

Unofficial translation

Ministry of Education, Science and Sport of the Republic of Slovenia

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Current instrument: Kindergarten Act (Official Gazette / Uradni list Republike Slovenije, No. 100/05 – official consolidated text, 25/08, 98/09-ZIUZGK, 36/10, 62/10-ZUPJS, 94/10-ZIU, 40/12-ZUJF, 14/15-ZUUJFO and 55/17).

Warning: The unofficial consolidated text of the regulation is only an information tool that does not imply any liability for damages or otherwise.

The unofficial consolidated text of the Kindergarten Act comprises:

- Kindergarten Act – ZVrt (Official Gazette / Uradni list Republike Slovenije No. 12/96 as of 29. 2. 1996)
- Act amending the Kindergarten Act – ZVrt-A (Official Gazette / Uradni list Republike Slovenije No. 44/00 as of 26 May 2000)
- Act amending the Kindergarten Act – ZVrt-B (Official Gazette / Uradni list Republike Slovenije No. 78/03 as of 8 August 2003)
- Kindergarten Act – officially consolidated text – ZVrt-UPB1 (Official Gazette / Uradni list Republike Slovenije No. 113/03 as of 20 November 2003),
- Act amending the Kindergarten Act – ZVrt-C (Official Gazette / Uradni list Republike Slovenije No. 72/05 of 29 July 2005)
- Kindergarten Act – officially consolidated text – ZVrt-UPB2 (Official Gazette / Uradni list Republike Slovenije No. 100/05 as of 10 November 2005)
- Act amending the Kindergarten Act – ZVrt-D (Official Gazette / Uradni list Republike

Slovenije No. 25/08 as of 14 March 2008)

- Intervention Measures due to Economic Crisis Act – ZIUZGK (Official Gazette / Uradni list Republike Slovenije No. 98/09 as of 4 December 2009)
- Act amending the Kindergarten Act – ZVrt-E (Official Gazette / Uradni list Republike Slovenije No. 36/10 as of 4 May 2010)
- Exercise of Rights from Public Funds Act – ZUPJS (Official Gazette / Uradni list Republike Slovenije No. 62/10 as of 30 July 2010)
- Intervention Measures Act – ZIU (Official Gazette / Uradni list Republike Slovenije No. 94/10 as of 26 November 2010)
- Fiscal Balance Act – ZUJF (Official Gazette / Uradni list Republike Slovenije No. 40/12 as of 30 May 2012)
- Act Regulating Measures Aimed at Fiscal Balance of Municipalities – ZUUJFO (Official Gazette / Uradni list Republike Slovenije No. 14/15 as of 28 February 2015), and
- Act Amending the Kindergarten Act – Zvrt-F (Official Gazette / Uradni list Republike Slovenije No. 55/17 as of 6 October 2017).

Kindergarten ACT (ZVrt)

(Unofficial consolidated text No. 13)

I GENERAL PROVISIONS

Article 1

This Act regulates preschool education provided by public and private kindergartens.

Article 2

(Basic kindergarten duties and responsibilities)

The basic kindergarten duties and responsibilities shall be to assist parents in providing complete care of children, improve the quality of life of families and children, and to establish proper conditions for the development of the physical and mental abilities of children.

Article 3

(Principles of preschool education in kindergartens)

Preschool education in kindergartens is a component of the education system, and is based on the following principles:

- democracy
- pluralism
- autonomy, professionalism and responsibility of employees
- equal opportunities for children and parents taking into account diversity among children
- the right to choose and right to be different, and
- balancing different aspects of the child's physical and mental development.

Article 4 (Goals of preschool education)

The goals of preschool education in kindergartens are:

- develop abilities to understand and accept oneself and others
- develop abilities to negotiate, acknowledge differences, and teamwork
- develop abilities to recognise emotions and encourage emotional experience and expression
- cultivate curiosity, an inquisitive spirit, imagination and intuition, as well as develop independent thinking
- promote the development of language skills for effective and creative use of speech, as well as reading and writing at a later stage
- encourage artistic expression and experience of works of art
- transfer knowledge from various disciplines of science and day-to-day life
- encourage physical and motor development, and
- develop a self-reliant routine of personal hygiene and caring for one's health.

Article 5 (Language)

The language of educational activity shall be Slovenian.

In areas where members of the Slovenian nation and the Italian national community reside, defined as ethnically mixed areas, children in kindergartens providing education and care in the Slovenian language shall be familiarised with the Italian language, while children in kindergartens providing education and care in the Italian language shall be familiarised with the Slovenian language, as provided by a special law.

In areas where members of the Slovenian nation and Hungarian national community reside, the education and care shall be provided bilingually, that is in Slovenian and Hungarian as provided by a special law.

Article 6 (Exercise of rights of minorities)

A special law shall govern the exercise of special rights of the Italian and Hungarian national communities in the Republic of Slovenia in preschool education.

Article 7
(Rights of Roma community)

Preschool education of the Roma children shall be provided as specified by this Act and other regulations.

Article 8
(Children with special needs)

As specified by this Act, children with special needs (hereinafter: SEN children) are children who require adapted implementation of the programmes for preschool children with additional professional support or adapted programmes for preschool children. SEN children are specified by the Act governing placement of children with special needs subject to their type and level of deficiency, impairment or disorder.

Preschool education for SEN children shall be provided as specified by this Act and other relevant regulations.

Article 9
(Right to choose among programmes)

Parents shall have the right to decide to enrol their children in a preschool education programme at a public or private kindergarten.

Article 10
(Ensuring inclusion of children in programmes of public service)

If there is no kindergarten to provide the public service in the area of permanent residence of the parents; or if there are no free places in the relevant kindergarten and the number of children the parents are seeking to enrol meets the standards and norms to form one group, the local community shall initiate the procedure for ensuring additional places at a public kindergarten, or shall issue a call to award the concession within 30 days.

Under the preceding paragraph, the interest of foreigners without permanent residence in the Republic of Slovenia shall also be considered if at least one parent is subject to the payment of income tax. In this case, the municipality of the registered temporary residence of the parent liable for the payment of income tax shall be considered as the municipality of permanent residence.

Article 10a
(Premises of kindergartens in other buildings)

Kindergartens settings can be in buildings not built specifically for kindergartens, i.e. residential buildings, administrative and office buildings, commercial and other buildings to pursue service activities, as well as in buildings of general social significance, if the building has already been issued an operating permit. In such buildings, up to two groups may be operational pursuant to the norms

and standards that specify the premises and equipment of a kindergarten.

No change of intended purpose to preschool education shall be required for buildings referred to in the preceding paragraph.

Article 10b
(Spatial planning of kindergartens)

During the planning of activities, municipalities shall plan the relevant areas for preschool education activities in accordance with the law on spatial planning in the strategic part of the municipal spatial plan, as well. In the operational part of the municipal spatial plan, the municipality shall thus allocate areas intended for preschool education.

Funding of the construction of a kindergarten may be subject to an agreement between the municipality and a private partner, as well. For kindergartens that provide a public service programme, in the procedure of regulating mutual relations, the time for the municipality to take over ownership of the building shall be specified pursuant to the rules on public-private partnerships.

Article 10c
(Organisation of public kindergartens in premises of private providers)

Kindergarten premises may be provided in the premises of a private partner that pursues the activity in the area of the municipality and with which the municipality has entered into agreement on implementing the programme for preschool children, if the private partner's premises fulfil the criteria and conditions for kindergarten space and equipment. The municipality and the private partner shall specify their mutual relationship in a special agreement by which they can provide that children of the private partner's staff shall be given priority consideration for admission to the kindergarten that is subject to public-private partnership.

The organisation of a public kindergarten in the premises of a private partner shall be subject to the law on public-private partnership. The provisions on the autonomy of school premises as specified by the law on the organisation and financing of education shall apply to kindergartens pursuing their activity in the premises of a private partner.

Article 10č
(Kindergartens associating professionally with higher education institutions)

For professional association and cooperation between a kindergarten and a higher education institution providing the initial preschool teachers training programme, a kindergarten group or unit may be organised within the premises of such higher education institution.

Paragraph one Article 10c herein on the organisation of public kindergartens in the premises of private providers shall apply by analogy for the organisation of a kindergarten at a higher education institution.

Article 11
(Presentation of kindergarten programmes)

A kindergarten shall present to parents its programmes, objectives, content and methods in a special publication.

