

National Report

**Regarding the measures undertaken to implement the
Convention and the Recommendations for fight
against discrimination in the field of education (1960)**

The 8th meeting regarding implementation of the Convention
and of the Recommendations (2006 - 2011)

Bucharest, September, 2012
The Institute of Education Sciences

Introduction

This report was prepared following the request of the Minister of Education, Research, Youth and Sports and the National Commission for UNESCO.

The report aims to underline the measures undertaken by our country in order to implement the Convention and the Recommendations regarding fight against discrimination in the field of education, adopted by UNESCO in 1960. The report is created within the 8th consultation meeting regarding the implementation of the Convention and the Recommendations between 2006 and 2011, this being the time interval taken into account for documenting and drafting the content.

The report structure was recommended by UNESCO and it is common for all the member states that prepare similar reports.

I. Data regarding the legislative, legal and administrative measures or of other nature undertaken by the state, at national level

I.1. Ratifications of the Convention regarding fight against discrimination in the field of education and of the Protocol

Romania ratified the following international documents:

- **UNESCO convention regarding fight against discrimination in the field of education** ratified by Decree no. 149 from April 20th 1964, published in *The Official Bulletin of the Grand National Meeting of the Socialist Republic of Romania*), no. 5 from April 20th 1964. There were no changes after ratification.
- **The international pact regarding economic, social and cultural rights** ratified on October 31st 1974 by Decree no. 212, published in *The Official Bulletin of Romania*, part I, no. 146 from November 20th 1974.
- **The international pact regarding civil and political rights** ratified in October 31st 1974 by Decree no. 212, published in *The Official Bulletin of Romania*, part I, no. 146 from November 20th 1974.
- **The Convention on children's right** ratified by Law no. 18/1990 published in *The Official Monitor of Romania*, part I, no. 109 from September 28th 1990 and republished in *The Official Monitor of Romania*, part I, no. 314 from June 13th 2001.

- **The Convention on eliminating all forms of discrimination towards women** was ratified by Decree no. 342, published in *The Official Bulletin of Romania*, part I, no. 94 from November 28th 1981.
- **The Convention on defending human rights and fundamental freedoms** and the additional protocols to this convention from November 4th 1950 ratified through Law no. 30/1994, published in *The Official Monitor* no. 135 from May 31st 1994.
- **Protocol no. 1 to The Convention on defending human rights and fundamental freedoms** ratified through Law no. 30 from May 18th 1994, published in *The Official Monitor of Romania*, Part I, no. 35 from May 31st 1994.
- **Protocol no. 12 to The Convention on defending human rights and fundamental freedoms** ratified by Law no. 103 from April 24th 2006, published in *The Official Monitor* no. 375 from May 2nd 2006.
- **The framework- convention on protecting the national minorities** ratified by Law no. 33 from April 29th 1995, published in *The Official Monitor of Romania*, Part I, no. 82 from May 4th 1995.

I.2. Implementing the Convention and the Recommendations, as well as the Protocol at the level of national legal system

I.2.1. Ratification and implementation of the Convention and of the Protocol in the Constitution, in other legislative texts or by other national provisions.

The Convention is ratified and directly applicable by:

- **Romania Constitution**, 2003 by: Chapter 2 – Rights and fundamental freedoms Article 29(6) Freedom of consciousness, Article 30(7) Freedom of speech, Article 32(1) - (7) Right to education.
- **The Law of national education 1/2011** by all its articles;
- The updated **Government Ordinance no. 137/2000** on *prevention and sanctions of all forms of discrimination*, republished in the Official Monitor no. 99 from 8.02.2007; a legislative act known also as the law of discrimination, in Chapter 2 – Special provisions, Section 3, Access to education, Article 11 (1) - (6), Article 1 (2)(d) (vii)(e)(v, vi), Article 3(d), Article 6(d), Section 6, The National Council for Fighting Discrimination Article 16 – 25;
- **Law 272/ 2004** on *protecting and promoting the child's rights*, published in the Official Monitor, Part I no. 557 from 23/06/2004, in Articles 6 and 7, in Chapter 2 - Section 4 Education, leisure and cultural activities, Articles 47 and 48;
- **Law 202/2002** on *equality of chances between women and men* published in the Official Monitor Part I no. 301 from 8.05.2002, in Articles 14 and 15 that targets equality of chances and treatment in what concerns the right to education;
- **Law no. 116/2002** on *preventing and fighting against social marginalisation* published in the Official Monitor, Part I no. 193 from 21.03.2002, in Section 4 Access to education, Article 19 - 22;

- **Law no. 489/2006** on *religious freedom and the general regime of cults* published in the Official Monitor, Part I no. 11 from 08.01.2007, in Section 5 – Education organized by cults by all its articles, in Article 2(1) and Article 3;
- **Law no. 122/2006** on *asylum in Romania*, published in the Official Monitor, Part I no. 428 from 18/05/2006, in Article 8 The child non-discrimination, Article 17(1) (p)(4) Rights, and Article 18 Access to education for minor asylum applicant.

I.2.2. References, data and main issues from the legislation or national regulations adopted to implement the Convention and the Recommendations. The opportunity to invoke the Convention provisions and follow their implementation in courts and administrative authorities

The convention is ratified and directly applicable by:

- **The Romanian Constitution**, 2003 through the following:
 - the parents' right to educate their children according to their own beliefs (Article 29(6));
 - forbiddance to incite to national, racial, class or religious hatred, incite to discrimination, territorial autonomy or to public violence (Article 30(7))
 - the right to education through the compulsory and free general education for all children (Article 32, al.1, al.4), the right of national minorities to learn their mother tongue (Article 32, al.3), and the right to religious freedom (Article 32 (7)).
- **The Law of national education 1/2011** that ensures equal rights of access to all levels and forms of education for all the citizens of Romania, of EU, of the states part of the European Economic Space and of the Swiss Confederation with no form of discrimination.
- The updated **Government Ordinance from 2000** on *preventing and sanctioning all forms of discrimination*, republished in the Official Monitor no. 99 from 8.02.2007; a legislative act known also as the law of discrimination that considers as contravention the following:
 - refusal of access for a person or a group of persons to the state or private education system, for any form, degree and level, due to their particular race, nationality, ethnicity, religion, social category or disadvantaged category, respectively due to beliefs, age, gender or sexual orientation for the involved bodies (Article 11 (1)),
 - request of declarations to prove the particular person or group belongs to a certain ethnicity, fact that will condition the access for the person or group of persons to education in the mother tongue. The exception is in high-school and university education where the candidates compete for special places offered for a certain minority and it is imperious to prove he/she belongs to the relevant minority, with a document from a legally founded organization of the respective minority (Article 11 (3));
 - any restrictions caused by pertaining to a certain race, nationality, ethnicity, religion, social or disadvantaged category in the process of founding and accrediting the education institutions created within the current legislative framework (Article 11 (6));

- implementing the principle of equality amid citizens, of excluding the privileges and discrimination by exerting the right to education and professional training (Article 1(2)(e) (v)), the right to freedom of thought, consciousness and religion (Article 1 (2)(d) (vii))
- implementing the provisions of the current ordinance to all physical or legal bodies, public or private, as well as to the public institutions with duties in the educational system (Article 3 (d));
- constituting the National Council for Fighting Discrimination that is the state authority in the field of discrimination, autonomous, with legal personality (Article 16, 22, 23, 24, 25) and establishing its duties (Article 18, 19, 20, 21).
- **Law 272/ 2004** on *protecting and promoting the child's rights*, that guarantees:
 - respecting the child's rights according to the principles: respecting and promoting with priority the child's superior interest, equal chances and non-discrimination and ensuring stability and continuity in caring-of, upbringing and educating the child, taking into account its ethnical, religious, cultural and linguistic origin, if the case for deciding a protection measure (Article 6 (a, b, i));
 - the same rights for all the children without any discrimination, no matter the race, colour, sex, language, religion, public opinion or other kind of opinion, nationality, ethnical pertaining or social origin, material situation, the degree or type of deficiency, the status at birth or obtained, training, developing or any other kind of difficulties of the child, of the parents or of other legal representatives or any other type of distinction (Article 7);
 - the child's right to receive an education that would allow the development, in no discriminatory conditions, of its aptitudes and personality (Article 47 (1));
 - the parents' right to choose the type of education to be given to their children, and their responsibility to register the child in school and to ensure its regular attendance of the school course (Article 47(2));
 - facilitates access to preschool education and ensures compulsory and free general education for all the children through establishing the duties of the Minister of Education and Research, as specialised body of central public administration, as well as those of the school inspectorates and of the education units (Article 48 (1)(a))
 - the child's right to be treated with respect in the teaching-learning process, by the teachers, to be informed upon its rights, as well as on the ways of exerting them (Article 48 (2)).
- **Law no. 116/2002** on *preventing and fighting social marginalisation*:
 - financially supports the persons of school age who are part of families that have the right to guaranteed minimum income, have 2 or more children and are enrolled in compulsory education, through offered scholarships (Article 19 (1 - 4));
 - assigns to the Minister of Education the role of creating and implementing territorial programmes for adults' literacy (Article 20 (1)), as well as the role to ensure free access to rest and training camps for the beneficiaries of scholarships to education and

continuing studies, that have obtained remarkable results in the educational process (Article 22);

- regulates the way the scholarships for continuing studies are awarded (Article 21 (1 - 3)).
- **Law no. 489/2006** on *religious freedom and the general regime of cults* guarantees:
 - the right of each person to have or to adopt a religion, to manifest it individually or collectively, in public or in private, through practices and rituals specific to the cult, including religious education, as well as the freedom to keep or change the religious belief (Article 2 (1));
 - the parents'/ tutors' exclusive right to choose the religious education of the minor children, according to their own beliefs (Article 3 (1));
 - the right of the child aged 16 and over to change its religion (Article 3 (2));
 - the right of the cults to ensure Religion teaching in state or private education, to assign the Religion teaching staff in state schools or, in case of serious misbehaviours, to withdraw its approval (Article 32 (1 - 3));
 - the pupils' right to prove the study of their own religion with a certificate from the cult they belong to, in case the school management cannot ensure Religion teachers that belong to the cult they are part of (Article 32 (4));
 - the cults right to found and manage education units for training Religion teachers, as well as to establish the form, the level, the number and the school plan for their own education institutions (Article 33 (1, 2));
 - the cults right to draft the education plans and curricula for pre-university theological education and the curricula for teaching Religion, as well as the right to approve the education plans and curricula for higher education (Article 34 (1, 2));
 - the right of children from the placement centres organized by public, private or cult institutions, to benefit of religious education according to their religious pertaining (Article 36 (1));
 - the recognized cults right to create and manage forms of confessional education of all levels, profiles and specializations that will be financially supported by the state (Article 39 (1, 3));
 - the pupils or students' right to register in confessional education, no matter the religion or confession, guaranteeing their religious education freedom, corresponding to their own religion or confession (Article 39 (5)).
- **Law no. 122/2006** on *asylum in Romania* ensures:
 - the child's superior interest in all the decisions taken in what concerns minors (Article 8);
 - the right of the minor asylum applicants to have access to compulsory education under the same conditions as the Romanian minor citizens (Article 17 (1)(p));
 - access to education of the minor asylum applicants (Article 18).
- **Law 202/2002** on *equal chances between women and men* published in the Official Monitor Part I no. 301 from 8.05.2002, that:

- forbids any form of discrimination based on gender in what concerns women's and men's access to all levels of instruction and professional training, improvement and, in general, to continuous education (Article 14 (1));
- ensures equal chances and treatment between women and men within public and private institutions of education (Article 14 (2 and 3));
- assigns the role to ensure instruction and education in the spirit of equal chances between genders to the Minister of Education.

