to organize the training of students for the grade exams.

Grade exam shall be sat for also by a full-time student at the end of a teaching, or school year if his/her absence has lasted 60 days for hospital treatment, or for similar justifiable reasons, the issue that shall be decided on by the Panel of Teachers.

Talented students, the students that are parallely educated and the ones being top athletes may sit for grade exam also.

Full-time students shall sit for grade exam in June and August term.

The Grade Exams of Part-Time Students

Article 36

Part-time students shall sit for grade exam in June, August and January term.

The assessment of knowledge of part-time students shall be executed externally.

Part-time students shall be acknowledged the positive marks that were attained during the full-time schooling at the end of teaching, or school years, or during the prior sitting for exams.

By-laws

Article 37

The sitting for remedial, extra, differential and grade exams shall be closer defined by the Ministry's regulations.

Matura Exams

Article 38

Matura exam represents the assessment of student success shown during the adoption of necessary standards of knowledge.

Students shall sit for the compulsory and the optional subjects at Matura exam.

Matura exam shall be sat for at standard and at higher level, in line with the standards defined by the education curriculum.

Matura exam shall be sat for externally.

The Ministry shall pass closer regulations on the manner, the procedure and the time of the sitting for Matura exams.

Matura Course

Article 39

Matura course, as a separate preparatory course, may be organized for the sitting for the Matura exams.

The program, organization and the execution of a Matura course shall be adjusted to the level of the knowledge of candidates.

Matura course shall last one year at most.

Matura course shall be organized and executed by high schools.

The participants at Matura course are in obligation to attend the teaching regularly.

The enrollment into the Matura Course

Article 40

Any person who finished the grade before the high school final grade and stopped the schooling during one year at least, or any person who finished a four-year vocational school may be enrolled in the Matura course.

Annulment of Exams

Article 41

In case the competent educational inspection, or the Principal of a high school, finds the remedial, extra, differential, grade or the Matura exams have not been executed in line with this Law and with the regulations passed on the basis of this Law, the Panel of Teachers shall be obliged to pass a decision on the annulment of exams, and certificates issued on the basis of those exams, within the period of time prescribed by such authority.

If the Panel of Teachers has not passed the decision on the annulment of exams and certificates in the prescribed period of time, the Principal of such high school shall pass the decision.

The decision on the annulment of exams, or certificates referred to in paragraph 1 of this Article, shall be published in "Official Gazette of the Republic of Montenegro".

IV STUDENTS

The Status of Student

Article 42

The status of student shall be acquired upon the enrollment into a high school.

Students are enrolled into high school as full-time students and as part-time students.

Any person attending the teaching process regularly shall be considered as a full-time student.

Any person achieving the education by sitting for the exams shall be considered a part-time student.

Parallel Education

Article 43

Students shall have the right to parallel education, or to attend several educational curricula.

In case referred to in paragraph 1 of this Article, schools shall establish the manner of the fulfillment of student duties in mutual agreement.

The execution of duties from the educational curriculum may be adjusted for students who are educated in parallel, for talented students who have been trained for an international contest in knowledge and for students-top athletes, in the manner the Panel of Teachers defines.

Accelerated Progression

Article 44

The Panel of Teachers may permit a shorter time period for talented students for the purpose of the fulfillment of duties from the educational curriculum.

Teachers, professional associates and associates in the teaching process are in obligation to provide help to the students referred to in paragraph 1 of this Article in the preparation for grade exams by giving the suggestions for individual acquisition of teaching contents and by instructing them to certain textbooks, handbooks and other literature. Schools are in obligation to facilitate the use of cabinets, laboratories and workshops, as well as the occasional attendance of the teaching process in corresponding grades, to talented students.

The Cessation of the Status of Student

Article 45

The status of a full-time student shall cease if a student:

- 1) finished the education;

- 2) withdrew from high school;
- 3) was expelled from high school;
- 4) left high school on his/her own decision ;
- 5) had 30 lessons of absence without excuse in one term;
- 6) started employment, or acquired the status of entrepreneur;
- 7) has repeated some grades more than it was prescribed by this Law.

The decision on cessation of status for full-time student referred to in paragraph 1, indents 4, 5, 6 and 7 of this Article shall be made by the Principal of the high school.

The leaving of School

Article 46

If a student has not been attending teaching for 6 days consecutively and without excuse, it shall be considered that the student left school on his/her own decision.

The Prolongation of the Status of Students

Article 47

The status of student may be prolonged for students educating in parallel, students-top athletes who have not made any progress, or who have not met the duties stemming from the education curriculum, for justifiable reasons and for two years at most.

The decision on the prolongation of student status shall be made by the Principal of the high school, at the proposal of the Panel of Teachers.

Prizes and Rewards

Article 48

Students that stand out in their work and manners may be praised and rewarded.

The criteria and the procedure for the awarding of prizes and rewards shall be established by the general document of the high school concerned.

Disciplinary Measures

Article 49

Students not meeting their duties and not observing school rules may be pronounced disciplinary measures such as warning, reprimand and expel from high school.

A student may be expelled from high school if he/she conducts in the manner which seriously disrupts the conditions for work and discipline in high school, or if he/she seriously neglects his/her duties.

The expel from high school may be pronounced for the period of one school year, but the right of the sitting for the grade exam in the same school year shall be given.

The Ministry regulations shall regulate the manner and the procedure for the pronouncing of disciplinary measures.

Deciding on the Status of Students

Article 50

The Panel of Teachers shall decide to expel a student from school.

