

**Law No. 14/2008**

**EDUCATION SYSTEM FRAMEWORK LAW**

**October 29**

**Preamble**

Article 59 of the Constitution of the Democratic Republic of East Timor (DRET) gives the State the power to create a system of universal basic public education, which would be compulsory and, as far as possible, free of charge. It also affirms that the State recognizes and monitors private and cooperative education. The Fundamental Law guarantees all citizens the right and equal opportunity for education and professional training, access to education at its highest levels, scientific research and artistic creation, in addition to the right to enjoyment and cultural creativity, and the responsibility to preserve, protect and emphasize our cultural heritage.

The education system framework law represents a decisive step in the sense of establishing a legal framework of reference for the organization, orientation, regulation and development of the educational system emerging from the profound changes that the country has undergone since its independence. The ideal of providing a universal primary education of nine years of compulsory free schooling, strengthening the guarantee of equal opportunities to access and academic success, and the planning of measures designed to provide an effective schooling to all citizens based on standards of quality are important markers of this law.

Thus, the National Parliament decrees, under the terms of paragraph 1) of Section 2, Article 95 of the Constitution of the Republic of East Timor, with the force of law, as follows:

**CHAPTER I  
SCOPE, PRINCIPLES AND FUNDAMENTAL OBJECTIVES**

**SECTION I  
SCOPE AND GENERAL PRINCIPLES**

**Article 1  
Scope and Definition**

1. This law establishes the general framework of the educational system.
2. The educational system is the network through which one is granted the right to education, expressed by the guarantee of a permanent formative action designed to foster the universal development of personality, social progress and the democratization of society.
3. The educational system is developed through various structures and actions, at the initiative and under the responsibility of various institutions and public, private and cooperative entities, which cooperate among themselves in maintaining a balanced and up-to-date system of educational offerings, capable of providing knowledge, competencies and values needed for full individual and professional realization in contemporary society.
4. It is the responsibility of the State to ensure the availability of teachers with the necessary training and other human resources, as well as the infrastructures and financial means necessary to guarantee a quality education.

5. This law is applicable throughout the national territory.

## **Article 2 General Principles**

1. All citizens are guaranteed the right to education and culture under the terms of the Constitution of the Republic and of law.
2. The right to education is achieved through an effective formative action throughout life, designed to provide a life that is free, responsible and democratic, designed, with respect to human dignity, to provide:
  - a) The development of personality and an appreciation of the individual based on merit;
  - b) Equality of opportunities and the overcoming of economic, social and cultural inequalities;
  - c) Social progress.
3. The system of education promotes:
  - a) The development of a democratic and pluralistic spirit, respectful of others, their personalities, ideas, and individual life projects, open to the free exchange of ideas and working together;
  - b) The formation of citizens capable of judging, with a critical and creative spirit, the society of which they are a part, and to join actively in its development, in more just and sustainable terms.
4. The State has a special responsibility to promote the democratization of instruction, guaranteeing the right to a fair and effective equality of opportunity in academic access and success.
5. In access to education and its practice, all Timorese are guaranteed respect for the principle of freedom to learn and to teach.

## **Article 3 Freedom to Learn and to Teach**

1. The educational system is developed in order to guarantee freedom to learn and to teach.
2. The State recognizes the value of private and cooperative education, as a concrete expression of the freedom to learn and to teach.
3. Private and cooperative education is organized and functions under the terms of its own statutes, leaving it up to the State to support it pedagogically, technically and financially.
4. It is up to the State to license, evaluate and monitor private and cooperative education in legal terms.

## **SECTION II FUNDAMENTAL OBJECTIVES**

### **Article 4 Educational Policy**

1. Educational policy pursues permanent national objectives, presupposing a transparent and consistent elaboration and realization.

2. Educational policy is aimed at orienting the system of education and teaching to respond to the needs of Timorese society, resulting from a quantitative and qualitative analysis with a view to global, full and harmonious development of the personality of individuals, promoting the development of free, responsible and autonomous citizens.
3. Educational policy is the responsibility of the Government, with respect for the Constitution of the Republic and current law.
4. Putting into practice educational policy implies the full participation of local communities, who must appreciate the principle of subsidiarity through the decentralization of competencies in local administrations and school autonomy.
5. The efficiency of the educational policy and its effectiveness are subject to regular and public evaluation, under terms of the present law and other supplementary legislation.

### **Article 5** **Fundamental Objectives of Education**

1. Education is aimed especially at achieving the following fundamental objectives:
  - a) To contribute to the personal and community realization of the individual, through full development of his personality and the formation of his character, which prepare him to reflect consciously upon ethical, civic, spiritual and esthetical values, giving him a balanced mental and physical development;
  - b) To ensure the formation, in cultural, ethical, civic and vocational terms, of children and young people, preparing them for the critical and strengthened reflection of citizenship, as well as the practice and learning of the creative use of their leisure time;
  - c) To ensure equality of opportunities for both sexes, namely through practices of coeducation and scholastic and professional orientation, and to sensitize all participants in the educational process to this need;
  - d) To contribute to defending the national identity and independence and to strengthen identification with the historical basis of East Timor, through stimulating consciousness of the cultural heritage of the Timorese people, the growing interdependence and solidarity among peoples and the right to consideration and appreciation of different knowledge and cultures;
  - e) To develop in each individual a capacity for work and offer him, with a basis of solid general training, specific training which will permit him, with competencies in the area of society with which he is familiar, and with initiative, to occupy his proper place in the workforce and to make his contribution to the progress of society, according to his interests, capacities and vocation;
  - f) To decentralize, localize and diversify educational structures and actions in order to offer a correct adaptation to local realities, an elevated sense of participation by populations, adequate insertion within the community, and effective levels of decision making;
  - g) To contribute to the correction of regional and local asymmetries, to promote equal access to the benefits of education, culture, science and technology in a balanced manner within the entire national territory;
  - h) To ensure the public service of education and of teaching, through a network of offerings from the central and local administration, as well as private and cooperative entities, to guarantee completely the needs of the entire population;

- i) To ensure the organization and functioning of public, private and cooperative schools in order to promote the development of proper educational projects according to the curricular orientations of the national area, and growing standards of operational autonomy, through responsibility for achieving educational and administrative objectives, subject to public evaluation of results, and through public financing based on transparent and fair objective criteria which motivate the best operational practices;
- j) To ensure the freedom to choose which school to attend;
- k) To contribute to the development of democratic spirit and practice, adapting participative processes in defining educational policies and models of school administration and management which ensure adequate participation and assuming of responsibility by central and local administration, of titular entities of educational and teaching establishments, of teachers, students, parents and local communities, with particular emphasis on promoting the results of the learning.
- l) To ensure a second opportunity for schooling to those who were unable to obtain it at the proper age, to those who wish to pursue instruction for reasons of professional or cultural improvement, due namely to the need for reconversion or improvement, stemming from the evolution of scientific and technological knowledge.

**Article 6**  
**National Education Commission**

The National Education Commission is responsible, under law, for consulting functions in the area of educational policy and contributes to the existence of a broader consensus regarding its objectives, through the participation of various social, cultural and economic representative forces within the country.

