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F.I.D.H. Latvian Human Rights Committee
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Latvian authorities have initiated total elimination of education in minority languages

With deep concern I must inform that the government of Latvia, after a number of consequent reforms aiming to eliminate education in minority languages, has recently initiated the most radical bill, which means “the final solution” of the problem.

The latest of the reforms undertaken in 2018¹ received a huge criticism of all major international organizations (*see recommendations of the UN Committees (CCPR/C/LVA/CO/3, 11.04.2014, §20; CERD/C/LVA/CO/6-12, 25.09.2018, §§20-21; CEDAW/C/LVA/CO/4-7, 10.03.2020, §§33d, 34f; E/C.12/LVA/CO/2, 30.03.2021, §§48,49), letters from four UN Special Rapporteurs to the Government of Latvia OL LVA 1/2018, 26.01.2018; OL LVA 3/2018, 08.11.2018; OL LVA 1/2019, 24.09.2019; as well as recommendations from various structures of the Council of Europe - the Venice Commission (CDL-AD (2020) 012-e, 975/2020, 19.06.2020, §§119,120); Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC/OP/III(2018)001, 23.02.2018); the Committee of Ministers (CM/ResCMN(2021)9, 03.03.2021).*

Moreover, the several hundreds of appropriate complaints of parents of schoolchildren from Latvia have been registered by the European Court of Human Rights² and the UN Human Rights Committee³ in 2019-2022.

Nevertheless, by ignoring all international recommendations, not even waiting for the previous stage of the “educational reform” to finish and evaluating the outcome of the relevant litigation, the ruling coalition on February 28, 2022 took a conceptual decision on the

¹ The description of this “education reform” is presented on the website of the LHRC in the document “An overview of anti-minority “education reforms” of 2018-2020” (<http://lhrc.lv/index.php?lang=en&mendes=men6&agod=2020>), and also in Council of Europe Venice Commission document CDL-AD (2020) 012-e, 975/2020, 19.06. 2020.

² First of all, this is the joint case No. 56928/19 “Dina Valiullina and Others v. Latvia”, which passed the stage of communication with the government in 2021, and more than 200 complaints that received registration number in 2019-2022.

³ Case No. 4120/2022 “Konstantin Matveev v. Latvia” with 91 applicants, communicated to the government on 25.03.2022.

definitive transition of the entire minority education system (including the preschool education) exclusively into the Latvian language of instruction⁴.

The Ministry of Education and Science has developed the relevant bill⁵. According to it, education in preschool institutions, as well as in the 1st, 4th and 7th grades of school curricula, will be fully transferred into Latvian starting with 01.09.2023, and the transition process for other grades will end by 01.09.2025.

The discussion of the bill was held from 8 to 22 April on the government portal. Opinions of 3904 individuals and legal entities were published on this portal. Of these, 129 supported the bill, the remaining 3775 (96.7% of the participants, apparently, mainly the parents of children of national minorities) were against it.

989 people proposed to stop further progress of the bill until the European Court of Human Rights and the UN Human Rights Committee judgment on individual cases against the previous stage of elimination Russian schools.

All previous surveys conducted among representatives of national minorities indicate a clear support of most of them for the preservation of education in their native language.

However, considering the experience of the penultimate stage of the “educational reform”, it can be obviously assumed that all the objections of minorities and their representatives (including Members of Parliament) will be rejected by consideration of the bill.

Taking into account the expected date for the development of related documents and regulations (31.12.2022), implied by the draft law, as well as the forthcoming parliamentary elections scheduled on 01.10.2022, it can be confidently predicted that the bill will be adopted by the Parliament already before the start of the summer holidays (20.06.2022).

Sincerely,

Vladimirs Buzajevs (Владимир Викторович Бузаев)
co-chair of the LHRC

Annexes

1. Description of the bill.

2. Our (unofficial) translation of the text of the bill into English including the consolidated version of the articles amended by the bill.

...

