



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

KUVENDI I KOSOVËS
СКУПШТИНА КОСОВА
ASSEMBLY OF KOSOVO

Law No. 02/L-67

**ON PUBLISHING SCHOOL TEXTBOOKS, EDUCATIONAL TEACHING
RESOURCES, READING MATERIALS AND PEDAGOGICAL DOCUMENTATION**

Assembly of Kosovo,

Based on Chapter 5.1 (g) and 9.1.26 of the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation no. 2001/9 dated from 15 May 2001)

For purposes of establishment of legal infrastructure for development of the activity related to publishing school textbooks, educational teaching resources, reading materials and pedagogical documentation,

Hereby adopts the following:

LAW
**ON PUBLISHING SCHOOL TEXTBOOKS, EDUCATIONAL TEACHING
RESOURCES, READING MATERIALS AND PEDAGOGICAL
DOCUMENTATION**

I. GENERAL PROVISIONS

Article 1
Definitions

“**School Textbook**” for Primary Schools, Low Secondary Schools and Upper Secondary Schools is a basic and compulsory book that serves as an essential and knowledge source for a certain field and the educational objectives which are achieved by using the textbook including the educational curriculum. The school textbook has been compiled based on educational curriculum and it is made in a didactic viewpoint, taking into consideration students’ psychophysics skills and specifications of the subject.

“**Educational Teaching Recourses**” are different technical means, samples, natural objects, graphic materials, geographical maps, historical maps etc, which are used as knowledge sources and that enables student understand the natural and social phenomena, processes, objects etc. The educational teaching resources should adjust to students’ age, in compliance with concrete contents, goals, duties and objectives of the respective subject.

“**Reading material**” includes books which have to be read for a certain time for one school year.

“**Pedagogical documentation**” is a title of the documentation for which the school is obliged to keep it in compliance with legal acts. The school documentation contains: students’ classroom books, matrix book, registration book for the first grade, various kinds of certificates and diplomas on completing primary school, low secondary school and upper secondary school, booklet for grades, educational curricula, teachers’ curricula etc.

“**Author**” is any natural or legal person who develops a school textbook and an educational teaching resource which is published in printing or electronic form.

“**Review**” is a written critical evaluation of an educational text, an artistic play, and a scientific work.

“**Publisher**” is a person who publishes the authors’ manuscripts, who also develops the entire process of publishing and delivering school textbooks, educational teaching resources, reading materials and pedagogical documentation.

“**Distributor**” is a person who purchase and sells school textbooks and educational teaching resources by wholesale.

“**ISBN**” is the distinctive mark of texts and books for not allowing their duplication and misapplication.

Article 2 Goal

The goal of this Law is as the following:

1. Defining the fundamental principles and norms on development of textbooks activity publishing, educational teaching resources, reading material and pedagogical documentation.
2. Defining the concept of textbooks publishing, educational teaching resources, reading material and pedagogical documentation and creating better conditions for drafting, approving and printing out;
3. Defining of MEST’s, author’s and publisher’s rights and duties;
4. Establishing conditions for free competition for drafting and publishing textbooks, educational teaching resources, reading materials and pedagogical documentations.

Article 3

Needs that have to be met for school textbooks, educational teaching resources, reading materials and pedagogical documentations

3.1. The school textbooks, the educational teaching resources and pedagogical documentations meet the needs of educational, scientific, pedagogic, psychological, didactical-methodology, ethic, language, artistic and technical in compliance with standards and objectives of educational curriculum.

3.2. The school textbooks, the educational teaching resources, reading materials and pedagogical documentation are not allowed if they make propaganda against Kosovo, which violate human rights and gender equality and that incite political, national, and religious hatred.

3.3. The school textbooks, educational teaching resources, reading material, and pedagogical documentation are used in preschool, primary school, low secondary school and upper secondary school which are allowed by MEST.

3.4. The school reading material is selected in compliance with educational curriculum.

Article 4

Drafting, and print out procedure

4.1. School textbooks are drafted by specialists of educational subjects according to the bid announced by MEST and publishing house order.

4.2. Programs and school textbooks experts' council at MEST supervise the procedure of drafting, and publishing school textbooks, educational teaching resources, reading material, and pedagogical documentation.

4.3. The Reviewers make written critical evaluation of an educational text, an artistic play and a scientific work before their publishment.

II. ASSESSMENT AND APPROVAL OF SCHOOL TEXTBOOKS, EDUCATIONAL TEACHING RESOURCES AND PEDAGOGICAL DOCUMENTATION

Article 5

Bid

5.1. MEST announces the public bid on publishing the textbooks, educational teaching resources, reading material, and pedagogical documentation according to the educational curriculum.

5.2. All registered publishing house that are engaged in with publishing school textbooks, educational teaching resources, reading material, and pedagogical documentation have the right to participate for bidding.