**CHAPTER II**  
**ORGANIZATION OF THE EDUCATIONAL SYSTEM**

**SECTION I**  
**GENERAL ORGANIZATION**

**Article 7**  
**General Organization of the Educational System**

1. The educational system encompasses education at the pre-school, school, out-of-school, and professional instruction levels, and is organized towards life-long education.
2. Pre-school education, in its formative component, is complementary or supplementary to that provided by parents or family, with which it establishes full cooperation.
3. School education covers primary, secondary, and higher education, integrating special modalities and includes activities for occupying leisure time.
4. Out-of-school education includes activities of literacy and primary education, as well as cultural and scientific improvement and actualization, and is conducted in an open framework of multiple, diverse and complementary initiatives.

5. Professional instruction provides activities designed for the integration or development of dynamic professionals, through the acquisition or furthering of knowledge and competencies needed for specific professional activities.

**Article 8**  
**Languages of the Educational System**

The languages of the educational system are Tetum and Portuguese.

**SECTION II**  
**PRE-SCHOOL EDUCATION**

**Article 9**  
**Objectives and Recipients of Pre-School Education**

1. The objectives of pre-school education for each child are as follows:
  - a) To stimulate capabilities and foster the formation and the balanced development of all his individual potential;
  - b) To contribute to emotional stability and security,
  - c) To favour the observation and understanding of the natural and human element, in order to promote a correct integration and participation;
  - d) To develop moral instruction and the sense of freedom and responsibility;
  - e) To foster integration into diverse social groups, complementary to the family, in order to promote the development of socialization;
  - f) To develop capacities of expression and communication and stimulate creativity and recreational activity;
  - g) To inculcate habits of hygiene and the defence of personal and group health;
  - h) To identify inadequacies, handicaps, or precocities, and promote a better orientation and direction.
2. The development of the objectives set forth above is done in accordance with appropriate contents, methods and techniques, taking into account the need to fully articulate with the family unit and with the teaching activity of parents.
3. Pre-school education is designed for children between the ages of three and the age of entry into primary school.
4. Attendance at pre-school is optional, recognizing that parents and the family have an essential role in childhood education, without removing from the State the right to promote this attendance, particularly in children five years of age.

**Article 10**  
**Organization of Pre-School Education**

1. It is incumbent upon the State to ensure the existence of a public service network of pre-school education.
2. The network of pre-school education consists of locally administered kindergartens and other private and cooperative entities, collective or individual, namely private institutions of social solidarity, parents associations, tenants associations, civic or religious organizations and trade or employer associations.

3. It is the duty of the Government, through the ministry responsible for educational policy, to define general standards for pre-school education, namely as relates to their functioning and educational content, supporting, evaluating, inspecting and monitoring its compliance.

### **SECTION III SCHOOL EDUCATION**

#### **SUBSECTION I PRIMARY EDUCATION**

##### **Article 11 Recipients and Gratuitousness of Primary Education**

1. Primary education is universal, compulsory and free and lasts for nine years.
2. Children enter primary school when they have completed six years of age by December 31 of the year prior to the beginning of the school year.
3. Children who complete six years of age between January 1 and March 31 may enter primary school, if there are vacancies.
4. Situations not covered by numbers 2 and 3 of this article are subject to analysis and decision by the competent regional educational services.
5. The requirement to attend primary school ends at the end of the academic year when the student completes sixteen years of age.
6. The gratuitousness of primary school includes fees, rates and emoluments related to registration, attendance and certification. Students may also enjoy free use of books and scholastic material, as well as transportation, meals and lodgings, when necessary.

##### **Article 12 Objectives of Primary education**

1. The objectives of primary education are as follows:
  - a) To ensure the complete formation of all children and young people, through the development of competencies of being, knowing, thinking, doing, and learning to live together;
  - b) To ensure a general basic instruction common to all Timorese, which guarantees them the discovery and development of their interests and aptitudes, capacity for reasoning, memory and a critical spirit, creativity, moral sense and esthetic sensibility, promoting individual realization, in harmony with the values of social solidarity, and interrelating, in a balanced manner, knowledge and knowhow, theory and practice, school culture and everyday culture;
  - c) To deliver the acquisition and development of basic competencies and knowledge, which permit the continuing of studies or the insertion of the student into professional training programs, as well as facilitating the acquisition and development of methods and instruments of personal and group work, emphasizing the human dimension of work;

- d) To guarantee the mastery of the Portuguese and Tetum languages;
  - e) To provide learning of a first foreign language;
  - f) To provide physical and motor development, an appreciation for manual activities and artistic education, in order to sensitize to different forms of esthetical expression and detect and stimulate aptitudes in these areas;
  - g) To develop knowledge and appreciation for the values characteristic of identity, of the official and national languages, history and culture of Timor, from a universal humanistic perspective and with solidarity and cooperation among peoples;
  - h) To offer experiences which favour civic and socio-affective maturity, promoting the creation of attitudes and habits leading to relationship and cooperation, as well as autonomous intervention, conscious and responsible, on the family, community and environmental levels, in order to form a full and democratic citizenry.
  - i) To ensure that children with special needs, especially physical and mental handicaps, enjoy conditions adequate to their development and full attainment of their capabilities;
  - j) To offer, in freedom of conscience, the acquisition of the notion of civic, moral and religious education.
2. Primary education should be organized in order to promote academic success for all students, at the conclusion, for each of them, of nine-year schooling, and to instil in them an interest for constant renewal of knowledge, emphasizing a process of information and educational orientation in collaboration with their parents.

### **Article 13**

#### **Organization of Primary Education**

1. Primary education is made up of three cycles, the first consisting of four years, the second of two years, and the third of three years, with the following curricula:
- a) In the first cycle, teaching is globalized and the responsibility of a single teacher, without ruling out assistance from other teachers in specialized areas;
  - b) In the second cycle, instruction is organized by subject in basic instruction, and may consist of areas outside of the subject, designed to broaden knowledge, develop work and study habits and the obtaining of complementary instruction, and is developed, predominately, with one teacher per area;
  - c) In the third cycle, teaching is organized around a unified curriculum, which coherently integrates various vocational areas, may include non-subject areas designed to articulate knowledge, develop work and study habits and the obtaining of complementary instruction, offering the learning of a first foreign language, and is carried out by one teacher per subject or group of subjects.
2. The articulation among the three cycles of primary education requires a sequential progression, with each cycle having the function of completing, deepening and enlarging the previous cycle, in a unified global perspective of primary education.
3. The specific objectives of each cycle are integrated within the general objectives of primary education, under the terms of the preceding numbers, in accordance with the development in stages corresponding to each cycle and taking into consideration the following orientations:
- a) For the first cycle, development of oral language and initial and progressive mastery of reading and writing, basic notions of arithmetic and calculation, of the physical and social environment and plastic, dramatic, musical and motor expressions;
  - b) For the second cycle, training in the areas of the humanities, the arts, sports, science and technology, along with moral, religious and civic instruction, aimed at enabling the student to assimilate and interpret, critically and creatively, information,

assuring the methods and instruments of work, and the knowledge which will permit him to proceed with his training and the development of active and conscious attitudes within the community and its more relevant problems and challenges;

- c) For the third cycle, the systematic and differentiated acquisition of modern culture, in its dimensions, theory and practice, humanistic, literary, scientific and technological, artistic, physical and sports, necessary for the pursuit of studies or insertion into the working world, as well as vocational, scholastic and professional orientation, which offers conscious options for subsequent training and respective contents, without prejudicing the permeability thereof, with a view towards pursuing studies or entering the workplace, with respect to the autonomous realization of the human person.
4. In specialized schools of primary education, without prejudice to primary education, the components of artistic education or physical education and sports may be emphasized.
5. The satisfactory completion of primary education confers the right to receive a diploma, as well as certification, when required, of the satisfactory completion of any year or subject.
6. It is the responsibility of the Government, through the ministry responsible for educational policy, to define general guidelines for primary education, namely regarding its functioning and its educative contents, supporting, evaluating, inspecting and monitoring its execution.