Private kindergartens shall include in such publication the relevant opinion of the Council of Experts of the Republic of Slovenia for General Education regarding the suitability of the programmes.

The minister shall define the mandatory parts of such publication.

II ORGANISATION AND CONTENT OF KINDERGARTEN PRESCHOOL EDUCATION

Article 12
(Programmes for preschool children)

Programmes for preschool children provided by public kindergartens shall be adopted by the Council of Experts of the Republic of Slovenia for General Education.

Programmes for preschool children shall include:

- name of the programme
- reference background
- fields and objectives of education, and
- manners and forms of cooperation with parents.

A single local community or several local communities, subject to mutual agreement, shall appoint providers of programmes for preschool children.

Article 13
(Adopting a private kindergarten programme)

In a private kindergarten, the founder or other relevant body of the kindergarten, in accordance with the founding act, shall define the programme for preschool children.

The programme referred to in the preceding paragraph shall specify the duration, objectives and content.

A private kindergarten shall acquire a positive opinion of the Council of Experts of the Republic of Slovenia for General Education on the suitability of the programme prior to implementation of the programme for preschool children.

If a private kindergarten implements an education programme under special pedagogical principles (Steiner, Decroly, Montessori, and so forth), the Council of Experts of the Republic of Slovenia for

General Education shall give a positive opinion, if it finds that the programme has been recognised by the relevant international association.

Article 14 (Kindergarten programmes)

Subject to duration, kindergartens may provide the following programmes:

- full-day programmes that take six to nine hours and may be provided in the morning, in the afternoon, over the entire day or in alternation
- half-day programmes that take four to six hours and may be provided in the morning, in the afternoon or in alternation, and
- short programmes of 240 to 720 hours per year.

Full-day and half-day programmes shall be intended for children of one year of age until they enter school, and they shall comprise education, care and meals for children.

Short programmes shall be designed for children from the age of one until they enter school, and they shall include education, care and, optionally, meals for children.

Programmes under paragraph one of this article shall be provided in public kindergartens and kindergartens with a concession in accordance with the norms and standards defined by the minister responsible for preschool education, upon obtaining the opinion of the Council of Experts of the Republic of Slovenia for General Education.

The norms and standards shall lay down the workload of education staff, workload of the head teacher and assistant head teacher, the criteria for the formation of groups, criteria for the establishment of a counselling service, administrative-accounting and technical service, as well as requirements for the filling of positions, premises and equipment.

Education in areas with special development problems, ethnically mixed areas, as well as the education of Roma children, shall be subject to special norms and standards.

Article 15 (Age groups)

Preschool education in kindergartens shall be delivered in two age groups:

- first age group: children aged one to three, and
- second age group: children aged three until starting school.

Article 16 (Groups)

Educational activities shall take place in groups. Children in the first age group shall be placed in the first age groups while children of the second age group shall be placed in the second age groups.

Mixed groups shall include children of both the first and second age groups.

Article 17
(Number of children and education staff per group)

The upper limit for the first age group shall be 12 and for the second age group 22 children.

The competent authority of the founding local community may decide, depending on the circumstances and the current situation of preschool education within the local community, that the number of children per group may exceed the limit as specified by paragraph one of this article, by two children per group at most.

Full-day and half-day programmes shall be implemented by preschool teachers and preschool teacher – assistants. In the first age groups, they shall implement the full-day programme together for a minimum of six hours per day, and a minimum of four hours per day in groups of the second age group. In the first age group, they shall implement the half-day programme together a minimum of three hours per day, and a minimum of two hours per day in the second age groups. The concurrent attendance of both the preschool teacher and preschool teacher – assistant shall be defined in the job classification at the time of forming groups and shall not apply to children’s rest time.

The short programme shall be implemented by a preschool teacher.

At kindergartens that operate as a standalone location with only one group of children, a preschool teacher and preschool teacher – assistant shall implement the programme together for a minimum of 6 hours.

The minister responsible for preschool education shall define provisions for the number of children in a group.

Article 18
(Early childhood education and care family)

A kindergarten or private preschool teacher may organise a preschool education programme in an early childhood education and care family. This form of education and care shall be provided at the home of the preschool teacher or preschool teacher – assistant, a member of the kindergarten staff, or at the home of a private preschool teacher.

The education and care of children of the first age group may be provided in such form by persons specified in the preceding paragraph who meet the requirements for preschool teachers or preschool teacher – assistants, while the education and care of children of the second age may be provided by persons who meet the requirements for preschool teachers, provided that they have ensured the relevant space and equipment in accordance with the norms and standards.

The minister responsible for preschool education shall define the requirements for early childhood education and care families.

Article 19
(*deleted*)

Article 20
(Enrolment and admission of children)

Public kindergartens shall enrol and admit children into programmes by application and availability of places throughout the year.

A kindergarten may admit a child of no less than 11 months of age, if the parents no longer exercise their right to parental leave in the form of full absence from work. On a kindergarten's request, the competent social work centre shall submit to the kindergarten information on the expiry of the right to parental leave in the form of full absence from work for all parents who submitted an application for enrolment of their child in the kindergarten.

At least once a year, kindergartens shall issue a public call for enrolment of new children for the following school year. The founding municipality may specify through its own instrument the management and implementation of the enrolment procedure for a kindergarten that provides a public service.

If the number of applications exceeds the number of places, an admission commission shall make the selection of children. In this case, the kindergarten shall assign the parents a code for their child. The structure of the admission commission and the admission criteria shall be specified by the founding municipality and proposed by the kindergarten council. The criteria shall be specified in points.

In the case of incomplete applications or if additional information is required in the scope of admission criteria, the kindergarten may request parents to complete or provide additional information on the application either by email, phone or orally if parents come to the kindergarten. An official note shall be made. If the application remains incomplete, the admission of the child shall be decided based on information included in the application.

In accordance with the decision of the competent body, priority admission shall be granted to SEN children. Priority with respect to admission shall also be granted to children whose parents enclose an opinion of the social work centre of the child's risk due to the poor socio-economic status of the family. The opinion on this risk shall include a statement on the family being treated as a socially disadvantaged family by the social work centre, in accordance with the regulations governing the socio-economic status of families, and this shall be evident from the official records kept by the social work centre.

The kindergarten shall inform the parents in writing of the date of admission as well as any other requirements for the admission of the child to the kindergarten.

Upon admission, the parents shall submit a paediatrician's certificate of the child's health.

Article 20a
(Decision-making procedure of the commission)

The admission commission shall meet and examine applications in accordance with the provisions of this Act. Only commission members, the person in charge of the procedure and the minute-taker shall attend the meeting. Based on data listed in the application and/or data acquired from personal database administrators, the commission shall decide on the number of points awarded for each criterion and shall make up a priority order of children.

The commission may verify the accuracy of data included in applications with personal database administrators that maintain databases in accordance with the law. If the commission finds that specific data in the application are incorrect, it shall make its decision based on data acquired from personal database administrators.

The commission shall decide subject to the provisions of the simplified fact-finding procedure as specified by the Act governing general administrative procedure.

Article 20b
(Priority selection order)

Based on the criteria, the commission shall make up a priority selection order by sorting all enrolled children in order of the attained number of points, from the highest to the lowest. Children from the priority selection order shall be admitted to kindergarten by their age, available places in a specific group and the kindergarten programme implemented in that group.

Depending on the number of places in specific groups or kindergarten units and the priority selection order, the kindergarten shall decide on the number of children admitted into the programme within eight days of the meeting of the commission. Children not admitted shall be placed on a waiting list in a priority selection order.

Within eight days of the commission meeting the kindergarten shall publish the priority selection order showing the list of admitted children and the waiting list, on the kindergarten bulletin board and website. The information on children shall be encoded.

The list of admitted children shall include the following information:

- child's code
- points awarded by specific criteria
- date of admission to the kindergarten, and
- message for parents that they will be invited to conclude an agreement with the kindergarten upon completion of the enrolment procedure.

The waiting list of children shall include the following information:

- child's code
- points awarded by specific criteria for each child
- message for parents that they can appeal against the rejection of admission of the child to the kindergarten within 15 days of being served the notification as specified by this Act, as well as

- validity period of the waiting list.

Within eight days of the commission's meeting, the kindergarten shall send to parents a notification with the extract of all information about their child on the list of admitted children or waiting list by regular mail or email, provided the parents listed their email address for communication with the kindergarten.

