

# Law on the Elementary School

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(Unofficial translation)

## I. GENERAL PROVISIONS

### Article 1

(Contents of the Act)

This Act regulates elementary education provided by public and private elementary schools or as homeschooling.

### Article 2

(Education Goals)

The goals to be achieved by elementary education are:

- to provide general education to the whole population;
- to promote a well-coordinated cognitive, emotional, spiritual and social development of individuals;
- to foster literacy and the competency to understand, communicate and express oneself in the Slovene language and, in the areas defined as ethnically mixed, also in the Italian and Hungarian language, respectively;
- to promote the awareness of individual's integrity;
- to foster the feeling of citizenship and national identity as well as the knowledge of Slovene history and culture;
- to teach about general cultural values and civilization stemming from European tradition;
- to educate for mutual tolerance and respect for being different, willingness to cooperate, respect for human rights and basic freedoms and, consequently, develop the ability to live in a democratic society;
- to achieve internationally comparable standards of education and to acquire the knowledge necessary to continue schooling;
- to provide general and applied knowledge enabling pupils to face their social and natural environment independently, efficiently and creatively and to develop the capacity of critical judgment;
- to foster and preserve our own cultural tradition;
- to learn about other cultures and foreign languages;
- to enable pupils' personal development according to their abilities and the principles of personal development;
- to foster pupils' talents and teach them to understand the works of art and express themselves artistically;
- to create and promote a healthy way of life and a responsible attitude towards the natural environment.

### Article 3

(Duration)

Compulsory elementary education shall last nine years.

A child shall obtain the status of a pupil by enrolling in the first grade of elementary school.

A pupil shall complete elementary education by successfully completing the ninth grade.

A pupil shall fulfill the obligation to attend school after nine years of schooling.

Article 4

(Obligation to Attend School Fulfilled)

Parents, guardians and other persons taking care of children (hereinafter: parents) shall make sure that their children fulfill the obligation to attend school.

Article 5

(The Right to Choose the Type of Schooling)

Parents shall have the right to choose the elementary education of their children in public or private schools or as homeschooling.

Article 6

(Language of Instruction)

The language of instruction in elementary schools shall be Slovene.

The language of instruction in elementary schools providing instruction in the languages of ethnic minorities shall be Italian and, in bilingual elementary schools, Slovene and Hungarian.

In elementary schools in areas populated by Slovenes and members of the Italian minority and defined as ethnically mixed areas, pupils in schools providing instruction in Slovene shall also learn Italian, and pupils in schools providing instruction in Italian shall also learn Slovene.

Article 7

(Protection of the Rights of Minorities)

The protection of special rights of Italian and Hungarian ethnic minorities concerning elementary education shall be regulated by law.

Article 8

(Additional Education)

In compliance with international agreements, the teaching of the Slovene language and culture shall be provided for the children of Slovene emigrants and migratory workers in the countries of their residency.

In compliance with international agreements, the teaching of their respective native languages and cultures shall be organized for the children of Slovene citizens living in the Republic of Slovenia whose mother tongue is not Slovene; the teaching of Slovene may also be offered.

Article 9

(The Rights of the Romanies)

Elementary education of Romanies in the Republic of Slovenia shall be offered in compliance with this Act and other regulations.

Article 10  
(Foreign Citizens)

Children being foreign citizens or without citizenship and living in the Republic of Slovenia have the right to compulsory elementary education under equal conditions as the citizens of the republic of Slovenia.

The instruction of native languages and cultures of children mentioned in the preceding paragraph shall be offered in compliance with international agreements.

Article 11  
(Children with Special Needs)

Suitable conditions for the education of children with special needs shall be provided.

For the purposes of this Act, children with special educational needs are mentally handicapped, blind and partially sighted, deaf and hearing impaired children, children with speech problems, orthopedically impaired children, children with long illnesses, and children with behavioral and personality disorders who need special educational provisions in the form of education programs carried out with additional professional support or modified and special education programs, respectively, as well as pupils with learning difficulties and gifted children.

Children with special needs assessed as children needing education programs carried out in a modified manner and with additional professional support, modified education programs or special education programs shall have the right to individualized education programs.

Elementary schools shall provide specialists for the design, implementation and evaluation of individualized programs of elementary education of children with special needs.

Article 12  
(Education of Children with Special Needs)

Children with special needs needing education programs carried out in a modified manner with additional professional support, modified education programs or special education programs shall be educated in compliance with this Act and other regulations.

Children with special needs shall be educated in compliance with this Act by schools providing modified methods and forms of work, additional instruction and other forms of individual and group support for them.

Article 13  
(Health Care of Pupils)

Elementary schools shall cooperate with health institutions in providing health care for pupils, especially in providing compulsory medical examinations of children enrolled in the first grade, regular systematic medical check-ups during schooling and vaccination.

## II. PROGRAMS AND WORK ORGANIZATION IN ELEMENTARY SCHOOL

## 1) Elementary Education Program

### Article 14 (Elementary School Curriculum)

The elementary education program includes a compulsory and optional curriculum (hereinafter: elementary school curriculum).

### Article 15 (Compulsory Curriculum)

The compulsory curriculum includes compulsory subjects, elective subjects and homeroom periods.