## **SUBSECTION II SECONDARY EDUCATION**

### **Article 14 Recipients of Secondary Education**

1. Students who have satisfactorily completed primary education shall have access to secondary education, which should occur in the academic year immediately following the conclusion of primary education.
2. Attendance at secondary education is optional, although it is the responsibility of the Government, through the ministry responsible for educational policy, to promote the offering of this level of education.

### **Article 15 Objectives of Secondary Education**

1. Secondary education is designed to continue and deepen learning acquired in primary education, completing and developing instruction through completion of the following objectives:
  - a) To strengthen and deepen the competencies and fundamental contents of a training which is culturally humanistic, artistic, scientific and technical, as a cognitive and methodological basis necessary for the pursuit of higher studies or entrance into the working world;
  - b) To ensure the development of reasoning, reflection and scientific curiosity;
  - c) To develop the competencies necessary to understand cultural and esthetical manifestations and make possible the improvement of artistic expression;
  - d) To inspire the acquisition and application of an ever more profound knowledge based on reading, study, critical reflection, observation and experimentation;
  - e) To inspire, through reality and an appreciation for the permanent values of society in general and of Timorese culture, people who are actively committed to the

- concretization of the strategic options of the development of East Timor and critically sensitized to the reality of the international community;
- f) To ensure orientation and vocational instruction, through technical and technological preparation adequate to enter into the workplace;
  - g) To present contacts and experience with the workplace, strengthening the mechanisms of approximation between school, the workplace, and the community and making more dynamic the innovative and intervening function of school;
  - h) To ensure the existence of work habits, individual and in groups, and foster the development of attitudes of methodical reflection, of openness of spirit, of sensitivity and adaptation to change.

### **Article 16 Organization of Secondary Education**

1. Secondary education classes last for three years.
2. In accordance with its vocational dimension of orientation toward the continuation of studies or insertion into the workplace, secondary education is organized into the following different forms, which encompass the existence of:
  - a) General courses, of a humanistic and scientific nature, mainly oriented toward the pursuit of studies at the higher university level, which also allow entry into higher technical training;
  - b) Courses of vocational training, of a technical, technological, professional or artistic nature, mainly oriented toward entering the workplace, which also allow access to higher technical education as well as university education;
3. All courses of secondary education contain components of a technical, technological and professional nature, and Timorese language and culture, adequate for the various courses.
4. An adequate permeability should be guaranteed between courses predominately oriented toward the workplace and courses oriented toward pursuit of higher university education.
5. The satisfactory conclusion of secondary education confers the right to a diploma which certifies the training acquired and the success obtained in each year. In those cases where courses are predominantly oriented toward entering the workforce, certification should describe the qualification obtained to conduct a profession or group of professions.
6. Within secondary education, each teacher is responsible, in theory, for one subject.
7. Special schools may be created, designed for the teaching and practice of courses of a technical and technological nature, or of an artistic content.
8. It is the responsibility of the Government, through the ministry responsible for educational policy, to define general guidelines for primary education, namely regarding its functioning and its educative contents, supporting, evaluating, inspecting and monitoring its execution.

### **SUBSECTION III HIGHER EDUCATION**

#### **Article 17 Scope and Objectives**

1. Higher education encompasses university and technical education.
2. The objectives of higher education are:

- a) To stimulate cultural creation and the development of a scientific spirit and reflective thought;
  - b) To form graduates in different areas of knowledge, ready to enter the professional sectors and to participate in the development Timorese society, and collaborate in their continuous training;
  - c) To motivate the work of scientific research and investigation, the development of science and technology, the humanities and the arts and the creation and dissemination of culture and, in this manner, the development of knowledge and the comprehension of humanity and the world in which we live.
  - d) To promote the spread of cultural, scientific and technical knowledge, which is part of the heritage of mankind, and communicate this knowledge through teaching, publication or other forms of communication;
  - e) To awaken a permanent desire for cultural and professional improvement and make possible the consequent concretization, integrating knowledge being acquired into an intellectual structure systematized for the knowledge of each generation, within the logic of education for lifelong learning, and generational and intergenerational investment, aimed at accomplishing the union of the formative process, which includes understanding, learning, and utilization;
  - f) To stimulate the recognition of the problems of today's world, in a global scope, especially nationally, regionally and of the community of Portuguese-speaking countries, to provide specialized services to the community and establish a reciprocal relationship with it;
  - g) To continue the cultural and professional training of citizens, through the promotion of adequate forms of cultural extension;
  - h) To promote and emphasize the languages and culture of Timor.
3. Higher university education, oriented from a constant perspective of investigation and creation of knowledge, aims to provide an ample basic scientific preparation upon which to build solid technical and cultural training, with the aim of guaranteeing highly individual autonomy relative to the knowledge, including the possibility of its application for entry into the workforce, and to encourage the development of the capabilities of innovation and critical analysis.
4. Higher technical education, directed from a constant perspective of understanding and solving concrete problems, aims to provide an oriented scientific preparation, to which will be added a solid technical and cultural instruction, aimed at guaranteeing relevant autonomy in relation to the knowledge applied in the exercise of professional activities and active participation in developmental actions.

### **Article 18** **Access**

1. Access to higher education is available to individuals who have successfully completed secondary education or its equivalent, who can prove their ability to attend.
2. Individuals who have completed courses of professional instructional training equivalent to secondary education shall also have access to higher technical education.
3. The Government defines, through the Decree-law, the rules of access and entry into higher education, in accordance with the following principles:
  - a) Democratization, equity and equality of opportunity;
  - b) Objectiveness of criteria used for selection and placement of candidates;

- c) Universal rules for each of the subsystems of higher education;
  - d) Appreciation of the educational path of the candidate in secondary school, in his components of continuous evaluation and national exams, translating the relevance for access to higher education of the system of national certification of secondary education
  - e) Compulsory use of the final classification of the secondary school in the placement process;
  - f) Coordination of the higher education establishments to perform evaluation, selection and placement in order to avoid the proliferation of exams which the candidates will be required to take;
  - g) The national character of the process of candidacy for registration and enrollment in the establishments of higher public education, without prejudice to the holding, where appropriate, of competitions on the local level;
  - h) Realization of operations of candidacy by the central and regional educational administration.
4. Within the limits defined by the previous number, the process of evaluation of the capacity for attendance, as well as the selection and placement of candidates for admission in each course and establishment of higher education, is within the competence of the establishments of higher education.
  5. Persons over 23 years of age will also be eligible to attend higher education, under conditions to be defined by the Government by Decree-law, if they are not holders of qualifications for access to higher education but can prove their ability to attend through passing specially designed exams conducted by institutions of higher education.
  6. The Government may establish quantitative restrictions of a global nature to higher education, *numerus clausus*, for motives of public interest, to guarantee the quality of public instruction relative to public establishments of higher education, as well as private and cooperative ones.
  7. The State must create conditions which guarantee citizens the possibility of attending higher education, in order to prevent discriminatory effects arising from economic and regional disadvantages or prior social disadvantages.