I.2.3. The education legislation to forbid discrimination and to promote equal chances in education (summaries of the main constitutional, legislative texts or other relevant information, that establishes measures and sanctions regarding the rights foreseen in the Convention or the Recommendation)

Promoting equal chances in education

- **The Law of national education 1/2011** forbids discrimination and promotes equal chances in education through its numerous articles:
 - ensures equal rights of access to all levels and forms of education with no form of discrimination for all the Romanian citizens (Article 2 (4)), the citizens of the European Union member states, of the states part of the European Economic Space and of the Swiss Confederation (Article 2 (5), Article 142 (4)), to the minor requesting or having obtained any form of protection in Romania, to foreign minors or stateless minors whose residence on Romanian territory is officially recognized according to the law (Article 2 (6)), to all persons with special educational needs (Article 12(6), Article 25(3));
 - guarantees education based on the equity principle, guaranteeing the cultural identity, recognizing and guaranteeing the rights of national minorities, the right to maintain, develop and express their ethnical, cultural, linguistic and religious identity, the principle of equal chances, the principle of freedom of thought and of independence against ideologies, religious dogma and political doctrines, the principle of social inclusion, the principle of organizing the confessional education according to the specific requests of each recognized cult (Article 3);
 - ensures education in the spirit of dignity, tolerance and respect of the human fundamental rights and freedoms, cultivates sensitivity towards human issues, moral and civic values and respect for nature and for natural, social and cultural environment (Article 4);
 - forbids the activities that breaches the morality norms or any other activities that might endanger the health, physical or psychic integrity of the children or of the youth, respectively of the educational, auxiliary educational and non-educational staff, as well as the activities of political nature and religious proselytism (Article 7);
 - projects, fundamentals and implements the national strategies in the field of education, with consultation of teachers representative associations, parents representative associative

structures, The Deans National Council, associative structures of state, private and confessional universities and schools, The Council of National Minorities, representative unions from education, pupils representative associations, students representative associations, authorities of public administration, business environment and financing nongovernmental organizations that support educational programmes/ federations of social services suppliers (Article 14 (1));

- ensures to all the children their constitutional right to participate to religion class, according to their own confession (Article 18(1)) or allows not attending the Religion class (Article 18(2));
- guarantees the right of differentiated education, based on educational pluralism, according to the age and individual particularities (Article 21(3)), as well as organizing educational programmes like „A second chance”, in order to promote primary education for persons that exceed by 4 years the age corresponding to the class and who from various reasons have not graduated this level of education till the age of 14 (Article 29(4));
- ensures the right of national minorities to study in their mother tongue, at all levels, types and forms of pre-university education (Article 45, Article 46);
- offers specific conditions and assistance for persons with special educational needs or other types of educational requests according to the type and degree of deficiency (Articles 48-56. Article 72 (2));
- supports the children and the youth capable of high performances and ensures human, curricular, informational, material and financial resources and educational programmes that respect their particularities of learning and performance guiding (Article 57);
- financially supports and educationally coordinates the educational alternatives (Article 59, Article 64(7)), and the accredited private and confessional education (Article 60, Article 64, (8, 9));
- encourages school attendance through offering study and social scholarships both for Romanian pupils, Romanian ethnics with stable residence abroad, foreign participants from the Romanian pre-university education (Article 82, Article 111(1c));
- subsidizes all costs to attend high-school for pupils coming from the rural area or from disadvantaged socio-economic groups, as well as for those who attend vocational schools (Article 85(2));
- includes school inspectors for the issue of children and youth coming from disadvantaged socio-economic environments in the structure of school inspectorates (Article 95(5)), also for education units with complete teaching in the national minorities language, it is compulsory the principal knows the respective language (Article 97(1));
- ensures the financing for some national programmes of social protection (Article 111(1g));
- guarantees also in higher education non-discrimination on age, ethnicity, gender, social origin, political or religious orientation, sexual orientation or other types of discrimination, excepting the affirmative measures foreseen by the law (Article 118(2)) as well as other facilities for students with physical disabilities (Article 118(3), Article 202(1));

- ensures also financing and organizing of higher education in the mother tongue (Article 135, Article 161);
 - ensures and promotes higher education centred upon student (cap. X);
 - offers a number of budget places in higher education to candidates coming from environments with high socio-economic risk or socially marginalized— Roma, graduates of high-schools from the rural areas or from towns with less than 10.000 inhabitants (Article 205(6));
 - guarantees non-discriminatory participation to competition for teaching or research positions (Article 294(2)).
- Updated **Government Ordinance from 2000** on *preventing and sanctioning all forms of discrimination*, republished in the Official Monitor no. 99 from 8.02.2007; a normative act known also as the law on discrimination that considers as contravention the following:
 - refusing access of a person or group of persons to the state or private education system, at any form, degree and level, due to their race, nationality, ethnicity, religion, social or disadvantaged category, respectively due to these persons' beliefs, age, gender or sexual orientation (Article 11(1)),
 - requesting declarations to prove the person's or group's ethnicity to condition their access to education in their mother tongue. Exception is the high-school and university education when candidates compete for special places offered to a certain minority and it is imperious to prove they belong to that minority, through a document from one legally constituted organization of the respective minority (Article 11(3));
 - any constraints based on pertaining to a certain race, nationality, ethnicity, religion, social or disadvantaged category in the process of founding and accrediting the education institutions created within the current legislative framework (Article 11(6));
 - implementing the principle of equality among citizens, of excluding the privileges and discrimination by exerting the right to education and professional training (Article 1(2)(e) (v)), the right to freedom of thought, consciousness and religion (Article 1(2)(d) (vii))
 - implementing the provisions of the current ordinance to all physical or legal bodies, public or private, as well as to the public institutions with duties in the educational system (Article 3(d));
 - constituting The National Council for Fighting Discrimination that is the state authority in the field of discrimination, autonomous, with legal personality (Articles 16, 22, 23, 24, 25) and establishing its duties (Articles 18, 19, 20, 21).
 - **Law 272/ 2004** on *protecting and promoting the child's rights*, that guarantees:
 - respect of the child's rights according to the principles of: respecting and promoting with priority the superior interest of the child, equal chances and non-discrimination and ensuring stability and continuity in caring-off, upbringing and educating the child, taking into account

his ethnic, religious, cultural and linguistic origin, in case of deciding a protection measure (Article 6(a, b, i));

- the same rights for all children with no discrimination, no matter the race, colour, gender, language, religion, political or other kind of opinion, nationality, ethnicity or social origin, material situation, degree and type of deficiency, status at birth or obtained, difficulties of training, developing or of other type of the child, of the parents or of other legal representatives or of any other kind of distinction (Article 7);
- the child's right to receive an education that allows him to develop, in non-discriminatory conditions, its aptitudes and personality (Article 47(1));
- the parents' right to choose the type of education that will be given to their children, with the obligation to enrol the child in school and to ensure its regular attendance of school courses (Article 47(2));
- facilitating access to preschool education and ensuring the compulsory and free general education for all the children through establishing the duties of The Minister of Education and Research, as specialised body of central public administration, as well as those of the school inspectorates and of the education units (Article 48(1)(a))
- the child's right to be treated with respect by the teachers in the teaching- learning process, to be informed upon its rights, as well as upon the ways of exerting them (Article 48(2)).

- **Law no. 116/2002** on *preventing and fighting social marginalisation*:

- financially supports the persons of school age who are part of families that have the right to guaranteed minimum income, have 2 or more children and are enrolled in compulsory education, through offering education scholarships (Article 19(1 – 4));
- assigns to the Minister of Education the role of creating and implementing territorial programmes for adults' literacy (Article 20(1)), as well as that of ensuring free access to rest and training camps for beneficiaries of scholarships for education and for continuing studies, who have obtained remarkable results in the educational process (Article 22);
- regulates the way the scholarships for continuing studies are awarded (Article 21(1 - 3)).

- **Law no. 489/2006** on *religious freedom and the general regime of the cults* guarantees:

- the right of every person to have or to adopt a religion, to manifest it individually or collectively, in public or in private, through practices and rituals specific to the cult, including religious education, as well as the freedom to keep or change the religious belief (Article 2(1));
- the parents'/ tutors' exclusive right to choose the religious education of the minor children, according to their own beliefs (Article 3(1));
- the right of the child aged 16 and over to change its religion (Article 3 (2));
- the right of the cults to ensure Religion teaching in state or private education, to assign the Religion teaching staff in state schools or, in case of serious misbehaviours, to withdraw its approval (Article 32 (1 – 3));

- the pupils' right to prove the study of their own religion with a certificate from the cult they belong to, in case the school management cannot ensure Religion teachers that belong to the cult they are part of (Article 32(4));
 - the cults right to found and manage education units for training Religion teachers as well as to establish the form, the level, the number and the school plan for their own education institutions (Article 33(1, 2));
 - the cults right to draft the education plans and curricula for pre-university theological education and the curricula for Religion, as well as the right to approve the education plans and curricula for higher education (Article 34(1, 2));
 - the right of children from placement centres organized by public, private or cult institutions, to benefit of religious education according to their religious pertaining (Article 36(1));
 - the recognized cults right to create and manage forms of confessional education of all levels, profiles and specializations that will be financially supported by the state (Article 39(1, 3));
 - the pupils or students' right to enrol in confessional education, no matter the religion or confession, guaranteeing their religious education freedom, corresponding to their own religion or confession (Article 39(5)).
- **Law no. 122/2006** on *asylum in Romania* ensures:
 - the child's superior interest in all the decisions taken regarding the minors (Article 8);
 - the right of the minor asylum applicants to have access to compulsory education under the same conditions as the Romanian minor citizens (Article 17(1),(p));
 - access to education of the minor asylum applicants (Article 18).
 - **Law 202/2002** on *equal chances between women and men* published in the Official Monitor Part I no. 301 from 8.05.2002 that:
 - forbids any form of discrimination based on gender in what concerns women's and men's access to all levels of instruction and professional training, improvement and, in general, to continuous education (Article 14(1));
 - ensures equal chances and treatment between women and men within public and private institutions of education (Article 14 (2 and 3));
 - assigns the role to ensure instruction and education in the spirit of equal chances between genders to the Minister of Education