### Article 16 (Compulsory Subjects)

Elementary schools shall provide instruction in the following compulsory subjects for all pupils: the Slovene language and the Italian or Hungarian languages in ethnically mixed areas, foreign language, history, geography, ethics and society, mathematics, chemistry, biology, physics, art education, music education, physical education, technical education and home economics.

Compulsory subjects may be combined and joined into subject fields.

### Article 17 (Elective Subjects)

In addition to compulsory subjects, elementary schools shall offer instruction in elective subjects in the field of social sciences and humanities and in the field of natural sciences and technology for the seventh, eighth and ninth graders.

Schools shall offer instruction in at least three elective subjects in each field. In the field of social sciences and humanities, schools shall offer a foreign language, secular instruction about religions and ethics and rhetoric.

Pupils shall select three elective subjects, of which two at the most may belong to the same field.

### Article 18 (Modified Programs)

Compulsory and elective subjects for children with special needs may be determined by modified education programs or special education programs.

### Article 19 (Class)

During homeroom periods, pupils shall discuss the issues related to their work and life with their homeroom teacher.

### Article 20 (Optional Curriculum)

The optional curriculum shall include after-hours classes, morning care, additional classes, remedial classes, and extracurricular activities and field trips.

### Article 21

(After-hours Classes)

Elementary schools shall offer after-hours classes for pupils in grades one to six.

For pupils of the first paragraph of Article 12 of this Act, schools may also offer after-hours classes for grades seven to nine if so stipulated by the statement of special educational needs.

During after-hours classes, pupils learn, do their homework and fulfill other obligations and participate in cultural, sports, artistic and other activities.

Article 22

(Morning Care)

Elementary schools shall offer morning care to first graders.

Article 23

(Additional Classes)

Additional classes shall be offered to students exceeding the standards of education defined for individual subjects.

Article 24

(Remedial Classes)

Remedial classes shall be offered to students requiring support in learning.

Article 25

(Extracurricular Activities)

To develop various special interests of pupils, schools shall provide extracurricular activities determined by the annual programs of work.

Article 26

(Optional Curriculum to Be Voluntary)

Pupils shall participate in after-hours, additional and remedial classes, extracurricular activities offered by elementary schools, morning care and field trips of their own free will.

Article 27

(Other Activities)

Elementary schools may also organize other activities and determine them by the annual program of work.

Article 28

(Private Schools)

Private schools shall determine the elementary school curriculum in accordance with their by-laws.

Private elementary schools shall offer instruction in the following compulsory subjects: the Slovene language and the Italian or Hungarian languages in ethnically mixed areas, mathematics, foreign language, history, ethics and society, physical education, at least one natural science subject, at least one social science subject, and at least one subject in the field of arts.

Notwithstanding the stipulations of the preceding paragraph of this Article, private schools offering instruction in compliance with special educational principles (Steiner, Decroly, Montessori, etc.) may

design the elementary school curriculum according to those principles so as to provide the minimum knowledge enabling pupils' completion of elementary education.

## 2) Time Allocation and Syllabus

### Article 29

#### (Time Allocation and Syllabus)

Time allocation documents shall determine the annual and weekly number of periods for individual subjects and subject fields, number of homeroom periods and the minimum number of periods necessary for the implementation of syllabi.

Syllabi shall determine the contents of individual subjects or subject fields, standards of education and learning objectives of individual subjects and subject fields.

### Article 30

#### (Private Schools)

The curricula of private schools shall guarantee that, in the subjects of paragraph two of Article 28 of this Act, their pupils achieve at least the standards equal to those guaranteed by the curricula of public elementary schools.

## 3) Planning in Elementary Schools

### Article 31

#### (Annual Work Programs)

Annual work programs shall set forth the contents, scope and schedule of educational and other activities according to the time allocation documents and syllabi as well as the contents, scope and schedule of extracurricular and other activities carried out by the school. The activities of school counselors and other support services, school libraries, school-community relations, the scope of school activities providing a healthy development of pupils, forms of cooperation with parents, in-service education and training of teachers and other staff, cooperation with higher education institutions offering initial teacher training, research institutions, educational support services and counseling centers, cooperation with outside specialists, and other tasks necessary for the implementation of the elementary school curriculum.

Annual work programs shall be adopted by the councils of elementary schools in compliance with this Act and other legislation by the end of September of each school year at the latest.

### Article 32

#### (School Presentation Material)

Elementary schools shall present pupils' rights and duties, characteristic elements of the school curriculum and work organization to pupils and parents in a special publication.

The compulsory parts of the publication shall be determined by the minister having jurisdiction over education (hereinafter: minister).

## 4) Organization of Elementary Education

### Article 33

(Educational Levels)

Elementary education shall be divided into three tiers (hereinafter: tiers).

The first tier shall include grade one to three.

The second tier shall include grade four to six.

The third tier shall include grade seven to nine.

Modified and special education programs may determine the levels for children with special educational needs in another manner.

Article 34  
(School Year)

The school year shall begin on 1 September and end on 31 August.

The school year shall be divided into assessment periods.

Instruction in a single school year shall comprise 38 weeks of 5 days a week at the most.

Instruction in individual weeks may exceptionally last six days if so stipulated by the annual work program.

Article 35  
(Weekly Pupil Attendance)

Actual pupil attendance per week required by compulsory curricula shall not exceed 22 periods of instruction per week in the first tier, 26 periods of instruction per week in the second tier, and 30 hours of instruction per week in the third tier.