⁴ Koalīcijas partiju vairākums atbalsta pāreju uz mācībām tikai latviešu valodā, portāls “Jauns.lv”[The majority of the coalition parties support the transition to education in Latvian only, the portal "Jauns.lv"], 28.02.2022: <https://jauns.lv/raksts/zinas/490016-koalicijas-vairakums-atbalsta-pareju-uz-macibam-latviesu-valoda>

⁵ Document 22-TA-1134 Draft Law “Amendments to the Education Law: <https://tapportals.mk.gov.lv/structuralizer/data/nodes/600eb43f-761e-4c01-85ba-5deb6e7330ba/preview>
Description and text of the document in English are given in Annexes 1 and 2

Description of the bill

1. Sources of materials

Documents for public discussion of the bill "Amendments to the Educational Law" in Latvian, including the texts of the bill and annotations to it, are posted on the website of the Cabinet of Ministers⁶. The consolidated text of the Educational Law is available on the official legislative portal⁷.

Translation of the text of the law as of 14.11.2019 into English provided by the Venice Commission⁸. An unofficial translation into English of the full text of the bill discussed is presented by us in Annex 2.

The annotation to the bill contains a significant amount (90,000 characters) of poorly structured text. Therefore, we give a conditional table of contents for the first part of this document, which allows further text to refer to its initial paragraphs. Quoted extracts from the document are marked in italics.

Ex-ante impact assessment report of the bill "Amendments to the Educational Law" (annotation)

1. The need to draft legislation

1.1. Justification

1.2. The goals

1.3. Current situation, problems and solutions

[1.3.]0. Current situation

[1.3.]1. Transition to teaching in the state language on the pre-school education stage

[1.3.]2. Transition to studies [in the state language] at the stage of basic education

[1.3.] 3. Examination and improvement of teachers' state language skills

[1.3.] 4. Implementation of vocational education programs in a foreign language

[1.3.] 5. Have alternative solutions been considered?

1.4. Assessments / studies that justify the need for a bill

1.5. Ex-post evaluation

2. The essence of the bill, its purpose and justification of the goal.

The regulation provided in the draft law stipulates that the teaching process in the primary education level will continue to take place in the state language, gradually introducing the state language in the entire primary education level - starting from September 1, 2023, general education basic education programs will be implemented fully (100%) in Latvian language in 1, 4 and 7th grades; starting from September 1, 2024 - 2,5 and 8th grades; from September 1, 2025 - in grades 3, 6 and 9. [A 1.3.2].

The current approach to the language of instruction in minority education programs has not fully ensured the quality acquisition of the state language at all stages of education. In order to ensure the most effective participation in public life and to promote further education, it is equally important for minority students to learn the state language, as the state must provide the best way and opportunities for everyone to integrate into society and participate effectively in cultural, social and economical life. Otherwise, insufficient knowledge of the state language

⁶ https://tapportals.mk.gov.lv/public_participations/7c57954d-ad8f-48a2-a9c8-fe9da1b089c8

⁷ <https://likumi.lv/ta/id/50759-izglitiba-likums>

⁸ CDL-AD (2020) 012-e, 975/2020, 19.06. 2020

may limit integration into society and hinder the development of a successful professional career [A1.1].

The proposed transition to studies in the state language would ensure equal opportunities for students in acquisition and availability of educational content, strengthen the students' language skills and at the same time promote more equal access to the content of other subjects [A1.1].

The aim of the draft law is to implement a successful transition to teaching in the state language at the pre-school and primary education level in order to promote successful implementation of the improved curriculum and approach in all Latvian educational institutions and ensure the acquisition of minority language and cultural history in accordance with the Latvian Constitution and international obligations [A1.2].

The state has the right to set in the general education standard such requirements regarding the content of general education and the learning process that are necessary to ensure that students are able to use the state language freely. The Constitutional Court has acknowledged that every person who permanently resides in Latvia must know the language of that country, moreover, at the level that allows him or her to fully participate in life of a democratic society. Members of the society who understand and respect the values on which Satversme is based are a precondition for the existence of a democratic state governed by the rule of law. The state has an obligation to ensure that the legal framework in the field of general education allows to achieve its goal. This obligation of the state is not limited to state and municipal educational institutions, but also applies to private educational institutions where general education is provided [A 1.3.2].

