

Law of Ukraine "On Education"

Number of document:**1060-XII**
Date of document:**23-May-1991**
Type of document: **Law**

Number of registration in the Ministry of Justice:
Date of registration in the Ministry of Justice:
Document status:**Effective document**

Annotation: Law of Ukraine "On Education"

THE LAW OF UKRAINE ON EDUCATION

(Vidomosti Verkhovnoyi Rady (VVR), 1991, No. 34, page 451) (Enacted by Resolution No. 1144-XII of VR (1144-12) dated 4 June 1991, VVR, 1991, No. 34, page 452) (With amendments introduced pursuant to Decrees No. 12-92 dated 26 December 1992, VVR, 1993, No. 10, page 76) No. 23-92 dated 31 December 1992, VVR, 1993, No. 11, page 93 Laws No. 3180-XII (3180-12) dated 5 May 1993, VVR, 1993, No. 26, page 277 No. 69/94-VR dated 30 June 1994, VVR, 1994, No. 29, page 258 No. 183/94-VR dated 23 September 1994, VVR, 1994, No. 41, page 376 No. 200/94-VR dated 13 October 1994, VVR, 1994, No. 45, page 404 No. 498/95-VR dated 22 December 1995, VVR, 1996, No. 3, page 11 No. 96/96-VR dated 22 March 1996, VVR, 1996, No. 16, page 71) (as amended and restated by Law No. 100/96-VR dated 23 March 1996, VVR, 1996, No. 21, page 84)

(With amendments introduced pursuant to Laws No.608/96-VR dated 17 December 1996, VVR, 1997, No. 8, page 62 No. 178-XIV (178-14) dated 14 October 1998, VVR, 1998, No. 48, page 294)

(See additionally Law No. 2120-III (2120-14) dated 7 December 2000, VVR, 2001, No.2-3, page 10)

Education is the basis of the intellectual, cultural, spiritual, social, economic development of the society and state.

The goal of education is the comprehensive development of an individual as personality and the biggest value of the society, development of his/her talents, mental and physical abilities, training of high moral qualities, formation of citizens able to make a deliberate choice, improvement on this basis intellectual, artistic, cultural potential of the people, improvement of the educational level of the people, provision of the national economy with qualified specialists.

Education in Ukraine shall be grounded on the basics of humanism, democracy, national consciousness, mutual respect among nations and nationalities.

Section I

GENERAL PROVISIONS

Article 1. Ukrainian Legislation on Education

The Ukrainian legislation on education is grounded on the Constitution of Ukraine (888-09) and consists of this Law, other legislative acts of Ukraine.

Article 2. Objectives of the Ukrainian Legislation on Education

The Ukrainian legislation on education shall have the following objectives: regulation of public relations in the area of education, upbringing, professional, scientific, general cultural training of Ukrainian citizens.

Article 3. The Right of Ukrainian Citizens to Education

1. Citizens of Ukraine shall have the right to free education in all public educational institutions regardless of their gender, race, nationality, social and economic status, type and nature of their activities, world views, belonging to parties, attitude towards religion, religious conscience, state of health, place of residence and other circumstances. This right shall be secured by:

- extensive network of educational institutions established on the state and other forms of ownership, scientific institutions, postgraduate educational institutions;
- open nature of educational institutions, creation of conditions for the choice of education profile and upbringing according to abilities and interests of an individual;
- various forms of education, including day, evening, by-correspondence, external studies, as well as pedagogical patronage.

2. The State shall perform the social protection of pupils, apprentices, students, cadets, probationers, clinical interns, postgraduate students, persons working for doctor's degree and other persons regardless of the form of their education and types of educational institutions where they study, assist in getting education at home.

3. In order to obtain a document of education, citizens shall have the right to the state certification.

4. Foreign citizens, persons without citizenship shall take education in the Ukrainian educational institutions according to applicable legislation and international agreements.

Article 4. National Policy in the Area of Education

1. Ukraine shall deem the education the priority area of the social and economic, intellectual and cultural development of the society.

2. The national policy in the area of education shall be determined by Verkhovna Rada of Ukraine in accordance with the Constitution of Ukraine, and shall be implemented by organs of the government executive power and local authorities.

Article 5. Government Control over the Activities of Educational Institutions

Government control over the activities of educational institutions, regardless of their form of ownership, shall be performed in order to ensure the realization of the uniform national policy in the area of education. The government control shall be performed by central and local authorities managing the education sector and the State Inspectorate of Educational Institutions of the Ministry of Education of Ukraine. Regulations on the central government authorities managing the education sector and the State Inspectorate of Educational Institutions of the Ministry of Education of Ukraine shall be approved by the Cabinet of Ministers of Ukraine.

Article 6. Underlying Principles of Education

Underlying principles of education in Ukraine shall include the following:

- availability for each citizen of all forms and types of educational services provided by the state;
- equality of conditions of each person for the complete realization of his/her abilities, talent, comprehensive development;
- humanism, democracy, priority of general human cultural wealth;
- organic connection with the world and national history, culture, traditions;
- independence of education of political parties, public and religious organizations;
- scientific, secular nature of education;
- integration with science and production;
- interrelation with education of other countries;
- flexibility and predictability of the system of education;
- uniformity and consecution of the system of education;
- continuity and variety of education;
- combination of government administration and public self-governance in the area of education.

Article 7. Language of Education

The language of education shall be determined by the Constitution of Ukraine, the Law of the Ukrainian SSR "On Languages in the Ukrainian SSR" (8312-11).

Article 8. Educational-Training Process and Public-Political Activities in Educational Institutions

1. Educational-training process in educational institutions shall be free from interference of political parties, public and religious organizations.

2. Attraction of pupils and students to the participation in political parties and religious organizations in the course of educational-training process shall be prohibited.

3. Membership of a person in any political party, public or religious organization acting according to the Constitution of Ukraine (888-09) shall not be deemed an obstacle in his/her participation in the educational-training process.

4. Pupils, students and employees of the area of education may establish in educational institutions primary centers of public organization, members of which they are.

Article 9. Educational Institutions and the Church (Religious Organizations)

Regardless of their forms of ownership, educational institutions in Ukraine shall be separated from the church (religious organizations), have secular nature, except for educational institutions founded by religious organizations.

Article 10. Management of Education

1. The system of the government authorities and bodies of public self-governance shall be established in Ukraine for the management of education.

2. Bodies of education management and public self-governance shall act pursuant to powers determined by law.

Article 11. Education Management Bodies

The Ukrainian government bodies of education management shall include:

The Ministry of Education of Ukraine;

Ministries and departments of Ukraine governing educational institutions;

The Supreme Certification Commission of Ukraine;

The Ministry of Education of the Autonomous Republic of Crimea;

Local executive authorities and local bodies of self-governance, and education management bodies subordinate thereto.

Article 12. Authorities of the Ministry of Education of Ukraine and Ministries and Departments of Ukraine Governing Educational Institutions

1. The Ministry of Education of Ukraine shall be the central body of the government executive power carrying out the management in the area of education.