5.3. MEST re-tenders the bid in case the first bid fails.

Article 6

Assessment of Manuscripts

6.1. MEST asses the anonymous manuscripts of school textbooks, educational teaching resources, reading material, and pedagogical documentation in accordance with articles 7, 8 and 9 of this Law.

6.2. The publishing house submits the anonymous manuscripts of school textbooks at MEST, whereas reviewers take the manuscripts in ciphers.

Article 7
Manuscripts Assessment Panel

- 7.1. MEST appoints reviewers on manuscripts assessment achieved by bid.
- 7.2. Reviewers on manuscripts assessment of a school textbook is comprised at least by three appointed experts by MEST, expert of the respective field.
- 7.3. Names of reviewers are not public until the bid results are announced.
- 7.4. Each reviewer assesses the manuscript based on these criteria:
 - a.) content corresponding goals, objectives with the standards of educational curricula;
 - b.) implementation of new teaching and learning methodology;
 - c.) following the content and illustration with the appropriate didactical equipment, providing independent and creative working material, and
 - d.) Adapt the text language to the students' age for which the textbook are written.

Article 8
Manuscripts Selection

- 8.1. Reviewers are independent in their tasks.
- 8.2. Reviewers can propose one or more manuscripts per publishing, providing alternative sources of information and providing to schools the opportunity of free selection by teachers as school textbook users.
- 8.3. Each reviewer is obliged that the assessment to be given in written with argument reasons at a certain term by MEST.
- 8.4. If the review is not written according to the Administrative Instruction issued by MEST on manuscripts assessment is considered non-effective.
- 8.5. If the reviewer does not submit the review within minimum time of 30 days, MEST will replace him/her with another member.

Article 9
Decision for publishing

- 9.1. Manuscripts submitted for bid and evaluated positively by the reviewers get the right for publishing.
- 9.2. Decision of the approval for publishing textbooks is issued by MEST.

III. RIGHTS AND OBLIGATIONS OF PUBLISHER

Article 10 Publisher's rights

10.1. The publisher has the right to claim if the manuscripts submitted for the bid is considered negatively from the professional panel.

10.2. The complaint should be addressed to the Commission of Complaints in MEST in the term of 15 days after the communication of the evaluation result of the manuscript.

10.3. Establishment and decision making procedure of this Commission of Complaints will be regulated with sub normative acts.

Article 11 Publisher's obligations

11.1. The publisher edits the approved text for publication.

11.2. The publisher should publish in a school textbook, educational teaching resources and pedagogical documentation: names of the author, editor, reader, illustrator, lecturer, and technical and artistic editor, year and publication serial number, qualified sign, volume, price, code, date, the allowance date and ISBN.

11.3. The publisher should commercialize the school textbooks at least one month before starting of school year.

11.4. The publisher should print as much copies as to fulfill the students' needs.

11.5. The publisher should send six school textbooks of each year to MEST, educational teaching resources, and school reading materials.

IV. THE USE OF THE SCHOOL TEXTBOOKS

Article 12 Catalogue

MEST publishes and distributes each year the school textbooks catalogue, in which there are included: school type, grade, names of the authors, titles, subject and the grade which is approved, publisher and the selling price.

Article 13 The teacher's right for using the school textbooks

13.1. The teacher has the right to select the school textbooks he will use, in accordance with article 12 of this Law.

13.2. The selected textbooks by the teacher which is approved by the school council shall be used up to the end of the school year.

13.3. The teacher is entitled to use additional literature which consists with the subject curriculum.

V. ADMINISTRATIVE SANCTIONS

Article 14

14.1. The legal person who is using the school textbooks and pedagogical documents in controversy with article 3 of this law, will be fined for offence with an amount from 1.000 to 5.000 €.

14.2. Physical person in the position of head of institution in which the school textbooks and pedagogical documents are used in controversy with section 3 of this law, will be fined for offence with an amount from 500 to 1.000 €.

14.3. Towards the publishers and individuals which misuse the name of the MEST, by publishing school textbooks, educational teaching resources and pedagogical documents without MEST authorization, MEST for this issue complaints to the competent court.

14.4. The publishers and individuals that are punished with a final decision in a criminal procedure due to the works dealing with school textbooks, educational teaching resources, educational means and pedagogical documents are not entitled to compete with their writings in the MEST bids neither to obtain permission for publishing for any school textbook, education teaching means, educational teaching resources or pedagogical documentation.

14.6. The sum of the fines provided in the 1st and 2nd paragraph of this article deposited to the Kosova's Consolidated Budget.

VI. ENTRY INTO FORCE

Article 15

MEST in a term of six months from the entry into force of this law should adopt necessary sub normative acts in order to implement this law.

Article 16

The present law shall enter into force after adoption by the Assembly of Kosova on the date of its promulgation by the Special Representative of the Secretary-General.

Law No. 02/L-67
29 June 2006

President of the Assembly

Kolë Berisha