II. Implementing the Convention or the Recommendation

II.1. Non-discrimination in the field of education (measures taken at national level that forbid, eliminate or prevent discrimination in education, measures based on reasons foreseen in the Convention or the Recommendation, campaigns, programmes)

Law of national education 1/2011 forbids discrimination in education, through numerous articles mentioned before. It also foresees measures of preventing or eliminating discrimination:

- offers a number of budget places in higher education to candidates coming from environments with high socio-economic risk or socially marginalized— Roma, graduates of high-schools from the rural areas or from towns with less than 10.000 inhabitants (Article 205(6)); specific conditions of assistance for persons with special educational requests or other types of educational requests according to the type and degree of deficiency (Articles 48-56, Article 72(2));
- guarantees the right to differentiated education, based on educational pluralism, according to age and individual particularities (Article 21(3)), as well as organization of educational programmes like „A second chance”, in order to promote primary education for persons that exceed by 4 years the age corresponding to the class and who from various reasons have not graduated this level of education till the age of 14 (Article 29(4))
- financially supports the education institutions teaching in minorities language and ensures the right of the national minorities to study in their mother tongue, both on all levels, types and forms of pre-university education (Article 45, Article 46), and on higher education level (Article 135, Article 161);
- supports the children and youth capable of high performances and ensures human, curricular, informational, material and financial resources and educational programmes that respect their particularities of learning and performance guiding (Article 57);
- financial support and educational coordination of education alternatives (Article 59, Article 64(7)), and of accredited private and confessional education (Article 60, Article 64(8, 9));
- encourages school attendance by conferring study and social scholarships both for Romanian pupils, Romanian ethnics with stable residence abroad, foreign participants from Romanian pre-university education (Article 82, Article 111(1c));
- subsidizes the costs of high-school attendance for pupils coming from the rural area or from disadvantaged socio-economic groups, as well as for those attending vocational schools (Article 85(2));
- inclusion in the structure of school inspectorates of school inspectors for the issues of children and youth coming from disadvantaged socio-economic environments (Article 95(5)), also, for the education units with complete teaching in the national minorities language, it is compulsory the principal knows the respective language (Article 97(1));
- ensures financing of some national programmes of social protection (Article 111(1g)).

The National strategy to implement the measures of preventing and fighting discrimination, 2007 – 2013 was approved by the Order no. 286/2007 of the President of The National Council for Fighting Discrimination. One of its most important objectives is to ensure equality in the field of education (Article 16). This was done through projects like the following:

- A project developed by CNCD and the Minister of Education and Research through Constanta County Inspectorate that included activities of informing the pupils from Constanta County about the international day of abolishing racial discrimination (March 21st 2007).
- “A smile for everyone” project– was developed in 2007, in partnership with Kindergarten no. 28 from Baia Mare and Kindergarten Coltău and aimed the cooperation between the two education units, mainly between the three groups of children (two Romanian and one Roma) from these kindergartens
- “I am a child like you too!” project – was developed in 2008, having as partners Kindergarten no. 28 from Baia Mare and Kindergarten Coltău. The cooperation between the children was done by their involvement in common activities like exhibitions, contests and artistic programmes meant to support the development and the maintenance of positive relations between Roma and Romanian children.

Within the same strategy, in line with the priority that aimed to consolidate the citizens’ education in the field of non-discrimination through formal or non-formal educational processes, the following projects were developed:

- “Youth versus discrimination!” – a project developed in 2008, by The National Council for Fighting Discrimination in partnership with The Romanian Association for Debates, Elocution and Rhetoric and ROMANI CRISS Centre for Social Intervention and Studies. Within this project 30 public debates were organized for high-school pupils, aiming to involve them in debates and policy exchange on topics connected to the acceptance of Roma, of persons with HIV+, of sexual minorities.
- “Children talk about discrimination and their rights” – the project consisted of open lessons on discriminations developed in general schools and high-schools from Bucharest, Constanta and Tuzla. Within the project, pupils created drawings and/ or scrapbooks on the topic of equal chances.
- “Stop discrimination in high-schools 2010” – the project was targeted to pupils from high-schools, psychologists, social assistants, sociologists and school counsellors from Iasi high-schools and aimed to sensitize the participants on the issue of discrimination. The project was developed by high-schools from Iasi in partnership with “Petre Andrei” University.
- “We have the same rights” – a project that had as beneficiaries teachers, students, high-school pupils and community policemen from Resita and was developed in partnership with Nevo Parudimos Association.
- “School without discrimination III– Train the trainers”– a project developed in partnership with the Minister of Education, Research, Youth and Sports, developed in Drobeta Turnu-Severin, Sibiu, Calarasi, Tulcea, Miercurea-Ciuc, Bistrita, having as target-group directors and teachers from the Teaching Staff Houses.

II. 2. Equal chances in education, to realize education for all (measures taken by the government that guarantee equal access to all levels of education, for example: measures against discrimination, financial incentives, and scholarships, positive or constructive actions)

Along with the constitutional and legislative provisions that guarantees access to education for all the citizens, *with no form of discrimination, the right to differentiated education and to lifelong learning, the Law of national education no. 1/2011 foresees a series of measures supporting equal chances:*

- basic financing for all pre-schoolers and for all pupils from the accredited compulsory general state, private or confessional education, for accredited state, private and confessional vocational and high-school education, as well as for the state post-high-school (Article 16 (3));
- facilities/gratuities on transport, lodging, meals level (Article 12(8); Article 85(1));
- at home schooling /units of medical assistance for person unable to move (Article 25(3));
- education in mother tongue, at all levels, types and forms of pre-university education, for persons pertaining to national minorities, envisaged by the law (Article 45(1));
- special and integrated special education, for all levels of education, differentiated, according to type and degree of deficiency, for persons with special educational needs (Article 48(1 and 2));
- Olympics and competitions, relevant camps, symposiums and other specific activities, scholarships and other forms of material support for helping children and youth capable of high accomplishments; programmes to respect the particularities of learning and performance orientation. (Article 57 (4 and 5));
- cost reduction (Article 84):
 - (1) Pupils from the accredited/authorized compulsory high-school education benefit of a cost reduction of 50% for local common means of transport, surface, naval and underground, as well as for inner auto, railway and naval transport, during the entire calendar year.;
 - (2) As a special measure of protection, the orphan pupils, pupils with special educational requests, as well as those institutionalised may benefit of gratuity for all transport categories mentioned at (1), during the entire calendar year;
 - (3) For the pupils who cannot be schooled in the residence locality the transport expenses are disbursed from the Minister of Education, Research, Youth and Sports budget, through the education units they are enrolled in, based on subscription, within a limit of 50 km, or they have receive disbursement of the sum representing the counter value of 8 both-ways trips by semester, if they live in a boarding house or lodging;
 - (4) Pupils benefit of costs reduced by 75% for access to museum, concerts, theatre, opera, film and other cultural and sportive displays organized by public institutions;

(5) The Romanian ethnic pupils from abroad, scholars of the Romanian state, benefit of gratuity to all the events/ displays foreseen at (4).

- subsidies for the costs related to high-school attendance for pupils coming from the rural areas or from disadvantaged socio-economic groups, as well as for those attending vocational schools (Article 85(2)).

The Romanian Government develops a series of social programmes meant to **facilitate access and reduce the quota of school drop-out in the educational system for pupils coming from disadvantaged categories**: *Money for high-school, Euro 200, The roll and milk, School materials, scholarships*. Below we are detailing some provisions of the legislative acts that regulate the development of these programmes of social assistance/protection:

- **Money for high-school**- based on two legislative documents: *Government Decision no. 1488/2004* on approving the criteria and the quantum of financial support that is offered to pupils within „Money for high-school” national programme of social protection and *Order no. 4839/2004* regarding the specific criteria and the methodology of offering support within „Money for high-school” national programme of social protection. According to the Note that approves the list of pupils benefitting the programme for 2011/2012 school year (MECTS Note No. 179 DGEÎpTPV/28.11.2011), the eligible applicants are those pupils coming from families with **monthly gross income per family member, realized in the last 3 months before filing the request, lower or equal to 150 lei**;
- **Euro 200** - this sum, as a voucher, is offered as financial help in order to purchase a computer to pupils’ families from socio-economic disadvantaged areas. It is based on the following legislative acts: *Law no. 269/2004 on offering financial help in order to stimulate the purchase of computers*, approved through *The Government Decision no. 1294/2004*;
- **The roll and milk**- offers a snack made up of a milk and bakery product to each pupil from state education (primary and secondary), as well as to pre-school children comprised in state kindergarten with normal programme, every school day.
- **School materials** - according to **OMECTS no. 4385/07.06.2012**, in 2012/2013 school year, the maximum value of each pack of school materials is 25 ron/pack/pupil from the primary education (preparatory class – the 4th grade) and of 30 ron/pack/pupil from the secondary education (the 5th grade– the 8th grade). These are offered to those pupils coming from families where the monthly medium net income/member (realized in July) is of 50% from the gross minimum basic salary per country.

“**The second chance**” (ADS) programmes are developed in order to offer the chance to finalize the compulsory education or to achieve a professional qualification to persons that exceed by

more than four years the appropriate school age and who have not graduated before the proper level of education.

“The second chance” programme – primary education aims to support children/ youth/ adults for recuperating the primary education, being opened to all those who have not finalized this level of studies and who have exceeded by at least 4 years the school age corresponding to the school class (Article 1 from Appendix no. 1 to *OMECTS no. 5248/31.08.2011*). There are two categories of persons that can benefit of educational services like these: those who have not covered any class of the primary education and those who have abandoned on the way and have exceeded the maximum legal age for re-registering in primary education. The number of necessary pupils (except some special situations, cases in which the number can be lower/ higher) to create such a class to such a form of education is minimum 12 and maximum 20 (Article 2(2)).

“The second chance” programme – secondary education aims to support persons aged over 14 who have not graduated this level, so they could complete and finalize the basic education within the compulsory education, as well as train for obtaining a professional qualification in a certain domain (Article 1, Appendix 3 to *OMECTS no. 5248/31.08.2011*). The classes can be created with a minimum number of 8 pupils and a maximum number of 15 pupils, excepting special situations that need modification of these numbers (Article 4 (1)).