#### **Article 19**

#### **Association of Establishments of Higher Education**

Establishments of higher education may associate with other establishments of higher education, national or foreign, to issue academic grades and attribute the diplomas outlined in the following articles.

#### **Article 20**

#### **Academic Degrees and Diplomas**

1. Higher technical education is comprised of courses of two or four semesters in length, conferring, respectively, diploma I or II.
2. Higher university education is comprised of bachelors, licentiate, master and doctorate courses, which confer, respectively, the degrees of bachelor, licentiate, master and doctor.
3. Higher university education is also comprised of post-graduate courses, conferring the post-graduate degree.

4. Establishments of higher education may conduct courses not leading to the academic degree or diplomas referenced in the above numbers of this article, whose satisfactory conclusion will lead to the attribution of a diploma or certificate.

5. The conducting of courses which confer the post-graduate degree or diploma, as well as technical higher education, is subject to registry under legal terms to be approved by the Government.

6. The prerequisites for registry of courses conferring the post-graduate degree or diploma are, in general, the educational, scientific and cultural plan of the educational establishment, the existence of a faculty adequate in number and qualifications to the nature of the course and degree, as well as the suitability of the facilities and material resources, namely the lecture halls, equipment, libraries and laboratories.

7. The specific prerequisites for registry of master courses are the autonomy of an organic unit whose scientific vocation integrates the field of scientific knowledge of the course and the existence of faculty and doctored investigators.

8. The degree of doctor may only be conferred by establishments of university instruction, when these respect, besides the requisites set forth in numbers 5 and 6 of this article, the specific prerequisite of the existence of accredited investigative units or the performance of activities of investigation of recognized quality in accordance with criteria of evaluation of international standards, namely publication in recognized scientific journals.

9. The government regulates, by means of Decree-laws, after hearing from the higher education institutions, the conditions of attribution of academic degrees, in order to guarantee the level of scientific formation acquired, the comparability of training and the mobility of the students.

#### **Article 21 Bachelors**

1. The degree of bachelors implies a cultural, scientific and technical formation of a higher level of knowledge in a specific area and the capacity to exercise a professional activity in accordance with the training obtained.

2. Besides individuals referenced in numbers 1 and 5 of article 18 of this law, students who complete a course of technical higher education may enter a bachelor's course, which confers a diploma II.

3. The bachelor's degree is granted upon conclusion of a higher formation, lasting six semesters.

#### **Article 22 Licentiate**

1. The degree of licentiate implies a higher level of knowledge in a scientific area and the ability to exercise a professional activity for which he is qualified.

2. The degree of licentiate is granted upon conclusion of a higher formation with duration of two semesters, upon completion of a thesis especially written for this effect subject to discussion and approval.

3. Individuals who have successfully concluded a bachelor's course may be admitted to a licentiate course.
4. In exceptional cases, courses which confer the degree of licentiate may have duration of one or two more semesters.

### **Article 23 Post-Graduate**

1. Individuals who have a degree of bachelor or licentiate may be admitted to post-graduate courses.
2. The post-graduate diploma demonstrates a specialization in a specific scientific area and the capacity to conduct investigation or exercise a specific profession.
3. Post-graduate courses integrate a scholastic part lasting two semesters.
4. An individual who has a post-graduate diploma may proceed to the master's course with dispensation of part of the scholastic requirements, once the branch of scientific knowledge of the post-graduate coincides with the master's course.

### **Article 24 Masters**

1. The master's degree demonstrates a deep level of knowledge in a specific scientific area and the capacity to conduct investigation or exercise a specific profession.
2. The degree of master is granted upon conclusion of a higher instruction lasting four semesters, and integrating a scholastic part lasting two semesters.
3. Individuals who have satisfactorily completed a licentiate course or post-graduate course may be admitted to the master's course.
4. The granting of a masters degree presupposes the elaboration of a thesis especially written for this effect, its discussion and approval, or the preparation of a professional project or investigation and its review and approval.

### **Article 25 Doctorate**

1. The doctorate degree demonstrates the realization of an innovative and original contribution towards the progress of knowledge, a high cultural level in a determined area of knowledge and the aptitude to perform scientific work independently.
2. The doctorate degree is granted upon conclusion of a superior instruction, lasting a minimum of six semesters.
3. Individuals who have successfully completed a master's course may be admitted to doctorate courses.

4. In exceptional cases, individuals with titular licentiates and holders of an academic, scientific or professional curriculum which is recognized as having merit for this purpose by the competent scientific body of the teaching establishment where the respective doctorate is being conducted, may be admitted to the doctorate.
5. Courses leading to the doctorate degree may form an academic part with a maximum of four semesters.
6. The granting of a doctorate degree presupposes the preparation of an original investigative dissertation, its discussion and approval.

#### **Article 26** **Establishments of Higher Education**

1. Higher university education is carried out in universities, institutes, and in non-integrated university schools.
2. Higher technical education is carried out in polytechnic institutes.
3. Universities may consist of schools, institutes or differentiated faculties, or by departments or other units, and may also integrate organic units of technical higher education.
4. Polytechnic institutes may consist of departments or other units.
5. Establishments of higher education may be associated for the organization of courses and attribution of degrees of higher education.
6. Centres of higher education may be constituted which collaborate in the realization of education throughout life and in the valuing of local human resources, making the establishments of higher education responsible for the certification of the qualifications attributed to it.
7. The Government regulates, through the Decree-law, the requirements for the creation of establishments of higher education, in order to guarantee compliance with the objectives of higher education, the quality of the teaching ministered and of the investigation carried out, as well as the social, scientific and cultural relevance of the institution.

#### **Article 27** **Scientific Investigation**

1. The State should ensure the material and cultural conditions of creation and scientific investigation, promoting the evaluation of its quality.
2. The conditions for promotion of scientific investigation and for the realization of activities of investigation and development are created within establishments of higher education.
3. Scientific investigation within higher education should take into account the predominant objectives of the establishment of which it is a part, without prejudice to its perspective regarding progress, knowledge and the resolution of problems posed by the social, economic and cultural development of the country.
4. Conditions for publication of scientific works should be guaranteed and the divulging of new knowledge and perspective in scientific thought, technological advances and cultural creation should be facilitated.

5. It is the responsibility of the State to give incentive to collaboration among public, private and cooperative entities to promote the development of science, technology and culture, keeping in mind particularly the interests of the community.

**SUBSECTION IV**  
**SPECIAL MODALITIES OF ACADEMIC EDUCATION**

**Article 28**  
**Identification of Special Modalities of School Education**

1. Complementary to the general modality of school education, the following special modalities of school education exist:
  - a) Special education;
  - b) Specialized artistic education;
  - c) Recurrent education;
  - d) Distance education.
2. Each of these special modalities is an integral part of school education.
3. The special modalities of education are regulated by their own special legislation.