Given that the current approach to the language of instruction in minority education programs does not provide Latvian language skills for pre-school and primary education to the level to ensure equal opportunities for all children in further learning and working life, there is no alternative to achieving the goal of quality education other than by implementing 100% training in the state language. [A 1.3.5].

Justification of the need to eliminate the education of national minorities by poor knowledge of the Latvian language of graduates is not proven by statistics.

The dynamics of the growth of Latvian language skills among non-Latvians is as follows: 1989 -20%, 2000 - 49%, 2008 - 57%, 2014 - 77%⁹. However, this dynamic has no connection with the measures being taken to gradually replace the mother tongue with Latvian in school education. Significant replacement of the mother tongue with the Latvian language in the 10th grade started only on September 1, 2004 and affected school graduates for the first in 2007. Thus, the increase of the Latvian language skills of the representatives of national minorities in the period from 1989 to 2008 has no connection with the educational reform.

The latest representative survey of the minority population, on Latvian language skills indicates a significant dependence of language skills to the age of the respondents: in the age group from 18 to 24, 77.3% of minorities rated their Latvian language skills as good (and very good). but 20.3% as satisfactory. In the age group from 45 to 54 years, 47.8% know the language well, in the group from 65 years and older - 27.2%.¹⁰

3. Description of the current minority education system to be dismantled.

⁹ 1989, 2000 - census data, 2008 - survey "Language. study. March-April 2008 ", 3.1. Table (adds parts of people with in - depth and intermediate language skills): available http://www.valoda.lv/wp-content/uploads/docs/Petijumi/Sociolingvistika/14_Valoda_2008.pdf ; (LV) 2014 -"Sense of belonging to Latvia" - SKDS survey, May-June 2014, p. (sum of "excellent", "good" and "satisfactory" answers)

¹⁰ -"Sense of belonging to Latvia", 27.lpp.

http://providus.lv/article_files/2682/original/atskaite_piederiba_08_2014.pdf

Transition to studies in the Latvian language is attributable to 17% of teachers in the pre-school minority education program and the primary education program, as well as 24% of students who master minority pre-school education program and minority primary education program [A1.1].

In the school year 2021/2022, 15,553 children study the pre-school education program in a minority language, of which 1,286 children study a special pre-school education program. The pre-school education program in minority language is provided by 42 educational institutions and 153 educational institutions implement pre-school education program in both minority and Latvian languages. In turn, 18 private educational institutions provide pre-school education programs in minority languages. As from September 1, 2021 the regulation came into force that in addition to the pre-school minority education program, a pre-school education program in the Latvian language must also be implemented, these educational institutions implement both educational programs. Thus, starting from 2021, all minority pre-school educational institutions that have previously implemented an educational program in the minority language will also implement the educational program in Latvian, making up 17.3% of the total number of pre-school educational institutions.

45,756 students acquire the basic education program from the 1st to the 9th grade in a minority language, including 2,518 students attending the special education program. 29 educational institutions implement primary education program in a minority language, including four educational institutions implementing educational program in Polish, Riga's Belarusian Primary School - Belarusian and Riga's Ukrainian Secondary School - Ukrainian. Š. Dubnov Jewish Secondary School implements an educational program in Russian and Latvian, teaching in addition Jewish culture and history; Riga's Estonian Primary School implements an educational program in Estonian, teaching in addition Estonian; Riga's Lithuanian Primary School implements an educational program in Latvian, teaching in addition Lithuanian. Five private educational institutions implement primary education program in a minority language and 12 private educational institutions implement primary education program in both minority language and Latvian. In turn, 112 educational institutions founded by local governments implement educational programs in the Latvian and minority languages. [A 1.3.0]

Thus, according to the current regulation, starting from the 1st to the 6th grade, the use of Latvian language in acquisition of the primary education content is at least 50%, while from the 7th grade - at least 80%. The curriculum of the subjects and lessons of 384 primary education minority programs, which are implemented by 149 educational institutions.

... According to the general secondary education standard, as of September 1, 2022, all students acquire all the content of secondary education in Latvian language. The school may offer a specialized course Minority Language and Literature (210 hours of secondary education) for the choice of a pupil. Annex 9 of the general secondary education standard defines the results to be achieved for this course. [A 1.3.0].

