

***On the approval of Regulation
on validation of non-formal and informal learning in higher education***

In accordance with art. 123 (10) of the Education Code no. 152/2014 (Official Monitor of the Republic of Moldova, 2014, No. 319-324, art. No. 634),

ORDER:

1. **Regulation on validation of non-formal and informal learning in higher education** is approved in accordance with the Annex.
2. Within one month after the entry into force of the above-mentioned Regulation, the institutions organizing Centers for the validation of non-formal and informal learning shall draw up their own regulations in this regard.
3. **The Lifelong Learning Office and the Higher Education Policy Directorate** will monitor the process of implementation and monitoring of the provisions of this Order.
4. The control over the execution of the present Order is entrusted to Mrs. Natalia Griu Secretary of the ministry.

Ministru

Lilia POGOLSA

Annex no. 1
to the Order of the Ministry of Education, Culture and Research
no. _____ from _____

**REGULATION
on validation of non-formal and informal learning in higher education**

I. General provisions

1. Regulation on validation of non-formal and informal learning in higher education (hereinafter - Regulation) establishes the normative framework for the functioning of the National System for validation of knowledge and competences acquired in non-formal and informal learning contexts, through which the process of identification, documentation, assessment and certification

of knowledge and competences acquired in context of non-formal and informal learning is carried out in line with European recommendations on lifelong learning.

2. For the purposes of this Regulation, the following concepts shall be defined:

1) validation - the process by which it is confirmed by an authorized institution that a person has obtained relevant learning outcomes in relation to a standard and which consists of the following distinct phases: identification of individual experience; documentation to establish the visibility and veracity of the individual experience; evaluation of experience and certification of evaluation results that may record a full or partial qualification.

2) recognition of prior learning - validation of learning outcomes obtained through formal, non-formal or informal learning, obtained until the request for validation of prior learning;

3) learning outcomes represent what a person knows, understands and is able to do at the end of the learning process and are defined in the form of knowledge and competences;

4) certification of learning outcomes - the process by which the learning outcomes acquired by a person are formally confirmed.

3. Services for the validation of knowledge and competences acquired in the contexts of non-formal and informal learning, are provided by higher education institutions to accredited or provisionally authorized study programs.

4. In order to provide validation services within higher education institutions (hereinafter - Institution), Centers for validation of non-formal and informal learning (hereinafter - Validation Center) shall be set up as authorized structural subdivisions.

5. Validation services shall be performed in accordance with the following principles:

1) validity - the assessment is based on evidence of competence arising from the activities described in the occupational standard;

2) flexibility - the evaluation is adapted to the needs of the candidates and to the particularities of the job;

3) credibility - the evaluation is performed by methods that consistently lead to the same result;

4) transparency - the use of internationally recognized tools at all stages of the validation process;

5) confidentiality - the results of the validation procedures belong to and are communicated only to the beneficiary;

6) quality assurance in relation to national and international standards.

6. **The process of identification, documentation, assessment and recognition of knowledge and competences acquired in non-formal and informal education** is performed for one or more professional competences according to the occupational standard and according to the

National Qualifications Framework (NQF), developed based on European Qualifications Framework (EQF), Nomenclature of Vocational Training and Specialties in Higher Education, developed on the basis of the International Standard Classification of Education (ISCED-F 2013), recommended by the European Commission for the uniform application of the normative framework of higher education, based on the candidate's voluntary application.

7. Beneficiaries of the competences' C certification process may be citizens of the Republic of Moldova and the categories of persons specified in *Law no. 274/2011 on the integration of foreigners in the Republic of Moldova and the Regulation on the study of foreigners in educational institutions in the Republic of Moldova Government Decision no. 504/2017*.

8. The monitoring at national level of the implementation of the Validation System of non-formal and informal learning is carried out by the Ministry of Education, Culture and Research.

9. The initiative regarding the establishment of the Validation Center as a structural subdivision, belongs to the higher education institution and is carried out by order of the Ministry of Education, Culture and Research.

10. The validation center is an organizational and administrative structure without legal entity.

11. In the case of universities within which Validation Centers have been set up, it will be allowed to extend the area of qualifications in which the validation procedure is performed in relation to the programs accredited or provisionally authorized at the rounded institutions. In this case, the staff of the Validation Center will co-opt expert evaluators and will develop the program in agreement with the rounded higher education institution.