Parents may send an objection against the specific notification of the preceding paragraph on the priority selection order by regular mail to the kindergarten council within 15 days of being served the notification. The kindergarten council shall then decide on the objection within 15 days of its receipt as specified by this Act and by applying *mutatis mutandis* the Act governing general administrative procedure. An objection may only relate to non-compliance with the criteria. Objections against the criteria and the weight of specific criteria shall be inadmissible.

The kindergarten council shall decide on an objection by applying *mutatis mutandis* the Act governing general administrative procedure. The decision of the council shall be served on the parents as provided by this Act. Parents may initiate an administrative dispute against the decision of the kindergarten council.

Article 20c

(Agreement between kindergarten and parents, and presumption of enrolment application withdrawal)

When a kindergarten has decided on all the objections of parents against the notification on the priority selection order of children, it shall submit to the parents of admitted children a request to conclude an agreement on mutual rights and obligations of the kindergarten and parents. In the request, the kindergarten shall explicitly state that parents will be considered to have withdrawn their application for enrolment of a child in the kindergarten, if they fail to sign the agreement with the kindergarten within 15 days of service of the relevant request.

In cases under the preceding paragraph, the kindergarten shall invite the parents of the next child from the top of the waiting list to conclude and sign an agreement.

If there should be a centrally developed waiting list at the municipal level as specified by Article 20f herein, and notwithstanding the provision of paragraph one of this Article, the municipality may specify a shorter deadline for signing an agreement with the kindergarten, but still not less than five working days.

Upon the signing of the agreement between the kindergarten and parents, the child shall be considered to be admitted to the kindergarten.

Article 20č

(Publication of information)

On its website, the kindergarten shall publish information about its capacity for preschool children or available places, as well as information about the anticipated waiting period from an enrolment application until a place opens for admitting a child to the programme.

Article 20d
(Record of available places)

A municipality may request that a kindergarten provide the information referred to in Article 20č herein for the setting up of publicly accessible records on the kindergarten capacity in its respective area.

At least once a month, kindergartens shall submit the information referred to in the preceding paragraph to the Ministry responsible for preschool education, which shall then design a single information point on kindergarten capacities for the entire country. The minister responsible for preschool education shall define the manner and form of submitting data.

Article 20e
(Serving of documentation)

Decisions and other documentation in the procedure for the admission of children to kindergartens shall be sent by regular mail. It shall be deemed that the relevant document has been served on the recipient on the eighth day after mailing the document by post.

Article 20f
(Single kindergarten enrolment of a municipality)

A municipality that has established more than one kindergarten may decide to implement a single enrolment procedure and set up a central record of children enrolled for all kindergartens in its area. In this case, the municipality shall define the same criteria for all kindergartens.

The municipality shall specify through its own instrument the manner, conditions and single enrolment procedure in line with the provisions herein. The municipality may specify in its instrument that parents have the right to enrol their child only in a limited number of kindergartens. It may further lay down that the municipality shall merge the eventual waiting lists into a central waiting list after the admission procedure has been completed, so as to allow the priority selection order to be created by the number of points attained, that is, the number as defined by the admission commission at individual kindergartens. The central waiting list shall include the information under indents one and two paragraph five Article 20b herein.

The central waiting list shall be published on the bulletin board of all kindergartens in the municipality area, on their websites and on the municipality website. Kindergartens with available places shall invite parents of children on the waiting list to sign an agreement on admission to the kindergarten as specified by the municipal instrument. If parents decline or fail to sign the agreement with the kindergarten as specified by Article 20c herein, it cannot be deemed that the parents withdrew their application for the enrolment of children in kindergarten, but the child can be placed last on the waiting list after several consecutive rejections of an available place under the conditions specified by the municipal instrument as specified by paragraph two of this Article.

Article 21
(Annual action plan)

Kindergartens shall define the organisation and detailed content of life and work at kindergartens through annual action plans which shall be adopted by the kindergarten council.

The annual action plan shall lay down the organisation and business hours of the kindergarten, programmes provided by the kindergarten, the education and care of children in early childhood education and care family, grouping of children, the work of education and other staff of the kindergarten, cooperation with parents, cooperation with education, health and other organisations, mentorship of trainees, activities for integration of the kindergarten with the local area, cooperation with schools which educate workers for the education of preschool children, in-service training programmes of kindergarten staff, work programme of professional bodies of the kindergarten, as well as human resources, material and other requirements necessary for the implementation of the education process.

Prior to adoption, all parts of the proposed annual action plan of the kindergarten with financial impact on the budget of the founding municipality (i.e. in particular, parts relating to the type and number of groups, number of children in a specific group, number of education staff, as well as operating hours) shall be aligned with the competent department of the founding municipality.

Article 22
(Implementing regulation on documentation)

Kindergartens shall keep the documentation on educational activity as specified by the minister responsible for preschool education.

III HOME-BASED CARE OF PRESCHOOL CHILDREN

Article 23
(*deleted*)

Article 24
(*deleted*)

Article 24a
(Childminder)

A natural person may provide care of preschool children that does not include provision of the officially recognised programme as a childminder if they have been entered in the register at the Ministry responsible for preschool education. Childminders shall be entered in the register if they meet the following requirements:

- they have completed no less than the education programme of upper secondary technical qualification, or upper secondary general qualification and the relevant national vocational qualification, or if they fulfil the educational qualification requirements for preschool teacher – assistants, preschool teachers, teachers and counsellors in education as specified by law and other instruments;
- they have no final convictions for criminal acts against the inviolability of sexual integrity and/or for a criminal offence with intent prosecuted ex officio leading to a custodial sentence of more than six months.

Childminders may provide care for a group of no more than six preschool children. Childminders may provide care to children in an apartment building that has been issued an operating permit. The space and equipment childminders provide for pursuing the activity of childcare shall be subject to the provisions on standards and minimum technical requirements for space and equipment of kindergartens that apply to premises for children in early childhood education and care families and the provisions on early childhood education and care families, as well as provisions that specify the early childhood education and care family. Only one child minder shall be registered in one apartment unit.

The following information shall be entered in the register:

- name and surname of the childminder, information on birth and personal identification number
- educational qualification, and
- place of pursuing the activity.

Upon entry in the register, the childminder shall be issued a decision. The childminder shall pursue the activity as specified by the Companies Act.

The childminder shall be removed from the register ex officio:

- if the provision of services has been prohibited in a final decision;
- if he/she no longer fulfils the requirements for the activities of a childminder;
- based on notification from the childminder of the suspension of activity.

The name and surname of the childminder and the location of the activity shall be public and published on the website of the Ministry responsible for preschool education.

Article 24b (Co-funding of childminder)

A childminder shall be provided with funding from the municipal budget to co-finance the payments of parents for the care of a child who was not admitted to a public kindergarten and has been placed on a waiting list. The childminder shall be entitled to funding in the amount of 20% of the price of the programme which the child would attend if they had been admitted to kindergarten.

The municipality where the child's parents have their permanent residence or the municipality where the child has permanent residence together with at least one of the parents, and for the period the child will be on the waiting list of a public kindergarten, shall provide the funding.

On the request of the municipality, the public kindergarten in which the child has been enrolled shall submit to the municipality all information from the waiting list based on which the child will be granted entitlement to the co-funding of childcare.

The agreement between the municipality and the childminder shall specify requirements for subsidising payment by parents for childcare provided by the childminder.

IV FUNDING

Article 25 (Sources)

Funds for preschool education programmes shall be provided by:

- public funds
- the founder
- parents, and
- donations and other sources.

Article 26 (Financial supervision)

The use of public funding in kindergartens shall be supervised by the budget inspectors, court of audit and competent body of the municipality that is the kindergarten founder.

Article 27 (Deleted)

1 Public kindergartens

Article 28 (Funding provided by municipality)

Municipal budgets shall provide funding of kindergartens equivalent to the difference between the price of programmes and payment by parents.

The price of the programme under the preceding paragraph shall include the cost of education, care and meals as follows:

- labour costs for kindergarten staff as specified by law, norms, standards and the collective agreement
- material and services required for the implementation of the programme, and
- food for children.

If a municipality has founded several kindergartens, it may adopt a decision in which it sets a standard price for the same programme, which applies to all kindergartens, as the basis for the payment by parents and the payment of the difference between the price of the programme and payment by parents paid by the municipality, as referred to in paragraph four of this Article.

The funds referred to in paragraph one of this article shall be provided by the municipality where the parents and the child enrolled in the kindergarten have their permanent residence, or the municipality where the child and at least one parent have their permanent residence. The municipality shall also provide funding for the children of foreigners if the child and at least one parent have had temporary residence in its territory and provided that the parent has been liable for income tax in the Republic of Slovenia.