The Ministry of Education of Ukraine shall:

- participate in the determination of the state policy in the area of education, science, professional training of personnel, develop programs and state standards in the area of education;
- determine state knowledge standards for each subject;
- determine minimum norms of the material, technical and financial provision of educational institutions;
- carry out educational-methodological administration and control over the compliance with the state standards of education, government inspections;

- ensure the connection with educational institutions, government authorities of other countries with respect to issues falling within its competence;
- perform accreditation of the higher and professional-technical educational institutions regardless of their forms of ownership and subordination, issuer licenses and certificates to such institutions;
- form and allocate state orders for the training of specialists in the area of the higher education;
- develop terms and conditions of the admission to educational institutions;
- ensure the publication of textbooks, manuals, methodological literature;
- develop draft regulations on educational institutions to be approved by the Cabinet of Ministers of Ukraine;
- organize certification of pedagogical and scientific-pedagogical employees in order to give them a qualification classes, pedagogical and academic statuses;
- together with other ministries and departments governing educational institutions, the Ministry of Education of the Autonomous Republic of Crimea, implement the national policy in the area of education, perform the control over its realization in practice, observance of legislative acts on education in all institutions regardless of their forms of ownership and subordination;
- manage public educational institutions.

Acts of the Ministry of Education of Ukraine adopted within the limits of its authorities shall be obligatory for ministries and departments governing educational institutions, the Ministry of Education of the Autonomous Republic of Crimea, local executive authorities and organs of local self-governance, education management bodies subordinated to them, educational institutions regardless of the forms of their ownership.

The Ministry of Education of Ukraine shall ensure the organization of work related to the physical training, recreation and sports work in educational institutions of all types and levels of accreditation, carry out the scientific and methodological provision of such work in the course of the educational process and during off-hour time. (Part one of Article 12 is supplemented with paragraph pursuant to Law No. 178-XIV (178-14) dated 14 October 1998).

2. Ministries and departments governing educational institutions, together with the Ministry of Education of Ukraine, shall participate in carrying out the national policy in the area of education, science, professional training of personnel, performance of the state inspection and accreditation of educational institutions, carry out control functions with respect to the compliance with the requirements related to the quality of education, provide connections with educational institutions and government authorities of other countries on issues falling within their competence, arrange the implementation of the scientific progress and modern experience.

Acts of the ministries and departments governing educational institutions adopted within the limits of their competence shall be obligatory for local executive authorities and bodies of local self-governance, education management bodies subordinated to them, educational institutions of the respective profile regardless of the forms of their ownership.

3. The Ministry of Education of the Autonomous Republic of Crimea shall perform its education management powers, save for authorities assigned to the competence of the Ministry of Education of Ukraine, ministries and departments governing educational institutions.

4. Other powers of the Ministry of Education of Ukraine, ministries and departments of Ukraine governing educational institutions shall be determined in regulations thereon.

Article 13. Powers of the Supreme Certification Commission of Ukraine

The Supreme Certification Commission of Ukraine shall organize and perform the certification of scientific and scientific-pedagogical personnel, monitor the process of awarding academic degrees and scientific degree of a senior research fellow.

Regulations on the Supreme Certification Commission of Ukraine shall be approved by the Cabinet of Ministers of Ukraine.

Article 14. Powers of Local Executive Authorities and Bodies of Local Self-Governance in the Area of Education

1. Local executive authorities and bodies of local self-governance shall implement the national policy in the area of education and within the limits of their competence:

- establish minimum norms and scopes of budgetary funding, which are not less than those determined by the Ministry of Education of Ukraine, of educational institutions, establishments and organizations of the system of education that are in the municipal ownership, and ensure the financing of costs related to their maintenance;
- ensure the development of a network of educational institutions and establishments, organizations of the system of education, strengthening of their material basis, their economic servicing;
- perform the social protection of employees in the area of education, children, pupil and student youth, create conditions for their upbringing, study and work according to the standards of material, technical and financial maintenance;
- arrange registration of children of pre-school and school age, supervise the observance of the requirements regarding children education in educational institutions;
- in accordance with the established procedures solve issues related to the wardship and guardianship over adolescents who stayed without parents' care, orphan children, the protection of their rights, provision of material and other assistance;
- create appropriate conditions at the place of residence for upbringing children and youth, development of their abilities and satisfaction of their interests;
- in rural regions ensure regular free transportation of children of pre-school, pupils and teachers to the place of study and back to home;
- organize professional consultations of the youth and productive work of pupils;
- determine needs, scopes and develop proposals regarding the state order for training labor for a region.

2. Local executive authorities and bodies of local self-governance shall establish relevant education management organs whose activities shall be directed to:

- management of educational institutions which in the municipal ownership;
- organization of educational-methodological provision of educational institutions, improvement of the professional qualification of pedagogical employees, their retraining and certification pursuant to the procedures established by the Ministry of Education of Ukraine;
- coordination of actions of pedagogical and production collectives, families, community with respect to issues related to the education and upbringing of children;
- determination of needs, development of proposals regarding state contract and formation of the regional order for pedagogical specialists, conclusion of agreements on their training;
- control over the observance of the requirements regarding contents, level and scope of education, certification of educational institutions which in the municipal ownership.

In the performance of their powers, local education management organs shall be accountable to the local executive authorities, bodies of local self-governance and respective government education management organs pursuant to the procedures established by the Cabinet of Ministers of Ukraine.

Article 15. State Standards of Education

1. State standards of education shall determine requirements to the contents, scope and level of educational and professional training in Ukraine. They shall constitute the basis of the valuation of educational and qualification level of citizens regardless of the form of taking education.

State standards of education shall be developed separately for each educational and qualification level and shall be approved by the Cabinet of Ministers of Ukraine. They shall be subject to revision and re-approval at least once per 10 years.

2. The correspondence of educational services to the state standards and requirements shall be determined by a founder of educational institution, the Ministry of Education of Ukraine, the Ministry of Education of the Autonomous Republic of Crimea, ministries and departments governing educational institutions, local education management organs through licensing, inspection, certification and accreditation of educational institutions pursuant to the procedures established by the Cabinet of Ministers of Ukraine.

3. According to the results of licensing, the Ministry of Education of Ukraine, the Ministry of Education of the Autonomous Republic of Crimea and local education management organs shall, within the limits of their authorities, provide educational institutions, regardless of their forms of ownership, with licenses giving the right carry out educational activities pursuant to the state requirements with the determination of certain educational or qualification levels of the scope of training,

which correspond to personnel, scientific-methodological and material-technical provision, and enter them to the state register of educational institutions.

Failure to comply with or any gross violation by an educational institution of the terms and rules of the licensed activities, submission and distribution of inadequate information regarding such activities shall be a reason for the suspension or cancellation of a license.

