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Training and Examination Regulations of Partially-Qualifying Vocational Schools Qualification (TER VQ) \*)

State: Last accepted amendment: amended several times by Art. 2 of the Regulation of 22 May 2012 (HmbGVBl. pp. 177) \*)

### Footnotes\*)

Ed. note; please note the transitional agreement of Article 10 Section 2 and 3 of the Amending regulations dated 22 May 2012:

(2) Students who commenced their training before 1 August 2012, shall participate in their education until completion in accordance with the law applicable since 31 July 2012.

(3) Section 2 shall not apply to students who commenced their education at a preparatory vocational school before 1 August 2012 and repeat the first year.

\*) Announced as Article 5 of the Regulation on the modification, revocation and amendment of Training and Examination Regulations of Vocational Courses dated 22 July 2011 (HmbGVBl. pp. 346, 361)

On the basis of § 21 Section 2, § 44 Section 4 item 1, § 45 Section 4, and § 46 Section 2 of the Hamburg Schools Act of 16 April 1997 (HmbGVBl., pp. 97), as last amended on 21 September 2010 (HmbGVBl., pp 551), in conjunction with § 1 item 6, 14 to 16 of the Regulation on further transition – School Law of 20 April 2010 (HmbGVBl., pp. 324), it shall be decided as follows:

### § 1 Scope of Application

These Regulations shall apply in conjunction with the Training and Examination Regulations for Vocational Schools – general part (APO-AT) - of 25 July 2000 (HmbGVBl., pp. 183, 184), as last amended on 22 July 2011 (HmbGVBl., pp. 346), in its version applicable to partially qualifying vocational school qualification.

### § 2 Objective and Structure of Training

(1) The partially qualifying vocational school qualification prepares students to enter dual training in a company in the current school year or at the end of the school year. It allows the students to gain skills, knowledge and abilities which should be gained in the first year of vocational education in accordance with the applicable regulations on vocational education.

1. in accordance with § 4 in conjunction with § 5 of the [German] Vocational Training Act (BBiG) of 23 March 2005 (Federal Law Gazette I, pp. 931), as last amended on 5 February 2009 (Federal Law Gazette I, pp. 160, 262) in each case as amended and

2. in accordance with § 25 Section 1 in conjunction with § 26 of the [German] Crafts Code (HwO) in the applicable version of 24 September 1998 (Federal Law Gazette of 1998 I, pp. 3075; 2006 I, pp. 2095) as last amended on 14 June 2011 (Federal Law Gazette I, pp. 1077, 1083), in its current applicable version in connection with the framework plan for the relevant vocational training approved by the Conference of the Ministers of Education and Cultural Affairs of the States of the Federal Republic of Germany (KMK) or

3. in accordance with § 4 of the Hamburg Law on Education in Health and Care Assistance (HmbGPAG) of 21 November 2006 (HmbGVBl, pp. 554) in conjunction with the applicable training plan for health and care assistant or

4. in accordance with § 9 of the Geriatric Nursing Act, as amended on 25 August 2003 (Federal Law Gazette I, pp. 1691), as last amended on 20 December 2011 (Federal Law Gazette I, pp. 2854, 2923), in conjunction with the Training and Examination Regulations for Vocational Schools for Geriatric Nursing of 8 May 2006 (HmbGVBl, pp. 225), as amended on 22 July 2011 (HmbGVBl, pp. 346, 349), in its currently applicable version in conjunction with the applicable training plan for geriatric nursing workers.

(2) The decision on the selection which needs to be offered by vocational schools is made by the Authority for Schools and Vocational Education every year anew, by the end of December of a given calendar year prior to the commencement of training, after consultations with the Authority for Labour, Social Affairs, Family and Integration, The Hamburg Employment Agency and the State Committee for Vocational Training. The decision on the offer of vocational education and the number of training places shall take the following into account:

1. suitability of the offered profession for the young people concerned,

2. the number of the training contracts concluded in the previous years in total in relation to the number of the publicly funded training places,

3. the labour market relevance of the profession,

4. the chance of transition from vocational qualification in a dual system of vocational education in a company,

5. the personal, spatial, extraneous, and subject-specific conditions in the schools and the number of cooperating partners in companies for the respective training profession.