In what concerns **access to education for Roma people**, a series of measures of positive discrimination are into effect for them, the most important being the special places assigned within high-school and universities and preventing and fighting school segregations (implemented at educational system level by *Order no.1540/19.07.2007 on forbidding school segregation for Roma children and approving the Methodology to prevent and eliminate school segregation for Roma children*). Thus, the order has as its objectives to **prevent, forbid and eliminate segregation**, seen as severe form of discrimination that carries negative consequences upon the children’s equal access to a quality education. In order to achieve these objectives, it is forbidden starting with 2007-2008 school year to form segregated 1st and 5th grades, having mostly or only Roma pupils (according to Article 1 (1 and 2)).

In regards to **stimulating participation to Lifelong Learning**, LEN no. 1/2011 introduces a new element that is the equivalent in lei of 500 Euros offered to each born Romanian citizen. Below we present extracts from Article 356 that stipulates the regulations in this direction:

“The State supports the right to lifelong learning by offering the equivalent in lei of 500 Euros, calculated on leu/Euro rate exchange communicated by The National Bank of Romania and valid on the date of payment, to each child Romanian citizen, at his/ her birth. The sum is offered with an educational goal for the account holder’s benefit, from the state budget, through the budget of the Minister of Labour, Family and Social Protection.

The sum is deposited in a bank account (account for permanent education) open at The State Treasury on child's behalf by any of his/her natural parents, by the assignee or by the child's legal representative, based on birth certificate.

The child's parents, tax payers, may direct to the afore-mentioned account a percentage of up to 2% from the value of the annual tax on the salary incomes, under the law provisions, and can deposit sums in this account.

The account holder is the only person that may requests sums from the account of permanent education, starting by the age of 16 and with the express approval, as the case might be, of the parents, tutor or legal representative. The State Treasury releases vouchers for the equivalent as value of the requested sums.”

II.3. The way to create laws or educational policies and how the strategies and programmes in this field are implemented, in order to guarantee the complete respect of the right to education, to ensure equal chances in education and to realize the objective of education for all as a priority of UNESCO

II.3.a. According to the **Romanian Constitution 2003**, laws are adopted by Parliament, while the general organisation of education is regulated through organic laws (Article 73 (3)(n)). The legislative initiative belongs, as the case might be, to the Government, deputies, senators or to at least 100.000 citizens with the right to vote (Article 74 (1)). The legislative proposals are debated in Parliament, and after being adopted are transmitted to the President to be promulgated. Before promulgating it, the President may ask the Parliament, only once, to re-examine the law, after that it will be promulgated in maximum 10 days since the adopted law was received after being re-examined (Article 77). Afterwards, the law is published in the Official Monitor of Romania and comes into force within 3 days since being published or on a later date foreseen in its text (Article 78). By the Government request or by its own initiative, the Parliament may adopt projects of laws or legislative proposals in emergency procedure, established according to the regulation of each Chamber (Article 76 (3)).

Before transmitting the Law of national education to the Parliament, the law project was submitted to public debate. Interested persons, professional associations, non-governmental organizations, unions etc. had the chance to comment and make suggestions to improve the law project. Thus, MECTS organized also a series of events, and meetings with various categories of target-audience.

MECTS elaborates and implements educational policies and national programmes, by Minister Orders or at Government level. These are, usually, submitted to a process of public consultation, the duration of the consultation being established by the Minister.

The law of national education (1/2011) foresees projecting, basing and implementing the national strategies in the field of education, with the consultation of teachers representative associations, parents associative representative structures, The Deans National Council,

associative structures of state, private and confessional universities and schools, The Council of the National Minorities, education representative unions, pupils representative associations, students representative associations, public administration authorities, business environment and financing non-governmental organizations that support educational programmes/federations of the social services suppliers (Article 14(1)).

II.3.b. Bodies that ensure respect of the right to education and equal chances in education:

- **The Minister of Education, Research, Youth and Sports** (the central authority that through the County School Inspectorates at local level, implements the principle of equal chances and gender in the educational system)
- **The Romanian Parliament** (supreme representative body of the Romanian people and the sole legislative authority of the country, with a role of controlling the executive power and the public authorities under its orders; it has the chance to exerts the preventive role by adopting laws without discriminatory provisions; it may improve the current legislation in what concerns equality of chances and gender);
- **The judicial power** (the role of judging cases of discrimination);
- **The Romanian Government** (elaborates, implements and controls strategies regarding equality of chances and gender, ensuring non-discrimination);
- **The local authorities** (local and county councils- with responsibilities in implementing the principle of equal chances at the local communities level);
- **The National Council for Fighting Discrimination** (founded by Article 16 from O.G. 137/2000, as state authority that guarantees respect and implementation of the principle of non-discrimination, elaborates and implements public policies regarding non-discrimination, prevents, mediates, investigates, ascertains and sanctions discrimination facts, monitors cases and offers specialized assistance to the victims);
- **The National Agency for Equal Chances between Women and Men** (founded based on law no. 202/2002 regarding equal chances and treatment between women and men);
- **The People's Advocate** (its organizing and functioning is regulated by Law no. 35/1997; it aims to defend the citizens' rights and freedoms in their relations with the public authorities);
- **The National Authority for Persons with Handicap (APNH)** (founded based on law no. 448/2006, it coordinates the activities of protection and promotion of right for persons with handicap, drafts policies, strategies and standards in the field to promote the rights of persons with handicap, ensures follow up of regulations put into force);
- **The General Directions of Social Assistance and Child Protection and the Public Service of Social Assistance** (coordinate the activities to protect and promote the child's rights, strategies and standards in the field of promoting the child's rights, ensures follow-up of regulations put into force);

- **The Department for Interethnic Relations** – a governmental structure that has as its mission to promote ethnical diversity in Romania through consolidating and enlarging the protection framework offered to multicultural society; initiates and develops programmes targeted to improve the system of protection for the national minorities, elaborates strategies for fighting against racism and xenophobia and supports the organizations active in this field;
- **The National Agency for Roma – ANR and the Romanian Government Strategy to improve the Roma situation** (ANR initiates, participates and promotes actions, projects and sectoral programmes, in order to improve Roma situations);
- **The Social Inspection** (functions by Government Decision no. 1059/2007 and took over the inspection duties and responsibilities from the National Authority for Persons with Handicap and from the National Authority regarding the Child’s Rights; it controls respect of the legal provisions regarding citizens’ equal and non-discriminatory access to social rights, informs the competent bodies if noticing violations of legal provisions, monitors complying of the legal provisions regarding access of persons with handicap. Also, it has the role to prevent and fight discrimination and to promote equality of chances and gender, equality in the entire system of social assistance, for the social inclusion of the vulnerable groups.

II.3.c. Strategies, plans, programmes that ensure respect of the right to education and equal chances in education

The national strategy to implement the measures of preventing and fighting discrimination (2007-2013)

- was drafted by The National Council for Fighting Discrimination;
- has as its goal to establish directions of action in the field of preventing and fighting discrimination and promotes interaction, equal chances, mutual understanding and respect;
- aims to build and consolidate an efficient national system for preventing discrimination, through establishing standards in the area of non-discrimination, supports cooperation with civil society, institutions of the central public and local administration, and mass-media so public functionaries acknowledge the discrimination effects; ensures the increase of the audience’s knowledge regarding the discrimination phenomenon;
- offers protection and remedy against discrimination; ensures equal chances of employment and profession as well as access and participation to public or private services targeted for the public at large.

The National Strategic Report for Social Protection and Social Inclusion

- is drafted by the Romanian Government in accordance with the specifications of the European Commission;
- aims to promote the integrated family policies for vulnerable groups;
- identifies instruments for an integrated approach on anti-discrimination and on equal chances between men and women;

- the evaluations shows that the vulnerable groups that benefited of support programmes between 2006 and 2008 were: youth coming from placement centres, youth with children in charge, families with children or new-formed families, persons with handicap, the elder, people without a home and victims of domestic violence.

II.3.d. Special measures taken in order to ensure an inclusive education (for example, take into account equity and gender equality in education) and to answer the need for education of the groups vulnerable and marginalised economically and socially

Special measures in order to ensure an inclusive education were taken through:

- **programmes with national character, targeted to various disadvantaged groups**, that have the role to support implementation of various strategies and directions of educational policy at the Romanian education system level:

- *Together in the same school programme* – the goal of the project was to enrol all the children in school corresponding to their residence. This step implied to create a policy coordinated at national level that monitors correlation of the legislation of all the institutions involved in education and child protection, developing some varied and efficient educational services, capable to cope with the needs of each child.
- *Access to education for the disadvantaged groups Phare RO programme* – the general objective is to support the implementation of MECT strategy to prevent and fight marginalization and social exclusion, through ensuring access to a quality education for all the disadvantaged groups. The main activities developed within the programme, in various stages of its development, aimed: to draft curricular materials for inclusive education; to develop „second chance”-type programmes for primary and secondary education; to train the education personnel (trainers, teachers, school mediators, managers at various levels of decision) in the field of inclusive education; to create an attractive school environment through refurbishing schools and equipping with adequate educational materials; to stimulate participation of the community to education through the development of centres of resources for inclusive education; to support the process of integrating children with CES in mass schools.
- *The project for early education reform (2007-2011)* – this project was co-financed by The Romanian Government and The Bank for Development of The Council of Europe and aimed to offer educational support for the children with special needs from very small ages (0-3 years) in order to facilitate integration in mass preschool education. In a complementary approach, the project would ensure complex and integrated interventions through: creating special spaces meant for the activities of these children in new kindergartens, as well as special paths of access for children with motor disabilities; including special courses about the specific aspects implied by activities for children with disabilities in modules of professional training for teachers; creating and supplying special materials and books meant for parents of children with disabilities.

- *The project for inclusive education (2007-2011)* – a project financed by The World Bank and The Romanian Government, component part of The Programme for Social Inclusion. The project aims to ensure equal access for children pertaining to disadvantaged and vulnerable groups (including children with special needs) to a quality early education. Among the components of this project there is also training of human resources through: developing training courses for the managers of the early education units on problems related to inclusive education, non-discrimination etc.; adapting the school schedule to the requests and needs of the community and the individual; efficient communication in a multicultural environment; developing training modules for teachers, assistance and medical personnel from the early education units in topics regarding the holistic approach of the child during early childhood (inclusive education, communication, active methods of learning, curricular adaptation etc.).