Municipal budgets shall also provide funding for major maintenance and repairs, and investments in real estate and equipment of public kindergartens, as well as kindergartens with a concession.

The founding municipality shall also provide public kindergartens with funding to cover the cost of activities and tasks required for implementation of the programme for preschool children that cannot be included in the price of the programme.

The methodology for calculating the costs which are components in the formulation of the programme price, and costs which are not included in the price of the programme, shall be defined by the minister responsible for preschool education.

The founding municipality shall conclude a funding agreement with the kindergarten.

Article 28a

(Provision of funding to cover costs not included in the price of the programme)

A kindergarten that provides a public service shall issue monthly claims for the payment of costs under paragraph two Article 28 herein.

The surplus of revenue over expenditure in the price of public kindergarten programmes shall be taken into account for the next setting of the programme price.

The founding municipality shall determine the allocation of surplus of revenue over expenditure or the payment of the surplus of expenditure over revenue after the final account of the public kindergarten.

Article 28b

(Additional benefit of subsidised payment granted by municipality)

Municipalities may specify through their own instruments a further reduction in the payment by parents as defined by the relevant decision by the competent social work centre, and notify the kindergarten of this. Kindergartens shall allow for the further reduction in payment on the invoice issued to parents and the request issued to the municipality.

Municipalities shall keep separately information on the scope of additional benefits under the preceding paragraph.

Article 29
(State funds)

In accordance with norms and standards, state funds shall cover the following:

- kindergarten hospital groups whose activities are intended for the territory of the state, as well as half of the funds for salaries and income, as well as taxes and contributions for preschool teachers in kindergarten groups that operate at other hospitals provided their operation has been approved by the Ministry responsible for preschool education;
- kindergarten groups at institutions for the education of SEN children founded by the state;
- payment of higher costs for groups where Italian is used, or where education work is performed bilingually, in Slovenian and Hungarian, and for groups for Roma children;
- part of the funding for investments in real estate and equipment in ethnically mixed areas, and
- kindergarten groups to implement the short programmes of 240 hours per year for children who do not attend kindergartens and who will turn six in the next calendar year, and if the Ministry responsible for preschool education has consented to the organisation and implementation of the short programmes.

As specified by paragraph four Article 32 herein, the state shall fund payment subsidies for parents with two or more children attending kindergarten at the same time.

The minister responsible for preschool education shall define the manner of state funding of subsidised payments by parents for kindergarten.

Requirements for the organisation, financing and operation of the groups under indent five, paragraph one of this Article shall be specified by the minister responsible for preschool education.

Article 30
(Payment by parents)

The basis for payment by parents shall be the price of the programme which the child is attending. The price of the programme shall include the cost of education, care and meals of the child in the kindergarten, but shall not include funds for investment and major maintenance and repairs.

The basis for the payment by parents of SEN children shall be the price of the programme for other children of the same age.

The basis for the payment by parents for children attending kindergarten groups in areas with special development problems shall be the price of the same programme that applies to a kindergarten in the municipal area, or the average price of the same programmes that apply to kindergartens in the municipal area. In the event that all kindergarten groups in the area of the local community have been set up pursuant to the special regulations under paragraph six Article 14 of this Act, the basis for payment by parents shall be the average price of the same programme in the Republic of Slovenia.

Article 31
(Programme pricing)

The prices of programmes in kindergartens that provide a public service shall be proposed by the relevant kindergarten, together with the proposed financial plan developed as specified by the principles that apply to the municipal budget. The competent body of the founding municipality or the municipality that granted the concession shall set the price of the programme.

After the price has been set, the kindergarten shall notify the prices to parents, relevant municipalities responsible for payment and the Ministry responsible for preschool education.

Article 32
(Definition of payment by parents)

Municipalities shall calculate the payment by parents by using a scale for the categorisation of parents into groups based on their income per family member, compared to the average salary of employees in the Republic of Slovenia, and by taking into account the property of the family. *(Ceases to apply in part)*

Parents on social assistance benefit as specified by social security regulations shall be exempt from payment. This also applies to private kindergartens entitled to public funding under Article 34 herein. *(Ceases to apply in part)*

In exceptional cases, in calculating the payment by parents, in addition to the income and property referred to in paragraph one of this Article the municipality may also consider other facts and circumstances which reflect the current socio-economic status of the family, based on information from official records maintained by the competent tax authority or social work centre. *(Ceases to apply in part)*

The payment by parents for kindergarten shall be defined by the law governing the exercising of rights to public funds. Parents with two or more children enrolled at the same time in kindergarten shall pay 30% of the payment defined as subsidised payment for kindergarten by law for the younger child, while they shall be exempt from payment for any additional children. The funds for the difference in the subsidised payment for kindergarten shall be covered by the state. Notwithstanding the provisions of this Article, parents who are not liable for the payment of income tax in the Republic of Slovenia shall pay the full price of the programme in which the child has been enrolled.

Kindergartens shall maintain records of parents eligible for co-funding referred to in paragraph four of this Article as specified by Article 46 herein.

Article 32a
(Property)

(Ceases to apply in part)

The property of a family with respect to calculation of payment by parents pursuant to this Act shall include all movable and immovable property at the disposal of the family.

Property as specified by this Act shall not include:

- the residence of the parents deemed appropriate by law;
- objects exempted from enforcement by the rules on claim enforcement and security, with the exception of cash under item five Article 79 of the Claim Enforcement and Security Act (Official Gazette / Uradni list Republike Slovenije No. 51/98, 72/98 – Constitutional Court decision, 89/99 – ZPPLPS, 11/2001 – ZRacS-1, 75/2002 and 87/2002 – SPZ),
- personal vehicle valued at up to 18 minimum salaries, and
- property incurring expenditure recorded under expenses by the parents and/or family.

Article 32b
(Consequences of non-payment)

If the record of payment by parents pursuant to Article 45 herein shows that the payments remain unpaid for over a month from the payment due date, the kindergarten shall send the parents a demand letter for the payment, including the deadline for the payment of unpaid amounts, which shall not be shorter than eight days and not longer than two months. The notification shall also include a warning that in the event of non-payment legal action for the collection of unpaid amounts shall be initiated before the competent court

The court and other competent bodies shall hear proceedings for the determination and collection of unpaid amounts under this Article quickly and with priority.

Article 33
(Executive regulation)

(Ceases to apply in part)

The minister responsible for preschool education shall define the scale, revenues recorded under income per family member, and property reckoned for the estimation of payment, the methods of evaluation, and the procedure of exercising the right to subsidised payment.

2 Private kindergartens

Article 34
(Funding requirements)

Private kindergartens shall be entitled to municipal funding provided they meet the following requirements:

- they provide at least a half-day programme
- they have the attendance of the number of preschool children to set up no less than one group
- they have on staff preschool teachers and preschool teacher – assistants for the implementation

- of the programme as provided by law and other instruments, and
- they allow access to all children.

Private kindergartens shall receive municipal funds as specified under paragraph four Article 28 herein. The basis for determining the municipal liability for an individual child attending a private kindergarten shall be the price of the same kind of programme of a public kindergarten within the municipal area, decreased by the payment parents would have paid as specified by paragraph four Article 32 herein if the child had been enrolled in the public kindergarten. Private kindergartens shall be entitled to 85% of those funds, for the individual child.

To exercise the right under the preceding paragraph, private kindergartens shall keep records as defined under paragraphs six Article 45 herein, and communicate the information from this record to the municipality liable to fund the relevant kindergarten as specified by this Act.

If no public kindergarten has been set up in the area of the relevant municipality, the scope of funding under this Article shall be calculated relative to the average prices of the same kind of programmes that apply for the Republic of Slovenia as of 1 September of the current year and which have been published by the Ministry responsible for preschool education.

The Ministry responsible for preschool education shall establish compliance with the requirements under paragraph one of this Article.

If more than one child of one family attends the officially recognised programme of a private kindergarten, for younger children the parents shall be entitled to state subsidies in the amount of the payment parents would have to pay if their child had been attending a kindergarten providing the public service in the municipal area of the private kindergarten's registered office.

The funds to subsidise payments by parents as referred to in the preceding paragraph shall be paid directly to public kindergartens by the state.

