

# **EDUCATION AND DECENTRALIZATION**

Skopje, 2006



**Education and Decentralization:**

User-friendly Manual

**Author:**

Jovan Ananiev, MSc.

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OSCE Spillover Monitor Mission to Skopje/Confidence Building Unit/Education Development Team;

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**Dear Readers,**

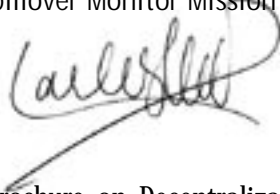
OSCE is happy to facilitate and support the process of decentralization in education which is one of the landmarks in the country's transition.

It is hoped that the brochure on Education and Decentralization will be a valuable tool and reference point for various stakeholders involved in the process at all levels.

This brochure aims to bring further knowledge and clarification on the various aspects of the decentralization process including legal, administrative and fiscal components. It explains the process itself, and describes the roles and responsibilities of the stakeholders involved in the field of education from a community to a central level.

Best wishes for the successful implementation of the decentralization process in education.

Most sincerely,  
Ambassador Carlos Pais  
Head of Mission  
OSCE Spillover Monitor Mission to  
Skopje


**Dear Readers,**

It is our pleasure to present to you the Brochure on Decentralization on Education. It is hoped that you will find it a valuable and reference tool.

As a user friendly guide it outlines the roles and responsibilities of the various stakeholders in process which represents one of the immediate challenges in our country today.

With the active participation of all stakeholders in the decision-making process within education, European standards can be reached.

Yours Sincerely,  
Mr. Aziz Pollozhani  
Minister of Education







### **The Author**

Jovan Ananiev, MSc, is affiliated with the Institute for Sociological, Political and Legal Research in Skopje. He is working in the field of education and decentralization in cooperation with foreign institutes, faculties and international organizations.



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## INTRODUCTION

Decentralization aims to enable the citizens, either directly or indirectly, to be more involved in the decision making process in a wider number of areas such as education, urban and rural planning, health, culture, and local economic development. The Republic of Macedonia, upon adopting the Law on Local Self-Government in 2002, commenced this challenging process of transferring responsibilities from the national to the local/Municipal level.

Both elementary and secondary education came under the Municipal jurisdiction starting July 1, 2005. This transfer means that the Municipalities assumed ownership over school buildings, and other property related to elementary and secondary education, as well as responsibility for the maintenance of school buildings, and the payment of salaries for auxiliary staff. As the process evolves further, the Municipalities will receive additional responsibilities. The process of decentralizing education involves the participation of many stakeholders including school directors, parents and students.

The domain of primary and secondary education is covered by the Law on Local Self-Government, the Law on Primary Education and its amendments, the Law on Secondary Education and its amendments, the Law on State Education Inspectorate, and the Law on Financing of the Local Self-Government Units.



## EDUCATION & DECENTRALIZATION

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Education is a pivotal sector in the development of every society. The goal of decentralization in education is to raise the quality of educational standards, to increase access to education, and to improve the levels of academic achievement.

The process of decentralization enables the Municipalities to manage the assets allocated for education and provides a more precise distinction between the rights and the responsibilities of the central and local authorities. Decentralization enables more participation from the local community in the decision making process and a more active and transparent management of the schools by involving more stakeholders in the decision making process. It provides efficient control of the activities in the schools and the quality of teaching.

Three levels can be identified within the system of primary and secondary education: central government level (macro level), local government level (intermediate level) and school level (micro level). Each level has its own rights and responsibilities.

### Stakeholders at the macro level

- The Ministry of Education and Science (MoES) and the governmental bodies that function within its framework, such as the Pedagogical Service, the Bureau for Development of Education (BDE) and the State Educational Inspectorate.

### Stakeholders at the intermediate level

- The Municipal Council
- The Mayor
- The educational department (in some Municipalities)<sup>1</sup>
- The authorized Municipal educational inspector (in some Municipalities)<sup>2</sup>

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<sup>1</sup> Depending on the decision of the Municipal Council (Law on the Local Self-Government).