As a rule, a period of instruction shall last 45 minutes.

Article 36  
(Academic Calendar)

The schedule of classes, school holidays, duration and schedule of vacations in a school year shall be determined in the academic calendar issued by the minister.

Article 37  
(Grades, Classes and Groups)

Elementary schools provide education in grades, classes and teaching groups.

A grade is an educational whole comprising the contents of learning of one school year in compliance with time allocation documents and syllabi.

Pupils of individual grades are grouped in classes.

Pupils from two or more grades may exceptionally be grouped together in mixed age classes in cases of low enrollment.

If instruction cannot be organized by grades and classes because of a low number of pupils (small elementary schools, elementary schools in medical institutions and similar), the elementary school shall offer individual or group education of pupils.

The pupils from one or more grades or classes may be arranged into teaching groups during educational activities.

The standards and criteria for the formation of classes and teaching groups shall be determined by the minister.

Article 38  
(Provision of Education)

Educational activities in elementary school consist of instruction and other forms of organized work with pupils.

Educational activities in elementary schools shall be performed by teachers, counselors and other educators.

Class teachers shall teach in the first tier of elementary school.

The first grade of elementary school shall be taught by a class teacher and a kindergarten teacher or by two class teachers. The second teacher or the kindergarten teacher shall teach half the periods.

Subject teachers may work together with class teachers in providing education in personal development subjects.

Teaching in the second tier shall be provided as follows:

- fourth grades shall be taught by class teachers, but foreign languages and personal development subjects--although not more than two--may be taught by subject teachers;
- fifth grades shall be taught by class teachers, but foreign languages and personal development subjects--although not more than three--may be taught by subject teachers;
- sixth grades shall be taught by class or subject teachers.

The third tier of elementary school shall be taught by subject teachers.

In addition to other teachers, teachers with a degree in special education may teach classes including children with special needs of the first paragraph of article 12 of this Act.

After-hours classes may be taught by class and subject teachers, kindergarten teachers, special education teachers, specialists in pedagogy, psychologists and specialists in social pedagogy.

Another manner of carrying out educational activities may be determined by modified and special education programs for children with special needs.

Article 39  
(Private Schools)

Provisions of Articles 33, 36, 37 and 38 with the exception of paragraph eight of Article 38 of this Act do not apply to private schools.



## 5) Organization of Instruction

### Article 40

#### (Instruction by Levels of Difficulty)

In the first, second and third grade, teachers shall differentiate their work with pupils according to the pupils' aptitudes (internal differentiation).

In the fourth, fifth, sixth and seventh grade, the work in class shall be organized as basic instruction and instruction at a higher level of difficulty, whereby the latter may be offered only in mathematics, Slovene and foreign languages comprising one fourth of the periods allocated to those subjects at the most (flexible differentiation).

The basic instruction shall be carried out at a single level; instruction at different levels shall be offered at two or more levels of difficulty.

In the eighth and ninth grade, the teaching of Slovene, mathematics and foreign languages shall be offered at different levels of difficulty (external differentiation).

Pupils shall be grouped according to the levels of difficulty at the end of the seventh grade.

More detailed conditions for the organization of instruction by levels of difficulty shall be stipulated by the minister.

### Article 41

#### (Transfers between Levels)

At the end of an assessment period, pupils may choose another level of difficulty after a consultation with the parents, teachers and school counselors.

In the ninth grade, a different level of difficulty may be selected on the basis of grades.

### Article 42

#### (Modified Education Programs)

For pupils in modified education programs, instruction by levels and transferring among individual levels may be determined by those programs.

The stipulations of Articles 40 and 41 of this Act shall not apply to children with special needs assessed as pupils needing a special education program.

### Article 43

#### (Private Schools)

The stipulations of Articles 40 and 41 of this Act shall not apply to private schools.

## III. ENROLLMENT

### Article 44

#### (Enrollment)

Children shall be enrolled in the first grade of elementary school of the next school year in the month of February.

Article 45  
(Admission Requirements)

Parents shall enroll children whose sixth birthday occurs in the calendar year of their school entry into the first grade of elementary school.

Upon the proposal by the parents, health officers or assessment committee, the beginning of a child's schooling may be postponed for a year if it is assessed that the child is not ready to start school.

Article 46  
(Assessment of Child's Readiness to Start School)

If parents so choose, a child's readiness to start school may be assessed when enrolling him/her into elementary school.

If the parents propose that the beginning of their child's schooling be postponed because they believe that the child is not ready for school or if such postponement is proposed by health officers, the assessment of child's readiness to start school shall be compulsory.

The child's readiness to start school shall be assessed by a committee appointed by the principal. The committee shall consist of the school's medical doctor, counselor and kindergarten or other teacher.

The parents shall be informed about the findings of the committee at least three months before the beginning of classes.

An appeal of the decision of the committee of paragraph three may be filed with a committee appointed by the minister.

Article 47  
(Postponement of Schooling)

During the school year, the schooling of a first grader may be postponed for a year for medical or other reasons upon the proposal by school counselors, school health officers or the assessment committee and in agreement with the child's parents.

The decision concerning the postponement of schooling shall be made by a committee appointed by the principal. It shall consist of the school's medical doctor, psychologist, specialist in pedagogy, kindergarten or other teacher.

An appeal of the decision of the committee of the preceding paragraph may be filed with a committee appointed by the minister.