**Article 29**  
**Special Education**

1. Individuals with special educative needs, of a more or less prolonged nature, resulting from the interaction between environmental factors and their own accentuated limitations in the areas of hearing, vision, motor, cognitive, speech, language and communication, emotional and physical health, have the right to adequate educational responses.
2. Special education aims at educative and social integration, autonomy at all attainable levels, and the emotional stability of the students, as well as the promotion of equality of opportunities and the preparation for adequate professional instruction and integration into the work force.
3. Special education is centred on the student, seeking always and at the earliest possible stage to reduce limitations resulting from the handicap and to develop and optimize all of his capacities and all of his potential, and with this objective, to integrate activities designed to integrate the familiar and community environments.
4. Special education is organized according to diverse models of integration in inclusive environments, whether in schools of a general modality of school education, in classes, groups or specialized units, or in establishments of special education, according to the needs of the student, depending on the type and degree of his handicap in order to prevent a situation of exclusion and promote his educational and social insertion.
5. Special education should be offered, whenever necessary, by teachers and other specialized technicians, and may presuppose the existence of curricula and programs and forms of evaluation adapted to the characteristics of each type and degree of handicap.
6. It is the responsibility of the State to promote and support special education. The initiative of special education belongs to the central and local administration and other private entities and cooperatives, collective or individual, namely private institutions of social solidarity, parents associations, tenants associations, civic and religious organizations and union or employer associations.

7. It is the responsibility of the Government, through the ministry responsible for educational policy, to define general standards of special education, namely as to their functioning and their pedagogical aspects and technicians, supporting, evaluating, inspecting and monitoring their execution.

### **Article 30 Specialized Artistic Education**

1. Specialized artistic education is intended for persons with specific aptitudes for the arts, who wish to develop and deepen artistic languages, namely in the areas of fine arts, performing arts, audiovisual and multimedia, design and applied arts.

2. Specialized artistic education is intended to provide an excellent instruction and diversified responses to individual searches oriented to the deepening of specific artistic languages, as well as to create necessary bases to personal development of artistic maturity, taking into account the precocity and sequentially required by different art forms.

3. Specialized artistic education covers primary education, secondary education and higher education, developing in an integrated form or articulated with these.

4. The study plans for specialized artistic education are organized in accordance with the demands of each level of instruction, in order to make the specialized artistic instruction adequate to contemporary challenges and cultural and artistic contexts, through recourse in each artistic area with specific curricular composition which highlights innovation, experimentation and artistic practice.

5. The diplomas and certificates awarded for specialized artistic education at the primary and secondary levels grant the same qualifications and possibilities of pursuing studies as diplomas and certificates obtained in the corresponding levels of the general modality of academic education.

6. It is the responsibility of the Government, through the ministry responsible for educational policy, to define general standards of specialized artistic education, namely as to their functioning and their pedagogical aspects and technicians, supporting, evaluating, inspecting and monitoring their execution.

### **Article 31 Continuing Education**

1. Continuing education is intended for persons who have passed the age indicated for attending primary and secondary education, those who, having completed primary education and are between sixteen and eighteen years of age, work and show proof of this, and those who did not have the opportunity to pursue education at the normal age.

2. The objective of continuing education is primary and secondary education.

3. Continuing education is administered, predominantly, on a nighttime schedule, and the forms of access and plans and methods of studies are organized in a manner adequate to the age groups for whom they are designed, the lifetime experience they have acquired, and the level of knowledge demonstrated.

4. Continuing education grants the same diplomas and certificates as those granted by primary and secondary schools without prejudice of being able to distinguish, in the evaluation and

certification process, qualifications which allow the pursuit of studies and qualifications which do not permit this pursuit.

5. It is the responsibility of the Government, through the ministry responsible for educational policy, to define general standards of continuing education, namely as to their functioning and their pedagogical aspects and technicians, supporting, evaluating, inspecting and monitoring their execution.

### **Article 32** **Distance Education**

1. Under the terms of law, distance education modules should be organized, supported by multimedia and by information technologies and communications, either as complementary or as an alternative to the modality of attendance education.

2. Distance education will be particularly useful in continuing education and in continuing instruction for teachers.

3. The entities responsible for distance education should assume a vocation of promoting innovation and the society of information and knowledge.

4. The State lends incentive and recognizes distance education and innovative learning based on new technologies of information and communications.

## **SECTION IV** **OUT-OF-SCHOOL EDUCATION**

### **Article 33** **Nature and Objectives of Out-of-School Education**

1. Out-of-school education is formal, not formal or informal in nature and is designed to permit each individual, in a perspective of life-long education, to add to his knowledge and develop his competencies, as a complement to school formation or instead of its lack or its gaps.

2. It is the responsibility of the State to promote the social relevance of out-of-school education, especially organized systems which allow recognizing, validating and certifying the competencies and knowledge acquired.

3. The fundamental objectives of out-of-school education are:

- a) To eliminate illiteracy, literal and functional;
- b) To contribute to an effective equality of educational and professional opportunities for individuals who, having not frequented a scholastic education or having abandoned it early or unsuccessfully, did not make use, for whatever reason, of professional training;
- c) To promote the adaptation to contemporary life, through the development of technological aptitudes and technical knowledge;
- d) To ensure the creative occupation of leisure time with activities of a cultural nature;
- e) To favour attitudes of social solidarity and participation in the life of the community.

4. The actions of out-of-school education may be performed in structures of cultural extension of the school system or in open systems, with recourse, in this case, to means of communication typical for distance learning.
5. It is the responsibility of the State to promote and support out-of-school education. The initiatives of out-of-school education belong to the central and local administration and other entities private or cooperative, collective or individual, namely, private institutions of social solidarity, parents associations, associations of students and juvenile organisms, cultural and recreational associations, tenants associations, associations of popular education, civic or religious organizations and trade or employer associations.
6. The educational policy takes into account that the formative dimension of television and radio programming, public service television and radio should ensure the existence of formative programming, which is pluralistic and diversified.

## **SECTION V PROFESSIONAL TRAINING**

### **Article 34 Nature and Objectives of Professional Training**

1. Professional training is in the nature of an out-of-school education and aims at the integration or dynamic professional development, through the acquisition or deepening of knowledge and the necessary competencies to exercise a specific profession, in order to respond to the national needs of development and technological evolution.
2. Professional training is structured in a way to develop:
  - a) Professional initiation;
  - b) Professional qualification;
  - c) Professional improvement;
  - d) Professional reconversion.
3. Professional training is organized as a complement to training and preparation for the workplace begun during school education, but should also contribute to the acquiring of professional qualifications begun by those who have not attended school education or who abandoned it early and unsuccessfully.
4. The entities responsible for educational policy and for work policy should articulate, among themselves, the interventions to be taken in the areas of vocational and professional training, respectively, with a view to full concretization of the objectives referenced in the previous number.
5. The following persons shall have access to professional training, under the terms referenced above:
  - a) Those who have concluded compulsory schooling;
  - b) Those who have not concluded compulsory schooling by the date limit;
  - c) Workers who wish to perfect or retool professionally;
  - d) Others destined for the actions referenced in section 2 of this disposition.
6. Professional training is structured according to a flexible pedagogical and institutional model which permits integration of persons with different levels of training and characteristics.
7. The organization of offerings of professional education should be adequate to the needs of national, regional and local employment.
8. Professional formation may be structured by modules, of varying length and combinations, with a view to obtaining successively higher professional levels.