- **programmes of punctual intervention, developed in partnership** (ministers, national and international state institutions, NGOs etc.). A part of these programmes addressed the entire education system, having as goal **to promote the principle of inclusion at general level**, indirectly with impact on the issue of children with CES. Some examples:

- The programme on promoting the child's rights *We also have rights (2006)* – implemented by “Save the children” Organization at national level, had as its goal to prepare pupils and teachers from pre-university education to acknowledge, support and promote the child's rights. The project had direct impact at curriculum level, by the introduction in its framework of some optional courses on the topic of child's rights.
- *My rights are your rights* project (2006-2007) – This project was developed by Educatia 2000+ Centre and had as its main objective to initiate a campaign to implement in education the principle of non-discrimination (on ethnic, gender criteria etc.), focusing on the respect of human and child's rights. The project beneficiaries were pupils, teachers, parents, local authorities, representatives of the civil society at local level.

- **punctual programmes that aim well-defined target- groups** (children with disabilities) that have as priority objectives: to increase participation to various levels of education for the disadvantaged categories; to train human resources (pupils, teachers, parents, members of the community) involved in their education; to develop new structures with the role of promoting the inclusive education; to inform and sensitise various categories of population regarding different aspects of inclusive education. Some examples:

- Programmes of creating centres of information and intervention at national, regional and local level, in the field of social inclusion: *Centrul VOCE de Resurse RENINCO (2005-2008)* – with the role of informing, training and intervening in the field of inclusive education for youth with disabilities; *Save the children Centre for young volunteers (2000-2008)* – with the role of promoting the children's rights through projects and campaigns at national level.

- *Together for an inclusive education* project (2007-2008) – financed by The Open Society Foundation, the project had as its goal to promote inclusive education in Romania through extension and development of REI (the network of inclusive education) as a force of action to change mentality and attitude towards integration of children with disabilities in normal schools. The main target-groups were: teachers, specialists, parents, other organization and institutions that work with children with special educational requests.

III. Progresses achieved in implementing the rights to education

III.1. Primary education

The primary education benefitted during the last year of a series of programmes meant to offer more chances to the child's personal development and to facilitate the passage to secondary education:

- The Law of National Education 1/2011 introduced foundation class in compulsory education to ensure real equal chances (Article 23 (3)(b));
- the revised National Curriculum in what concerns the focus on child and forming key-competences;
- creating *Centres of Resources for Parents' Education* (with the support of UNICEF Representative in Romania, during 1992-2002); as part of this effort, educational programmes for parents were also developed and implemented by MECT, NGOs and local authorities.

III.1.1. Gratuity in primary education

In Romania, primary education is free and accessible to everybody. The gratuity of the primary education is guaranteed by Constitution (Article 32, al.4). The Constitution also foresees the possibility to offer social scholarships for study to children and youths coming from disadvantaged families or institutionalized, under the law provisions (Article 32, al 6), as well as the right of persons pertaining to national minorities to learn in their mother tongue (Article 32, al 2).

The **Law of national education no. 1/2011** also states aspects connected to gratuity and children's accessibility to educational system:

- state education is free. For some activities, levels, cycles and programmes of studies taxes can be charged, under conditions established by law (Article 9 (3));

- special and integrated special education is free and usually organized as full-time. According to the local needs, it can be organized under other forms too, in correspondence with the current legislation (Article 48 (2)) ;
- the state ensures equal rights of access for the Romanian citizens to all levels and forms of pre-university and higher education, as well as lifelong learning, with no form of discrimination (Article 2 (4)).

III.1.2. The strategies and programmes implemented to guarantee that “till 2015, all children, especially girls, children with problems and those pertaining to ethnic minorities, will have access to compulsory, free, quality primary education and will graduate it.

Policies that consider the issue of access to education had taken into account both educational and socio-economic factors:

- *The national plan against poverty and promoting the social inclusion (PNAinc) 2002-2012* - explicitly refers to Roma population, introducing proposals regarding the legal regulation of the house identity followed by measures in these areas: education, health, economic, houses (land for building houses and agriculture), changing the collective self- image and the public image of Roma population, fighting any kind of Roma discrimination and promoting a positive collective attitude.
- *The Decade of Roma inclusion 2005-2015* – the initiative materializes the cooperation efforts between state public institutions and non-governmental organizations that are active in this field. This initiative took the form of a document, conceived as an assumed political commitment at international level by the governments of nine states from the region. This strategy aims to significantly reduce, in ten years, the socio-economic gaps that separate the Roma population from the rest of the population. Education is one of the priority areas of action, having the following priorities: ensuring Roma access to compulsory education; improving quality education; implementing programmes of integration and desegregation; accessing extension to preschool education, towards tertiary education (university) and towards programmes for adult education.
- **The Law of national education no. 1/2011** foresees measures of social assistance for children and youths with special educational requests, enrolled in special or mass education units, including those enrolled in other county than that of residence, in order to ensure daily meal allowance, school materials, accommodation, clothes and shoes in equal quantum to the one for children from the child’s protection system, as well as free accommodation in boarding houses or assisting centres for children with special educational requests from the general county/ Bucharest departments for social assistance and child protection (Article 51 (2)). Also, as a measure of special protection, the orphan pupils, the pupils with special educational requests, as well as those institutionalized may benefit of gratuity for all the categories of transport stated at (1), during the entire calendar year (Article 84 (2)).

Strategies and programmes implemented in order to ensure access to compulsory primary education:

- *All in kindergarten, all in grade 1 strategic project* (2007-2013) – This project aims to increase access to education and the educational level of children from disadvantaged communities, mainly Roma. The project general objective is to prevent and correct early school drop-out for children aged 5-8, from 420 disadvantaged communities around the country, with a high weight of Roma. Starting with 2012, children aged 6 will benefit of this measure introduction.
- *School after school (SDS) programme* (2011) – This programme is stated in the Law of national education (no. 1/2011), taking into account extension of pupils' activities after classes. The programme goal for pupils from primary education is to offer: 1. activities with specialized support (supervision and guidance in doing homework, recuperation for pupils with cognitive, emotional, language difficulties through remedial activities, counselling, speech therapist etc.); 2. workshops/ themed activities and other leisure-like activities.
- *The project for rural education* – is a programme developed between 2003 and 2009, co-financed by The Romanian Government and The World Bank, implemented by MEC and ISE. The programme goal aimed to improve access to a quality education for pupils from the rural area and had the following components: increasing the quality of the teaching-learning activity in rural schools (continuous training of teachers through training activities developed in schools; ensuring optimal conditions for the school to function); improving relations between school and local community; strengthening the monitoring, evaluating capacity and that of drafting policies in the field of school participation

Strategies and programmes aiming to increase access to education, mainly for girls:

- *I and the other– in private life. Education for gender equality project* – This project was developed by Parteneriat pentru Egalitate Centre during 2002-2003, within Gender and Education Programme. The project had as objectives to promote education for gender equality among teachers, pupils and stakeholders from the field of education.
- *Pupils' participation, a way of living democracy project* (2005-2006) – This project aimed to create structures and mechanisms of participation for pupils at school level and to offer the pupils concrete opportunities to practice democratic participation. Also, it aimed to support the transformation of school in a democratic environment for study, characterized by a participative management, a flexible curricular offer and an organizational culture based on the principles of democracy and human rights.
- *The Global Campaign for Education- the 2011 edition-* This campaign aimed to bring to public attention the importance of accessing education for women and girls. The central concept of the edition was that of narration, the focus being of personal experiences of women for whom access to education or, on the contrary, the obstacles met in this area, represented decisive factors for their further personal and professional evolution.

- *The Global Campaign for Education- the 2012 edition*– This campaign aims to bring to public attention the importance of **Education and care for early childhood**. The central concept of this edition is that of **image – photographs, drawings** etc. –encouraging children’s active participation, and also that of adults in activities that will contribute to illustrating the childhood expectations– happy and healthy children, growing up in a safe environment.

Strategies and programmes that target disadvantaged ethnic groups:

- *The strategy of the Romanian Government to improve Roma situation 2001-2010* – promotes the following areas of intervention at the level of primary education: 1) developing programmes to stimulate school attendance and reduce school drop-out, mainly within the poor segments of the Roma population; 2) analysing the possibility to organize institutions of primary, secondary and professional education for Roma (with the role of training and professional reconversion); 3) introducing the topics of preventing and fighting against discrimination in the curriculum of the common trunk 4) stimulating access to education through ensuring a free meal for all pupils from primary and secondary cycle.
- *“The second chance for primary education” programme (2005-2006)* represented a MECT initiative. The programme had as goal to support children/youths/adults to recuperate primary education. In this programme persons could register if they exceeded by at least 4 years the school age corresponding to primary education and were in one of the following situations: they either did not attend any class from primary education, or abandoned on the way and exceeded the legal maximum age for re-registering in primary education.
- *The pilot- programme of intervention through the system Priority Areas of Education (Zonelor de Educație Prioritară- ZEP)*, initiated by the Institute of Education Sciences in cooperation with UNICEF Representative in Romania, during 2002-2007. This project was targeted for vulnerable groups of children, of age corresponding to primary and secondary education. The project addressed children with learning difficulties and those coming from disadvantaged environments from the socio-economic point of view, including Roma children. Along goals and activities developed with pupils at risk of school failure, ZEP project also proposed a set of interventions like „the second chance” for children who left the education system before graduating compulsory education. The targeted objectives were to ensure basic competences and increase the chances of access to secondary level education and of professional integration for the youths from this category.
- *Come to school! campaign (2011-2012)* – the campaign has as its general objective to increase school participation and reduce school drop-out by promoting community educational interventions based on adapting the Priority Areas of Education (ZEP) model in the disadvantaged communities with the highest rates of school drop-out. The implementation of this campaign has been done in 2011-2012 school year, by MECT, UNICEF, The Institute of Education Sciences (Institutul de Științe ale Educației- ISE),

Centrul de Resurse și Informații pentru Profesiuni Sociale (CRIPS), Holt Romania and Agenția de Dezvoltare Comunitară „Împreună”.

Strategies and programmes addressing persons with disabilities

These categories of strategies approach the problem of integration at the level of the entire economic and social system, representing a larger framework for specific actions of inclusion, in various areas, including also education. *The National Strategy for protection, integration and social inclusion for persons with handicap between 2006 - 2013 Equal chances for persons with handicap – towards a society with no discrimination* – the aim of the Strategy is to ensure the fundamental rights and freedoms to persons with handicap, in order to increase their life quality, through promoting their social integration as active citizens able to control their life. Among the objectives specific to the Strategy there are: increasing the employment degree for persons with handicap (effective early support, including the development of the education system from early age compared to the identified needs in order to increase the degree of social inclusion; involving the employers; improving the educational and professional training system; improving the support services for employment; creating support services for persons with handicap at the work place).