The minister responsible for preschool education shall define the manner in which state funds shall be provided to private kindergartens for subsidising payment by parents. Paragraphs six, seven and eight shall also apply mutatis mutandis to sole proprietors who organise education and care of children in an education and care group.

Article 35 (Staff in private kindergartens)

The law and delegated legislation that apply to staff in public kindergartens shall apply to define the workload of preschool teacher – assistants, preschool teachers, working relationships and salaries of staff at private kindergartens entitled to municipal funds as specified by Article 34 herein.

Article 36 (Funding agreement)

Funding and obligations of private kindergartens shall be regulated in detail by a special agreement.

4 Development of activity

Article 38

The state budget for preschool education activity shall provide funds for:

- research and experimental activity, professional development of education staff and information and documentation activity
- professional consultations
- school of leadership in education
- employment and training of trainees
- scholarship for teaching careers and tuition subsidies
- children-related and professional journals, as well as professional literature subsidies
- implementation of annual calls for award proposals for the label “good toy” that is administered by the Ministry responsible for preschool education
- national awards for education staff, and
- international activities.

V CONNECTING INTO AN ASSOCIATION

Article 39

(Connecting of institutions into an association)

Kindergartens and other legal entities which provide preschool education programmes may set up associations of institutions with the aim of jointly addressing kindergarten issues and cooperating with professional and administrative bodies, as well as implementing other joint tasks.

VI KINDERGARTEN STAFF

Article 40

(Educational qualification requirements)

Teaching and education in public kindergartens shall be provided by preschool teachers, preschool teachers – assistants, counsellors, organiser of health and hygiene regime, organiser of meals, and others.

Preschool teachers shall have at least a degree in the relevant first cycle study programme or programme deemed equivalent to a first cycle study programme by law.

Preschool teachers of the adapted programme for preschool SEN children shall:

- have a degree of a second cycle study programme or study programme deemed equivalent to a second cycle study programme of the relevant field by law, or
- meet the requirements for preschool teachers and complete the supplementary study programme of the relevant specialist pedagogy.

Preschool teachers – assistants shall:

- have an upper secondary educational qualification in education of preschool children, or
- have completed the fourth year of upper secondary general school (*gimnazija*) and the vocational course for early childhood education and care.

Counsellors shall hold a degree in a relevant second cycle study programme or programme deemed equivalent to a second cycle study programme by law, as well as the pedagogical qualification.

Organisers of the health and hygiene regime and organisers of meals shall have no less than a degree in a relevant first cycle study programme or programme deemed equivalent to a first cycle study programme by law.

Article 41

(Duties and responsibilities of preschool teacher and preschool teacher – assistant)

The workload of preschool teachers shall include preparation, planning and implementation of education, communication with parents, and participation in the organisation of life and activities at a kindergarten.

The workload of preschool teacher – assistants shall include working with preschool teachers in developing, planning and implementing education in the group, autonomous pursuing of certain activities of preschool education, as well as participating in other activities and duties related to kindergarten activity.

In the scope of full working time a week as specified by law and the collective agreement, the preschool teachers shall teach and attend to children 30 hours a week, preschool teacher – assistants 35 hours a week.

VII COLLECTION AND PROTECTION OF PERSONAL DATA

Article 42

(Application of regulations on the protection of personal data)

Kindergartens shall collect, process, store, submit, protect and use personal data from records in accordance with regulations governing the protection of personal data, unless otherwise specified herein.

a) Databases

Article 43
(Databases at kindergartens)

For providing preschool education, monitoring activities and for statistical purposes, kindergartens shall maintain the following databases:

1. record of enrolled children and record of admitted children
2. record of payment by parents
3. record of children who require counselling and/or support
4. *(deleted)*
5. record of persons entitled to state subsidy for payment by parents.

b) Content and function of individual databases

Article 44
(Record of enrolled children and record of admitted children)

Kindergartens shall establish records of enrolled children if the number of enrolled children exceeds the number of available places, and the admission of children will be decided by the commission. The record of enrolled children shall include the following information:

- name and address of permanent or temporary residence of the child and parents
- child's date of birth and gender
- personal identification numbers of the child and parents;
- child's code
- date of enrolment of the child in kindergarten
- contact address, parent's phone number or email address, and
- other information required for the evaluation of admission criteria as defined by the municipality.

Kindergartens shall collect personal data as set out in the preceding paragraph for the record of enrolled children for managing the procedure of enrolment and admission of children to the kindergarten programme. Kindergartens shall collect data with the consent of parents.

Kindergartens shall set up a record of admitted children after parents have signed the agreement on enrolment of their child in the kindergarten.

The record of enrolled children shall include the following information:

- name and address of permanent or temporary residence of the child and parents
- child's date of birth and gender
- personal identification numbers of the child and parents

- date of admitting the child to kindergarten
- medical specifics of the child as evidenced by the paediatrician's or specialist's medical certificate
- contact address, phone number or email of the person for the preschool teacher to contact at any time during the child's attendance in a kindergarten, and
- information about the attendance of children in the kindergarten.

Kindergartens shall collect personal data in the record of attending children to provide for the relevant implementation of programmes, for cooperation with parents and to monitor payment by parents for the kindergarten programme.

In the case of single enrolment in kindergartens in the area of the founding municipality, the data under indents one, two, three, four and five paragraph one of this Article shall be submitted to the municipality to set up the central record of children enrolled in all kindergartens in its area, for establishing the actual number of children enrolled in kindergartens and the related demand for an adequate number of available places in kindergartens in the municipal area.

Access to the central record of enrolled children as set out in the preceding paragraph shall be granted to all kindergartens in the municipal area.

Article 45

(Record of payment by parents and family socio-economic status)

Kindergartens shall maintain records of payment by parents.

The records of payment by parents shall include information on:

- the amount of payment by parents, and
- monthly payment by parents.

Kindergartens shall maintain a record as set out in the preceding paragraph for the monitoring of monthly payments.

The data set out under indent one, paragraph two shall be submitted to the kindergarten by the local community which sets the amount of payment by parents. *(Ceases to apply in part)*

The local community shall maintain a record of the socio-economic status of families for calculating payment by parents. *(Ceases to apply in part)*

The record of socio-economic status of families of children attending kindergarten shall include information about:

- income, revenues and property of family members
- number of family members
- other information and circumstances that influence the calculation of the payment, and
- payments by parents.

(Ceases to apply in part)

The local community shall collect the data under indent one and two of paragraph six of this Article only for parents who have exercised their right to subsidised payment for kindergarten.
(*Ceases to apply in part*)

The local community shall collect data under indent three, paragraph six of this Article only in cases specified under paragraph three Article 32 herein. (*Ceases to apply in part*)
The founder may also authorise a kindergarten for the collection and maintenance of the record of social status of families.

Article 45a

(Right of municipality to acquire information for verifying compliance of monthly claims)

For the purpose of verifying compliance of issued monthly claims, on the request of the municipality, a kindergarten shall provide the municipality liable for the payment of the difference between the price of the programme and payment by parents with an extract or access to personal data which the kindergarten keeps in its central records as specified by the Act governing the organisation and financing of education, and data from documentation and records which the kindergarten maintains as specified by this Act.

For the purpose of the preceding paragraph, the extract or access shall apply to the following data:

- name and address of the child and parents
- personal identification numbers of the child and parents
- date the child started attending kindergarten
- type of programme attended by the child, and the price of the programme that forms the basis for fees paid by parents and the municipality for the relevant month, taking into account decreased costs of unused meals during any absence of the child
- reference number of the decision on the reduced kindergarten fee and the expiry date of the right to the reduced kindergarten fee
- percentage of reduced kindergarten fee pursuant to a valid decision of the social work centre issued to parents
- municipality liable to payment by valid decision of the social work centre, and
- date of leaving the kindergarten.

Article 46

(Record of children in need of counselling and/or support)

The record of children in need of counselling or additional support shall include:

- family and social anamnesis
- developmental anamnesis
- diagnostic procedures
- professional support procedures, and
- expert opinion of other institutions: social work centres, healthcare institutions, counselling centres, or behaviour-related educational consultation centres.

Personal data shall be collected at the discretion of the counselling service and for those children who require professional counselling and/or support.

The personal data as set out in paragraph one shall be collected with the consent of the parents and/or legal guardians of the child, unless the child is at risk in the family and needs to be protected. Counselling staff shall safeguard the information set out in paragraph one of this Article as a professional secret. Such data shall be kept as a professional secret also by other education staff who receive such data due to the nature of their work.