Article 48  
(School District)

Parents have the right to enroll their child in a public elementary or private elementary school operating on the basis of a concession located in the school district of their permanent or temporary residence; the public elementary school or the private elementary school with a concession located in

that school district is required to enroll the child if the parents so choose. Parents may enroll the child into another elementary school upon that school's consent.

The list of children who the public school or the private school with a concession is obliged to enroll in the first grade shall be obtained from the record of compulsory school age children kept by the local education authority. The local education authority shall obtain the information about children of compulsory school age in individual districts from the register of permanent or temporary residents.

During schooling, pupils may transfer to another school if that school gives its consent.

If a pupil wishes to transfer from a private to a public school, the public school in the school district of his/her permanent residence is obliged to admit him/her.

The stipulations of the first paragraph of this Article do not apply to private elementary schools.

#### Article 49

##### (Children with Special Needs)

Parents have the right to enroll their child with special needs of the first paragraph of Article 12 of this Act in the elementary school in the school district of the child's permanent residence unless another elementary school has been assigned as appropriate for the child's schooling by the binding statement of the child's special educational needs issued by the appropriate local education authority because the school in their school district does not meet the requirements for the special educational provision.

### IV. RIGHTS AND DUTIES OF ELEMENTARY SCHOOL PUPILS

#### Article 50

##### (Attendance of Classes)

Pupils have the right to attend classes and participate in activities provided by the elementary school.

Pupils are required to regularly attend classes within the framework of the compulsory curriculum and fulfill their obligations and perform the tasks determined by the by-laws of the elementary school.

#### Article 51

##### (Parallel Schooling, Outstanding Sportsmen)

The fulfillment of duties by pupils attending music, ballet and other schools providing state-approved programs in parallel to elementary school and by outstanding sportsmen/women may be adapted in a manner stipulated by the minister.

#### Article 52

##### (Exemption)

For medical reasons, pupils may be excused from participating in various educational activities in schools.

#### Article 53

##### (Absence)

Parents shall notify the school of the reasons for pupil's absence from classes in each individual case.

Pupils may be absent from classes without the parents notifying the school of the reason for the absence if the absence is announced in advance and does not exceed five days in a school year.

For justified reasons, the principal may allow that the pupil to be absent from classes for a longer period if the parents so desire.

Article 54  
(Transfers)

Elementary school pupils may not be expelled from school as long as they are of compulsory school age.

If it is necessary for the reasons of learning or education, the elementary school may transfer a pupil to another school if the parents agree or require it and the other school gives its consent.

If the school cannot provide a possibility for a pupil's transfer, the decision shall be made by the committee appointed by the minister.

Before making the decision on the transfer of the pupil, the committee shall obtain the opinion of the parents and the principal of the elementary school which the pupil should be transferred to.

The committee's decision shall be binding.

Children with special needs of the first paragraph of Article 12 of this Act may be transferred to another school on the basis of the statement of their special educational needs.

Article 55  
(Extension of the Pupil Status)

Pupils not completing elementary education in nine years may continue to attend school for another two years and thus keep their pupil status.

Notwithstanding the stipulations of the first paragraph of this Article, the principal, upon the proposal of the school's teaching staff, may decide during or at the end of the school year that the pupils of the first paragraph of this Article who disturb the educational process by their inappropriate attitude are no longer allowed to attend the elementary school.

The pupils of the first paragraph of this Article shall keep their pupil status even if they attend adult education courses.

Article 56  
(Free Transportation)

Pupils shall be eligible for free transportation if their home is more than four kilometers from the elementary school.

Regardless of the distance between their home and the elementary school, pupils shall be eligible for free transportation in the first grade; pupils in other grades shall be eligible if the road traffic accident prevention authorities state that the pupils' safety is at risk on their way to school.

Pupils attending school in a school district other than their local school district shall be eligible for the remuneration of transportation costs in the amount equal to the costs which would incur if they attended school in their local school district.

The mode of transportation shall be agreed upon between the elementary school, parents and the local community.

Children with special needs of the first paragraph of Article 12 of this Act shall be eligible for free transportation regardless of the distance of their home from the elementary school if so stipulated by the statement of their special educational needs.

If the transportation of pupils cannot be provided, pupils shall be eligible for free room and board in the place of their schooling and free transportation home on school-free days.

Elementary school shall provide day care for pupils having to wait for organized transportation.

#### Article 57

##### (Meals)

Elementary schools shall provide at least one meal per day for all pupils.

#### Article 58

##### (Prizes and Awards)

Pupils excelling in knowledge or other activities shall receive school prizes and awards, respectively.

#### Article 59

##### (Statutory Instrument on Pupils' Rights and Duties)

Pupils' rights and duties, the procedure for the implementation of rights, awards and disciplinary actions shall be in greater detail determined by the minister.

#### Article 60

##### (Private Schools)

The stipulations of Articles 58 and 59 of this Act shall not apply to private schools.

### V. ASSESSMENT, GRADING AND ADVANCEMENT OF PUPILS

#### 1) Assessment and Grading

#### Article 61

##### (Grading System)

In elementary schools, pupils' knowledge shall be graded by using descriptive or numerical grades.

In the first tier of elementary school, pupils' knowledge in all subjects shall be graded descriptively.

In the second tier of elementary school, pupils' knowledge in all subjects shall be graded by numerical and descriptive grades.