4. According to the results of accreditation of higher educational institutions and post-graduate institutions, the Ministry of Education of Ukraine together with ministries and departments governing educational institutions shall:

- determine the conformity of educational services with the state standards of a certain educational-qualification level by directions (specialties), confer the right to issue a document of education generally accepted in the state;
- determine the level of accreditation of an educational institution;
- provide certain autonomy to an educational institution according the received status;
- inform the community regarding the level of educational and scientific activities of higher education institutions;
- according the established procedures decide issues on reorganization of a higher education institutions with the provision of the respective status or its liquidation.

5. According to the results of certification of pre-school, secondary, out-of-school and professional-technical educational institutions, the Ministry of Education of Ukraine, the Ministry of Education of the Autonomous Republic of Crimea, local education management organs shall within the limits of their authorities:

- determine the compliance of educational services provided by educational institutions with the state standards of a certain educational and educational-qualification level;
- make a decision to establish specialized educational institution: school, collegium, lyceum, gymnasium etc;
- make a proposal to the Ministry of Education of Ukraine regarding provision of the respective status to professional-technical educational institutions;
- make a decision to establish, reorganize or liquidate educational institutions.

6. The President of Ukraine may provide the status of a national educational institution for the specific progress achieved by an educational institution in its activities.

Article 16. Public Self-Governance Bodies in Education

1. Public self-governance bodies in the area of education shall include:

- general meeting (conference) of the working collective of an educational institution;

- district, city, oblast conferences of pedagogical employees, congress of educational employees of the Autonomous Republic of Crimea;
- all-Ukrainian congress of educational employees.

2. Public self-governance bodies in the area of education may unite participants of educational-upbringing process, specialists in a certain professional area.

3. Public self-governance bodies in the area of education shall make proposals regarding formation of the national policy in the area of education, decide within the limits of their competence issues related to educational-upbringing, scientific-research, methodological, economic and financial-business activities of educational institutions.

Authorities of public self-governance bodies in the area of education shall be determined by the Ministry of Education of Ukraine pursuant to applicable Ukrainian legislation under participation of representatives of trade-unions, all-Ukrainian pedagogical (educational) associations.

Article 17. Self-government of Educational Institutions

Self-government of educational institutions shall contemplate their right to:

- the independent planning of work, solution of issues related to educational-upbringing, scientific-research, methodological, economic and financial-economic activities;
- the participation in the formation of plans of admission of pupils and students taking into consideration state contract (order) and agreements of enterprises, institutions, organizations and individuals;
- the determination of the contents of education provided by an educational institution that exceeds the contents determined by the state;
- the employment of pedagogical, scientific-pedagogical, engineering-pedagogical and other employees, as well as experts from other countries, including under contracts;
- the independent usage of all appropriations, approval of the structure and personnel schedule within the limits of the determined salary fund;
- the performance of the public control over the organization of catering, health care and protection of labor in educational institutions.

Article 18. Terms and Conditions of Establishment of Educational Institutions

1. Educational institutions shall be established by government executive authorities and bodies of local self-government, enterprises, institutions and organizations regardless of their forms of ownership, citizens according to social-economic, national, cultural-educational needs in such educational institutions under condition of the existence of the required material, technical, scientific and methodological basis, pedagogical personnel.

2. Educational institutions founded on the national or municipal ownership shall have the status of the public educational institution.

3. Regardless of their status and its subordination, educational institutions shall ensure the quality of education to the extent of the requirements of the state standards of education.

4. Necessity in higher educational institutions, regardless of the forms of ownership, and their network shall be determined by the Cabinet of Ministries of Ukraine.

Necessity in professional-technical educational institutions shall be determined by the Cabinet of Ministers of Ukraine, and its network - by the Ministry of Education of Ukraine.

Necessity in educational institutions founded on the municipal ownership shall be determined by local organs of the government executive power and bodies of local self-governance.

Procedures for the establishment, reorganization and liquidation of educational institutions shall be determined by the Cabinet of Ministers of Ukraine.

5. Activities of an educational institution shall commence upon the existence of a license to carry out activities related to the provision of services to take education and train specialists of various qualification levels. Such license shall be issued pursuant to the procedures established by the Cabinet of Ministers of Ukraine.

6. Educational institutions shall act on the basis of their own charters to be approved by:

- the Ministry of Education of Ukraine with respect to educational institutions founded on the national ownership and which are in its system;
- ministries and departments of Ukraine governing educational institutions founded on the national ownership under agreement of the Ministry of Education of Ukraine;
- the Ministry of Education of Ukraine with respect to the higher educational institutions founded on other forms of ownership;
- local organs of the government executive power and bodies of the local self-governance with respect to the state educational institutions which in the municipal ownership and educational institutions (except for higher educational institutions) founded on the other forms of ownership.

7. An educational institution shall have its own name, in which its type (kindergarten, school, gymnasium, lyceum, collegium, college, institute, conservatory, academy, university or others) and organizational-legal form shall be specified.

Article 19. Scientific and Methodological Provision of Education

Scientific and methodological provision of education shall be made the Ministry of Education of Ukraine, the National Academy of Sciences of Ukraine, the Academy of Pedagogical Sciences of Ukraine, ministries and departments governing

educational institutions, the Ministry of Education of the Autonomous Republic of Crimea, higher educational institutions, academic, departmental, Scientific-research institutes, post-graduate institutions, other scientific-methodological and methodological institutions in cooperation with enterprises, creative unions, associations, partnerships, public scientific organizations.

Article 20. Manager of Educational Institution

1. An educational institution shall be headed by its manager (head, director, rector, president etc.)

2. Managers of educational institutions, which are in the national ownership and subordinated to the Ministry of Education of Ukraine, shall be elected through a tender and appointed to the position by the Ministry of Education of Ukraine through the conclusion with them of a contract pursuant to the procedures approved by the Cabinet of Ministers of Ukraine.

3. Manager of educational institutions, which are in the national ownership and subordinated to other ministries and departments of Ukraine, shall be elected through a tender and appointed to the position (under prior agreement with the Ministry of Education of Ukraine) by the respective ministries and departments of Ukraine through the conclusion with them of a contract.

4. Managers of educational institutions, which are in the municipal ownership, shall be appointed by the Ministry of Education of the Autonomous Republic of Crimea, respective oblast, city and district authorities governing education under prior agreement with local organs of the government executive power and bodies of local self-governance.

5. Managers of educational institutions founded on other forms of ownership shall be appointed by their founders or organs authorized by them under prior agreement with the respective education governing bodies of the government executive power and organs of local self-governance.

6. Managers of the higher educational institutions shall report annually to the general meeting (conference) of the educational institution's collective.

Article 21. Psychological Service in the System of Education

The state psychological service shall act in the system of education. Psychological provision of the educational-upbringing process in educational institutions shall be performed by practicing psychologists. By their status, practicing psychologists shall belong to educational employees.

Article 22. Social-Pedagogical Patronage in the System of Education

The social-pedagogical patronage in the system of education shall cause the cooperation of educational institutions, families and the society in upbringing children, their adaptation to the conditions of social environment, provide advisory assistance to parents or persons substituting them. The pedagogical patronage

shall be performed by social teachers. By their status, social teachers shall belong to educational employees.