<sup>2</sup> Depending on the decision of the Mayor (Law on State Pedagogical Inspectorate).



## Stakeholders at the micro level

- School Board
- Principal
- Teachers' council
- Parents' council
- Pupils



## PRIMARY & SECONDARY EDUCATION

There have been some changes in both the field of primary and secondary education (Law on Primary Education, Law on Secondary Education). Primary education spans nine years and is compulsory by law for all children ages six to fifteen.

Secondary education is delivered in either public or private secondary schools. The public secondary schools can be either established by the municipality or state<sup>3</sup>. The state may establish a secondary school for certain categories of students or for areas of particular interest to the state (arts, music, schools for children with disabilities and other such specialized schools).

Pre-school is compulsory for all children (Law on Primary Education). Pre-school education is now also under the responsibility of the Municipality, while the MoES is responsible for its educational programmes. The Ministry of Labour and Social Policy (MoLSP) is no longer responsible for pre-school education<sup>4</sup>.

## EDUCATION AND FISCAL DECENTRALIZATION

The process of decentralization is accompanied by fiscal decentralization which is carried out gradually in two phases. The process entails the establishment of a transparent mechanism for financing the municipalities based on objective criteria and measurements.

3 The private and state established secondary schools are not involved in the process of decentralization.

4 The kindergartens are under the responsibility of the Municipalities as well. MoLSP is responsible still for policy issues and conditions within pre-schools until 2007 when they will hand over their remaining responsibilities to the Municipalities.

The Ministry of Education and Science allocates the assets to the Municipalities on the basis of financial reports previously compiled by each school. These reports are submitted to the Municipality and the Municipality then submits them to the Ministry.

The first phase, which commenced in July 2005 and continues for two years, involves the allocation of the so-called “earmarked grants”. These grants include costs for the maintenance<sup>5</sup> of primary and secondary schools, and transport for primary school pupils<sup>6</sup>. The second phase will start in 2007 and envisages an allocation of both “earmarked grants” and “block grants”. The block grants will cover specific areas under the responsibility of the Municipality, including education, and will be used to cover costs such as salaries for the teaching and professional staff.

The allocation of funds, including block grants, is based on a formula and is determined in accordance with the phases of the fiscal decentralization. The formula is based on the number of pupils in the primary and secondary schools in the territory of the Municipality.

In the design of the formula some of the following factors may also be considered: pupils' age, plans and programmes implemented in the school, type of school building, and school location.

## THE ROLE AND RESPONSIBILITIES OF THE MAIN STAKEHOLDERS

### STATE LEVEL

#### The Ministry of Education and Science and the Minister of Education and Science

The Minister:

- adopts pedagogical standards and norms (proposed by the Bureau for Development of Education);

5 (Land) Rates, heating, electricity, communication, transport, stationary, hygiene detergents, newspapers, magazines, and on-going repairs, etc.

6 All the pupils who live more than 2 kilometres away from the primary school are entitled to the reimbursement of transport costs. The school is responsible for the payment.

- adopts the plans and programmes for the public schools which are prepared by the Bureau for Development of Education;
- selects a public school to serve as a pilot project which aims to introduce new pedagogical forms and content into the curriculum;
- approves draft textbooks (prepared by the BDE in accordance with the plans and programme for the respective subjects);
- establishes a committee for the professional evaluation of proposals for textbooks for the respective subjects;
- passes the exam programme for the final secondary school national exam, the Matura, or the international Matura, in secondary education (following the proposal by the BDE);
- passes policies on the pedagogical forms, procedures and conditions for professional and pedagogical training;
- verifies and validates certificates obtained abroad;
- establishes an expert commission comprised of representatives of the professional bodies of the Ministry and universities for the design of exams for school directors;
- oversees the legal compliance of the implementation of primary and secondary school programmes.

## State Educational Inspectorate

A State Educational Inspectorate is an organ of the State administration and it functions within the framework of the Ministry of Education and Science. The Inspectorate supervises the quality and effectiveness of the education system and the primary and secondary institutions. As well as this, he or she supervises the application of the relevant laws, regulations and acts in education.