III.1.3. Difficulties met by the government in its effort to ensure universal access to free primary education

No matter the type of approach, the most important challenge assumed by the above mentioned strategies is the one of balanced allocation of resources between:

- the assistance policies with immediate effect on disadvantaged groups (mobilizing resources to facilitate access to education, financial assistance in school materials, school transport, aids for financially disadvantaged families, compensatory funds for persons with disabilities, from rural area etc.), that usually compensate the effects of severe poverty;
- difficulties regarding infrastructure and the coverage degree of the education units network, mainly in rural area or in isolated communities.

III.2. Secondary education

III.2.1. Accessibility and openness of secondary education, including technical and vocation education

In Romania, the entire secondary education is accessible and open to everybody. The access is ensured by The Law of National Education (LEN) no. 1/2011 that stipulates general basic principles to ensure equal rights of access to education and schooling, like:

- gratuity of state education, both at pre-university, and higher education level (Article 9(3));

- equal rights of access to all levels of education, *with no form of discrimination* (Article 2(4, 5));
- equal rights of access to all levels and form of pre-university and higher education, as well as to lifelong learning, with no form of discrimination (Article 2 (4));
- ensuring at home schooling/units of medical assistance for persons who cannot move (Article 25 (3));
- ensuring the rights of national minorities to study in their mother tongue, at all levels, types and forms of pre-university education, under the law provisions (Article 45 (1));
- ensuring the rights of persons with special requests or other types of educational requests to special and special integrated education, for all levels of education, differentiated, according to the type and degrees of deficiency (Article 48 (1 and 2));
- subsidizing the costs for high-school attendance for pupils coming from rural areas or from socio-economic disadvantaged groups, as well as for those attending vocational schools (Article 85 (2)).

M.E.C.T. Order no. 1529 / 18.07.2007 on *developing the diversity issue in national curriculum* states that:

- the curricular documents may include aspects referring to cultural diversity (ethnic, linguistic, religious etc.) for various school disciplines (Article 2(1));
- within *History*, the issue of history of all minorities from Romania will be approached for secondary education and high-school (Article 2(3));
- a consistent offer of optional courses for secondary education and high-school will be created at central level (History and traditions of minorities, Intercultural education) (Article 3);
- aspects referring to diversity/change will be done through adapting the instruments of evaluating the school books, that will foresee specific criteria (Article 4);
- materials necessary to train the teachers on the issue of cultural diversity will be created, as well as developing courses of multicultural and intercultural education (Article 5);

The Order of the Minister of Education no. 3621/13.04.2000 on *introduction of the European studies elements and of the European studies in schools, high-schools, universities* aims to introduce new contents regarding the perspectives, the organization and performance criteria practiced by the European Union and its institutions. Thus it targets to familiarize the pupils with the way the educational, economic, cultural, administrative and policy issues are approached by other European countries.

Introduction since 1998 of the **Curriculum on school decision** (CDS) as a specific type of curriculum is connected to the need of fitting the curricular offer to the school local needs, including also the pupils learning interests. The documents released by the Minister of Education in the field of CDS foresee both the possibility to use curricular offers approved at local level, and school programmes approved by minister order, promoted as curriculum central offer by school decision. The school programmes promoted as curriculum central offer by school decision:

- answer initiatives developed at European level;
- answers priorities underlined by order of the minister of education;
- represent examples of good practices, some of them being developed within pilot projects at national level; they are relevant both for the curricular area they belong to, and from the social point of view.

Examples of subjects of study included in the central offer by CDS and the year of their introduction in the teaching process:

- *Civic culture* for grades 5th and 6th (2003);
- *Education for health* (primary, secondary, high-school, 2004);
- *Economic education* (secondary, 2004);
- *Civic education* (high-school, 2004);
- *History of the Jews. The Holocaust* (high-school, 2005);
- *European education* (primary, 2006);
- *The human rights* (high-school, 2006);
- *Contemporary migrations – 20th and 21st centuries (talking with and about migrants) –* (high-school, 2006);
- *A history of communism from Romania* (high-school, 2008);
- *History of the Romanians on the south bank of the Danube* (high-school, 2009);
- *Intercultural education* (secondary, 2008; high-school, 2010);
- *Education for democracy* (high-school, 2010);
- *History of the national minorities from Romania* (high-school, 2008);
- *The Institutions of the European Union* (high-school, 2010);

III.2.2. Gratuity of secondary education

The entire state secondary education from Romania is free. There are no school taxes for pupils and they receive free school books. The **Law of National Education** foresees gratuity of state education, both at pre-university, and higher education levels (Article 9(3)) and ensures basic financing for all pre-schoolers and for all pupils from state, private and accredited confessional general compulsory education, and for state, private and confessional accredited vocational and high-school education, as well as for state post-high-school (Article 16 (3)).

III.2.3. Description of the achieved progress and difficulties met

Not all localities from Romania have school units for secondary education. That is why The Law on National Education (1/2011) ensures to:

- offer facilities/gratuities at transport, accommodation, meal level (Article 12(8); Article 85(1));
- reduce costs for the local transport for pupils or transport gratuity for children with special education needs, for orphans or for the institutionalised (Article 84);

- disburse transport costs for pupils who are not schooled in the locality of residence;
- subsidize the costs corresponding to high-school attendance for pupils coming from rural areas or from socio-economic disadvantaged groups, as well as for those attending vocational schools (Article 85 (2)).

To continue the progress in ensuring equal chances in education it was approved by **Government Decision** to subsidize costs corresponding to high-school attendance for high-school pupils from rural or urban areas coming from socio-economic disadvantaged groups, as well as costs for pupils who attend vocational education; the decision comes to force starting with September 10th 2012 (Article 17). The decision supports:

- regulation of subsidizing costs corresponding to high-school attendance for high-school pupils from rural or urban areas coming from socio-economic disadvantaged groups, as well as costs for pupils who attend vocational education;
- conferring “Gheorghe Sincai” scholarship for high-school pupils from disadvantaged environments, orphans or ill (Article 4);
- conferring “Constantin Brancusi” scholarship to all pupils who attend vocational education, and it consists of a monthly financial support (Article 6).

III.3. Higher education

III.3.1. Access to higher education according to individual capacities

In Romania, access to higher education is done according to individual capacities as provided by **The Law of National Education, no. 1/2011** through the following articles:

- in order to test the knowledge and the cognitive, respectively artistic or sportive capacities, and to admit in a study program for bachelor, master or doctorate degree, higher education institutions organize admittance exams for each program or study cycle (Article 199 (4));
- access to higher education is, from the legal point of view, universal for any person who holds a Matura diploma (Article 151 (1)).
- At admission to public or private higher education, for each cycle and programme of higher education, citizens of the states member of the European Union, of states part of the European Economic Space and of the Swiss Confederation can apply under the same conditions foreseen by the law for Romanian citizens, including also school taxes (Article 142 (4));
- In higher education there are not allowed discriminations on age, ethnicity, sex, social origin, political or religious orientation, sexual orientation criteria or other types of discrimination, except the affirmative measures envisaged by the law (Article 118 (2)).

III.3.2. Measures adopted by the government to ensure that no discrimination, due to reasons envisaged in the Convention, prevents access and graduation of the university studies, both in public and private institutions

The Romanian Government, by The Law of National Education, promotes a national system of higher education based on the principle of academic freedom, the principle of equity, the principle of respecting the rights and freedoms of students and academic personnel, the principle of independence from ideologies, religions and politic doctrines, the principle of freedom of national and international mobility for students, teachers and researchers (Article 118, al. 1, lit. a, e, h, i, j). Thus, in higher education there are not allowed discriminations on age, ethnicity, gender, social origin, political or religious orientation, sexual orientation criteria or any other types of discrimination, except the affirmative measures provided by law (Article 118 (2)).

At admission to public or private higher education, for each cycle and program of higher education, citizens of the states member of the European Union, of states part of the European Economic Space and of the Swiss Confederation can apply under the same conditions foreseen by the law for Romanian citizens, including also the school taxes (Article 142 (4)).

The national minorities have the right to university and post-university studies in their mother tongue (Article 135 (4)). In multilingual and multicultural universities, at least one of the deputy deans is appointed by proposal of teachers pertaining to the national minority from the department of the teaching area or line in one of the national minorities' language (Article 207 (5)(d)). For confessional universities, the election of persons in management positions is done with the approval of the founding cult (Article 207 (8)).

The students with physical disabilities have the right to access ways adapted to their needs, in all university spaces, as well as to conditions for normal development of academic, social and cultural activities within higher education institutions (Article 118 (3)).

The students coming from families with reduced incomes benefit of a system of bank loans to accomplish their studies, guaranteed by state, under the provisions of the current legislation, through the Agency of Study Credits and Scholarships. The loans can cover school taxes and cost of living for the study period (Article 204 (1)). A number of budget places are guaranteed for candidates coming from environments with high socio-economic risk or marginalized from the social point of view— Roma, graduates from rural high-schools or from towns with less than 10.000 inhabitants (Article 205 (6)).

Also, **The Government Act no. 789 from August 3rd 2011**, on *approval of the evaluation methodology in order to classify universities and rank the study programmes*, as well as **The Order of the Minister of Education, Research, Youth and Sports (OMECTS) no. 4174/2011** that establishes the list of indicators effectively used in the process of evaluation, introduced for the first time in the evaluation of the Romanian universities, criteria and indicators that measure the degree of the universities involvement in fighting discrimination and stimulate inclusion by ensuring access to higher education. Thus, we can illustrate, from OMECTS 4174/2011, by quoting some indicators under Standard “SS3. The social and cultural

involvement of the university”: I 2.9. Students from disadvantaged socio-economic environments, I 2.7. Grown-up students and I 2.8. Students with disabilities. These data were part of the assessment done at the level of the whole system of higher education.

A series of **projects financed through the Sectoral Operational Programme–Development of Human Resources (POS – DRU)** supports and finances activities of facilitating access and participation to higher education for the groups considered vulnerable.

III.4. Adult education and lifelong learning

III.4.1. Measures taken by the government in order to establish a system of permanent education, based on individual capacities, mainly, a basic education for those who were not registered in primary education or have not graduate primary education

The Minister of Education, Research, Youth and Sports has initiated in the last years a series of measures that aimed to draft a coherent strategy in the field of lifelong learning. At this moment there is a draft of the strategy that will be finalized and put to public debate till the end of 2012. The work group to draft *the lifelong learning strategy in Romania* agreed on the following strategic priorities regarding permanent education: integration of the approaches regarding lifelong learning in Romania; promoting the participation to lifelong learning; recognizing and validating non-formal and informal learning; orienting education and training towards the development of transversal competences at any age; modularization and access to flexible pathways of education and initial and continuous training; developing community centres of lifelong learning; reconciling the professional life with the family life and civic involvement.