Article 23. Participation of Scientific and Cultural Workers, Representatives of Other Spheres of Activities in the Educational-Upbringing Work

Under decision of an educational institution, scientific and cultural workers, representatives of other spheres of activities may participate in the educational-upbringing work, management of pupils and students' associations by interests, facilitate the intellectual and cultural development of pupils and students' youth, give advisory assistance to teachers.

Article 24. Organization of Medical Care in the System of Education

Organization of medical care in the system of education shall be ensured by local executive authorities and organs of local self-governance and shall be carried out by institutions of the Ministry of Health Care of Ukraine, departmental health care institutions pursuant to applicable legislation.

Article 25. Organization of Catering in Educational Institutions

Organization of and responsibility for catering in the state educational institutions shall be borne by local executive authorities and organs of local self-governance, ministries and departments of Ukraine governing educational institutions, managers of educational institutions and shall be carried out at the expense of budget funds.

Catering in educational institutions of other forms of ownership shall be organized by a founder and manager of such institutions.

Control and government supervision over the quality of catering shall be performed by health care organs.

Article 26. Provision of Safe and Healthy Conditions of Study, Work and Training

Provision of safe and health conditions of study, work and training in educational institutions shall be within the responsibility of the owner of such institution or any body authorized by it or manager of such educational institution.

Article 27. Documents of Education

A graduate of the state or other accredited (attested) educational institution shall obtain a respective document of education pursuant to the determined format.

Specimens of documents of education shall be approved by the Cabinet of Ministers of Ukraine.

Section II

SYSTEM OF EDUCATION

Article 28. Definition of the System of Education

The system of education shall consist of educational institutions, scientific, scientific-methodological and methodological institutions, scientific-production enterprises, state and local bodies governing education and bodies of self-governance in the area of education.

Article 29. Structure of Education

The structure of education shall include the following:

pre-school education; comprehensive secondary education; out-of-school education; vocational education; higher education; post-graduate education; post-graduate studies; education for doctor's degree; self-education.

Article 30. Educational Levels and Educational-Qualification Degrees

1. In Ukraine there are the following educational levels:

elementary general education; basic comprehensive secondary education; complete comprehensive secondary education; professional-technical education; basic higher education; complete higher education.

2. In Ukraine there are the following educational-qualification degrees:

qualified employee; junior specialists; bachelor; specialist, master.

Provisions on educational levels and educational-qualification degrees (degree education) shall be approved by the Cabinet of Ministers of Ukraine.

Article 31. Scientific Degrees

1. Scientific degrees shall be as follows:

candidate of science; doctor of science.

2. Scientific degrees of a candidate and doctor of science shall be awarded by the specialized academic councils of the higher educational institutions, scientific institutions and organizations pursuant to the procedures established by the Cabinet of Ministers of Ukraine.

Article 32. Academic Status

1. There shall be the following academic statuses: senior research fellow; senior lecturer; professor.

2. Academic status of a senior research fellow, senior lecturer and professor shall be awarded on the basis of a decision of academic councils of the higher educational institutions, scientific institutions and organizations pursuant to the procedures established by the Cabinet of Ministers of Ukraine.

Article 33. Pre-School Education

Pre-school education and training shall be carried out in a family, pre-school institutions in cooperation with a family, and shall be intended to ensure physical and psychological health of children, their comprehensive development, obtaining life experience, acquisition of abilities and skills necessary for their further education.

Article 34. Pre-School Educational Institutions

1. Pre-school educational institutions shall include: nurseries, kindergartens, nursery schools, family, promenade, pre-school institutions of compensative (for children who required correction of physical and mental development) and combined types with a short-term, day and full day stay of children, as well as kindergartens of a boarding school type, children's houses and others.

2. Admission of children to pre-school institutions shall be made according to the wish of parents or persons substituting them.

Article 35. Comprehensive Secondary Education

1. Comprehensive secondary education shall ensure the comprehensive development of a child as individual, its gifts, skills, talents, labor training, professional self-determination, formation of the general human moral, digestion of the scope of knowledge on the nature, human being, society and production generally accepted by public and national-cultural needs, environmental education, physical improvement.

2. The state shall provide the youth with the right to take complete general secondary education and pay its taking. Complete comprehensive secondary education in Ukraine shall compulsory and may be taken in various types of educational institutions.

3. Any additional educational courses over the scope determined by the state standards for the respective educational level may be introduced at the expense of funds of enterprises, institutions and organizations, parents and other voluntary contributions.

Article 36. Secondary Educational Institutions

1. The main type of a secondary educational institution shall be a secondary school of general education of three levels: the first - elementary school providing elementary general education; the second - main school providing basic general secondary education; the third - high school providing complete general secondary education.

2. School of each of three levels may function together or independently.

3. Study at a secondary school of general education shall start from a six or seven year age.

4. Schools of the first level in rural regions shall be established regardless of the existing number of pupils. Such schools, as well as separate grades in such schools, shall be opened under decision of local organs of the government executive power and bodies of local self-governance.

5. Such educational-upbringing combination "school-kindergarten", schools and groups of extended day may be established in accordance with the decision of the government executive authorities and organs of local self-governance and for the satisfaction of educational needs of the people.

6. Profile grades (with advanced study of certain subjects or basic pre-professional training), specialized schools, gymnasiums, lyceums, collegiums, as well as various types of educational-training complexes and associations shall be established in order to develop abilities, gifts and talents of children.

7. Evening (shift) schools, as well as grades, groups with day and correspondence forms of education may be established in schools of general education in order to take comprehensive secondary education.

8. Those who wish shall be given the right and provided with terms and conditions to graduate from school earlier and pass examinations without attending lectures.

Article 37. Educational Institutions for Individuals Who Need Social Assistance and Rehabilitation

1. Boarding schools of general education shall be established for children who have no necessary conditions for their training and education in families.

2. Boarding schools, children's homes, including of a family type with the full state maintenance shall be established of orphans and children who remained without parents' care.

3. Pre-school educational institutions, boarding schools-sanatoriums and children's homes of general education shall be established for children who need long-term treatment. Studies with such children shall be also carried out in hospitals, sanatoriums, at home.

4. Special boarding schools, schools, children's homes, pre-school and other educational institutions shall be established for physically or mentally disabled people who can not study in mass educational institutions. Such educational institutions shall be maintained at the expense of the state funds.

5. Schools of general education and vocational schools of social rehabilitation shall be established for children and adolescents who need special conditions of upbringing.

Article 38. Out-of-School Education

1. Out-of-school education and upbringing shall constitute a part of the structure of education and shall be directed to the development of abilities and talents of children, pupil and student's youth, satisfaction of their interests, spiritual needs and demand in the professional determination.

2. Out-of-school education and upbringing shall be provided by educational institutions, families, labor collectives, public organizations, associations and funds, and shall be grounded on the principles of the voluntary choice of institution and activity types.