The major responsibilities of the State Educational Inspectorate include: the supervision of work performance, professional and pedagogical upgrading, usage of textbooks, school management and administration, implementation of the syllabus and extracurricular activities, the design of criteria and the analysis of the results of enrollment examinations; and keeping pedagogical records.

In addition to the State Educational Inspectorate there are also **authorized educational** inspectors at some Municipal levels<sup>7</sup> and in the city of Skopje for secondary education. An educational inspector supervises the legitimacy of the activities in the area of education for which the Municipality is responsible. More precisely, the authorized Municipal inspector supervises the conditions and the decisions regarding the establishment or termination of activities within educational institutions, the working conditions in the educational institutions, the enrollment of pupils, the involvement of the pupils in accordance with the establishment of the schools, transport, food and accommodation of the pupils, a procedure for the formation of school units, and control of the assets acquired from private sources.

### Bureau for Development of Education (BDE)<sup>8</sup>

The Bureau for Development of Education is an office within the Ministry of Education and Science. In addition to the tasks carried out for the MoES, the BDE carries out the following tasks:

- study, research and development of pre-school, primary and secondary education;
- development of curricula, education standards, normative and other programme documents;
- professional supervision, provision of instructions and monitoring;
- professional training of the associates and management;
- assessment of pupils' achievement;
- provision of information, record keeping, statistics and publishing educational material.



7 The decision on whether there is an authorized educational inspector designated at the Municipal level is made by the Mayor (Law on Educational Inspectorates).

8 Currently a Law on BDE is in the process of being adopted.

## MUNICIPAL LEVEL

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### The Mayor:

- appoints and/or dismisses the school principal upon the proposal of the school board;
- adopts the decision to select a new school principal, three months before the expiration of the mandate of the incumbent, and invites the School Board to announce the vacancy for this position;
- appoints a new principal within fifteen days of having received a proposal from the School Board. If, for any reason a director is not appointed, the entire procedure is repeated, and within five days the Mayor appoints a director;
- appoints a trustee, for not longer than six months, in the case of the principal being dismissed;
- authorizes an entity to act as an educational inspector<sup>9</sup>.

### Municipal Council:

- establishes and/or closes down the school;
- notifies the courts on its decision within three days of the adoption of the act;
- ensures access to primary and secondary education for all children;
- decides on the location of the school;
- appoints members to the School Board - two members at elementary schools and three at secondary schools - to represent the local Municipality therein.

## SCHOOL LEVEL

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### School Board

The School Board is the management body in the primary school and in the public secondary school. The decisions of the School Board are adopted by the majority of votes out of the total number of Board members.

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<sup>9</sup> Should the Mayor not appoint an inspector, such responsibilities shall be performed by the state educational inspector at the expense of the Municipality until his/her appointment is made.

**The School Board in small primary schools<sup>10</sup>** is comprised of seven members: two representatives of teachers<sup>11</sup>, educators<sup>12</sup> and professional associates<sup>13</sup>, two representatives of pupils' parents/guardians, one representative of the MoES and two representatives of the founder<sup>14</sup>.

**The School Board in large primary schools<sup>15</sup>** is comprised of nine members: three representatives of teachers, educators and professional associates, three representatives of pupils' parents/guardians, one representative of the MoES and two representatives of the founder<sup>16</sup>.

**The School Board in public secondary schools<sup>17</sup>** is comprised of 12 members: four representatives of teachers, three representatives of students' parents/guardians, three representatives of the founder and one representative of the MoES and one representative of the business community. The representative of the business community participates in the work of the School Board but is not entitled to take part in voting and decision making.

In the School Board of the:  
primary school

- representatives of the founder<sup>18</sup> are appointed and dismissed by the Municipal Council based on proposals from the MoES;

secondary school

- representatives of the founder<sup>19</sup> are appointed and suspended by the Municipal Council, that is the Council of the City of Skopje<sup>20</sup>;
- representatives of the business community are appointed and suspended by the Chamber of Commerce.