It should be noted that this state of the education system of national minorities after the previous stage (2018-2020) of the displacement of the languages of national minorities from the education system, the consequences of which have not yet been studied¹¹.

4. The structure of the bill.

¹¹ The description of this "education reform" is presented on the website of the LHRC in the document "An overview of anti-minority "education reforms" of 2018-2020" (<http://lhrc.lv/index.php?lang=en&mendes=men6&agod=2020>), and also in Council of Europe Venice Commission document CDL-AD (2020) 012-e, 975/2020, 19.06. 2020

The bill provides for the following tasks (see also Annex 2).

- (1) exclusion from the law of references to educational programs for national minorities (Sections 1,3,4);
- (2) inclusion in the law of guarantees for minorities to learn their native language in interest-related [hobby] education program programs (Sections 2,5)
- (3) simplification of the procedure of dismissal of the teachers on the basis of their native language (Sections 6-8)
- (4) redistribution of funding for education of national minorities between the state and municipalities (Section 9)
- (5) partial lifting of the ban on conducting vocational education in a language other than the state language (Section 1)
- (6) establishment of a transitional period to a new educational system (last Section without number)

4.1. Exclusion from the law of references to educational programs for national minorities.

This exclusion means that students belonging to the national minorities and to the state nation will study in the same curriculum entirely in Latvian. For example, the Latvian language will be studied by representatives of national minorities as a native language, starting from preschool institutions.

4.2. Inclusion in the law of guarantees for minorities to learn their native language in interest-related [hobby] education programs.

According to an annotation, such a weak guarantee of the right to learn their native language is explained as follows:

In accordance with Article 9, Paragraph 2, Clause 21) of the Educational Law, it will continue to be possible to learn a minority language by using the Content and Language Integrated Learning methodology, as well as by increasing the number of teaching hours allowed in the state primary education standard, also as a foreign language, using the opportunities in the subject and lesson implementation plan to increase the number of lessons on the fields of study. [A 1.3.5].

The legal regulation specified in the draft law does not completely exclude the use of minority language and acquisition of cultural history, the legal framework ensures development of identity of a person belonging to a national minority and the preservation of culture, namely, it is ensured that the minority student will be able to learn the language and cultural history of the minority within the framework of the interest education program. Acquisition of the mentioned program will be financed by the state and the local government. Thus, the state and local government will continue to ensure the right of a child belonging to a national minority to acquire the mother tongue and cultural history in pre-school education stages. [A 1.3.1]

The draft law stipulates that a minority student of primary education will be able to learn the language and cultural history of minorities within the framework of educational program according to interest. Acquisition of such a program will be financed by the state with the help of a targeted grant to local governments, as well as local governments. Acquisition of the mentioned program will be possible in the same educational institution where the student belonging to a national minority acquires the primary education program or, taking into account the demand of such program from the students' side, the local governments will be able to implement the mentioned program of interest in any of the educational institutions located in the administrative territory of the local government or in any local government interest educational institutions.

Now in accordance with the primary education standard for the acquisition of the subject “Minority Language and Literature”, in 1st – 9th grades, has 3 lessons per week for each class¹². A sample curriculum for the subject “Minority Language and Literature” has been developed. The current number of hours will be maintained during implementation of the planned minority language and cultural history curriculum, thus ensuring that it is possible to use the already defined results to be achieved by the student, the developed subject curriculum sample and teaching materials. [A 1.3.2]

By regulating the use of the state language as the language of instruction in the general education process in both municipal and private educational institutions, which provide general education to students and thus integrate into the state general education system. The state in the draft law regulation ensures that acquisition of the language and cultural history of national minorities will be implemented within the framework of the interest program, ensure a balance appropriate to the state conditions between acquisition of the state language and protection of the rights of national minorities in the general education process equally in the educational institutions established by local governments and in private educational institutions implementing general education in accordance with state standards. [A 1.3.2].

According to Educational law (Article 1, Clause 3) interest-related education – implementation of the individual educational needs and desires of a person regardless of age and previously acquired education.

According to Article 47 of the Educational law (Interest-related Educational Programmes):

(1) Interest-related education shall be voluntary, and education corresponding to a particular level of education shall not be required for its commencement.