Article 46a

(Record of persons entitled to co-funding of payment by parents for kindergarten by the state)

The record of persons entitled to state co-funding of kindergarten fees paid by parents shall contain:

- name and address of the child and parents
- personal identification numbers of the child and parents
- programme and kindergarten attended by the child
- date of starting the kindergarten programme
- information about the price of the programme attended by younger children who are exempt from payment
- information about the fee the parents pay, specifically as a percentage of the programme price by decision of the competent social work centre, and
- date of leaving the kindergarten.

Kindergartens shall maintain the record under the preceding paragraph for all parents who are exempt from payment for kindergarten for their younger children.

The Ministry responsible for preschool education shall maintain the record from the first paragraph of this article as a collection of all records maintained by kindergartens on persons entitled to the state subsidising of payment by parents for kindergarten.

In order to establish the records referred to in the first paragraph of this article, kindergartens shall acquire data from their own records, which they maintain as specified by this Act, and submit them to the Ministry responsible for preschool education for the setting up of the central record.

Detailed instructions for processing of data referred to in paragraph one of this Article shall be defined by the minister responsible for preschool education.

Article 47

(Methods of collecting data)

Personal data shall be collected directly from the parents of children to whom the data refer, as well as from other official databases and other data administered by specially authorised state authorities and bodies of self-governing local communities or bodies exercising public powers in the Republic of Slovenia.

c) Maintaining databases

Article 48
(Retention period)

Data in the record of enrolled children shall be kept until the relevant child attends kindergarten, when they are transferred to the record of attending children, and/or until the expiry of the waiting list in which the enrolled child has been placed. A kindergarten shall delete the data of a child whose parents have withdrawn the enrolment application.

Kindergartens shall delete the data in the record of attending children within one year of the child leaving kindergarten. The data from the record of payment by parents and socio-economic status of families shall be deleted upon fulfilment of their purpose of collection.

Article 49
(Storing of documentation)

Provisions in connection with the administration, use and maintaining of databases of personal data shall apply to the use and storing of documentation that served as the basis for the collection of personal data, as well.

d) Protection of databases

Article 50
(Data protection)

A kindergarten may submit data from databases to the Ministry responsible for preschool education, for the performing of its statutory responsibilities.

Kindergartens and local communities may provide data to another administrative authority or another organisation, provided the authority or organisation has been authorised by law to use such data.

During processing, personal data may only be used and published in such a manner that the individual's identity remains hidden.

Article 51
(Executive act)

Detailed instructions on the manner of data collection, kindergarten staff who are authorised for the use of personal data from specific records, the manner of recording their use and submission, and the manner of their destruction upon expiry of the retention period as well as other procedures and protection measures shall be defined by the minister responsible for preschool education.

VIII SUPERVISION

Article 52
(Supervision of implementation of the Act)
(ceases to apply in part)

Supervision of implementation of the provisions herein shall be the responsibility of the inspector responsible for education, with the exception of supervision of the norms and standards for premises and equipment of kindergartens under Article 14 herein which shall be implemented in the part referring to sanitation and health conditions by the inspector responsible for health, and supervision under Article 35 herein of labour relations in private kindergartens which shall be implemented by the inspector responsible for labour, and supervision of salaries of staff in private kindergartens which shall be implemented by the inspector responsible for salaries in the public sector.

IX PENALTY PROVISIONS

Article 53
(Fines for offences)

A fine in an amount from EUR 1,000 to 2,000 shall be imposed for violations on a legal entity which provides preschool education services:

- If it fails to publish the publication with a presentation of provided programmes, their objectives and content, as well as work methods (paragraph one Article 11).
- If the number of children admitted to a group exceeds the specified maximum number referred to in paragraphs one and two Article 17.
- If the kindergarten's job classification system does not provide for the simultaneous presence of a preschool teacher and preschool teacher – assistant for at least 6 hours a day in groups of the first age group, and at least 4 hours a day in second age groups (paragraph three Article 17).
- If it fails to regularly (or at least once a month) submit information about capacity to the Ministry responsible for preschool education (Article 20d).
- If it fails to specify the organisation and other content of life and work in its annual action plan (paragraphs one and two Article 21).
- If the annual action plan has been adopted without prior coordination with the competent service of the founding municipality in all parts that have a financial impact on the budget of the founding municipality (paragraph three Article 21).
- If it fails to maintain documentation on education activities as defined by the minister (Article 22).
- If it fails to specify the workload of preschool teacher – assistant or preschool teacher, or if it fails to provide formal employment and salaries to staff at private kindergartens as specified by law and instruments that apply to staff at public kindergartens.
- If it employs a member of the education staff who fails to fulfil the requirements, on a

permanent basis (Article 40).

- If it fails to maintain the specified data records (Articles 43, 44, 45, 46, and 46a).

A fine of EUR 1,000 to 2,000 shall also be imposed on the responsible person of a legal entity that commits a violation under the preceding paragraph.

A fine of EUR 1,000 to EUR 2,000 shall be imposed for a violation:

- If a natural person pursues the activity of childminder and that person has not registered at the competent Ministry (paragraph one Article 24a).
- If a childminder cares for a group of more than six preschool children (paragraph two Article 24a).

SHOW CONSOLIDATED AND FINAL PROVISIONS

The Kindergarten Act – ZVrt (Official Gazette / Uradni list Republike Slovenije No. 12/96) includes the following transitional and final provisions:

X TRANSITIONAL AND FINAL PROVISIONS

Article 54 (Funding)

Until the adoption of programmes for preschool children as specified by this Act, the public service in the field of preschool education and preparation for basic school shall include:

- preschool education for children of one year of age until starting school, including the preparation of children for basic school
- education and care of preschool children with developmental disorders in accordance with the law
- programmes for preschool children of the Italian and Hungarian national community in ethnically mixed areas
- preschool programmes for Roma children, and
- programme for preschool children of workers temporarily relocated abroad.

Funding for the provision of activities under indent one of the preceding paragraph shall be provided from the local community budget, funding for implementation of activities under indents two, three and four shall be funded by local community and state, where the implementation of activities under indent five of the preceding paragraph shall be state funded.

The provisions Articles 28 and 29 herein shall begin to apply in the 1996 budget year. The funding in the 1995 budget year shall be subject to the Organisation and Financing of Education Act (Official Gazette / Uradni list Republike Slovenije No. 12/91-I).

Article 55
(Requirements for funding of private kindergartens)

Notwithstanding the provisions Article 34 herein, private kindergartens shall be entitled to 100% of the funding the local community provides to public kindergartens for salaries and material costs per child 3 years after this Act becomes law.

Article 56
(Preschool teachers)

Kindergarten preschool teachers who met the criteria for working in kindergartens prior to the entry into force of this Act, may continue to work as preschool teachers as specified by this Act.

Article 57
(Nurses)

Nurses and medical technicians who work as preschool teachers in groups for children of up to two years of age, and who have completed four-year upper secondary education and have at least five years of work experience at a relevant job at the time of this Act's enforcement, may continue with such activity.

Article 58
(Childminders)

Persons working as childminders or preschool teachers who have completed four-year upper secondary education and have five years of work experience in preschool education, and persons who completed childminder education and have ten years of work experience on the date this Act enters into force, may work as preschool teacher – assistants as specified by this Act.

Persons working as childminders who do not have the qualifications or education specified for preschool teacher – assistants on the date this Act enters into force shall acquire such qualifications within seven years of this date, or their employment shall be terminated.

Persons specified in the preceding paragraph who have completed education for childminders or have five years of experience in preschool education shall not have to complete the vocational course for early childhood education and care.

Article 59
(Counsellors)

Counsellors who complied with the requirements for the provision of counselling services in kindergartens on the date this Act enters into force, may continue to perform the work of counsellors as specified by this Act.

Article 60
(Organisers of meals and organisers of health and hygiene regime)

Organisers of meals and organisers of the health and hygiene regime who fail to meet the requirements specified herein shall acquire the required qualification within eight years of this Act entering into force, or their employment shall be terminated.

Notwithstanding the provision of the preceding paragraph, organisers of meals and organisers of the health and hygiene regime with no less than twenty years of work experience in education and/or nutrition, health or hygiene on the day this Act enters into force, can continue with their job.

Article 61
(Definition of programmes)

The Expert Council of the Republic of Slovenia for General Education shall define the programmes for preschool children within a maximum of two years after this Act enters into force.