In the third tier of elementary school, pupils' knowledge shall be graded by numerical grades.

Article 62  
(Informing Pupils about Grades)

Teachers shall enable pupils to participate in planning the assessment and grading of achievements.

Pupils shall be informed about the grade awarded.

Article 63  
(Informing Pupils about Their Achievement)

At the end of each assessment period, the elementary school shall send a written information on pupil's scholastic achievement to the parents.

In the first grade of elementary school, the information of parents about pupil's scholastic achievement may be oral.

During the school year, reports of pupils' progress shall be sent to their parents. At the end of the year, pupils shall receive certificates stating the grades in individual subjects and the grade for the total achievement.

Article 64  
(Assessment of Knowledge at the End of Tiers)

At the end of tiers, pupils' knowledge shall be assessed by national examinations testing pupils' achievement of minimum standards of education.

At the end of the first tier, pupils' knowledge of the Slovene language and mathematics shall be assessed.

At the end of the second tier, pupils' knowledge of the Slovene language, mathematics and foreign language shall be assessed.

At the end of the first and second tier, pupils' knowledge shall be assessed according to the standardized assessment procedure by elementary schools themselves. Assessment results shall be an additional information on pupils' achievement.

At the end of the third tier, the school shall assess pupils' knowledge in the Slovene language, mathematics, foreign language and two compulsory subjects (hereinafter: final assessment of knowledge) according to the standardized procedure and in cooperation with external examiners.

The two compulsory subjects, one of which shall be from the field of natural and the other from the field of social sciences, shall be selected by each pupil.

Notwithstanding the stipulations of the second, third and fifth paragraph of this Article, in ethnically mixed areas, pupils' knowledge in:

- the Slovene or Italian and Hungarian language, respectively, and mathematics shall be assessed at the end of the first tier;
- the Slovene or Italian and Hungarian language, respectively, mathematics and foreign language shall be assessed at the end of the second tier;
- the Slovene or Italian and Hungarian language, respectively, mathematics, foreign language and two compulsory subjects shall be assessed at the end of the third tier.

The second and third paragraph of this Article shall not apply to private schools offering elementary education in compliance with special educational principles.

Article 65  
(Purpose of Assessment)

The results of the assessment at the end of the tiers may be used only for the purposes stipulated by this Act.

Article 66  
(Organization of the Assessment of Knowledge)

National examinations shall be administered by the National Examination Center.

Article 67  
(Modified Programs)

Modified education programs and special education programs may determine another method of grading and knowledge assessment at the end of tiers.

2) Complaints Concerning Grades

Article 68  
(Complaints Concerning Grades)

If a pupil and parents believe that the pupil has been awarded a wrong grade at the end of classes in a school year or during the final assessment, parents may file a justified complaint with the principal within three days after the receipt of the certificate or report of the grades awarded by the final assessment.

The principal shall appoint a committee within three days after the receipt of the complaint at the latest. At least one of the committee members shall not be the school employee.

If the committee states that the grade awarded at the end of classes in a school year is inappropriate, the student shall be graded anew. The committee's grade shall be binding.

If the committee states that an orthographic or computational mistake or a mistake in the grading method is made during final assessment, the assessment shall be repeated. The committee's decision shall be binding.

3) Advancement to a Higher Class Standing

Article 69  
(Advancement)

Pupils shall progress to the next higher grade if they receive positive marks in all subjects at the end of the classes in a school year.

Pupils shall not repeat grades in the first and second tier.

Notwithstanding the stipulations of the preceding paragraph, pupils may repeat a grade because of their low scholastic achievement due to a prolonged absence from classes, illness, moving or other

justifiable reasons if so requested by their parents or upon the proposal of teachers and school counselors made in agreement with the parents.

Article 70  
(Reexamination)

At the end of classes in a school year, pupils in the seventh and eighth grade awarded negative grades in two subjects at the most shall take a reexamination by the end of that school year. Reexaminations may be resat twice at the most in one school year.

Pupils in the ninth grade may take reexaminations in several subjects in which they have received negative grades at the end of the school year. Resits may be taken several times, at least four times in one school year.

If pupils do not pass the reexaminations, they shall repeat a year.

Article 71  
(Children with Special Needs)

The stipulations of Articles 69 and 70 of this Act shall not apply to pupils in modified or special education programs if so stipulated by those programs.

Article 72  
(Successful Completion of the Ninth Grade)

Pupils shall successfully complete the ninth grade if they receive positive grades in all subjects of the ninth grade and are successful at the final assessment of knowledge.

If a modified education program does not require a final assessment of knowledge, pupils shall successfully complete the education in those programs if they are awarded positive grades in all ninth grade subjects.

Children with special needs in special education programs shall successfully complete their education in the manner stipulated by that program.

Article 73  
(Successfully Completed Final Assessment of Knowledge)

Pupils shall be deemed to succeed at the final assessment of knowledge if they receive positive grades in all subjects taken for the final assessment.

Pupils who in one of the subjects taken at the final assessment receive at least 80% of the points required for a positive grade in that subject shall be awarded a positive grade in that subject if:

- they have positive grades in all subjects of the ninth grade and the mark “Good” in at least one compulsory or elective subject at the end of the ninth grade; or
- if they receive positive grades in other subjects taken at the final assessment and at least one of them is at least the grade “Good”.