9. The functioning of the offers of professional instruction may be achieved according to diversified institutional methods, namely:
  - a) Specific institutions;
  - b) Use of primary and secondary schools;
  - c) Agreements with local administrations and businesses;
  - d) Support for institutions and initiatives, public, private or cooperative;
  - e) Dynamism of community actions and services to the community.
10. Attendance and successful completion of the action or course, or respective modules of professional education grant the right to the corresponding certification.

## **SECTION VI CURRICULAR PLANNING**

### **Article 35 Principles of Curricular Planning**

1. The curricular composition of school education considers the promotion of a harmonious balance, in the horizontal and vertical plains, between physical and motor, cognitive, affective, esthetical, social and moral levels of the students.
2. The curricular plans of primary and secondary education include, in all of its cycles, at an adequate level, an area of personal and social instruction, which may have as its components education for civic participation, ecological education, consumer education, family education, sexual education, health and prevention of accidents, as well as teaching of morals and religious education.
3. Curricular plans of primary and secondary education should have a structure which is national in scope, which gathers knowledge and competencies of each cycle, to which may be added flexible content, integrating regional and local components and curricular development outlined in previously authorized contracts for teaching between administration and schools.
4. Establishments of private and cooperative education may adopt curricular plans and the programmatic contents of education offered in the public schools, or adopt their own plans and programs, whose recognition is, under terms of law, recognized on a case by case basis, through positive evaluation of the respective curricula and the pedagogical conditions for carrying out teaching.
5. Curricular plans of higher education respect each of the establishments which offer the respective courses established, or to be established, according to national and regional need and with a perspective of planning integrated in the respective network.
6. The Government may establish, on the recommendation of the consultative structure of evaluation of higher education and after hearing the representative bodies of the establishments of higher education, directives regarding the denomination and duration of the courses and compulsory and elective scientific areas of the respective plans of studies.
7. Authorization for the creation and functioning of institutions and courses of private and cooperative higher education, as well as the approval of the respective study plans and the acknowledgement of the corresponding diplomas, must adhere to the principles and rules common to all higher education.

8. The teaching and learning of the official languages should be structured so that all of the other curricular components of primary and secondary education contribute systematically towards the development of capacities at the level of comprehension and production of pronouncements, oral and written, in Portuguese and Tetum.

**Article 36**  
**Occupation of Leisure Time and School Sports**

1. The curricular activities of the different levels of education should be complemented by actions oriented towards the integral formation and personal enjoyment of the students, in the sense of creative and formative use of their leisure time, namely cultural and civic enrichment, physical and sports education, artistic education and the insertion of the students into the community.
2. Complementary curricular activities may be national, regional or local in scope; ideally it is up to the schools to organize those at the regional or local levels.
3. Activities for occupying leisure time should emphasize participation and involvement by the students in their organization, development and evaluation.
4. School sports are specifically aimed at promoting health and physical conditioning, the acquisition of habits and motor conduct and the understanding of sports as a cultural factor, stimulating sentiments of solidarity, cooperation, autonomy and creativity, as well as discovering and motivating sports talents, with orientation for qualified professions, inspiring the organization and management of school sporting events by the participants themselves.

**Article 37**  
**Investigation in Education**

1. Investigation in education, inspired and supported by the State, is aimed at the evaluation and scientific interpretation of the activity developed in the educational system.

**CHAPTER III**  
**SUPPORT AND EDUCATIONAL COMPLEMENTS**

**Article 38**  
**Promoting School Success**

1. Under the terms of law, support and educational complements are provided aimed at inspiring, especially in compulsory education, equality of opportunity in access and in school success.
2. Specific school needs of the students who frequent compulsory schooling are compensated through activities which accompany and complement pedagogically within the school.
3. Psychological development of the students and their educational and professional orientation is supported through properly organized services of psychology and orientation, assuring both psycho pedagogical support for school activities and for the system of relations of the educational community.
4. The accompaniment of growth and development of the students, in order to promote health, consciousness of sexual behaviours' and prevention of drug abuse, alcoholism and other socially risky behaviours', is achieved through specialized, properly organized events.

**Article 39**  
**Support for School Health**

1. Accompanying the healthy growth and development of the students is ensured by specialized services of community health centres in conjunction with educational structures.

**Article 40**  
**Educational Social Action**

1. Within the scope of pre-school and school education, school social action services are developed to compensate, in social and educative terms, the most economically deprived students, through objective and public criteria of positive differentiation, under the terms of law.

2. School social action services are comprised of a diverse group of actions, namely a sharing of meals, lunchroom services, school transportation, housing, manuals and school materials, as well as the granting of scholarships.

**Article 41**  
**Working Students**

1. Working students are granted a special study schedule, which takes into consideration their situation as workers and students, to allow them an equal opportunity to acquire knowledge and competencies, progressing in the education systems and extra-education, and emphasizing their personal and professional worth.

2. It is the responsibility of the Government to approve a special schedule for working students.

**CHAPTER IV**  
**EVALUATION AND INSPECTION OF THE EDUCATIONAL SYSTEM**

**Article 42**  
**Evaluating the Educational System**

1. The educational system is subject, in its efficiency, efficacy and quality, to permanent, continued and public evaluation which covers the learning of the students and the activities of the teachers, the non-teaching personnel and the establishments of education and teaching, the system itself in its totality and educational policy, taking into account the educational, pedagogical, psychological, social, organizational, economic and financial aspects, as well as those of a political-administrative and cultural nature .

2. The evaluation of the educational system should begin with pre-school education, on all levels of school education, including the special modalities, and on the out-of-school education and professional training, covering public, private and cooperative education.

3. The evaluation of the educational system constitutes an essential instrument of defining educational policy, of promoting the quality of learning and the success of instruction and of a responsible and transparent management at all levels of the system of education.

4. The evaluation of the educational system should permit an integrated interpretation, contextualized and compared with all of the parameters on which it is based.

**Article 43**  
**Accreditation**

1. Accreditation consists of formal recognition by the State of the quality of an educational establishment, following a continuous, objective and contextualized evaluation of that establishment.

**Article 44**  
**Educational Statistics**

1. Educational statistics are fundamental instruments for forming educational policies and for planning and evaluating the educational system, and should be organized so as to guarantee their realization at an opportune time and in a universal manner.

**Article 45**  
**Inspection of Education**

1. The educational system is subject to inspection under the terms of the present law and other complementary legislation, aimed at safeguarding the legitimate interests of all those integrated therein.

2. Educational inspection enjoys administrative and technical autonomy and involves functions of auditing and control of functioning of the educational system, in the technical, pedagogical, administrative, financial and heritage spheres, in terms of conferring legality, efficiency of proceedings and efficacy in the prosecution of objectives and fixed results and in the economy of utilization of resources, as well as checking the quality of education and teaching.

