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## From a collegially elected council to a director: the evolution of Portuguese school management

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### Abstract

School management in Portugal has been a singular case in the European context for over 30 years. A recent legislation implied great changes in the collegial nature of educational management in Portugal. These changes brought Portuguese school management closer to other European countries' models, especially because the collegial and elected nature of management was lost. In order to understand this context, we shall present a brief history of the Portuguese school management in the last 35 years and the changes it has suffered in attempts from several governments to move towards international policies and trends in educational management<sup>2</sup>.

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### 1. “Democratic” school management model

Before the revolution that occurred in 1974, Portugal was ruled by a dictatorial regime for over 40 years. Life in the country was characterized by repression, censorship and political persecution. In what concerns schools, there was tight bureaucratic centralism and control regarding the curriculum, the management of teachers and students and even the teaching process. The school system was seen as a means to exert political-ideological control with the propagation of the regime's values: God, Nation and Family. Schools had no autonomy and there was virtually no participation of teachers, staff and students in the decisions that affected daily life. Schools were managed by rectors in a repressive way in order to ensure the political and ideological control. Rectors were appointed by the Minister of Education based on criteria of political trust, so they were powerful since they represented the State as its delegates (Barroso, 1999, 2002: 92; Lima, 1992: 205-211).

After the revolution of the 25<sup>th</sup> April 1974, a series of changes occurred. Most of the rectors were repudiated by teachers, staff and students. There were attempts to conquer autonomy and power of decision at the school level. The school community (teachers, staff and students) held assemblies in order to elect collective bodies. There was a great mobilization and participation of the different actors in the school setting (Lima, 1992: 235-238). In this phase, known as the self-management period, the power was within the schools. There was little control of the system by the Ministry of Education.

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In 1976, the Ministry of Education issued a law which regulated in detail the activities and functions of the school. This law – 769-A/76 – established the democratic management of the schools by delineating the collective structures of decision elected by the teachers. The schools had three management bodies: the directive council, the pedagogical council and the administrative council. The directive council was composed by three to five teachers, two representatives of the students – in secondary school – and one representative of the staff. All of the members of this council were elected by their peers in contrast to what happened during the dictatorship. Any teacher could be elected to be the president of the directive council – the foremost position of management in the school – even without training in educational administration and with limited experience in both managing and teaching. The only demand in the law in what regards both the president and the vice-president of the directive council was that they were professionalized teachers (Barroso, 2002: 92; Costa, 2004:15). The directive council, according to the functions assigned to it by law, only had a representative character. However, in an ordinance issued by the Ministry of Education in 1977 (Ordinance number 677/77 issued at the 4<sup>th</sup> November 1977), the functions of the directive council are more visibly defined and it is clearly presented as a collegial body. Nevertheless, the ordinance also mentioned the representative character of the directive council since it reinforced the need to obey the law, to cooperate with the inspection services and also to send to the Ministry of Education all the issues that the directive council could not solve. The functions of the president of the directive council were also more specified even though they were still focused on being a representative of the school and on the execution of administrative tasks. The collegial nature of the Portuguese school management was, thus, legally implemented establishing the difference regarding most of the European and worldwide school management systems.

Ten years later, the Government issued the Basic Law of the Educational System (law 46/86) that, besides defending a greater autonomy for the schools, called for a greater involvement of the community. This law supported the same model of democratic collegial management even though it recognized the need for specific training for educational management (Costa, 2004: 2).

## **2. Changes to the collegial model of management**

In 1991, there was an attempt to change school management in Portugal with law 179/91. This law presented great changes to the model of democratic collegial management. There was a demand for an executive director – therefore a single person body of management – instead of a directive council. This executive director would be recruited by the school council through a public request for tenders. The school council would be composed by teachers (50% of the members), staff, students, parents and other members of the community. The president of the council, however, would always be a teacher elected by the council. This body would be the main body of management of the school. The profile of the executive director was also clearly defined in the law. The executive director should be a professionalized teacher with teaching experience and with specific training in school management. This professional manager would be recruited for a four year period, he/she could be discharged and had to answer before the school council. The teaching staffs were still the privileged field of recruitment for the management positions in education. This revolutionary regime was a limited experience and was only enforced in 50 schools. It was highly contested by the teacher unions since it threatened some of the most dramatic changes after the revolution of 1974, namely the democratic collegial election of the management bodies. Due to the contestation and to a political change in the government, this law was never enforced beyond the 50 schools of the experimental regime (Barroso, 2002: 92; Costa, 2002: 8).

Law 115-A/98 was issued by the Ministry of Education in 1998 following a period of great debate around school management. This law was the reflection of a political return to collegiality since it defended the existence of either an executive council or an executive director. Schools could opt for one of the models of management as defined in their internal regulation. Nevertheless, the vast majority of Portuguese public schools were run by an executive council. According to the law, this council was a management body composed by teachers of the school who were elected by a board composed by all the teachers and staff of the school and by representatives of the students and parents. The executive council was a collegial body composed by a president and two vice-presidents. The president