12. The general framework for the organization and functioning of the Validation Center is established by the provisions of this Regulation, the Centre's own Regulation, elaborated on the basis of this Regulation and subsidiary by the normative acts that regulate the activity of higher education institutions.

13. The Validation Center may establish partnerships with other legal entities in order to perform its functions.

II. Responsible structures

14. In order to carry out the validation process, the Institution shall perform the following tasks:

1) monitors the actions regarding the implementation of the validation system, the organization and development of the process' stages;

2) approves the composition of the evaluation and certification commission of competences acquired in the context of non-formal and informal learning (hereinafter - the Commission for the evaluation and certification) and the Appeals Commission;

3) organizes training sessions for management and evaluators within the Evaluation and Certification Commission for the counseling, documentation, evaluation, recognition and certification processes;

4) creates the database on the applications of the candidates, registered for the validation procedure in the respective professional fields and qualifications;

5) prepares the annual report on the implementation of the validation process which is sent to the Ministry of Education, Culture and Research.

15. The validation center shall perform the following tasks:

1) performs the process of identification, documentation, evaluation and recognition of knowledge and competences acquired in contexts of non-formal and informal learning;

2) provides complex services respecting the cost-effectiveness ratio;

3) ensures the candidates' access to assistance and counseling;

4) ensures the transparency of information of public interest;

5) exercises control and monitors the internal validation process;

6) ensures optimal conditions for assessing competencies;

7) informs the community about the ways and procedures for validating non-formal and informal learning;

8) develops measurement instruments to confirm knowledge and competences;

9) establishes the evaluation criteria;

10) examines the files and draws up the list of candidates eligible for evaluation;

11) adapts the evaluation methods to the particularities of the candidates with special needs;

12) examines and responds to appeals regarding the evaluation results;

13) monitors the observers' compliance with the norms of professional ethics and deontology.

16. The coordinator of the Validation Center, a position exercised by one of the higher education institution's managers, ensures the management of all the activities related to the Validation Center.

17. The coordinator of the Validation Center forms working groups for the elaboration of the Validation Programs and Tests, approved by the order of the Director of the institution. Those groups will be responsible for developing the content of the programs and tests for the competency validation examinations. Their composition is a mixed one: representatives of educational institutions and the economic environment.

18. The validation center must have a secretarial service, own or assimilated within the higher education institution, which is responsible for keeping records of the acts, files and decisions of the Evaluation and Certification Commission and the Appeals Commission.

19. The Secretariat of the Center shall have the following responsibilities:

1) receives the application, the letter of reference (where appropriate), the self-assessment questionnaire, copies of the documents attesting the candidate's professional competences;

2) receives the files of the candidates who apply for the procedure of validation of competencies according to the qualification and offers advice in case of need;

3) registers the candidate and creates a personal file – case file;

4) prepares the evaluation forms for the members of the Commission;

5) draws up the minutes of the meetings of the Commission;

6) prepares an annual report on the issuance of certificates and completes up to date the register of nominal issuance of certificates of professional competence as well as the register of evaluated persons;

7) hand over to the institution, with minutes, the written tests, the evaluation sheets for each candidate, authenticated by the President of the Commission and the minutes of the meetings of the Commission containing the decisions adopted by it, other documents drawn up during the organization and development of the certification process.

20. The adviser has the following obligations:

1) consults and provides support to candidates in the recognition and certification procedure;

2) recommends the minimum bibliography, the necessary documentation and discusses them in detail with the candidate;

3) completes together with each candidate the evaluation plan and stages, both for the practical and the theoretical part;

4) provides consultations, guides and monitors, throughout the evaluation;

5) provides the necessary support for potential candidates with special needs throughout the actual preparation and evaluation;

6) completes, for each monitored candidate, the Evaluation Form, assuming responsibility for those recorded;

7) convenes the candidate for evaluation within 10 days from the submission of the application.

21. The President of the Evaluation and Certification Commission, appointed by order of the Director, shall ensure the work of the Commission in the process of identifying, assessing and recognizing knowledge and competences acquired in non-formal and informal education settings.