3. Educational inspections must be based, besides other structures of the educational system required by law, on pre-school education, at all levels of school education, including its special modalities, and on out-of-school education.

4. Inspection of education should include public as well as private and cooperative education, since; in this case, it exerts functions of auditing and control of legality, unless as a result of contractual relations with the State, the private and cooperative educational and teaching establishments are part of the network of educational offerings to the general public.

5. Professional training is subject to inspection, under the legal terms to be approved by Decree-law.

**CHAPTER V**  
**ADMINISTRATION OF THE EDUCATIONAL SYSTEM**

**Article 46**  
**General Principles and Organization**

1. The administration and management of the educational system should respect the principles of democracy and participation, aimed at the attainment of objectives, pedagogical and educational, of social and civic formation, responsibility, transparency and the evaluation of individual and collective achievement.

2. Educational administration revolves on the central, regional and local levels, emphasizing the principle of subsidiary, by decentralization of competencies in local administrations.

3. Educational administration should ensure the full participation of local educational communities, through adequate degrees of participation, especially of teachers, students, parents and respective associations and local administrations, as well as institutions representative of social, economic, cultural and scientific activities.
4. The organization and functioning of educational administration results from law, with respect to numbers above, which adopts adequate forms of localization and administrative decentralization, guaranteeing the necessary unity of action and efficacy, through the ministry responsible for educational policy, which has responsibility for:
  - a) Conception, planning and normative definition of the educational system;
  - b) Coordination of execution of the methods of educational policy;
  - c) Coordination of the evaluation of educational policy and the educational system;
  - d) Inspection of education;
  - e) Coordination of curriculum planning and support for educational innovation, in conjunction with schools and investigative institutions in education and the formation of teachers;
  - f) Higher management of human resources of education, especially teachers, assuring adequate planning and development policies;
  - g) Higher management of the educational budget;
  - h) Definition of criteria for implantation of a network of educational offerings and the typology of schools and their equipment;
  - I) Guaranteeing the pedagogical quality and technique of didactic methods, including school manuals
5. The functioning of educational establishments at any scholastic level by public, private or cooperative entities requires that an adequate license be issued by the Ministry of Education.
6. The granting of a license outlined in the previous number is based on the meeting of minimum conditions of functioning to be established in its own diploma.
7. The functioning of schools is oriented from a perspective of community integration, and in this sense, teachers are encouraged to reside locally.
8. Private and cooperative teaching is governed by its own legislation and statutes, which is subordinate to this law.

**Article 47**  
**Administration and Management of Schools**

1. The administration and management of educational establishments and of teaching should be done to promote the development of centres of excellence and educational competencies and thus the quality of learning, as well as to enhance conditions for an efficient and effective management of available educational resources.
2. Administration and management may be done based on groupings of schools, in order to favour the vertical integration of educational projects.
3. In each establishment of education and teaching, or respective groupings, administration and management is oriented by principles of democratic participation of those integrated within the educational process, of responsibility, transparency and the evaluation of effort, individual and collective, keeping in mind the specifics of each level of education and teaching.
4. In the administration and management of educational and teaching establishments the efficiency and efficacy in the use and organization of human, financial and material resources is directly oriented by criteria of pedagogical and scientific quality.

5. The executive direction of each grouping of schools or of each non-grouped establishment of primary education and secondary education is ensured, in legal terms, by their own organs, singular or collegial, wholly responsible, whose titleholders are selected through a public process which reviews curricular merit, the educational project presented, and whether instruction is adequate to the challenges of the role.
6. The executive direction of each grouping of schools or each non-grouped establishment of primary and secondary education is supported, under terms of law, by specialized services and by consultative organs, of a pedagogical and disciplinary nature, democratically elected and representing teachers, students, and in the case of secondary education, parents and non-teaching personnel.
7. The statutes of establishments of higher education establish their own organs of administration and management and the rules of internal functioning, as per law.
8. The establishments of higher education enjoy scientific, pedagogical and cultural autonomy, notwithstanding the evaluation of quality of the institutions scientific and pedagogical performance and respective accreditation.
9. The universities and public polytechnic institutes also enjoy statutory, scientific, pedagogical, administrative, financial, disciplinary and patrimonial autonomy, notwithstanding the monitoring action of the State.
10. The autonomy of the establishments of higher education should be oriented towards regional and national development and raising the educational, scientific, and cultural level of the Timorese.

## **CHAPTER VI EDUCATIONAL HUMAN RESOURCES**

### **Article 48 Functions of the Educator and Teacher**

1. The orientation and pedagogical activities in pre-school education are secured by early childhood educators at all levels and cycles of teaching, is ensured by teachers holding, in both cases, a diploma which certifies them as having specific training qualifying them for education and teaching, according to educational needs at every level.
2. Early childhood educators and primary education teachers acquire professional qualification through higher level courses, which grant the bachelors degree organized in establishments of university education or its equivalent.
3. The professional qualification of secondary school teachers is acquired through higher level courses, which confer the licentiate degree, organized in establishments of university instruction.
4. The professional qualification of secondary education teachers may also be acquired through licentiate courses given in establishments of university education, which ensure scientific training in the area of respective teaching, complemented by adequate pedagogical training.
5. The professional qualifications of teachers of vocational or artistic subjects of primary and secondary education may be acquired, respectively, through courses of bachelors and licentiate which ensure the formation in the area of the respective subject, complemented by adequate pedagogical training.

6. Scientific qualification for teaching in higher education is considered to be the doctors and masters degrees; in the higher university education, the degree of licentiate or its equivalent; in higher technical education, teaching may be done by individuals recognized as qualified and co-teaching persons holding the degree of licentiate or its equivalent, in higher university education, or yet with the bachelors degree, in higher technical education.

#### **Article 49** **Principles on the Instruction of Educators and Teachers**

1. The formation of educators and teachers is based on the following principle modalities:

Initial training at a higher level, which conveys basic information, methods, scientific and pedagogical, as well as adequate personal and social training.

Continuous training, which complements and updates the initial training, from a perspective of permanent training, sufficiently diversified, to ensure the complementing, deepening and actualization of knowledge and relevant professional competencies and allow mobility and progression in the career as well as the requalification of the same career:

- a) Specialized training, which enables the exercise of special functions required;
  - b) Professional training, after a general university training and aimed at reconverting the professions.
2. The training of educators and teachers is based on the following organizational principles:
- a) Flexible training, which permits the reconversion and mobility of educators and teachers, namely the necessary complement of professional training;
  - b) Integrated training, whether in the field of scientific-pedagogical preparation or in theoretical-practical articulation;
  - c) Training based on methodological practices that the educator and the teacher need to use in pedagogical practice;
  - d) Training that stimulates a critical and actualized attitude towards social reality;
  - e) Training that favours and stimulates innovation and investigation, particularly in relation to educative and teaching activities;
  - f) Shared training, which leads to the reflective and continuous practice of self-information and self-instruction.
3. It is the responsibility of the Government to approve by Decree-law the requirement of training of educators and teachers defining, namely, the requirements of courses of initial training of teachers, the profiles of competencies and training, as well as characteristics of a period of induction and respective evaluation for entry into the teaching career; the patterns of quality, qualifications for the exercise of other educational functions, e.g., special education, school or educational administration, curricular organization and development , pedagogical supervision and formation of trainers.
4. The State may support the continuing training of teachers exercising their functions in establishments of private and cooperative education which is integrated in the network of educational offerings and public service teaching.