(3) The training lasts for one year on a full-time basis. It begins with a trial period of six months. After successful participation in vocational qualification, the completion of the partially qualifying vocational school qualification is achieved.

(4) Within the training, in addition to the school classes, it is necessary to complete practical training stages at the training companies, inter-company and educational facilities in accordance with the regulations and laws applicable to the respective training profession, in accordance with Section 1

item 2. The school shall govern the organisation and implementation of the practical vocational training. Only those schools can be allowed which already provide education as training companies or carriers practical training as referred to in the Vocational Training Act or in the Crafts Code, or in the Geriatric Nursing Act.

### **§ 3 Admission to Training**

(1) The admission to the partially qualifying vocational school qualification is limited due to the lack of training places. The admission numbers are determined by a special legal regulation.

(2) A prerequisite for the admission to training is that the students should

1. have attained training maturity,

2. have made a decision concerning the selection of their profession for a professional field of one of the offered professions and applied successfully for the dual vocational training in a company,

3. be suitable for their selected profession

4. be of school age or not yet completed 18 years of age as on 1 August of the school year in which the training is commenced.

(3) Students are considered suitable for the selected profession if they have the characteristics which constitute the prerequisites for the respectively required performance and the desired occupation corresponds with the motivation of the student.

(4) If students exceed the age limit referred to in Section 2 item 4, they can be admitted in exceptional cases, if certain personal issues or other serious reasons prevented them from participation, despite the fulfilment of other admission requirements at an early stage in the course of education. The competent authority shall make a decision concerning the application.

(5) If the students exceed the age limit referred to in section 2 item 4, they can be admitted, if they have not yet completed 20 years of age on 1 August of the year of training commencement, and if the training places have not yet been awarded to students who fulfil the requirements of Section 2 and 4.

### **§ 4 Contents of Training**

The training entails

1. the subjects of the first training year in classes concerning the professions in accordance with the syllabus of the respective dual training profession as well as specialist English and

2. the two subjects of language and communication, as well as the economy and society in an inter-professional classes,

3. Elective area, if provided, and

4. the practical vocational training in accordance with the applicable Regulation on the respective vocational training in the currently applicable version.

### **§ 5 Performance Evaluation**

(1) The evaluation of performance in the professional and inter-professional classes refers to written and oral performance, taking into consideration their respective share in the total performance. The requirements are derived from the framework curricula of the KMK applicable for the training profession within inter-professional education of the Free and Hanseatic City of Hamburg or from the curriculum applicable for the training profession of the health and care assistant or the training curriculum of the geriatric nurse.

(2) A grade for the performance within practical training in accordance with § 4 item 3 shall be determined by the Certification Committee. The basis for the note shall be the assessment from the practical training at training companies, within inter-company training and the school-based training centre. These evaluations include the following areas :

1. professional practical skills in relation to the requirements and contents of the applicable training reference framework or training plan,
2. personal skills such as in particular, motivation to perform, perseverance and communication skills,
3. application and implementation of basic knowledge in relation to the requirements in operational processes and works.

#### **§ 6 Trial Period of 6 Months and Graduation Certificate**

(1) The period of the trial six months is completed successfully if the participant receives a grade of at least 4.0 in all the subjects, presents at least satisfactory performance in the practical training and shows no unsatisfactory performance in any subject.

(2) The participants receive the final certificate of partially-qualifying vocational school qualification if at least satisfactory performance is shown in all the subjects or unsatisfactory performance in accordance with Section 3 can be compensated for.

(3) Unsatisfactory performance in one subject can be compensated for by good performance in another subject or satisfactory performance in two other subjects. Poor performance in two subjects can be compensated for at least good performance in two other subjects or at least good performance in another subject and satisfactory performance in two other languages or satisfactory performance in four other subjects. Poor performance in more than two subjects or poor performance in the practical training, as well as insufficient performance cannot be compensated for.

(4) If a participant leaves the partially-qualifying vocational school qualification prematurely in order to enter dual vocational training, they shall receive a leaving certificate with the following note: 'The participant has completed the vocational training contract and leaves the professional qualification in order to be able to commence vocational training.'