These priorities have been taken over in the new law of education, in the chapter specially foreseen for permanent education. Also, at present the drafting of a specific methodology of implementing the law provisions is in work, where responsibilities, duties and financing mechanisms of the development measures for lifelong learning are mentioned.

Moreover, the new Law of national education launched on January the 10th 2011 puts to maximal use the principles of permanent education, regulates the general framework and establishes responsibilities in the field of permanent education in Romania. The law creates the context to finalize the process of drafting the strategy for permanent education in Romania and regulates new duties and responsibilities of the institutions with a role in the field of lifelong learning.

The principles of lifelong learning have also been included as priorities within other policy documents in the field of education, continuous training and employment: *The National Plan of Development 2007-2013* (PND), *The National Programme of Reforms* (PNR) and *The Sectoral Operational Programme for Human Resources Development* (POS DRU).

According to the law of education, the responsibilities for permanent education are divided between relevant ministers (MECTS, MMFPS, MCPN) but new responsibilities are also mentioned for governmental agencies, public institutions or non-governmental organisations.

Also, according to the new law the educational and professional pathways are diversified both through measures of reconfiguring the system of vocational education and through measures aiming to recognize the results of learning achieved in various contexts (formal, informal and non-formal) or creating the lifelong learning portfolio.

The future efforts of Romania will focus on identifying some mechanisms of efficient financing for these measures and on developing the monitoring capacity of the new measures provided by law.

III.4.2. Measures applied to guarantee equal access to basic education and to permanent education, thus answering the educational needs of all youths and grown-ups, eliminating illiteracy and ensuring equal access to adequate programmes that aim the acquisition of knowledge and competences necessary in current life

Both the Law of education and the strategy project in the field of lifelong learning aim a series of target groups, the focus being on the following groups with high risk of early school drop-out:

- the young and adults who have not finalized compulsory education;
- the youngsters who have left the educational system before obtaining a professional qualification and who are not included in any form of education or professional training;
- the graduates of non-vocational education or those who have graduated high-school or higher education studies in fields and qualifications redundant or irrelevant on labour market;
- the persons with special education requests;
- the youngsters and adults who return home after a period of working abroad;
- the youngsters and adults residing in communities disadvantaged economically and socially;
- the employees aged over 40 with a low level of education, residing in urban and rural areas, with reduced qualification or unqualified;
- the pupils with major risk of school failure.

The measures supporting persons who have left early the educational system request correlation of actions taken at institutional/school level with measures of fighting unfavourable socio-economic conditions. The adopted relevant measures aim:

- opportunities of re-entering the system for persons who have left education early, possible through: a) the development of programmes like “The second chance” that will offer to persons who exceeded the official school age, the possibility to recuperate the cognitive

acquisitions and the professional training; b) creating “The Community Centres for Lifelong Learning” foreseen to be founded by The Law of National Education;

- the existence, in school, of the school psychologist or counsellor who is to analyse difficult cases and to propose and develop programmes of intervention;
- assisting pupils from disadvantaged communities and developing social programmes in schools: hot meal, buying school materials, state allowance/ social scholarship.
- recognition of competences achieved in non-formal and informal contexts, in order to integrate the persons who have left early the education system, on labour market;
- developing a campaign at national level, to inform and sensitise the employees at risk on the labour market, regarding the benefits of continuous training at job and in the community.

III.5. Quality education

III.5.1. Measures to ensure quality education in all public institutions

Education of the same quality level and equal conditions regarding quality education are ensured in all public institutions, of the same degree by:

The Law of National Education 1/2011 that:

- is based on the quality principle, the activities from education being reported to standards of reference and to national and international good practices (Article 3(b)), on the principle of efficiency based on which it aims to obtain maximum educational results, through managing the existent resources (Article 3(d)), on the one of focusing education on its beneficiaries (Article 3 (p)) and on the principle of equal distributions of funds aimed for a quality pre-university education (Article 9 (1)(b));
- encourages and supports school and university performances by awarding study scholarships, prizes and other incentives to pupils and students (Article 12 (3 – 5));
- envisages founding school consortiums in order to ensure quality of education and optimize the resources management (Article 62);
- ensures drafting of the individual learning plans for pupils following their results obtained at the national assessments (Article 74 (2 - 4));
- ensures, through the duties of the school inspectorates, implementation of the legislation, monitoring the teaching-learning activities, respecting the national standards/ performance indicators and the quality assessment of management for the educational units and institutions (Article 95 (1)(b and c));
- foresees the annual presentation by the principal of the school unit of a report on the quality of education within the unit or institution he/ she is managing (Article 97 (2)(h));
- manages and ensures quality of the teaching action through the provisions on the duties of the teachers council (Article 98 (2)(a));

- foresees the universities grading and ranking of the study programmes on academic areas according to the assumed mission (of education or of research). The information resulted after the assessment, as well as the primary data declared by the universities, are public.

Law no. 87/2006 for the approval of the **Emergency Ordinance of the Government no. 75/2005** on *ensuring quality of education*, modified by OUG 102/2006 published in The Official Monitor, Part I no. 334 from 13.04.2006 ensures education quality and implementation of its provisions to all organizations supplying education that operates throughout Romania. This law establishes the conditions any public or private legal body, interested in supplying education, has to meet in order to be accredited, the activities comprised in the accreditation procedure and the rights of the authorized education supplier. At each Romanian organization supplying education level, it was imposed to found a commission for evaluating and ensuring quality (Article 11). The Law provides the development conditions to carry on higher education activities only within institutions of higher education authorized to function temporary or accredited and the sanctions foreseen for not respecting the conditions mentioned (Article 35 (2 and 3)). Also, it establishes the methodology to ensure the education quality, mentions the criteria aimed in the external evaluation of education quality and foresees the creation of The Romanian Agency for Ensuring Quality in Higher Education (ARACIS) and of The Romanian Agency for Ensuring Quality in Pre-university Education (ARACIP) as public institutions of national interest, under the orders of The Minister of Education and Research, with legal personality and its own budget of incomes and expenditures (Article 14 (1)).

ARACIP develops at present more strategic projects (*Support for school units in implementing the handbook of internal evaluation of education quality, Development of the quality culture and supplying a quality education in pre-university education system from Romania through implementing standards of reference*), both in the field of specific training, as in acknowledging standards and sensitising the public to quality education (The awareness campaign about the stage of quality culture and the right to a quality education). The preventive and technical aspects, of ensuring quality, are thus combined with the cultural and civic ones, ensuring the sustainability of the subsequent developments for these projects.

The following points emerge from the document issued by MECTS [Report on the State of the National System of Education](#) 2010:

- no gender disparities were found in pre-university education, at none of the existent levels, as well as no gender disparities in what concerns the functions of management, guidance and control;
- qualifications for teachers, in accordance with The Report on the State of Education, 2010, follows an increasing trend, reaching 95,4% in 2009-2010 academic year. However, pre-school education continues to have the highest weight of unqualified teachers, mainly in rural environment;

- specific programmes of qualifications for teachers, that targeted village schools, as well as specific programmes to improve teaching competences, developed at national level, lead to a decrease in the rural-urban disparities.

III.6. The teacher profession

III.6.1. The existence of discrimination cases regarding teachers training and measures to guarantee training for the teaching profession, without discrimination

There are no cases of discrimination in what concerns teachers training, as access to training, employment and progress in teaching career is done based on open competition, legally regulated:

- admission to the courses of initial training for the teaching profession is done based on an interview and a registration file, according to OMECTS no. 4316/2008;
- teachers from pre-university education have the right to participate to any type of training and organization of continuous improvement/ training foreseen in *The methodology of continuous training for the personnel from pre-university education* within the country or abroad (Article 2);
- the teachers from groups or classes with complete teaching in the national minorities language have the right to training and improvement in the teaching language, in the country or abroad (acc. The Law of National Education 1/2011, Article 45 (11));
- employment for the teaching positions is done through competition organized at the level of the educational unit with legal body; the competition is open, any person who meets the conditions provided by the law being allowed to apply (acc. The Law of National Education no. 1/2011, Articles 89-90);
- in higher education, the rights and duties of the teaching personnel are established by university Charter, the University Ethics Code, the individual employment contract and other legislative provisions; the academic freedom is guaranteed to members of the university community (The Law of National Education, no. 1/2011, Article 304).

III.6.2. The material situation of the teaching personnel, at all educational levels

The salaries of the education personnel are calculated according to the level of studies, seniority, teaching degree/scientific title, specific duties (like, bonus for head teachers).

In pre-university education, the salary of beginners is about 750 lei net, the equivalent of around 170 Euros (calculated at a medium exchange of 4.5 lei = 1 Euro, in August 2012), and the salary a teacher with the highest teaching degree may obtain, with the maximum bonus for seniority and other bonuses specific to the teaching profession may be around 2000 lei net, the equivalent of around 445 Euros, according to the methodological rules of applying Law no.

283/2011 (<http://salar.sitsco.com>). If a teacher with maximum seniority bonus, with the 1st teaching degree, bonus as head teacher benefits also of merit gradation or of bonus for special education, bonus for pedagogical practice or bonus for rural area, the net salary may reach approximately 2800 lei.

The difference between the salary when entering the system and the one when exiting is big, a fact with repercussion upon the structure of the teaching personnel (ageing of the personnel, high quota of leaving the profession in the first stage of the career etc.), on the motivation for the teaching career (low interest from the youths for the teaching profession) and, implicitly, on the quality of education.

In higher education, the salary of a beginner is approximately 1200 lei, and of a teacher with the highest scientific title (university professor), with maximum seniority bonus, doctoral leading etc. is around 4500-5000 lei.

Law no. 315/2006 on **stimulating the purchasing of books or educational programmes** on electronic support offered the teachers the equivalent of 100 Euros yearly, for purchasing books or educational materials. The law was abrogated by Law no. 118/2010 regarding measures to re-establish the budget balance.

By orders of the minister of education, yearly sums are established to be received by teachers who participate to organization and development of national exams. The presidents of the evaluation commissions receives between 100 and 160 Euros, according to the number of pupils registered in an exam centre, and the evaluating teachers are paid according to the number of the checked papers/ evaluated pupils.

III.6.3. How are the teachers treated, on the average, at each level of education, compared to other functionaries having an equivalent qualification?