Article 62
(Alignment of private kindergarten programmes)

Founders of private kindergartens shall align their preschool education programmes with this Act and the Act governing the organisation and financing of education, within four years of this Act entering into force.

If the founder of a private kindergarten with a concession agreement fails to fulfil the obligations referred to in paragraph one of this article, the concession agreement shall be cancelled as specified by law.

Article 63
(Gradual decrease in the number of children per group)

The number of children in a group shall gradually decrease, so that as of 1 September 1997, the first age groups include a maximum of 14 children, and the second age groups include a maximum of 24 children.

As of 1 September 2000, first age groups may cater for not more than 12 children, while second age groups may cater for not more than 22 children.

Article 64
(Staff)

Paragraph two Article 17 herein shall begin to apply from 1 September 1997.

Article 65
(Implementing regulations)

The minister shall issue implementing regulations in not less than one year after this Act enters into force.

Until the adoption of the regulations specified herein, the following instruments in force up until this Act enters into force shall continue to apply, if they are not in conflict with this Act:

- Self-governing Agreement on the exercise of social security rights (Official Gazette / Uradni list Socialistične republike Slovenije, No. 27/89)
- Rules on the maximum admissible number of children in groups of education institutions and on the accompanying of children (Official Gazette / Uradni list Socialistične republike Slovenije, Nos. 20/80 and 16/81)
- Rules on the pedagogical documentation at education institutions (Official Gazette / Uradni list Socialistične republike Slovenije, No. 20/80)
- Decision on the adoption of the content for the preparation of children for basic school (Official Gazette / Uradni list Socialistične republike Slovenije, No. 22/81)
- Decision on the education programme for the education and care of preschool children of Yugoslav citizens of Slovenian nationality, temporarily working abroad (Official Gazette / Uradni list Socialistične republike Slovenije, No. 32/80)
- Standards and norms for social education of preschool children.

Article 66
(Termination of Act)

On the date of entry of this Act into force, the Education and Care of Preschool Children Act (Official Gazette of the Socialist Republic of Slovenia No. 5/80) shall cease to apply, with the exception of provisions which refer to preparation for basic school (paragraph two Articles 11, 13, 14, 31 and 42) which shall cease to apply on 1 September 2000.

Article 67
(Validity of the Act)

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

The Act Amending the Kindergarten Act – ZVrt-A (Official Gazette / Uradni list Republike Slovenije No. 44/00) amends Article 63 of the Act, as follows:

Article 63
(Gradual decrease of the number of children per group)

The number of children in a group shall gradually decrease, so that as of 1 September 1997 the first age groups comprise a maximum of 14 children, and the second age groups comprise a maximum of 24 children.

As of 1 September 2003, first age groups may cater for not more than 12 children, while second age groups may cater for not more than 22 children.

And includes the following final provisions:

Article 6

The provision Article 2 herein shall begin to apply on 1 September 2000.

Article 7

This Act shall begin to apply on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

The Act amending the Kindergarten Act – ZVrt-B (Official Gazette / Uradni list Republike Slovenije No. 78/03) includes the following transitional and final provisions:

Article 9

Funding agreements which private kindergartens concluded with local communities prior to this Act entering into force shall be aligned with the provisions of the preceding paragraph by 1 September 2004 at the latest, in accordance with the executive regulation referred to in paragraph two Article 31.

Article 10

The provisions Article 2 herein shall begin to apply on 1 September 2003, while the provisions Article 5 herein shall begin to apply on 1 January 2005.

Article 11

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

The Act Amending the Kindergarten Act – ZVrt-C (Official Gazette / Uradni list Republike Slovenije No. 72/05) includes the following final provision:

Article 4

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

The Act amending the Kindergarten Act – ZVrt-D (Official Gazette / Uradni list Republike Slovenije No. 25/08) includes the following transitional and final provisions:

Article 27

Notwithstanding the provisions under indent one, paragraph one Article 24a of this Act, up until 2013 the requirements for childminders shall also be fulfilled by persons who have completed upper secondary vocational and/or professional education, or who have at least ten years of work experience as a member of expert staff in the field of education.

Article 28

Education staff who fulfilled the statutory requirements and requirements laid down by other regulations regarding work in kindergartens prior to the entry of this Act into force, may also continue to perform educational activities (i.e. until the termination of uninterrupted employment in the field of education) after this Act enters into force.

Preschool teachers in kindergartens who fulfilled the requirements for preschool teachers in development groups before this Act enters into force on the basis of paragraph two Article 40 of the Kindergarten Act (Official Gazette / Uradni list Republike Slovenije No. 100/05 – official consolidated text) and have been appointed as head teachers of kindergartens, shall continue to fulfil the requirements for head teachers as specified by this Act.

Article 29

Executive acts referred to in Articles 18, 20d, 28, 29 and 34 of this Act shall be issued and/or aligned with this Act by the minister responsible for preschool education within four months of the entry of this Act into force.

Article 30

Municipalities shall calculate the prices of programmes based on the methodology as specified herein by 1 January 2009.

Article 31

The provisions Articles 28 and 28a, and the first sentence of paragraph two Article 29, the first sentence of paragraph four Article 32 of the act, as well as the provisions of the first sentences of the sixth and seventh paragraphs Article 34 of this Act shall begin to apply on 1 September 2008.

The provisions of paragraph two Article 29, the second sentence of paragraph four Article 32 and the provisions of the second sentence of paragraph six and paragraph nine Article 34 shall be phased in:

- from 1 January 2010 for children who have reached the age of five
- from 1 January 2012 for children who have reached the age of four, and
- from 1 January 2014 for children who have reached the age of three.

Prior to application of the provisions Articles 28 and 28a, as well as paragraph four Article 32 of this Act, the provisions of the current Articles 28 and 28a, as well as paragraph four Article 32, shall continue to apply.

Article 32

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

Intervention Measures due to Economic Crisis Act – ZIUZGK (Official Gazette / Uradni list Republike Slovenije No. 98/09) amends Article 31 of the Act Amending the Kindergarten Act – ZVrt-D (Official Gazette / Uradni list Republike Slovenije No. 25/08) as follows:

Article 31

The provisions Articles 28 and 28a, and the first sentence of paragraph two Article 29, the first sentence of paragraph four Article 32 of this Act, as well as provisions of the first sentences of paragraphs six and seven Article 34 herein shall begin to apply on 1 September 2008.

The provisions of the second sentence of paragraph two Article 29, second sentence of paragraph four Article 32 and provisions of the second sentence of paragraph six and paragraph nine Article 34 shall be phased in:

- from 1 January 2011 for children who have reached the age of five
- from 1 January 2012 for children who have reached the age of four, and
- from 1 January 2014 for children who have reached the age of three.

Prior to application of the provisions Articles 28 and 28a, as well as paragraph four Article 32 of this Act, the provisions of the current Articles 28 and 28a, as well as paragraph four Article 32 shall continue to apply.

And includes the following final provision:

Article 9

This Act shall enter into force on 1 January 2010 and expires on 31 December 2010.

The Act Amending the Kindergarten Act – ZVrt-E (Official gazette Uradni list Republike Slovenije No. 36/10) amends Article 56 of the act as follows:

Article 56

Preschool teachers who fulfilled the requirements for working in kindergartens prior to this Act entering into force, may continue to perform the work of preschool teachers under this Act.

Preschool teachers specified in the preceding paragraph shall have the right to perform the work of preschool teachers until the termination of uninterrupted work in kindergartens. An interruption of three months or shorter shall not be considered termination of uninterrupted work in kindergartens. In applying for kindergarten positions, teachers referred to in this Article shall have equal status and shall be employed as candidates who meet the statutory and other requirements regarding education and educational qualifications.

The provisions set out in the preceding paragraph shall also apply to other education staff who have the right to perform educational work on the basis of the same reasons as preschool teachers referred to in the first paragraph of this article.

And includes the following transitional and final provisions:

Article 13

On the entry of this Act into force the right referred to in Article 56 of this Act shall also be granted to education staff who fulfil the requirements under Articles 57, 58, 59 and 60 of this Act, who were working in the field of education on 25 June 2009 regardless of potential interruption of work in the field of education during the period from 15 March 1996 to 24 June 2009.

Article 14

Notwithstanding the provisions of the Act governing employment relationships, a permanent employment agreement shall be concluded with employees who fulfil the requirements under Articles 56, 57, 59, 59 and 60 of this Act and Article 13 herein holding a temporary employment agreement on the day this Act enters into force, without advertising a vacant position, where this is necessary to ensure the uninterrupted provision of education.