Pupils who in two of the subjects taken at the final assessment receive at least 90% of the points required for a positive grade in those subjects shall be awarded a positive grade in those subjects if:

- they have positive grades in all subjects of the ninth grade and the mark “Good” in at least two compulsory or elective subjects at the end of the ninth grade; or



- if they receive positive grades in other subjects taken at the final assessment and at least two of them are at least the grade “Good”.

The elementary school shall inform the student about the grades received at the final assessment of knowledge.

The elementary school shall inform *gymnasia* and other general secondary schools about the grades received in compliance with the second and third paragraph of this Article if this is an admission requirement.

#### Article 74

##### (Repeated Final Assessment of Knowledge)

Pupils shall have the right to resit the final assessment of knowledge.

#### Article 75

##### (Tenth Grade)

Before resitting the final assessment of knowledge, pupils having failed the final assessment of knowledge may take the tenth grade organized by the elementary school itself or in cooperation with other elementary schools.

The tenth grade may also be taken by pupils wishing to improve their achievement at the final assessment of knowledge.

The education program of the preceding paragraph may also be taken by pupils having successfully completed elementary education according to the programs offered in compliance with special educational principles (Steiner, Decroly, Montessori, etc.).

#### Article 76

##### (Examinations)

Pupils prevented from attending classes because of illness or other justified reasons may sit the examinations in individual subjects at the end of the school year.

The principle decides whether the reasons of the preceding paragraph are justified.

#### Article 77

##### (Examination Panel)

Pupils' reexaminations and grade examinations shall be administered by an examination panel.

#### Article 78

##### (Exemption)

Pupils excused from taking individual subjects for health reasons shall not be assigned grades in those subjects.

#### Article 79

##### (Accelerated Advancement)

Upon the proposal of parents, teachers or school counselors, the elementary school shall give the pupils achieving the above-average learning results an opportunity to complete elementary education and thus fulfill the compulsory schooling requirement in less than nine years.

The decision concerning accelerated advancement shall be made by the school's teaching staff in agreement with the pupil's parents.

#### Article 80

##### (Statutory Instrument on the Assessment and Advancement of Pupils)

A more detailed stipulation of the assessment, grading and advancement of pupils to a higher class standing shall be issued by the minister.

#### Article 81

##### (Private Schools)

The stipulations of Articles 61 to 63, 69, 70, and 76 to 80 of this Act shall not apply to private elementary schools.

### VI. CERTIFICATES

#### Article 82

##### (Certificates)

Elementary schools shall issue certificates to their pupils at the end of each year. Certificates are official documents.

Pupils in special education programs shall be awarded reports with a descriptive assessment of their progress in individual areas at the end of the school year.

#### Article 83

##### (Contents of Certificates)

Elementary schools shall issue certificates with descriptive grades to the pupils of grades 1 through 3 and certificates with numerical grades to the pupils of grades 4 through 9.

#### Article 84

##### (Final Certificates)

The elementary school shall issue final certificates to pupils having completed elementary education.

The final certificate shall list pupils' final grades awarded in the ninth year; the grades in subjects taken at the final assessment of knowledge shall in equal parts consist of the grade assigned for the ninth-year subject and the grade received at the final assessment in that subject.

The final certificates of pupils having finished modified education programs of paragraph two of Article 72 shall report the final grades assigned in the ninth year.

Pupils having completed a special education program shall be awarded a final report certifying that they have completed compulsory elementary education and stating descriptive grades awarded to the pupil.

#### Article 85

##### (Certificate of Completed Compulsory Schooling)

Pupils having completed compulsory schooling but not the elementary school shall receive certificates of completed compulsory schooling.

Article 86

(Statutory Instrument on School Records)

The contents and form of certificates and other documents shall be determined by the minister.

Article 87

(Certificates Issued in Administrative Procedures)

In cases of lost or destroyed documents and missing school archives, the ministry having jurisdiction over education shall issue, in compliance with the Administrative Procedure Act, a certificate that the pupil has attended elementary school.

VII. HOMESCHOOLING

Article 88

(Right to Homeschooling)

Parents shall have the right to provide elementary education of their children as homeschooling.

Article 89

(Implementing the Right to Homeschooling)

Parents shall notify in writing the elementary school which their child is enrolled in about homeschooling at least three months before the beginning of the school year.

The notice of the preceding paragraph shall contain: a state-approved educational program used for home instruction, child's name and family name, place of instruction, and the name and family name of individual(s) providing instruction.

Homeschooling records shall be kept by the elementary school.

Article 90

(Assessment of Knowledge)

Homeschooling shall guarantee pupils at least the same standard of education as the compulsory curriculum of public schools.

Pupil's knowledge shall be assessed in order to assess the level of achievement in learning. Knowledge shall be assessed at the end of each school year. The assessment is carried out by the school which the pupil is enrolled in.

The assessment of knowledge for children with special needs receiving home instruction according to modified or special education programs shall be determined by those programs.

In the first three grades, the knowledge of the mother tongue and mathematics shall be assessed.

In grades four through six, the knowledge of the mother tongue, mathematics and the first foreign language shall be assessed.

In grades seven through nine, the knowledge stipulated by paragraph two of Article 28 of this Act shall be assessed.

If pupils do not achieve the standards of education defined for a particular grade, they have the right to be re-assessed before the beginning of the next school year.