(2) Educational institutions are entitled to implement interest-related educational programmes without the receipt of a license.

(3) After receipt of the relevant license from a local government, other legal persons and natural persons not registered in the Register of Educational Institutions are also entitled to implement interest-related educational programmes.

4.3. Simplification of the procedure of dismissal of the teachers on the basis of their native language.

According to annotation currently, the Educational Law restricts work as a teacher only to a person who does not have a corresponding document issued in accordance with the procedures specified by the Cabinet of Ministers certifying proficiency in the state language at the highest level, however, in practice, despite existence of the relevant document, the person does not know and does not use the state language at the highest level.

Amendments to the Educational Law are required, setting restrictions on holding the position of a head or teacher of an educational institution for a person who does not speak and does not use the state language at the highest level.

The supervision and control of the observance of regulatory enactments in the field of use of the state language is performed by the State Language Center. The draft law stipulates that the compliance of the use of the state language by a teacher with the scope specified in regulatory enactments must be established by the State Language Center.

If the State Language Center finds that the teacher does not speak the state language to the extent specified in the regulatory enactments, the teacher will be prohibited to hold the relevant position and the employer will have to terminate the contract with this teacher.

¹² As a result of the "Reform 2018", the number of native language hours for national minorities in basic school (still a compulsory subject) has been reduced without any explanation by the decision of the Cabinet of Ministers from 6 to 3 hours a week

At the same time, the draft law stipulates that a teacher who has been dismissed due to non-use of the state language established by the State Language Center will have to present to the employer decision issued in accordance with the procedures specified in regulatory enactments after dismissal from office on the result of the person's state language proficiency test.

It is important to note that this procedure will apply both to teachers having a valid state language proficiency certificate and to those, who are exempted from the state language proficiency test in accordance with the regulatory framework and who do not need a state language proficiency certificate (such as those who have completed higher education in the official language). [A 1.3.3].

In 2018, the State Language Center set a fine on 143 or 10% of teachers in national minority schools¹³.

4.4. Redistribution of funding for education of national minorities between the state and municipalities.

In general, the state finances 100% of teachers' salaries. The bill provides for the distribution of funding for programs for national minorities between the state and municipalities in the proportion of 50:50.

4.5. Vocational education.

In the annotation, the legislative changes are explained as follows.

In accordance with the legal regulations included in Article 9 of the Educational Law, the acquisition of vocational education takes place in the state language and there are no opportunities to use foreign languages in the acquisition of vocational subjects, as well as publicly funded retraining and development of professional qualification takes place in the state language. The need to clarify regulation on the use of the language of instruction in vocational secondary education and publicly funded adult education is related to the fact that as the capacity of vocational education institutions develops, they also have opportunities to develop joint vocational education programs with other EU Member States institutions, as well as working conditions in Latvian vocational education institutions are attractive so that suitably qualified specialists from other EU countries can also be involved in the implementation of certain modules, but requirement to implement the entire program in the state language only precludes the use of such opportunities. [A 1.3.4]

...

Annex 2

(unofficial) Translation of the text of draft law into English including the consolidated version of the sections amended

[Extracts from the current law are presented in italic type]

22-TA-1134

Draft Law "Amendments to the Education Law"

Make the following amendments to the Education Law (Consolidation of amendments made by the Parliament and the Cabinet of Ministers of the Republic of Latvia, 1998, 24. nr.; 1999, 17., 24. nr.; 2000, 12. nr.; 2001, 12., 16., 21. nr.; 2004, 5. nr.; 2007, 3. nr.; 2009, 1., 2., 14. nr.;

¹³ Valodas centrs pērn sodījis 143 mazākumtautību skolu pedagogus. LSM.LV, 08.03.2019: <https://www.lsm.lv/raksts/zinas/latvija/valodas-centrs-pern-sodijis-143-mazakumtautibu-skolu-pedagogus.a312058/>

Latvian Journal, 2009, 196. nr.; 2010, 47., 205. nr.; 2011, 202. nr.; 2012, 54., 108., 190. nr.; 2013, 142. nr.; 2014, 257. nr.; 2015, 127., 242. nr.; 2016, 100., 241. nr.; 2017, 152., 242. nr.; 2018, 65., 196. nr.; 2019, 67., 75., 118., 240. nr.; 2020, 102., 174.B, 224., 240.A., 2021, 73A., 75. nr.):

1. In Section 9

Delete paragraph 2, subparagraph 2

Introduce a new paragraph 3² that reads as follows:

“(3²) The implementation of vocational secondary education and vocational education program in a foreign language is determined by the Vocational Education Law.