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10 Small schools are considered to have up to 24 classes.

11 There are differences between teachers, educators and professional associates. Teachers refer to those who teach in primary and secondary schools.

12 Educators in the primary system refer to those who work with children who have special needs, and to those, who teach in pre-school which is now the compulsory zero year in primary education which was recently introduced in 2005.

13 Professional associates include pedagogues, psychologists and defectologists.

14 Law on Primary Education.

15 Large schools have more than 24 classes.

16 *ibid.*

17 Law on Secondary Education.

18 The founder of the primary school is the Municipality.

19 The founder of the secondary school is either the Municipality or the state.

20 This council is responsible for secondary schools, only within the Skopje region.



In the School Boards of the primary and secondary schools, which are founded by the Municipality:

- representatives of students' parents/guardians are appointed and dismissed by the Parents' Council;
- representatives of teachers are appointed and dismissed by the Teachers' Council;
- representatives of the MoES are appointed and dismissed by the Minister.

### **The School Boards' responsibilities in the primary and Municipal secondary schools:**

- adopts the Statute;
- proposes an annual work programme and reports on the school's performance to the Municipal Council;
- proposes an annual financial plan to the Founder;
- proposes an annual balance of accounts to the Founder;
- advertises publicly for the election of a school director;
- conducts interviews with the candidates for the appointment of a school director;
- proposes a candidate for the position of school director to the mayor of the Municipality;
- makes decisions regarding complaints and appeals by school employees;
- makes decisions regarding complaints by students, parents and guardians.

The School Board of the primary school also gives an opinion regarding the appointment of teachers and professional associates to the school director.



## School Director

The school director<sup>21</sup> is the governing body of both primary and public secondary schools, and he or she is responsible for the legal compliance, financial operations and the provision of educational materials for the school.

The school director organizes and manages the educational activities, makes decisions, represents the school before third parties and is responsible for the legal compliance of the school work.

The school director:

- proposes an annual work programme and undertakes measures for its implementation;
- executes the decisions of the School Board;
- carries out the selection of teachers and professional associates and other administrative – technical personnel;
- makes decisions on deployment of the teachers, professional associates and the other administrative – technical personnel;
- makes decisions on termination of the employment of teachers and professional associates;
- reports on the school performance and results achieved in educational activity to the Bureau for Development of Education;
- reports on the implementation of the annual programme to the Ministry and to the Municipality.

Overall, the school director is one of the most important actors in ensuring that children are educated. He or she plays a key role in managing the school and mentoring teachers as they apply their new skills in the classroom.

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<sup>21</sup> The mandate in office for the school principal is four years in total. All candidates for the position of principal must have at least five years of teaching experience, and should have passed the exam for principals. A candidate who has not passed this exam may be considered for the position, provided she/he takes the examination within one year of service as school principal. If she/he fails to pass the exam, she/he will no longer be eligible for the position.

## Professional School Bodies

Professional School bodies are playing a limited role in the process of decentralization and education. However, they may play an important role in the decision-making process at the school level, for example, by acting on behalf of the students.

The professional organs in primary and secondary school are the following: Teachers' Council and Class Teachers Council, and the classroom teachers.

The **Teachers' Council** is comprised of all teachers, professional associates, educators and the school director. The Teachers' Council is chaired by the school director.

The **Classroom Teacher** is appointed by the Teachers' Council of the primary school based on the proposal of the director.

The **Class Council** is comprised of class teachers, professional associates and the school director. The Class Council is chaired by the school director.

The **Expert Working Group** is an expert body that is comprised of a smaller group of teachers who teach the same subject. The expert working group is led by a teacher from the teacher's group.

The activity of the professional organs is determined by the Statute of the primary and the secondary school, in compliance with the Law on Primary Education and the Law on Secondary Education.

Other professional bodies may be established in the primary and secondary schools such as a **Council of the Year**. Its responsibilities are specified by the school's Statute.

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