3. The state shall ensure terms and conditions for pupils and youth to obtain out-of-school education.

Article 39. Out-of-School Educational Institutions

1. Out-of-school educational institutions shall include palaces, houses, centers, stations of children and youthful creative works, pupils and students' clubs, children-sports schools, schools of arts, studios, elementary specialized artistic educational institutions, libraries, health-care and other institutions.

2. In order to carry out their educational-teaching work, out-of-school educational institutions shall be provided with sports objects, cultural, health-care and other institutions on a free-of-charge basis and preferential terms. Procedures for their provision shall be established by local government executive authorities and organs of local self-governance.

Article 40. Vocational Education

1. Vocational education shall ensure obtaining profession by citizens according to their wishes, interests, skills, as well as retraining, improvement of their professional qualification.

2. Vocational education of citizens shall be carried out on the basis of the complete comprehensive secondary education or basic secondary education with the provision of opportunity to obtain complete comprehensive secondary education.

3. Citizens, who need social assistance and rehabilitation, as well as individuals obtaining certain professions as per list approved by the Cabinet of Ministers of Ukraine, may obtain a profession without basic general secondary education.

Article 41. Vocational Educational Institutions

1. Vocational educational institutions shall include vocational schools, vocational artistic school, social rehabilitation vocational school, vocational school-agrofirm, vocational school-plant, higher vocational school, field study center, training and retraining center for workers, educational training center, other types of institutions that provide working profession.

2. Vocational educational institutions may have day and evening departments, create and participate in various complexes and associations.

3. Vocational educational institutions shall carry out training, retraining and raising skills of citizens under state contract, as well as pursuant to agreements with enterprises, associations, institutions, organizations and individuals.

4. Vocational educational institutions may have one or several base enterprises, associations, organizations for which they train working personnel. Relations with base enterprises, associations and organizations shall be governed by concluded agreements.

5. Students of the state vocational educational institutions from amongst orphans, children who stayed without parents' care, and children who need special conditions of education shall be on the full maintenance of the state; other students of the said educational institutions shall be provided with free catering and scholarship. Procedures for the full state maintenance and provision of students of the state vocational educational institutions with free catering and scholarship shall be determined by the Cabinet of Ministers of Ukraine.

6. In accordance with their educational-professional level, graduates of vocational educational institutions shall be awarded the rank "qualified worker" by the acquired profession of the respective grade (class).

Graduates of the higher vocational institutions may be awarded the rank "junior specialist".

7. Citizens may also acquire profession, raise their qualification or be retrained directly at work.

Article 42. Higher Education

1. Higher education shall ensure the fundamental, scientific, professional and practical training, obtaining by citizens educational-qualification ranks in accordance with their wishes, interests and abilities, improvement of the scientific and professional training, retraining and raising their skills.

2. Higher education shall be provided on the basis of the general secondary education. Higher educational institutions, which train junior specialists, may admit persons with the basic general secondary education.

3. Training of specialists in higher educational institutions may be carried out with interruption (day form) and without interruption of work (evening, by-correspondence forms), through combination of such two forms, and for certain specialties - in the form of external studies.

The State shall create conditions for Ukrainian citizens in order to realize their right to higher education.

Study in higher educational institutions of the state form of ownership shall be paid by the state, except for the events contemplated by part fourth Article 61 of this Law, and in higher educational institutions of other forms of ownership - by legal entities and individuals.

Admission of citizens to higher educational institutions shall be made on competitive basis according to abilities and regardless of the form of ownership of an educational institution and sources of financing education.

Control over the observance of principles of social justice and legality shall be performed by organs authorized by this Law.

4. Especially gifted students shall be provided with education and probation under individual plans, special state scholarship, terms and conditions for study abroad.

Article 43. Higher Educational Institutions

1. Higher educational institutions shall include: technical school, college, institute, conservatory, academy, university etc.

2. According to the status of higher educational institutions, four levels of accreditation shall be established:

- first level - technical school and other equivalent higher educational institutions;
- second level - college and other equivalent higher educational institutions;
- third and fourth levels (depending on consequences of the certification) - institute, conservatory, academy, university.

3. Higher educational institutions shall train specialists by the following educational-qualification levels:

- junior specialist shall be trained by technical schools and other higher educational institutions of the first level of certification;
- bachelor shall be trained by colleges and other higher educational institutions of the second level of certification;
- specialist and master shall be trained by the higher educational institutions of the third and fourth levels of certification.

4. Higher educational institutions of the first level of certification may train specialists by educational-qualification levels provided by educational institutions of the lower level of certification.

5. In accordance with the established procedures, higher educational institutions may found various types of educational-scientific-production complexes, associations, centers, institutes, branches, colleges, lyceums and gymnasiums.

Article 44. Activities of a Higher Educational Institution

1. The principal activities of a higher educational institution shall include:

- training specialists of different educational-qualification levels;
- training and certification of scientific and scientific-pedagogical personnel;
- scientific and research works;
- specialization, advanced training, personnel retraining;
- cultural-educational, methodological, publishing, financial-business, professional-commercial activities;
- carrying out foreign activities.

2. Higher educational institutions shall carry out their activities under the state contract (order) and agreements as the principal form of regulation of the relations between educational institutions and enterprises, institutions, organizations and individuals.

Article 45. Scientific Activities in the System of Higher Education

1. Scientific activities in the system of higher education shall include carrying out scientific and research works, training of scientific and scientific-pedagogical personnel of the highest qualification.

Scientific and research work shall be an integrated part of the specialist training and carried out by scientific collectives, individual scientists under agreements, contracts, orders, programs and projects. Scientific and scientific-production subdivisions, unions, associations, technological parks, centers of modern information technologies and scientific-technical arts and other formations shall be created for such purposes.

2. The state shall recognize the priority of the fundamental researches performed in the system of education.

Article 46. Autonomy of a Higher Educational Institution

1. A higher educational institution may be provided with autonomy pursuant to the level of its certification, and such autonomy shall contemplate the institution's rights to:

- determination of the contents of education;

- determination of admission plans for students, postgraduates and persons working for doctor's degree taking into consideration the state contract (order) and agreements with enterprises, institutions, organizations and individuals;
- determination and awarding scientific degrees of a higher educational institution of the fourth level of certification;
- other power delegated to a higher educational institution pursuant to its status by the government authorities governing education.

2. A higher educational institution may delegate certain of its powers to the government authorities governing education.

Article 47. Postgraduate Education (Specialization, Probation, Clinical Internship Advanced Training and Personnel Retraining)

1. Postgraduate education shall ensure obtaining new qualification, new specialty and profession on the basis of the previously obtained education in an educational institution and experience of the practical work, perfection of knowledge and skills by the specialty or profession.

2. Postgraduate education shall be provided by institutions of postgraduate education on the contractual basis with enterprises, institutions and organizations taking into consideration the state contract (order).