In the paragraph 6, after the words “in the official language”, add the words “except for the cases specified in the Vocational Education Law”

Consolidated wording of Section 9

Section 9. Language in which Education is acquired

(1) Education at State, local government educational institutions and educational institutions of State higher education institutions shall be acquired in the official language.

(1¹) In private educational institutions general education and vocational education at the level of basic education and secondary education shall be acquired in the official language.

(2) Education may be acquired in another language:

1) in educational institutions implementing educational programmes according to the bilateral or multilateral international agreements of the Republic of Latvia;

~~2) in educational institutions which are implementing minority educational programmes on the level of pre-school education and basic education in conformity with the provisions of Section 41 of this Law;~~

2¹) in educational institutions where study subjects of general education programmes are completely or partially implemented in a foreign language in order to ensure the learning of other official languages of the European Union in conformity with the conditions of the relevant State education standard;

3) in educational institutions specified in other laws.

(2¹) In educational institutions implementing special education programmes for students with hearing impairments, as well as in other educational institutions where learning environment suitable for the acquisition of education in the Latvian sign language is ensured, education may also be acquired in the Latvian sign language .

(3) In order to acquire basic or secondary education, each student shall learn the official language and take examinations testing his or her proficiency in the official language to the extent and in accordance with the procedures specified by the Cabinet.

(3¹) Educational programmes in State-founded higher education institutions shall be implemented in the official language. The use of foreign languages in the implementation of study programmes shall be possible only in the following cases:

1) educational programmes being followed by foreign students in Latvia, and educational programmes implemented within the framework of co-operation provided for in the programmes and international agreements of the European Union may be implemented in the official languages of the European Union. For foreign students learning of the official language shall be included in the study course with compulsory amount of hours, if studies in Latvia are expected to last longer than six months or exceed 20 credit points;

2) not more than one fifth of the amount of credit points of the study programme may be implemented in the official languages of the European Union, taking into account that final

and State examinations, as well as development of qualification, bachelor's and master's thesis are not included in this part;

3) educational programmes need to be implemented in a foreign language to achieve the objectives of the educational programme in conformity with the education classification of the Republic of Latvia in the following groups of educational programmes: language and culture studies, language programmes. The licensing commission shall decide on the conformity of the educational programme with the groups of educational programmes.

(3²) The implementation of vocational secondary education and vocational education program in a foreign language is determined by the Vocational Education Law.

(4) (Excluded by 15.04.2021 law)

(5) (Excluded by 15.04.2021 law)

(6) Raising of qualifications and re-qualification funded from the State budget or local government budgets shall be carried out in the official language, except for the cases specified in the Vocational Education Law

2. In Section 14

supplement Section 14 with subparagraphs 47, 48 and 49 worded as follows:

...

[Section 14. Competence of the Cabinet in the Field of Education

The Cabinet shall:]

...

47) determine the sample of the minority language and cultural history education program and the guidelines for its implementation;

48) determine the procedures of minority students to be admitted to the minority language and cultural history interest-related education programs, as well as determine the conditions, including minimum number of students for implementation of this program in the educational institution and the local government interest education institution, and the procedures according to which local government cooperates in implementation of this program;

49) determine the criteria and procedures of the state participation in the financing of remuneration and acquisition of teaching aids for teachers involved in implementation of local government minority language and cultural history interest-related education program.

3. Delete Section 38, paragraph 2, subparagraph 1

Consolidated wording of Section 38 paragraph 2

...

(2) The specific types of educational programmes shall be as follows:

~~1) educational programmes for ethnic minorities;~~

2) special education programmes;

3) social correction education programmes;

4) adult education programmes;

5) vocationally oriented education programmes;

6) international baccalaureate programmes.