22. The President of the Evaluation and Certification Commission performs the following tasks:

- 1) establishes, after consulting the members of the Commission, the date and time of the meetings, chairs the meetings of the Commission;
- 2) determines and delimits the obligations of the members of the Commission;
- 3) proposes the evaluation plan / program of the Commission and the particularities of organizing and carrying out the evaluation;
- 4) appoints the member of the Commission responsible for the evaluation of the candidate, according to his / her competencies..
- 5) coordinates the activity of the secretariat of the Commission, in terms of documents necessary for the validation proces.

23. The evaluation and certification commission is independent in its decision-making and has the following responsibilities:

- 1) examines the candidates' files;;
- 2) draws up the list of applications for the certification of competencies for the qualifications for which they are authorized;
- 3) initiates and carries out the procedure of identification, evaluation, recognition and certification of the competencies acquired in context of non-formal and informal learning;
- 4) take the decision on the certification / refusal of certification of competencies, based on the results;
- 5) at the end of the mandate, the Commission shall draw up a report on the number of applicants, results and number of persons for the type of competences / qualifications that have been submitted for certification..

24. The members of the Evaluation and Certification Commission have the following responsibilities:

- 1) to attend meetings of the Commission;
- 2) to ensure compliance with the requirements regarding labor protection during all stages of assessment and certification;
- 3) to know and respect the normative requirements of the present Regulation and of the normative acts that regulate the way of organizing and conducting the qualification exam;
- 4) to verify the authenticity of the data from the presented documents confirming the professional competence of the candidate, in order to determine the reliability and observance of the educational standards;
- 5) to carry out the evaluation process by using appropriate methods to ensure reliability, impartiality, transparency of processes and minimization of costs;
- 6) to choose the form and methods of assessment in accordance with the application and the evidence of submitted professional competence;

7) to elaborate the program / plan of evaluation and recognition of competences, specifying the methods and the volume of application in the evaluation of competences, taking into account the specificity of the qualifications;

8) to adapt the evaluation methods to the people with special needs..

III. Process management and organization

25. The evaluation and certification commission shall consist of at least 3 members, appointed by order of the head of the institution, as follows:

1) The president of the commission;

2) members of the commission - evaluators who are staff of the Validation Center, specialists delegated by the line ministries, sectoral committees, Chamber of Commerce and Industry of the Republic of Moldova, other persons of public or private law who meet the criteria of professionalism.

26. In the case of certification of a qualification involving distinct areas of competence, a wider commission is set up, the members of which will cover the entire occupational spectrum or several commissions.

27. The eligibility conditions for the members of the Evaluation and Certification Commission are:

1) holding a qualification of at least level 7 ISCED – master's degree in the respective field of professional training;

2) professional experience of at least 5 years in the respective professional training field;

3) pedagogical experience or graduation of the psycho-pedagogical module corresponding to a number of 60 transferable ECTS study credits, based on a study program authorized for temporary operation or accredited by the Ministry of Education, Culture and Research.

28. The President of the Evaluation and Certification Commission can be appointed for a maximum of three consecutive terms. The President's term shall be 3 years.

29. The procedure for the removal of the President of the Evaluation and Certification Commission shall be initiated at the request of the other members. The decision to remove the President of the Commission shall be taken by secret ballot and shall be referred to the institution for the appointment of another representative as president of the evaluation and certification commission.

30. The members of the Evaluation and Certification Commission are appointed for a renewable term of one year.

31. Membership of the Commission for evaluation and certification shall terminate upon:

1) expiration of the mandate;;

- 2) revocation of the mandate by the entity that appointed him, if the member of the Commission was absent without reason at three consecutive meetings during a calendar year;;
- 3) voluntary renunciation of membership.

32. If disciplinary proceedings are instituted against one of the members of the Evaluation and Certification Commission, its mandate shall be suspended for the duration of the disciplinary proceedings. The Director shall appoint another representative, for a term equivalent to the mandate of the basic representative.

33. The Institution shall ensure the appointment of the new members at least 2 months before the expiry of the mandate of the Evaluation and Certification Commission,.