#### **Article 50** **Principles of the Careers of Teaching and Non-Teaching Personnel**

1. Teachers, educators, non-teaching school personnel and other education professionals have the right to compensation and careers compatible with their qualifications and professional, social and cultural responsibilities, under terms of law.

2. Career progression is necessarily linked to performance evaluations of all activity, individually or in group, in an educational institution, in the area of education and in teaching, and in the provision of other services to the community, as well as professional qualifications, pedagogical and scientific.

3. All educators, teachers, non-teaching personnel of schools and other educational professionals have the right and the duty to continuous relevant instruction for carrying out their respective functions, along with the permanent and continued obligation to self-information and self-learning.

4. Non-teaching personnel of schools should have as a minimum qualification primary education or its equivalent, and they should be given adequate training.

## **CHAPTER VII MATERIAL AND FINANCIAL RESOURCES**

### **Article 51 Network of Educational Offerings**

1. It is the responsibility of the State to set up a network of offerings of education and teaching, ordered, in qualitative and quantitative terms, and carried out in the offering of a public service, which covers the needs of the entire population, assuring the existence of proper educative projects, developed in the context of autonomy of public, private and cooperative schools, and at the same time offers freedom of educational opportunity for families.

2. The network of educational offerings is also comprised of educational establishments and private and cooperative education which respect the principles, objectives and organization and rules of functioning of the educational system, including academic qualification and training demanded of the teachers.

3. In recognition of the value of private and cooperative education, the State considers, in financing the network of educational and teaching offerings of public service, and in a perspective of rationalizing the resources and promoting quality of educational offerings, the establishments of education and private or cooperative now existing or to be created.

4. The State supports financially, through contract and under terms of law, private and cooperative education, taking into consideration the choice of families, when these institutions are integrated into the network of offerings of education and public service teaching, proceeding with the objectives of the development of education.

### **Article 52 Planning the Network of Educational Offerings**

1. The network of educational offerings constitutes a permanent objective of educational policy and its promulgation in the territory, in the sense of meeting the demand for education, assuring the articulation and complementary nature of the contents of these offerings and their qualitative development, assuring an effective equality of educational opportunities, making up for regional and local asymmetries and making concrete the strategic options for development of the country.

2. In planning and managing the network of educational offerings, it should be ensured that, under terms of law, effective intervention by local administrations and participation, in an institutionalized manner by local communities, aimed at elaborating and actualizing school charters

as a regional and local instrument to plan educational offerings, reflecting planning of the national network of educational offerings.

3. The Government approves annually an educational network, translated into configuration of territorial organization into educational offerings and school buildings, for the purpose of providing pre-school and school education.

### **Article 53 School Buildings**

1. School buildings should be constructed to house, along with school activities, leisure activities and the involvement of the school in out-of-school activities, and should be planned with integrated and flexible equipment, to permit, whenever possible, its use in different community activities and its adaptation to different levels of teaching, curricula and educational methods.

2. Network density and the dimension of the school buildings should be adjusted according to characteristics and regional and local needs, and the capacity to house a balanced number of students, in order to guarantee good pedagogical practice and the realization of a true school and educative community.

3. In the design of school buildings and the choice of equipment, consideration should be given to the special needs of handicapped persons.

4. The design of school buildings should be oriented towards typologies which welcome all cycles of primary education and all modalities of secondary education, without prejudice to existing structures where more wide-ranging typologies may be acceptable.

5. Pre-school education is carried out in distinct units or in school buildings also used for primary education or even buildings used for other social activities, e.g., the crèche or out-of-school education, respecting the specific nature of children from three to six years of age.

6. Management of the areas should be governed by the imperative that they must contribute to the successful educational and school instruction of the students.

### **Article 54 Educational Resources**

1. Educational resources include materials used for adequate realization of the educational process.

2. The following are special educational resources, requiring special consideration:

- a) School manuals and other resources in digital format;
- b) School libraries and media centres;
- c) Laboratory and office equipment;
- d) Equipment for physical education and sports;
- e) Equipment for musical and artistic education;
- f) Resources for special education.

3. In support of and complementary to the educational resources existing in schools and with the objective of justifying the use of means at ones disposal, educational resource centres should be created, at the initiative of the schools, local administrations or the educational administration.

**Article 55**  
**Financing of Education**

1. Education is considered, in the elaboration of plans and the State Budget, as a national priority.
2. Allocations destined for education should be distributed according to strategic priorities of development of the educational system.

**CHAPTER VIII**  
**TRANSITORY AND FINAL DISPOSITIONS**

**Article 56**  
**Teaching and Non-Teaching Personnel**

1. Methods shall be taken in the sense of giving primary and secondary education professionally qualified teachers, through models of initial training according to current law, in order to render unnecessary, as soon as possible, permanently hiring teachers without professional qualifications.
2. A system of professionalization will be organized for current teachers or those entering the profession, to guarantee them a professional training equal to that provided in institutions of initial training for respective levels of teaching.
3. The Government will elaborate an emergency plan of construction and recuperation of school buildings and their equipment, to meet the needs of the school network, with priority to primary education.
4. The law of transition from the present structure of school education to that outlined in this law is approved by Decree-law, accompanied by the National Education Commission.
5. The transition referenced in the prior number may not prejudice rights acquired by teachers, students and non-teaching personnel of the schools.

**Article 57**  
**Educational Establishments and Teaching Integrated Into the Educational System**

1. Beginning with the school year 2010, only establishments which use the official languages of East Timor as languages of instruction may be integrated into the Timorese education system.
2. In unusual cases the Government, through the ministry responsible for educational policy, may accredit and authorize the functioning of educational and teaching establishments which not conforming to the previous number.

**Article 58**  
**Compulsory Schooling**

1. The system of nine years of compulsory schooling outlined in this law shall apply to students who enrolled in the first year of the first cycle of primary education beginning the academic year 2008-2009 onwards.
2. Students who have not yet completed the age of sixteen years are also covered by the compulsory attendance of primary education.

**Article 59**  
**Educational Support**

1. The functions of administration and educational support which are the responsibility of local administrations shall be governed by special education.
2. It is the responsibility of the Government to approve by Decree-law the special legislation referenced in the previous number.

**Article 60**  
**System of Equivalencies**

It is the responsibility of the Government to define and approve by Decree-law the system of equivalency between students, degrees and diplomas of the Timorese educational system and those of other countries.

**Article 61**  
**Integration of Children and Young People in the Diaspora of East Timor**

The Government should create and develop conditions necessary to facilitate the integration into the educational system of children and young people who return to East Timor, children of Timorese citizens.

**Article 62**  
**Additional Legislation**

The foundations set forth in this law are developed through the initiative of the Government, through approval of complementary legislation, accompanied by the National Commission of Education.

**Article 63**  
**Entry in Effect**

This law will go into effect on the day following its publication.

Approved the 9<sup>th</sup> of October, 2008

The President of the National Parliament,

**Fernando La Sama de Araújo**

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Promulgated on October 10, 2008

To be published.

The President of the Republic,

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**Dr. José Ramos Horta**