3. Forms, terms and contents of studies, methodological and scientific-research activities shall be determined by postgraduate educational institutions under agreement with a customer.

Article 48. Institutions of Postgraduate Education

1. Institutions of postgraduate education shall include:

- academies, institutes (centers) of advanced training,
- retraining and development, educational-course centers;
- subdivisions of higher educational institutions (branches, faculties, departments etc.);
- vocational educational institutions;
- respective subdivisions in organizations and enterprises.

2. Institutions of postgraduate education may act on the basis of a day, evening, by-correspondence forms of studies, have branches and carry out scientific and research activities.

Article 49. Self-Education of Citizens

For the purposes of self-education of citizens government authorities, enterprises, institutions, organizations, associations of citizens and individuals shall establish open and people's universities, Lyceums, libraries, centers, clubs, TV and radio programs etc.

Section III

PARTICIPANTS OF TRAINING AND EDUCATIONAL PROCESS

Article 50. Participants of Training and Educational Process

Participants of training and educational process shall include:

- pupils, apprentices, students, cadets, attendees, probationers, clinical interns, postgraduate students, persons working for doctor's degree;
- managing, pedagogical, scientific, scientific-pedagogical employees, specialists;
- parents or persons who substitute them, parents - teachers of family type children's homes;
- representatives of enterprises, institutions, cooperative and public organizations, which take part in the training and education process.

Article 51. Rights of Pupils, Apprentices, Students, Cadets, Attendees, Probationers, Clinical Interns, Postgraduate Students, Persons Working for Doctor's Degree

1. Pupils, apprentices, students, cadets, attendees, probationers, clinical interns, postgraduate students, persons working for doctor's degree shall have respectively the following rights guaranteed by state:

- to study in order to get certain educational levels and educational - qualification degrees;
- to choose educational institution, type of studying, educational-professional and individual programs, extracurricular studies;
- to have additional leave from duties, shortened working hours and other privileges provided for by applicable legislation for the persons who combine work and studies;
- to continue studies as per profession or specialty on the grounds of obtaining educational-qualification level, obtain additional education in accordance with an agreement with educational institution;
- to obtain an assignment for studies or probation work in other educational institutions, including abroad;
- to use educational, scientific, production, cultural, sports, household and recreational facilities of an educational institution;
- to have an access to information in all branches of knowledge;
- to participate in scientific-research, design-engineering and other types of scientific activities, conferences, olimpiads, exhibitions and competitions;
- to participate in person or through their representatives in public self-government, discussions and solving problems related to improving the training-educational process, scientific and research works, granting scholarships, arranging recreation activities, improving conditions of life, etc;
- to participate in associations of citizens;
- to have safe and hazard-free conditions of studies and work;

- to be provided with scholarships, hostels, boarding schools pursuant to the procedures established by the Cabinet of Ministers of Ukraine;
- to labor activities during extracurricular time pursuant to the procedures provided for by applicable legislation;
- to interval in studies at higher educational institutions, and vocational schools;
- to use services of health care establishments, means of treatment, prophylactic of diseases and improving of health;
- to the protection from any form of exploitation, physical and psychological violence, actions of pedagogical and other employees who violate the rights or humiliate their honor and dignity.

2. Save for events contemplated by resolutions of the Cabinet of Ministers of Ukraine, it shall be prohibited to send pupils, students, cadets, probationers, clinical interns, postgraduate students, persons working for doctor's degree to work on account of school hours and take actions which are not connected with educational process.

Article 52. Responsibilities of Pupils, Apprentice, Students, Attendees, Probationers, Clinical Interns, Postgraduate Students, Persons Working for Doctor's Degree

1. Pupils, apprentice, students, attendees, probationers, clinical interns, postgraduate students, persons working for doctor's degree shall the following responsibilities:

- to comply with legislation, moral and ethics norms;
- to acquire knowledge and practical skills systematically and deeply, to become proficient in trade, raise their general cultural level;
- to comply with the statute, internal regulations of an education institution;

2. Graduates of higher educational institutions, who were educated on account of the state or local budgets, shall be assigned to work and shall be obliged to work for under such assignment in accordance with the procedures established by the Cabinet of Ministers of Ukraine.

3. Other responsibilities of persons who study may be set up by legislation, regulations on educational institutions and their statutes.

Article 53. Additional Types of Social and Material Provisions of Pupils, Apprentices, Students, Cadets, Attendees, Probationers, Clinical Interns, Postgraduate Students, Persons Working for Doctor's Degree

1. Pupils, apprentices, students, cadets, attendees, probationers, clinical interns, postgraduate students, persons working for doctor's degree may be provided with additional social and pecuniary aid on account of local budgets, ministries, and departments, enterprises, institutions and organizations, monies of citizens, legal entities and individuals outside of Ukraine, charitable organizations, as well as from other sources.

2. Funds of general compulsory education shall be created at institutions of general education for provision of pupils with pecuniary aid, arrangement of their recreation

activities, implementation of cultural programs and for other expenses provided by applicable legislation. Funds of general compulsory education shall be established on account of local budgets in the amount of at least three percent of the amount of costs for the maintenance of schools, as well as on the account of funds received from enterprises, institutions, organizations and other sources.

3. Pupils living in rural areas at the distance more than 3 km from a school shall be provided with for a free regular transportation to school and from school by regular-rout transport or by transport of enterprises, institutions and organizations.

4. During industrial training and practical work pupils shall be provided with working places and safe and hazard free conditions of work. Procedures for payment for the job done during industrial training and practice shall be established by the Cabinet of Ministers of Ukraine.

Fifty percent of earnings received for industrial training and practice of students of vocational schools, who receive scholarship and food on account of the state, could be directed to the account of educational institution for the improvement of the educational-material base, social protection of students, carrying out cultural-mass work, physical training and sport activities.

Article 54. Provision of the Area of Education with Personnel

1. Persons with high moral qualities, who have relevant education, vocational and practical training and are physically fit to perform duties may be carry out pedagogical activities.

2. Pedagogical activities in educational institutions shall be carried out by pedagogical staff; at higher educational institutions of the third and fourth levels of certification and postgraduate educational institutions the same shall be done by scientific pedagogical staff.

List of positions of pedagogical and scientific-pedagogical employees shall be set forth by the Cabinet of Ministers of Ukraine.

3. Pedagogical and scientific-pedagogical employees shall be employed through entering into labor agreement, including a contract. Scientific-pedagogical employees shall be employed on the grounds of a competition.

4. Pedagogical employees shall be subject to attestation procedures. Under results of the attestation, it shall be determined whether an employee corresponds to the occupied post, the level of his/her qualification, classes and pedagogical ranks shall be awarded. Procedures for the attestation of pedagogical employees shall be established by the Cabinet of Ministers of Ukraine.

List of classes and pedagogical ranks of pedagogical employees, the procedures for their awarding shall be determined by the Cabinet of Ministers of Ukraine.

Decision of the attestation commission shall be the ground for dismissal of a pedagogical employee from work pursuant to the procedures provided for by applicable legislation.