The Principal shall make a decision on the expel, on the basis of the Panel of Teachers' decision on the aforesaid and within three days as of its passing, and shall deliver it to the student, or to the parents or the tutor.

A student, or his/her parents or tutors, shall have the right to appeal against the decision on the cessation of the status of full-time student referred to in indents 3, 5, 6 and 7 of Article 45 of this Law. The appeal shall be tabled to the Ministry within eight days as of the day of the receipt of the decision.

The appeal shall cancel the execution of the decision until the decision of the second instance is made.

The Decision of the Ministry referred to in paragraph 3 of this Article shall be final in the administrative procedure and administrative procedure may not be conducted against this decision.

Consistent Application of the Law

Article 51

The Law on General Administrative Procedure shall be applied in the procedure of the establishing of full-time student status, unless otherwise was provided for by this Law.

V TEACHERS AND ASSOCIATES

Teachers, Associates in the Teaching Process and Professional Associates

Article 52

Teachers, associates in the teaching process and professional associates shall execute educational work in high schools.

Teachers

Article 53

Any person who finished the corresponding faculty, or art academy may be a teacher in high school.

Associates in the Teaching Process

Article 54

Any person who finished at least two-year post-secondary school of corresponding educational background, and who has got required experience (laboratory technicians, demonstrators, librarians and alike) may be an associate in the teaching process.

Professional Associates

Article 55

Any person who finished corresponding faculty (pedagogues, psychologists, librarians and alike) may be a professional associate.

The Working Hours of Teachers

Article 56

Teachers are in obligation to execute teaching (obligatory number of lessons) within a forty-hours working week, in the following subjects:

- 1) 18 lessons in the Serbian, or the mother language;
- 2) 19 lessons in a foreign language and mathematics;
- 3) 19 lessons in the subjects, the execution of which requires the preparation and the carrying out of the experiments, the creation, the reviewing and the marking of tests, programs and of projects for all students of one class;
- 4) 18 lessons in the subjects, the teaching of which requires also necessary and obligatory preparation, reviewing and marking of projects, programs and tasks, different for each of students or for smaller groups of students;
- 5) 20 lessons in other subjects of theoretical teaching.

Teachers are in obligation to perform two classes of direct work with students more, in addition to the obligatory number of lectures referred to in paragraph 1 of this Article and for the purpose of the achievement of better success in acquisition of educational curriculum, whereas the schedule for reminder of working hours, within the framework of a forty-hours working week, shall be arranged by high school's Statutes.

The Working Hours of Associates in Teaching Process and Professional Associates

Article 57

Associates in the teaching process shall have eight hours working time during one working day.

Professional associates are in obligation to execute 30 lessons of direct work with students within a forty-hours working week.

The manner of the execution of the work of associates in the teaching

process and the schedule of the remainder of working hours, within a forty-hours working week, shall be regulated by high school's Statute.

The Profile of Qualification

Article 58

The profile of the qualification of teachers, of associates in the teaching process and of associates shall be established by the educational curriculum.

VI TRANSITIONAL AND FINAL PROVISIONS

The Application of Educational Curricula

Article 59

Educational curricula for high schools shall be passed until the end of the 2003/2004 school year, in line with the law.

Educational curricula referred to in paragraph 1 of this Article shall be introduced gradually into high schools and as soon as the requirements, regarding the space, equipment, personnel and other conditions and prescribed by the law, have been met.

The decision on the introduction of educational curricula and on the fulfillment of the requirements referred to in paragraph 2 of this Article, shall be made by the Ministry, at the proposal of the competent Council.

The Right to Continue the Started Education

Article 60

Students who have started secondary education before the effective date of this Law and according to the curriculum for high schools, which was passed on the basis of the Law on Secondary Education ("Official Gazette of SRM", No. 28/91 and "Official Gazette of RM", No. 56/92 and 27/94), shall have the right to continue and to finish the education in line with that curricula and within the time period foreseen for its implementation, but in two years time after the expiration of that deadline at latest.

The students referred to in paragraph 1 of this Article shall have the right to finish high school under the conditions and in the manner prescribed by the provisions of the Law on Secondary Education ("Official Gazette of SRM", No. 28/91 and "Official Gazette of RM", No. 56/92 and 27/94), unless they are contrary to the provisions of this Law.

Article 61

Students who have been enrolled into high school after the effective date of this Law and before the introduction of the educational curricula referred to in Article 59 of this Law, shall be educated and they shall finish high school in the manner and under the conditions provided for by this Law.

Article 62

The right to sit for the Matura exam in line with this Law shall be entitled also to the students who finished high school according to the educational curricula passed on the basis of the Law on Secondary Education ("Official Gazette of SRM", No. 28/91 and "Official Gazette of RM", No. 56/92 and 27/94),

The Employed Associates in Teaching Process

Article 63

Associates in teaching process who has been employed in high schools for permanent period of time, before the effective date of this Law, and who have not educational background prescribed by this Law, may continue their work.

The Harmonization of School's Documents

Article 64

High schools are in obligation to harmonize their work, organization and general documents with this Law, within one year as of the effective date of this law.

The Passing of By-laws

Article 65

The By-laws provided for by this Law shall be passed within one year as of the effective date of this Law.

The regulations, valid before the introduction of this Law, shall be applied until the passing of the By-laws referred to in paragraph 1 of this Article, unless they are contrary to this Law.

Coming into Force

Article 66

This Law shall enter into force on the eighth day as of the day of its publication on the "Official gazette of the Republic of Montenegro", and it shall be applied in high schools working according to the educational curriculum passed in line with the law.