34. The Evaluation and Certification Commission meets in accordance with the Candidate Evaluation Plan.

35. The meetings of the Evaluation and Certification Commission are considered valid if all members participate in its work.

36. The member of the Evaluation and Certification Commission under disciplinary proceedings shall not attend the meeting in the same way as in the event of a conflict of interest.

37. The Evaluation and Certification Commission shall take decisions by a majority of the members present at the meeting. The decisions of the Evaluation and Certification Commission shall be recorded, signed by the president and members of the Evaluation and Certification Commission present at the meeting and shall be communicated exclusively to the candidate.

38. The member (s) of the Evaluation and Certification Commission, if he / she has a separate opinion on a particular decision, shall state it in writing. This document is attached to the minutes. The decision on the results of the examination shall be made public at the meeting of the Commission.

39. The meetings of the Evaluation and Certification Commission shall be recorded in minutes, which shall include the following information:

- 1) members of the Evaluation and Certification Commission and other participants of the meeting;
- 2) the agenda;
- 3) evaluation results;
- 4) the decision regarding the professional competencies of the candidate.

40. The minutes shall be drawn up no later than 2 working days after the meeting and shall be signed by the president and secretary of the Evaluation and Certification Commission.

IV. Realisation of the validation process

41. For the development of the stages of evaluation and certification of competencies, the procedures and mechanisms approved by the Regulation on the organization and conduct of the

qualification examination approved by the Order of the Minister of Education, Culture and Research shall be applied.

42. In complex situations determined by temporal, procedural or institutional issues, which exceed the provisions of the Regulation on the organization and conduct of the qualification examination., the rules of this Regulation shall apply.

43. For the validation of knowledge and competences, registered candidates take an examination in this regard. In this case, the institution will ensure that the identification and documentation stages are carried out in advance.

44. The organization of the evaluation process is preceded by the initiation of the procedure for examination of the candidate's application in order to validate the competences acquired in context of non-formal and informal learning.

45. In order to initiate the procedure for examining the application, the candidate shall submit to the Secretary of the Validation Center a file containing the following:

- 1) application and registration form, reference letter (where appropriate) from the National Employment Agency (hereinafter - NEA);
- 2) identity card (for compliance) - a copy;
- 3) copies of the initial study documents, if any;;
- 4) 2 color photos (3x4 cm);
- 5) simple copies of employment contracts, diplomas, certificates of competences, according to the original, other certificates attesting the acquired competencies, recommendations, which are kept in the registration file, in the archive of the Institution;
- 6) statement on one's own responsibility on the observance of the labor protection norms during the evaluation;
- 7) the receipt for the payment of the evaluation fee, issued by the education institution.

The list of documents required to initiate the evaluation procedure is published on the website of the institution / Validation Center.

46. In order to carry out the process of identifying competencies regarding the content of the occupational standard / program standard and the field of vocational training / other qualification standards, the candidate shall be assisted by a counselor.

47. In carrying out the recognition procedures of the previously trained professional competences in contexts of non-formal and informal learning and establishing possible differences, the recommendations at European level in the field will be taken into account, focusing mainly on the aims of studies and competencies obtained.

48. The counselor establishes together with the candidate the program for carrying out the evaluation process and explains to the candidate the methods and forms of carrying out this

process, details the content and provisions of the occupational standard or qualification; presents the Self-Assessment Questionnaire, how to complete it and agree on the competencies for which the assessment procedure will be carried out.

49. The candidate completes the Self-Assessment Questionnaire, after which it is analyzed together with the counselor. Subsequently, the work experience as well as the professional capacity of the candidate are evaluated.

50. The evaluation criteria, the list of actions required to be taken according to the competencies, the measuring instruments, the self-evaluation rules, are approved by the Validation Center.

51. The counselor explains and details, upon request, the content and provisions of the occupational standard / standard of the program and the field of vocational training, which regulates the qualifications for which the evaluation is requested. The candidate shall examine each aspect of the competencies for which he / she is seeking assessment and decide whether or not he / she can produce evidence, which clearly and unequivocally shows that he / she is competent.

Depending on the conclusions recorded by the counselor, the candidate is advised to initiate the assessment process for the whole standard, in part or to refuse the assessment process of the competencies acquired in context of non-formal and informal learning.