Article 55. Rights of Pedagogical and Pedagogical-Scientific Employees

1. Pedagogical and scientific-pedagogical employees shall have the following rights:

- to protect their professional honor and dignity;
- to have a free choice of form, methods and means of teaching, showing pedagogical initiative;
- to carry out individual pedagogical activities;
- to participate in public self-government;
- to use the prolonged paid leave;
- to be provided with dwelling on the priority basis, favorable credits for individual and cooperative construction;
- to purchase basic food staff at prices set up for agricultural workers (for pedagogical employees working in rural areas);
- to obtain service dwelling;
- to advanced training, retraining, free choice of contents, programs, forms of studies, educational institutions, departments and organizations, which provides the improvement of qualification and retraining.

2. It shall be prohibited to divert pedagogical and scientific-pedagogical employees from the fulfillment of their professional duties, save for the events contemplated by applicable legislation.

Article 56. Responsibilities of Pedagogical and Scientific-Pedagogical Employees

Pedagogical and scientific-pedagogical employees shall be obligated:

- to raise constantly their proficiency level, pedagogical skills and general culture;
- to provide conditions for mastering by pupils, apprentices, students, cadets, attendees, probationers, clinical interns, postgraduates of training programs at the level of compulsory requirements as per the contents, level and volume of education, to cause the development of abilities of children, pupils, students;
- by instructing and personal example to strengthen the respect to the principles of the common to all mankind moral: truth, justice, devotion, patriotism, humanism, kindness, tolerance, diligence, reasonableness and other virtues;
- to train children and young people to respect parents, women, elderly people, national traditions and customs, national, historical and cultural values of Ukraine, its government and social system, careful attitude to historical, cultural and natural environment of the country;
- to prepare pupils and students to intelligent life in the sense of mutual understanding, peace, consent between all the nations, ethnic, national and religious groups;

- to observe pedagogical ethics, moral, respect the dignity of a child, pupil, student;
- to protect children and young people from any form of physical or psychological violence, to prevent them from using alcohol, drugs and other bad habits.

Article 57. State Guarantees to Pedagogical, Scientific-Pedagogical Employees and Other Categories of Employees of Educational Institutions

1. The state shall provide pedagogical and scientific-pedagogical employees with the following:

- proper conditions of work, welfare facilities, relaxation, medical services;
- raising of proficiency level not less than once per five years;
- legal, social and profession protection;
- compensations, as set up by legislation, in the event of losing job or in connection with changes in organization of production and work;
- determination and payment of pension in accordance with applicable legislation;
- determination of higher office salaries (rate of salary) for scientific degrees and scientific ranks;
- payment of the long service increment bonus to pedagogical and scientific-pedagogical employees on the monthly basis in percentage of their office salary (rate of salary) depending upon the length of pedagogical service at the following rates: more than 3 years - 10 percent, more than 10 years - 20 percent, more than 20 years - 30 percent;

(To determine that in 2001 provisions and norms set forth in paragraph eight, part one, Article 57 of this Law shall be realized in the amounts and pursuant to the procedures established by the Cabinet of Ministers of Ukraine within the limits of expenses included into estimates to the state budget of Ukraine and local budgets for 2001 pursuant to Law No. 2120-III (2120-14) dated 7 December 2000).

- provision of pedagogical employees with annual monetary reward in the amount of one official salary (rate of salary) for good faith labor, exemplary carrying out their official duties;
- payment to pedagogical and scientific-pedagogical employees a welfare for health recreation in the amount of a monthly official salary (rate of salary) when providing annual leave;

(To determine that in 2001 provisions and norms set forth in paragraph ten, part 1, Article 57 of this Law shall be realized in the amounts and pursuant to the procedures established by the Cabinet of Ministers of Ukraine within the limits of expenses included into estimate to the state budget of Ukraine and local

- budgets for 2001 pursuant to Law No. 2120-III (2120-14) dated 7 December 2000)
- setting up average official salaries (rates of salaries) to scientific-pedagogical employees of higher educational institutions of the third and fourth levels of certification on the level of double average salary of industrial employees;

(To determine that in 2001 provisions and norms set forth in paragraph eleven, part 1, Article 57 of this Law shall be realized in the amounts and pursuant to the procedures established by the Cabinet of Ministers of Ukraine within the limits of expenses included into estimate to the state budget of Ukraine and local budgets for 2001 pursuant to Law No. 2120-III (2120-14) dated 7 December 2000)

- setting up average official salaries (rates of salaries) to pedagogical employees of higher educational institutions of the first and second levels of certification and other educational institutions on the level not less than the average salary of industrial employees.

(To determine that in 2001 provisions and norms set forth in paragraph twelve, part 1, Article 57 of this Law shall be realized in the amounts and pursuant to the procedures established by the Cabinet of Ministers of Ukraine within the limits of expenses included into estimate to the state budget of Ukraine and local budgets for 2001 pursuant to Law No. 2120-III (2120-14) dated 7 December 2000)

Salaries of pedagogical and scientific-pedagogical employees shall be reviewed twice a year with quarterly indexation taking into account rate of inflation.

Approval of a schedule of official salaries (rates of salaries) of pedagogical, scientific- pedagogical employees and raising (indexation) of their official salaries (rates of salaries) shall be performed pursuant to the procedures established by the Cabinet of Ministers of Ukraine.

2. The state shall ensure the following:

- determination of additional payments to specialists, who work in the system of education, up to the general level of average monthly salary of employees working in the national economy;
- determination of the average amount of official salaries (rates of salaries) of support staff according to the schedule of official salaries (rates of salaries) established by the Cabinet of Ministers of Ukraine.

Salaries of specialists working in the system of education and support staff shall be reviewed twice a year with quarterly indexation taking into account rate of inflation.

3. In the event any pedagogical or scientific-pedagogical employee falls ill that renders impossible for him/her to perform his/her professional duties and restricts his/her presence before children, pupils or students audience, or in the event of a temporary transfer to another job for that or other reason, such employee shall retain the previous average salary. In the event of disease or disablement, the previous average salary shall be paid until the recovery of ability to work or registration as a disabled person.

4. In accordance with applicable legislation, the State shall provide pedagogical employees working in rural areas and urban townships, as well as pensioners, who previously worked as pedagogical employees in such settlements and continue to live there, with free dwelling, heating and electricity pursuant to the established norms.

They shall have the right to acquire into their ownership a land plot in the amount of an average land plot pursuant to applicable legislation.

5. Educational institutions may, at the expense of their own funds, provide pedagogical and scientific-pedagogical employees with material welfare to solve social and household related issues.

Article 53. Encouragement of Pedagogical and Scientific-Pedagogical Employees

Pedagogical and scientific-pedagogical employees may be awarded for outstanding labor services with state rewards, nominated for obtaining state premiums of Ukraine, distinguished with badges, diplomas and other types of moral and material incentives.