4. Delete Section 41

~~Section 41. Educational Programmes for Ethnic Minorities~~

~~*(1) Educational programmes for ethnic minorities shall be developed by an educational institution selecting any of the model educational programmes included in the guidelines for the State pre-school education or State basic education standard.*~~

~~(1⁺) From grades 1 to 6 in educational programmes for ethnic minorities, the acquisition of learning content in the official language shall be ensured in the amount of not less than 50 per cent of the total lesson load in an academic year, including foreign languages.~~

~~(1²) From grades 7 to 9 in educational programmes for ethnic minorities, the acquisition of learning content in the official language shall be ensured in the amount of not less than 80 per cent of the total lesson load in an academic year, including foreign languages.~~

~~(2) Educational programmes for ethnic minorities shall additionally include the content necessary for the acquisition of the relevant ethnic culture and integration of ethnic minorities in Latvia.~~

5. Introduce the new Section 41.¹ that reads as follows:

“41.¹ Acquisition of minority education content

(1) A local government, including through private educational institutions, shall provide an opportunity for pre-school and primary education minority students registered in general education institutions located in its administrative territory to acquire the language and cultural history of national minorities within the framework of a state-funded interest-related education program.

(2) The state shall participate in the financing of the costs of implementation of the minority language and cultural history interest-related education program (teachers' salaries, compulsory state social insurance contributions, purchase of teaching aids) in accordance with the procedures and to the extent specified by the Cabinet.

6. Introduce in Section 30 paragraphs (4²) and (6²) that reads as follows:

[see part of the Consolidated wording]

Section 30. Head of an Educational Institution

...

(4) A person who has impeccable reputation, who is loyal to the Republic of Latvia and its Constitution, inter alia, does not violate the prohibition of discrimination and differential treatment towards a person, who has the relevant education and the necessary professional qualification is entitled to work as the head of the educational institution. A person who has a higher pedagogical education or a higher and pedagogical education, as well as a person who has a higher education and is acquiring a pedagogical education is entitled to work as the head of a general basic or general secondary education institution.

(4¹) The professional activity of the heads of educational institutions (except for higher education institutions and colleges) shall be assessed in accordance with the procedures specified by the Cabinet at least once in six years. The suitability of the head of the educational institution for the position to be held shall be decided based on the assessment results. If the professional activity of the head of the educational institution has been assessed as unsatisfactory, the person is prohibited from holding the position of the head of the educational institution. The assessment results may be taken into account

(4²) A person who is using the state language to the extent specified in regulatory enactments is entitled to work as the head of an educational institution

...

(6) If the State Education Quality Service or the employer finds non-conformity of the head of the educational institution or his or her actions with the requirements laid down in Paragraph four of this Section or Section 5¹, Paragraph one, Clause 2¹ of this Law, the person is prohibited from holding the position of the head of the educational institution.

(6²) It is prohibited to hold the position of the head of an educational institution if the State Language Center has established in accordance with the procedures specified in

regulatory enactments the non-compliance of the head of the educational institution or his or her actions with the requirements specified in Paragraph (4²) of this Section. An appeal against a decision taken by the State Language Center shall not suspend its operation.

7. Introduce in Section 48 Paragraphs (5¹) and (6¹) that reads as follows:

[see the consolidated wording]

Section 48. Right to work as a Teacher

...

(5) A person who is loyal to the Republic of Latvia and its Constitution, inter alia, does not violate the prohibition of discrimination and differential treatment towards a person, has the right to work as a teacher.

(5¹) A person who uses the state language to the extent specified in regulatory enactments has the right to work as a teacher.

(6) It is prohibited to hold the position of a teacher if the State Education Quality Service has established in accordance with the procedures laid down in laws and regulations a non-conformity of the teacher or his or her actions with the requirements laid down in Section 30, Paragraph four, Paragraphs one and five of this Section, or Section 51, Paragraph one, Clause 2.1 of this Law.

(6¹) It is prohibited to hold the position of a teacher if the State Language Center has established in accordance with the procedures specified in regulatory enactments that the teacher does not use the state language to the extent specified in regulatory enactments. An appeal against a decision taken by the State Language Center shall not suspend its operation.