52. The institution confirms the initiation of the evaluation procedure by signing an agreement / contract with the candidate or with NEA if he is unemployed.

53. The evaluator starts the evaluation procedure of the candidate, after presenting the portfolio and the Self-evaluation Questionnaire.

54. The validation center shall establish individually, for each candidate, the evaluation expert and the evaluation plan in accordance with the information presented in the portfolio. The approved evaluation plan is brought to the notice of the candidate.

55. In the absence of evidence confirming the presence of professional competences acquired in context of non-formal and informal learning of the candidate, he / she is guided for further professional training.

56. If there is evidence of the candidate's professional competence, the assessment may be made for those competencies for which no evidence is presented or for randomly selected competencies if there is evidence of the candidate's professional competence for all types.

57. The modalities and assessment tools leading to the certification of competencies as well as the assessment criteria shall be selected by the Commission. The methods applied must consistently lead to the demonstration of the occupation / qualification purpose(s).

58. The practical test is carried out in specially equipped spaces as required or in the premises of other institutions and organizations with which the Validation Center has entered into partnerships in this regard.

59. If the specifics of the professional activities make it impossible to organize a practical test directly in real work situations, the practical test is performed through the simulation activity.

60. For the practical test, the institution shall provide the candidate with the necessary equipment, tools, consumables, information materials. These will correspond to all technical rigors.

61. Prior to the start of the practical test, the candidate shall be trained in labor protection rules.

62. The evaluator records and places the evidence, the results of the evaluations in the portfolio of each candidate. In the case of evaluations completed with the “competent” decision, the evaluator can make a series of recommendations for the candidate, to ensure the level of vocational training according to the Nomenclature of vocational training fields and specialties in higher education, developed on the bases of the International Standard Classification of Education (ISCED-F 2013), recommended by the European Commission in order to uniformly apply the normative framework of the organization of higher education.

63. The maximum period allowed for the validation of previous education is 30 calendar days. Exceeding this deadline by the Validation Center will entail the disciplinary liability of the members of the Commission responsible for the evaluation and certification of the candidate or other subjects involved in the process.

64. If the candidate does not agree with the assessment results and recognition process, he / she may lodge an appeal, which will be examined by the Appeals Commission. The object of the appeal must be expressly stated by the candidate.

65. The deadline for submitting an appeal is 3 working days from the date of communication of the decision.

66. The order of the Director designates the composition of the Appeals Commission which organizes a new process of assessment and validation of competencies, occupation / qualification.

67. The members of the Appeals Commission are appointed in accordance with the existing rules for the members of the Evaluation and Certification Commission and must not have been part of the examination commissions at that session.

68. In case of conflicts of interest, the members will be appointed by the Ministry of Education, Culture and Research.

69. Following the completion of the assessment phase of the competences acquired in context of non-formal and informal learning, the institution issues to the candidate who has been

recognized competent for one or more competences associated with a qualification / occupation, according to the occupational standard, the certificate of professional competence. The certificate of professional competence is accompanied by an annex, entitled "Descriptive supplement to the certificate".

70. Certificates issued by the Validation Center produce the same effects as the forms of assessment and certification in the formal education and training system, in order to provide employment, further education and training in formal systems. In order to continue the education, all the admission requirements imposed by the educational institution must be met, cumulatively.

71. The validation of the professional competences acquired in context of non-formal and informal education is performed at the 6th level qualifications of the National Qualifications Framework.

72. Validation centers which have unjustifiably issued certificates shall be deprived of their right to operate for a period of one year and shall be liable in accordance with national law.

V. Costs and fees

73. The amount of fees for the validation of non-formal and informal education is established by the Institution and coordinated by the Ministry of Education, Culture and Research, according to the legislation, respecting the cost-effectiveness ratio.

74. Higher education institutions, will determine the fee on the basis of their financial autonomy, and based on the actual costs incurred for the certification of candidates.

75. For certain risk groups (unemployed, people with disabilities, etc.) the fee may be staggered by applying preferential financial relationships or reimbursed to candidates through funding programs.

76. Procedural issues will be set out in the Guide for the implementation of the National System for the validation of competencies acquired in context of non-formal and informal education.