Article 59. Responsibilities of Parents for Development of Child

1. Education in a family shall be the fundamental principle in bringing up of a child as personality.

2. Each of the parents shall bear equal responsibilities for upbringing, education and development of a child.

3. Parents and persons who substitute them shall be obliged:

- constantly to take care about physical health, psychological condition of children, create proper conditions for the development of their natural abilities;
- to respect the dignity of a child, bring up diligence, kindness, mercy, respectful attitude to the national language and mother tongue, family, elderly people, national traditions and customs;
- to bring up the respect to the national, historical and cultural values of the Ukrainian and other nations, careful attitude to the historical and cultural heritage, environment, love to their country;
- to assist children to get education in educational institutions or provide them with the full value home education in accordance with the requirements to its contents, level and scope;
- to bring up the respect to laws, rights, principal human freedoms.

4. The state shall provide parents and persons who substitute them with the assistance in the performance of their duties, protect the family rights.

Article 60. Parents' Rights

Parents or persons who substitute them shall have the following rights:

- to select educational institution for under age children;
- to elect and be elected to the self-governance bodies of educational institutions;
- to apply to the government authorities governing education regarding issues related to education and upbringing of children;

- to protect lawful interests of their children before respective government authorities.

Section IV

FINANCIAL AND ECONOMIC ACTIVITIES, MATERIAL AND TECHNICAL BASIS OF EDUCATIONAL INSTITUTIONS

Article 61. Financial and Economic Activities of Educational Institutions and Establishments, Organizations, Enterprises of the System of Education

1. State educational institutions and establishments, organizations and enterprises of the system of education shall be funded on the account of relevant budgets, funds of branches of the national economy, state enterprises and organizations, as well as additional sources of financing.

2. The state shall provide budget allocations for education in the amount not less than ten percent of the national income, as well as currency allocations for principal activities.

3. Funds of educational and scientific institutions and establishments, which are completely or partially financed from the budget, received from carrying out or for carrying out their activities as contemplated by their constituent documents, shall not be deemed profits and subject to the taxation.

4. Additional sources of financing shall include:

- funds received for education, training, advanced training and retraining of personnel in accordance with concluded agreements;
- payment for rendering additional educational services;
- funds received for scientific and research works (services) and other works performed by an educational institution as per request of enterprises, establishments, organizations and citizens;
- revenues from the sale of products of educational-production workshops, enterprises, shops and farms, from the lease of premises, structures and equipment;
- subsidies from local budgets;
- credits and loans of banks, dividends on securities and incomes from placing temporarily free off-budget funds on deposit accounts;
- currency proceeds;
- voluntary monetary contributions, material values received from enterprises, establishments, organizations and individual citizens;
- other funds.

5. Funds, material values and intangible assets received on a free-of-charge basis in the form of irrevocable financial aid or voluntary donations of legal entities and individuals, including non-residents, shall not be deemed profits and subject to the

taxation if they are received by educational institutions and scientific establishments, which activities shall not be directed to gain profit, to carry out educational, recreational, sports, cultural activities.

6. In the event of the receipt of funds from other sources, the budget and branch allocations to educational institutions and establishments, organizations of the system of education shall not be reduced.

7. Budget allocations for education and off-budget funds shall not be subject to the withdrawal and shall be used exclusively as per their designation.

Article 62. Financing of Scientific Researches

1. Financing of fundamental and research scientific works, scientific programs, projects of the state importance in higher educational institutions, scientific and research institutions of the system of education shall be performed on a competition basis in the amount not less ten percent of the state funds allocated for the maintenance of higher education institutions.

2. Financing of applied researches and developments shall be done on the account of the budget and other sources, and the results of researches shall be realized as goods in accordance with applicable legislation.

Article 63. Material and Technical Base of Educational institutions, Organizations, Enterprises of the System of Education

1. Material and technical base of educational institutions and establishments, enterprises of the system of education shall include buildings, structures, land, communications, equipment, transport means, service dwelling and other values. Property of educational institutions and establishments, organizations, enterprises of the system of education shall belong to them under the rights provided for by applicable legislation.

2. Land plots of state educational institutions, establishments and organizations of the system of education shall be transferred to them for the permanent use in accordance with the Land Code of Ukraine (561-12).

3. Educational institutions shall independently dispose profits received from economic and other activities contemplated by the statutes of their activities.

4. Fixed assets, working capital and other property of the state educational institutions, establishments, organizations and enterprises of the system of education shall not be subject to the withdrawal, except as provided for by applicable legislation.

5. Objects of education and science financed from the budget, as well as subdivisions connected technologically with the process of education and training shall be subject to privatization, any change in the type of their activities or may not be used otherwise its designation.

6. Needs of the state educational institutions, establishments and organizations of the system of education for the development of their material and technical basis shall be satisfied by the state as priority in accordance with norms approved by the Cabinet of Ministers of Ukraine.

Section V

INTERNATIONAL COOPERATION

Article 64. International Cooperation in the State System of Education

1. Educational and scientific institutions, scientific-production establishments of the system of education, organs of the state control over education shall have the right to enter into agreements on cooperation, set up direct connections with educational institutions and scientific establishments of the system of education of foreign countries, international organizations, funds etc. in accordance with applicable Ukrainian legislation.

2. State educational and scientific institutions, scientific and production establishments of state system of education, organs of the state control over education shall have the right to carry out foreign economic activities in accordance with applicable legislation under agreements entered into between them and foreign legal entities and individuals, have their own currency account, create joint ventures.

3. The Ministry of Education of Ukraine, ministries and departments governing educational institutions, the Supreme Certification Commission of Ukraine together with other state institutions and organizations shall carry out work related to the establishment of the equivalency of certificates and diplomas, international recognition of training courses, qualifications, academic degrees and ranks.

4. (Part four of Article 64 was invalidated in the part of the relief from the payment of import duty, custom and excise taxes and value added tax on goods imported (sent) to the customs territory of Ukraine on the basis of Law No. 608/96-VR dated 17 December 1996) The state shall further international cooperation of educational institutions and education governing bodies, provide them with relevant currency allocations, relieve from taxation, payment of duties and custom fees for educational, scientific and production equipment and appliances, which are supplied to them from abroad for educational and scientific purposes.

5. Currency and material proceeds from foregoing economic activities shall be used by the state educational institutions, scientific, scientific-production establishments of the system of education to ensure their own charter activities pursuant to applicable legislation.

Section VI

INTERNATIONAL AGREEMENTS

Article 65. International Agreements

If the international agreement of Ukraine sets up other rules than those provided for by legislation of Ukraine on education, rules of the international agreement shall prevail.

Section VII

RESPONSIBILITIES FOR VIOLATION OF LEGISLATION ON EDUCATION

Article 66. Responsibilities for Violation of Legislation on Education

Officials and citizens who are in fault for any violation of legislation on education shall be liable pursuant to applicable Ukrainian legislation.

L. Kravchouk
Chairman of Verkhovna Rada of the Ukrainian SSR

Kiev, May 23, 1991, # 1060-XII