Pupils who fail the re-assessment shall continue their elementary education in a public or private elementary school in the next school year.

#### Article 91

##### (Assessment of Knowledge at the End of Tiers)

The stipulations of Article 64 of this Act shall apply to the assessment of knowledge at the end of tiers.

The stipulations of Article 67 of this Act shall apply to the assessment of knowledge of children with special needs receiving home instruction according to modified or special education programs.

#### Article 92

##### (Homeschooling Certificates)

The elementary school which the pupil is enrolled in shall issue the certificate of the pupil's homeschooling achievements. The homeschooling certificate is an official document.

Stipulations of Articles 83 through 87 of this Act shall apply to homeschooling certificates.

The stipulations of paragraph two of Article 82 of this Act and paragraphs three and four of Article 84 of this Act shall apply to certificates issued to children with special needs receiving home instruction according to modified or special education programs.

### VIII. ADULT EDUCATION

#### ARTICLE 93

##### (Adult Education)

Elementary education of adults shall be provided according to the adult education elementary school program.

Adult education courses may be taken by individuals having completed compulsory schooling but not elementary education.

In compliance with this Act, adult education shall be provided by modifying the organization of instruction, pupils' assessment, grading, and advancement, and schedule of classes.

The stipulations of this Act shall apply to other requirements for the provision of elementary education for adults.

### IX. COLLECTION AND PROTECTION OF PERSONAL DATA

#### Article 94

##### (Application of Regulations on the Protection of Personally Identifiable Information)

Elementary schools shall collect, process, store, submit and use the data contained in files kept in compliance with the regulations on the protection of personally identifiable information unless otherwise provided by this Act.

Article 95  
(Types of Records)

Elementary schools shall keep the following files:

1. records on pupils enrolled in the elementary school and their parents;
2. records on the advancement of pupils, issued certificates and other documents;
3. records on orthopedic skills and morphological characteristics of pupils;
4. records on pupils needing support and counseling, respectively.

The records of point 1 of the preceding paragraph shall include:

- data on pupils: first and family name, sex, date, place and country of birth, address and citizenship, special health problems needed to be known for working with pupils and providing their safety;
- data on parents: first and family name, address, phone number for urgent messages during pupil's stay at school.

In addition to the information of line 1 of the preceding paragraph, the records of point 2 of paragraph 1 of this Article shall also include the information on pupil's advancement, issued certificates and other documents.

In addition to the information of line 1 of the paragraph 2 of this Article, the records of point 3 of paragraph 1 of this Article shall also include the information on pupil's orthopedic skills and morphological characteristics referring to: pupil's height, body volume, speed of alternative movements, explosive power, coordination of body movement, physical endurance of the body, motor skills, endurance of shoulders and arms, running speed and endurance under the condition of below-maximum continuing effort.

Personal data of point 3 of paragraph 1 of this Article shall be collected in agreement with pupil's parents or guardians.

In addition to the information of points 1 and 2 of paragraph 1 of this Article, the records of point 4 of paragraph 1 of this Article shall include:

- family and social anamnesis,
- development anamnesis,
- diagnostic procedures,
- procedures for professional support,
- expert opinions of other institutions: welfare centers, health institutions, homes, counseling and educational support centers.

Personal data of point 4 shall be collected in agreement with pupil's parents, with the exception of cases when pupils are endangered by their families and need protection.

Counselors shall be obliged to treat the information of point 4 as professional confidentiality. Other professionals having received such data due to the nature of their work shall also treat them as professional confidentiality.

The records on children of compulsory school age kept by the local education authority in compliance with paragraph 2 of Article 48 of this Act shall include:

- data on children: first and family name, date of birth, address, and
- data on parents: first and family name, address.

Article 96  
(Data Collection Methods)

The elementary school shall obtain the data of points 1, 2, 3 and 4 of paragraph one of the preceding Article directly from the individuals concerned.

Article 97  
(Purpose and Use of Data Files)

Personal data on pupils kept in files of Article 95 shall be collected, processed, stored and used for the purposes of compulsory education and submitted to the ministry having jurisdiction over education for the performance of regulatory tasks.

For research and statistical analyses, personal information may be used and published only in a form not disclosing pupils' identity.

Article 98  
(Storing Records)

Records on pupils, their advancement, issued certificates and other documents shall be stored permanently; other files kept by elementary schools shall be stored one year after the completion of schooling by the pupil concerned.

Article 99  
(Statutory Instruments)

More detailed instructions on the data collection method, school employees authorized to use the data contained in individual files, the manner of recording the use and release of personal data, the manner of deleting them after the time allowed for their use, and other procedures and measures for the protection of data shall be determined by the minister.

## X. CONTROL

Article 100  
(Control)

Control over the operations of elementary schools in accordance with the law and over the educational process shall be exercised in compliance with the School Inspectorate Act.

## XI. PENALTIES

Article 101  
(Responsible School Officers)

The elementary school officer responsible for the operations of the school shall be liable to a penalty of 50,000 Slovene tolar if:

- educational activities are not provided in the scope determined by the syllabus and curriculum (Articles 29 and 30 of this Act);
- educational activities are not provided pursuant to the annual work program (Article 31 of this Act);

- educational activities for children with special needs of paragraph one of Article 12 of this Act are not provided pursuant to the statement of special educational needs;
- a child from the school district of that particular school is denied enrollment contrary to this Act or a child with special needs of paragraph one of Article 12 of this Act is denied enrollment contrary to the stipulations of the statement of special educational needs (Articles 48 and 49 of this Act); or
- mandatory files of records are not maintained (Article 95 of this Act).