Article 15

Child admission procedures that were not completed prior to this Act entering into force shall be completed as specified by the previous regulations.

Article 16

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

The Exercise of Rights from Public Funds Act – ZUPJS (Official Gazette / Uradni list Republike Slovenije No. 62/10) includes the following final provision:

Article 65

(1) This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia, and shall begin to apply on 1 June 2011, with the exception of the provisions regarding state scholarships, subsidised payment of kindergartens, subsidised snacks for basic and upper secondary school students, subsidised lunches for upper secondary school students, and subsidised transport for upper secondary school and university students, which shall begin to apply on 1 September 2011.

(2) Notwithstanding the preceding paragraph, indent one Article 17 herein shall not begin to apply until the establishment of the database with information on the value of real estate.

The Intervention Measures Act – ZIU (Official gazette Uradni list Republike Slovenije No. 94/10) amends Article 31 of the Act Amending the Kindergarten Act (Official Gazette / Uradni list Republike Slovenije Nos. 25/08 and 98/09 – ZIUZGK), as follows:

Article 31

The provisions Articles 28 and 28a, and the first sentence of paragraph two Article 29, the first sentence of paragraph four Article 32 of this Act, as well as the provisions of the first sentences of paragraphs six and seven Article 34 herein shall begin to apply on 1 September 2008.

The provisions of the second sentence of paragraph two Article 29, second sentence of paragraph four Article 32 and provisions of the second sentence of paragraph six and paragraph nine Article 34 shall be phased in:

- from 1 January 2013 for children who have reached the age of five
- from 1 January 2013 for children who have reached the age of four, and
- from 1 January 2014 for children who have reached the age of three.

Prior to application of the provisions Articles 28 and 28a, as well as paragraph four Article 32 herein, the provisions of the current Articles 28 and 28a, as well as paragraph four Article 32, shall continue to apply.

And includes the following final provision:

Article 11

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

The Fiscal Balance Act – ZUJF (Official gazette Uradni list Republike Slovenije No. 40/12) amends Article 31 of the Act Amending the Kindergarten Act (Official gazette Uradni list Republike Slovenije Nos. 25/08 and 98/09 – ZIUZGK), as follows:

Article 31

The provisions Articles 28 and 28a, and the first sentence of paragraph two Article 29, the first sentence of paragraph four Article 32 herein, as well as the provisions of the first sentence of paragraphs six and seven Article 34 herein shall begin to apply on 1 September 2008.”.

It also specifies:

PART V

TRANSITIONAL AND FINAL PROVISIONS OF AMENDMENTS OF ACTS, PERMANENT MEASURES AND TEMPORARY MEASURES

13. Kindergarten Act

Article 222

Parents who have been issued a decision on the subsidised payment of kindergarten for 2012 in accordance with the law governing the rights from public funds, the right to free kindergarten for the second and all further children shall terminate on the first day of the month following the month of entry of this Act into force.

The competent social work centre shall, ex officio, issue a new decision on the subsidised payment of kindergarten to the relevant parents.

Article 223

On the date this Act enters into force, Article 3 of the Intervention Measures Act (Official Gazette / Uradni list Republike Slovenije, Nos. 94/10 and 110/11 – ZDIU12) shall cease to apply.

Article 224

The provisions under paragraph two Article 29, paragraphs four and six Article 43, and paragraph six Article 34 of this Act shall enter into force on the first day of the month after the month this Act enters into force

Prior to application of the provisions set out in the preceding paragraph, the provisions of the Kindergarten Act (Official gazette Uradni list Republike Slovenije Nos. 100/05 – Official Consolidated Text, 25/08, 98/09 – ZIUZGK, 36/10, 610 – ZUPJS, 94/10 – ZIU and 40/11 – ZUPJS-A) shall continue to apply.

And includes the following final provision:

Article 251 (Commencement)

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

The Act Regulating Measures Aimed at Fiscal Balance of Municipalities – ZUUJFO (Official Gazette / Uradni list Republike Slovenije No. 14/15) also provides the following:

PART III

TRANSITIONAL PROVISIONS FOR THE AMENDMENTS OF ACTS

4. KINDERGARTEN ACT

Article 29

The provisions of the amended paragraph four Article 28 herein shall apply from 1 June 2015.

With regard to applications for exercise of the right to subsidised payment of kindergarten, submitted by 30 April 2015, the decisions on the subsidised payment of kindergarten shall also specify the municipality liable for the payment of the difference between the price of the programme and the payment by parents under Article 28 of the Kindergarten Act (Official gazette Uradni list Republike Slovenije Nos. 100/05 – Officially Consolidated Text, 25/08, 98/09 – ZIUZGK, 36/10, 62/10 – ZUPJS, 94/10 – ZIU, and 40/12 – ZUJF).

The municipalities listed in decisions on the subsidised payment of kindergarten issued prior to 1 June 2015 as municipalities liable for payment of the difference between the price of the programme and the payment by parents, shall remain liable for payment of the difference between the price of the programme and the payment by parents during the entire period of validity of the decision on the subsidised payment of kindergarten and/or until a new decision has been issued under the Exercise of Rights from Public Funds Act (Official gazette Uradni list Republike Slovenije Nos. 62/10, 40/11, 40/12 – ZUJF, 57/12 – ZPCP-2D, 14/13, 56/13 – ZŠtip-1, and 99/13).

And includes the following final provision:

Article 31

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

The Act amending the Kindergarten Act ZVrt-F (Official Gazette / Uradni list Republike Slovenije No. 55/17) amends Article 58 of the Act to read:

Article 58
(Mindere)

Staff in the position of a minder or preschool teacher with four-year upper secondary education and five years of experience in preschool education, as well as staff with completed education for mindere and 10 years of service on the day this Act enters into force may continue to work as preschool teacher – assistants as specified herein.

Staff in the position of minder with no educational qualification as specified for preschool teacher – assistants on the day this Act enters into force shall obtain the relevant educational qualification no later than in seven years after this Act becomes law; otherwise, their employment shall be terminated.

The staff under the preceding paragraph who have completed education for mindere or have work experience of five years in preschool education shall not be required to attend the vocational course for early childhood education and care.

And it includes the following transitional and the final provision:

Article 21

In the Act amending the Kindergarten Act (Official Gazette / Uradni list Republike Slovenije, No. 36/10), in Article 13 the text “56.,” has been put before the text “57.”.

Article 22
(Special case of claiming the right to reduced kindergarten fee)

Kindergartens shall invoice retrospectively parents who have not been issued a valid decision on reduced kindergarten fees within the first month of admission to kindergarten, or who failed to submit the new application in time, and after the receipt of the decision for the netted out amount of the monthly invoice in the amount of the reduced kindergarten fee under a decision issued to parents by law on claiming the rights to public funds, if the right as specified by the decision had been extended to them no later than 60 days after the day their child was admitted to kindergarten or no later than 60 days after the expiry of the previous decision.

As specified under paragraph one of this Article, kindergartens shall invoice parents the netted out monthly amount of reduced kindergarten fees as specified in the decision issued to parents by law on claiming the rights to public funds, even if the child starts attending kindergarten during the school

year and this involves urgent immediate inclusion of the child in the kindergarten based on the opinion of a social work centre that the child was at risk due to the socio-economic status of the family.

Article 23
(Contract with a private partner)

Notwithstanding the law on public-private partnership, a municipality in whose territory there had been a unit or group of a public kindergarten at a private partner's premises already in operation may enter into an agreement with this private partner under the new Article 10 c herein within six months of this Act entering into force.

Article 24
(Synchronising activities of childminders)

The minders registered on the day this Act becomes law shall harmonise the implementation of activities with the requirements of the amended paragraph two Article 24 herein within one year of this Act becoming law.

Article 25
(Time limit to issue instrument)

The minister shall issue the instrument under new paragraph four Article 29 herein within six months of this Act becoming law.

Article 26
(Start of application)

Paragraph two of the new Article 28 b shall apply from 1 January 2018, and the new indent five, paragraph one Article 29 and paragraph two Article 41 from 1 September 2018.

The designation "preschool teacher assistant" to "preschool teacher – assistant" referred to in paragraphs three and five Article 17, paragraphs one and two Article 18, indent three paragraph one Article 34, paragraphs one and four Article 40, indent three paragraph one Article 53, as well as paragraphs one and two Article 58 shall start to apply on 1 September 2018.

Article 27
(Entry into force)

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