of the executive council was a teacher with at least five years experience in teaching and with specific training in educational management or with experience in running schools. The term of office to this council lasted three years. At the end of this period, the members of the council would return to teaching, unless they ran again and were re-elected. Therefore, at the end of the mandate the positions could be inverted, i.e., the members of the executive council could return and other teachers could be the new members of the executive council (Pashiardis, Costa, Neto-Mendes, & Ventura, 2005; Costa, & Castanheira, 2005). The functions and competences of this council were detailed in the law and were mostly connected to administrative matters such as creating timetables, student enrolment, management of facilities and equipment and the distribution of tasks for the staff. According to this law, the school also had 3 other bodies of management: the pedagogical council, which oversaw pedagogical matters, the administrative council, which was responsible for the financial matters of the school, and the school assembly – seen as the main body of the school, responsible for the definition of the guiding lines for the school's activities. The pedagogical council was a collegial body composed by twenty members: teachers – the majority of members -, the president of the executive council, representatives of staff, representatives of parents, representatives of students and educational support personnel. The members were elected by their peers. This council is the body responsible for the educational coordination and orientation of the school, namely in the pedagogical and didactical fields. There was also the body in charge of administrative and financial matters of the school – the administrative council. This was a collegial body composed by the president of the executive council (or director), who is also the president of this council, the head of the services of the school administration and one of the vice-presidents of the executive council. The administrative council is responsible for the school's annual budget, the accounting report, the authorizing of expenses and the management of the school's patrimony. Nevertheless, according to the law, the main body of the school's management was the school assembly. This was also a collegial body composed by twenty members – half of which were teachers – elected by their peers. The school assembly should have among its' members representatives of the teachers, staff, parents, students and of the local municipality. The president of the executive council (or the director) should be a member, but could not vote. The school assembly had as main competences the approval of the school's educational project and of the autonomy contracts, the definition of guiding lines for the school budget, the approval of the accounting report, the promotion of the relationships with the community, the follow up of the self-review process and the following up of the processes of election of the executive body. Therefore, the school assembly administered the major areas of the decision making in the school life.

### **3. The current management model and the director**

Recently the government issued a series of new norms and regulations that have altered to a great extent the organization and functioning of public schools. In the apex of the changes is the new autonomy, administration and management regime of the public schools (Law 75/2008). The government declares in the foreword of this new law that, in spite of some measures that have already been taken – some of which promulgated in the law 115-A/98 and others that have been the subject of great debate – there are three main objectives for this restructuring of the school management in Portugal. These objectives are, according to the Law, the need to clearly open the school to the community and to integrate the two realities by replacing the school assembly by a school council with more members from the community represented; the need to develop strong leadership in the management body of a school by replacing the collegial body executive council for a single person body – a director; and by reinforcing the autonomy of the schools (which was also object of the previous regime). The main differences in the school management in Portuguese public schools according to these two laws are in the structure of the school management bodies. This new regime replaces the school assembly by the school general council which will be responsible for virtually the same functions the school assembly was responsible for in the previous regime. Nevertheless, the general council will have a new composition in which the teachers and school staff cannot be the majority of the members (as happened in the previous regime) and will have a new assignment: to elect the school director. Therefore, the director, which will substitute the collegial body which characterized the Portuguese public school management and established the difference regarding other educational systems, is chosen by the school general council and is accountable to it. The director comes in order to ensure the fostering of strong leadership, according to the foreword of the law, since the person who retains this position will be the main responsible for the administrative, financial and pedagogical management of the school since he/she will be the president of the

administrative and pedagogical councils (which did not suffer great changes with this new law). This replacement of the collegial body – executive council - by a single person body – the director – was the subject of great discussion and came in sharp contrast with the history of the Portuguese public school management in the last 30 years. Nevertheless, the main point of debate surrounding this new regime is the third objective stated in the foreword of the law: the reinforcement of the school autonomy. It is said in the foreword that the need to reinforce school autonomy has been called for by many sectors of opinion. This new law intended to create the conditions for this autonomy, however, we must not forget that the same thing is stated in the law issued in 1998 and some authors (mainly Barroso, 2008) suggest that this new regime instead of reinforcing the autonomy of schools will, instead, harm the shy attempts of autonomy of some schools. This will be done by strengthening what can be called as an “hand of iron in a velvet glove” policy of the State by increasing the formalization of the regulations regarding school management, thus, leaving little room for autonomy. Other criticism that is made of this law is that, in spite of claiming to facilitate autonomy, it is extremely vague in what concerns the principles and instruments of autonomy, leading some authors to affirm that the autonomy present in this law is a leitmotif for the reinforcement of State control. It is precisely this point that some authors present as international contamination or policy borrowing since in many European countries there has been a great emphasis on the reinforcement of school autonomy (Barroso, 2008: 4). Therefore, according to Barroso, the measures mentioned in the Law 75/2008 are an attempt to answer to the dilemma of reinforcing school autonomy in order to regain legitimacy and answer to complexity without losing control over the system – a dilemma which is faced by many educational systems worldwide.

#### 4. Changes in educational management and policy borrowing

The issue of autonomy has been presented as the one in which globalization of trends is most felt with the significant change of the role of the State over the management of schools by transferring powers and functions over to the local level, recognizing the school as partner in management. This process, that has first occurred in countries such as Australia, the United Kingdom and New Zealand, and then spread worldwide, leading some experts to speak of “contamination” as the government officials tend to adopt solutions in use in other countries and that are easily adaptable to their countries (Barroso, 1999: 134, 2003a: 25, 2003b: 84). Illustrating this trend of educational policy borrowing, a number of comparative studies and, in particular, a report by Eurydice issued in 1997 stated that most European countries were trying to delegate ever increasing administrative responsibilities to the schools in order to increase autonomy in decisions (Barroso, 1999). Nevertheless, the same report reminded that, in spite of this general trend, there were considerable differences in the school management, level and type of autonomy that was given to schools from country to country (Barroso, 1999: 136). Many authors also point out to the need to clarify the fact that, though there is educational policy borrowing, the local social, economical, historical and political context needs to be taken into account by “borrowers” (Barroso, 2003a: 27, 2003b: 85).

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Legislation:

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Law 46/86

Law 179/91

Law 115-A/98

Law 75/2008

Ordinance 677/77