8. Express Section 50, Paragraph 1, Clause 3 in the following wording:

[see part of the Consolidated wording]

Section 50. Restrictions on working as a teacher

(1) The following persons may not work as teachers:

1) a person who has been punished for committing an intentional criminal offence (regardless of the criminal record having been set aside or extinguished), except when after setting aside or extinguishing the criminal record the State Education Quality Service has evaluated whether it does not harm the interests of educatees and has permitted that such person works as a teacher. The Cabinet shall determine the procedures by which the head of an educational institution shall ascertain whether the person has restrictions to work as a teacher, as well as the procedures for the evaluation whether the permission for such person to work as a teacher will not harm the interests of educatees;

2) a person whose capacity to act is limited in accordance with procedures laid down in laws and regulations;

~~*[3) in State or local government educational institutions, as well as secondary education institution of State higher education institutions—a person who does not have a document issued in accordance with the procedures specified by the Cabinet that certifies the proficiency in the official language at the highest level, except for the academic personnel of higher education institutions—citizens of other countries and stateless persons who are participating in the implementation of specific educational programmes on the basis of an international agreement;]*~~

3) A person who has been released from the position of a teacher if non-compliance with Section 30, Paragraph 4² and Section 48, Paragraph 6¹ of this Law has been established

and the person fails to present a decision on the result of the state language proficiency test in accordance with the procedures specified in regulatory enactments, except in the cases specified in Section 9, Paragraphs two, three, (3¹), (3²) and six of this Law.

9. Express Section 59, Paragraph 1 in a following wording:

Consolidated wording of Section 59, Paragraph 1

Section 59. Sources of Financing of the Education System

(1) State educational institutions shall be financed from the State budget in accordance with the annual State budget law. Local government educational institutions shall be financed from local government budgets. Secondary education institutions of State higher education institutions shall be financed from the budgets of higher education institutions. The State shall participate in the financing of local government educational institutions and secondary education institutions of the State higher education institutions in the cases provided in this Law. ~~In order to promote the acquisition, development, and preservation of the minority ethnic culture and the integration of minorities in Latvia, the State may participate in additional financing of work remuneration for the teachers employed at educational institutions which, on the basis of bilateral and multilateral international agreements of the Republic of Latvia, are implementing educational programmes for ethnic minorities in which the number of minority educatees does not exceed six per cent of the total number of educatees who are acquiring educational programmes for ethnic minorities.~~

Transitional Provisions

Introduce in the Transitional Provisions the Paragraphs 98, 99, 100, 101 and 102 that reads as follows:

“98. Amendments providing for the exclusion of Section 41 of this Law shall enter into force:

- 1) September 1, 2023 - regarding the implementation of the pre-school education program and the general education basic education program in grades 1, 4 and 7;
- 2) September 1, 2024 for the implementation of the general education basic education program in the grades 2, 5 and 8;
- 3) September 1, 2025 - regarding the implementation of the general education basic education program in the grades 3, 6 and 9.

99. The Cabinet shall, by December 31, 2022, amend the Cabinet Regulations No. 716 “Regulations regarding the State Pre-school Education Guidelines and Samples of Pre-school Education Programs” of November 21, 2018 and Cabinet Regulation No. 747 “Regulations regarding State Basic Education Standards and Samples of Basic Education Programs” of November 27, 2018 in accordance with the amendments introduced to Section 9, Paragraph 2, Clause 2; Section 38, Paragraph 2, Clause 2 and Section 41 of this Law.

100. The Cabinet shall, by December 32, 2022, issue the regulations referring to an Section 14, Paragraphs 46, 47 and 48 of this Law

101. Educational institutions shall ensure compliance of pre-school education and basic education programs with the state pre-school education guidelines and the state basic education standard, if necessary, by licensing new educational programs not later than by September 1, 2025.

102. Until December 31, 2022, according to the decision referring to an Section 50, Paragraph 1, Clause 3 of this Law regarding the results of the examination of the state language proficiency of a person, a state language proficiency certificate shall be issued.

The law enters into force on the day following its proclamation.