Article 102  
(Parents)

Parents shall be liable to a penalty of 10,000 to 50,000 Slovene tolaris if:

- they do not enroll their child in elementary school in compliance with Articles 45 and 49 of this Act or if they do not enroll their child with special needs of paragraph one of Article 12 of this Act in the program as determined by the statement of special educational needs; or
- do not enable their children to complete compulsory schooling (Article 4 of this Act).

XII. TRANSITIONAL AND FINAL PROVISIONS

Article 103  
(Teacher Training)

Teachers who will teach the first grades of elementary school and have acquired appropriate degrees by completing study programs valid prior to entry into force of this Act shall have to prove, on the basis of a special credential program, their knowledge needed for carrying out the elementary school program pursuant to this Act.

If no appropriate higher education credential program is offered, the program providing the knowledge needed for carrying out the elementary school program pursuant to this Act shall be determined by the minister upon having obtained the opinion of the Council for Higher Education of the Republic of Slovenia.

Participation in the credential program shall form part of in-service education and training of teachers. The programs shall begin to be provided six month after entry into force of this Act at the latest.

Article 104  
(Syllabus and Curriculum)

Pursuant to this Act, the syllabus and curriculum shall be determined by the respective authority by 1 September 1998 at the latest.

Article 105  
(Gradual Implementation of Program)

Pursuant to this Act, the elementary school curriculum shall be implemented gradually.

In school years 1999-2000, 2000-2000 and 2001-2002, it may be introduced by schools having sufficient enrollment, meeting personnel, space and other requirements and possessing minister's permit to carry out the curriculum.

The requirements of the preceding paragraph of this Article, the procedure for assessing whether the requirements are met and the procedure for the issue of permits shall be determined by the minister by 1 September 1998 at the latest.

By the beginning of the school year 2002-2003, the state and local communities shall provide conditions for carrying out elementary education in compliance with this Act at all elementary schools in the country.

Article 106  
(Voluntary Enrollment)

Parents may choose to enroll their children completing the age of six in calendar years 1999, 2000 and 2001 in the first grade of elementary school in compliance with this Act.

Parents may enroll their children of the preceding Article in compliance with Article 48 of this Act.

Article 107  
(Provision of Education for Sixth Graders)

In school years 1999-2000, 2000-2001 and 2001-2002, education according to the elementary school curriculum in compliance with this Act shall begin to be provided for all pupils of the sixth grade at the schools having the minister's permit and parental consent.

In the school year 2002-2003, the curriculum of the preceding paragraph shall be provided for all sixth graders in the country.

Article 108  
(Final Assessment of Knowledge)

Pupils who began to attend the first grade of elementary school in the school year 1996-97 at the latest can choose to take the final assessment of knowledge pursuant to this Act.

Pupils who will begin to attend the first grade in the school year 1997-98 shall be obliged to take the final assessment of knowledge pursuant to this Act.

Article 109  
(Completion of Compulsory Schooling)

It shall be deemed that the individuals having completed compulsory elementary schooling pursuant to the law effective prior to entry into force of this Act have also completed it in compliance with this Act.

Article 110  
(Subordinate Legislation)

Subordinated legislation pursuant to this Act shall be issued by the minister within one year after entry into force of this Act.

Until entry into force of the legislation of the preceding paragraph, the following effective subordinate legislation shall remain in force, with the exception of provisions not in compliance with this Act:



- Regulations on Elementary School Calendar (Official Gazette of the Socialist Republic of Slovenia No. 20/80, 24/81, 24/83, 36/85, 36/86 and Official Gazette of the Republic of Slovenia No. 22/90, 24/91-I and 36/93);
- Regulations on Grading and Advancement of Pupils in Elementary Schools (Official Gazette of the Socialist Republic of Slovenia No. 20/80, 1/82 and 38/89);
- Regulations of Educational Records in Elementary Schools (Official Gazette of the Socialist Republic of Slovenia No. 20/80, 16/82, 7/87 and Official Gazette of the Republic of Slovenia No. 44/92);
- Regulations on Documents Needed for the Recognition of Foreign School Certificates (Official Gazette of the Socialist Republic of Slovenia No. 34/84 and 36/84);
- Regulations on In-service Education and Training of Kindergarten and School Employees (Official Gazette of the Socialist Republic of Slovenia No. 20/80);
- Order on the Adoption of Guidelines for the Operation of Elementary Schools and Curricula of Elective Subjects (Official Gazette of the Socialist Republic of Slovenia No. 35/82); and
- Order on the Program of Life and Work of Elementary Schools (Official Gazette of the Socialist Republic of Slovenia No. 18/83).

#### Article 111

##### (Repealed Legislation)

This Act shall repeal the Elementary School Law (Official Gazette of the Socialist Republic of Slovenia No. 5/80, 29/86, 31/86 and Official Gazette of the Republic of Slovenia No. 12/91-I), with the exception of provisions referring to the program of life and work of elementary schools. The latter shall apply to pupils enrolling in this program till the school year 2002-2003 and shall cease to apply when those pupils complete their elementary school education or compulsory schooling.

#### Article 112

##### (Entry into Force)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.