The medium net salary in education was in May 2012 of 1316 lei (the medium gross salary being 1829 lei). The table below reflects the position of the education personnel, from the salary point of view, compared to the personnel having equivalent qualifications, from other sectors of activity (according to The National Institute of Statistics, The Monthly Statistics Newsletter, no. 5/2012):

The field of activity	The net medium salary in May 2012, in ROL
Research-development	2333
Public administration and defence, social insurances from the public system	1879
Education	1316
Health	1255

III.6.4. Measures foreseen to improve life conditions of the teaching personnel

Law no. 284/2011 on unitary salaries for the personnel paid from public funds stipulates uniform salaries for the teachers, but there are measures of financially rewarding teachers with very good results:

- merit gradation is obtained for five years, based on a competition organized at the county school inspectorates level and represents 25% from the basic salary (according to OMECTS no. 5486 from 29.09.2011);
- “Gheorghe Lazăr” diploma grades 1, 2, 3 represents an award of 20%, 15% and, respectively 10% from the basic salaries sum received in the last 12 months of activity;
- excellency diploma may be conferred to retired or about to retire teachers and it is accompanied by an award of 20% from the basic salaries sum received in the last 12 months of activity.

Other decisions regarding employment, motivation, evaluation, rewarding, disciplinary responsibility and teaching personnel dismissing are taken at the education unit level by the administration council (according to the Law of National Education no. 1/2011, Article 93).

To stimulate teachers to teach in rural areas, the allowance for isolated areas is conferred (Article 2, al. 3, and Appendix no. 5 from Law 63/2011). This is conferred to qualified teachers who develop their activity in rural areas or other isolated localities and represents 3-20% from the employment salary, according to the geographic area the teacher works in. The area and localities differentiation was approved by **H.G. no. 1613** from December 23rd 2009 on *unitary salaries of the personnel paid from public funds*.

Along with the allowance for isolated areas, if the case, the following can be conferred: bonus for pedagogical practice, bonus for simultaneously teaching, transitory indemnification, bonus for dangerous or baneful conditions, bonus for labour seniority.

III.7. Respecting human rights and the fundamental freedoms

(efforts put to create through education the complete development of human personality and consolidate the respect for human rights and fundamental freedoms)

Respecting human rights and fundamental freedoms is ensured by **The Law of National Education 1/2011**, through numerous articles already mentioned. Especially Article 1. guarantees the fundamental rights to lifelong learning in state, private and confessional education; lifelong learning includes all the activities of education realized by each person, starting with early education, in order to achieve knowledge, skills/abilities training and develop significant

aptitudes from the personal, civic, social and/or occupational perspective (Article 13). The right to a free, integral and harmonious development of the human individuality, in shaping the autonomous personality and in assuming a system of values that are necessary for personal fulfilment and development, for development of the entrepreneurial spirit, for citizens' active participation in society, for social inclusion and for employment, as well as access without discrimination to all forms and levels of education for Romanian citizens, of the European Union, The Swiss Confederation, minors requesting or having received a form of protection in Romania, the foreign minors and stateless minors whose residence on Romanian territory is official recognized are guaranteed by Article 2. The Law guarantees the right to cultural identity and to intercultural dialogue, to quality education, corresponding to the needs of personal and social-economic development, and ensures maintenance, development and expression of ethnic, cultural, linguistic and religious identity for persons pertaining to national minorities, the right to equal chances, academic freedom, freedom of thought and independence from ideologies, religious dogma and political doctrines (Article 3).

The parents have the right to be involved in the children's education, and the schools may sign an educational contract with them that states the mutual rights and obligations of the parties (Articles 3 and 86).

IPPE¹ project – *Construction d'indicateurs de la participation des parents dans l'enseignement obligatoire* (143672-LLP-1-2008-1-IP-KAI-KAISWCR 20089-3597/001-001) was initiated by Unesco Department, Università degli Studi di Bergamo (Italia) and was developed between 2009-2011. IPPE project had as objective to build a set of indicators to measure the parents' participation to school life, in European educational systems, using an approach to education based on human rights. The stated indicators refer to individual rights – the right to information regarding the progress of their children and the organization of the school system, in general, and of school, in special; the right to choose the school unit; the right to appeal, as well as the parents' collective rights, that is the parents' right to participate in the formal structures. The research was developed in 15 countries from Europe. The study and the observatory regarding the parents' participation in school life from the perspective of "citizens-indicators" constitute work instruments put at the authorities' disposal to facilitate coordination of public policies and management of educational systems (www.parentsparticipation.eu; www.leonardoippe.eu).

Pupils and students have the rights to education in the spirit of dignity, tolerance and respect of human rights and fundamental freedoms (Article 4 (e)), the right to opinion, total access to school decision and results through their regular and adequate communication (Article 3 (m)), to education for health, including through physical education and sports activities (Article 3(r)), of the pupil/student as direct beneficiary of the education system (Article 3 (u)) etc. The school may establish together with The Pupils National Council and with the representative governmental

¹ Institutul de Științe ale Educației (Romania) was part of IPPE Consortium, together with European Parents Association (Spain), OIDEL (Switzerland), Pro Dignitate – Fundação de Direitos Humanos (Portugal), Aberystwyth University (Great Britain) and Universidad de la Rioja (Spain)

and non-governmental organizations, its own statute that foresees pupils' rights and duties (Article 80).

Education for democratic citizenship and human rights is ensured in compulsory education by the national curriculum that includes:

- in the common trunk (compulsory subjects): Civic education (grades 3 and 4), Civic culture (grades 7 and 8);
- optional subjects relevant to forming social and civic competence (see section III.2.1).

III.8. Private education

III.8.1. The regulation framework applicable for:

a) founding or maintaining private education institutions

The regulation framework applicable for creating or maintaining private education, alternative or confessional is ensured by:

- **The Law of National Education no. 1/2011** that foresees:
 - the possibility to organize *private and confessional education* according to the non-profit principle in pre-university education unit, at all levels and forms. The criteria, standards and performance indicators these units have to fulfil are identical with those state education units have to fulfil. Pre-university private and confessional education units are authorized and accredited according to the current legislation, and those accredited are supported by the state (Article 60 (1, 2, 4, 5, 6));
 - support and coordination by the state of the private and confessional education, under the law provisions, respecting completely its rights. Private education units are free and autonomous from the organisational, economic and financial points of view. They are based on private property, guaranteed by the Romanian Constitution. (Article 60 (3));
 - appointment of principals for private education units by the founding legal body of the respective unit and notification to the school inspectorate regarding the naming act (Article 60 (7));
 - specifications on initiating and organizing within Romanian pre-university education system, with MECTS approval, of *educational alternatives* (Article 59, al. 1). The units of alternative education have organizational and functional autonomy, according to the alternative specific. Their accreditation/ periodic evaluation is done according to the law. The groups / classes / units of alternative education are open to all citizens from the country and can be organized in Romanian, in languages of national minorities or in languages of international usage (Article 59 (2 – 5));
 - ensuring the rights of persons pertaining to national minorities to study in the mother tongue, at all levels, types and forms of pre-university education, under the provisions of the law (Article 45 (1));

- parents' chance to request organization of groups, classes or units of pre-university education with teaching in the national minorities languages (Article 45 (2)).
- **The Minister Order no. 5571** on approval of *The Regulation of organization and functioning of alternative pre-university education* published in The Official Monitor of Romania no. 782 from 3.11.2011, that foresees:
 - constituting The *National Commission of Educational Alternatives, Regulation of Organization and Functioning of Alternative Pre-university Education (C.N.A.E.)* and stating its duties;
 - creating groups/ classes/ structures of alternative education within pre-university education units according to the criteria met: expressing in written the options of parents/ tutors legally constituted, ensuring competent and trained teachers for the requested educational alternative, approval from the administration council of the education unit, approval from C.N.A.E., approval of the group/ class/ structure from the administration council of school inspectorates, by including them in the project of the school plan for pre-university education (Article 12 (a – e));
 - ensuring a specific minimum endowment, foreseen in the regulation on organizing and functioning of each educational alternative, in order to create groups/ classes/ structures/ units of alternative education (Article 13).

Institutul de Stiinte ale Educatiei drafted in 2011 a study named *Crossing bridges between traditional education and the one based on alternative pedagogic models in Romanian education system*, that offers:

- an updated data base regarding alternative education in Romania;
- information about the legal framework of educational pluralism;
- data about evolution in the last decade of educational alternatives (the position of educational alternatives in the school offer, training and improving the teachers, opinions of teachers and parents regarding educational alternatives, transfer situations in and towards alternative education).

The offer of the educational system is materialized in **six educational alternatives** (Waldorf, Curative pedagogy, Step by Step, Montessori, Freinet, Jena Plan), from which only two alternatives cover the entire schooling period in pre-university education (Waldorf and Curative pedagogy), offering children chances of continuity in their educational pathway.

b) parents' choice also when creating and maintaining, from religious or linguistic reasons, separated education systems or institutions, that was adopted to ensure equal chances and treatment in regards to education

The Romanian Constitution stipulates the parents' right to ensure, according to their own beliefs, the education of minor children they are responsible of (Article 24 (6)).

The Law of National Education, no. 1/2011 foresees the possibility of founding private or confessional education institutions with resources and by the initiative of a foundation or association, of a religious cult officially recognized or of any other legal body of private right. These institutions have to undertake the same stages of authorization and accreditation as other education institutions, according to the current primary and secondary legislation, to be periodically evaluated based on the evaluation methodology for the institutional authorization and accreditation (Articles 227 and 228). The universities evaluation is done according to the same methodology, no matter their form of property or confessional orientation. At present, in Romania two confessional universities and over 70 private universities are functioning, legally accredited with full rights.

Law no. 489/2006 on *religious freedom and the general regime of the cults* regulates:

- the exclusive rights of the parents or tutors to opt for the religious education of minor children, according to their own beliefs (Article 3 (1));
- the right of the cults to found and administrate education units for training the cult personnel, Religion teachers, as well as other specialists necessary for the religious activity of each cult, under the law provisions (Article 33 (1));
- the right of each cult to establish the form, level, number and schooling plan for its own education institutions, under the law provisions (Article 33 (2));
- the right of the recognized cults to found and administrate confessional education forms of all levels, profiles and specializations, under the law provisions (Article 39 (1)).

III.9. Religious and moral education

III.9.1. Measures applied to ensure a minimum level of education taking into account the rights of parents or legal tutors, in what concerns religious and moral education of their children and the choice of the education institutions, according to the Convention provisions

In order to ensure a minimum level of education taking into account the rights of parents or legal tutors in what concerns religious and moral education of their children and the choice of education institutions, there are articles provided by the national Constitution and The Law of National Education.

The national Constitution (2003) ensures:

- freedom of religious beliefs, nobody can be constraint to adopt an opinion or to adhere to a religious belief, contrary to his/ her beliefs (Article 29 (1));
- freedom of the religious cults that are organized according to their own statutes, under the law provisions (Article 29 (3));

- autonomy of religious cults from the state and its support, including facilitating religious assistance in the army, hospitals, prisons, sanatoriums/shelters and orphanages. (Article 29, (5));
- parents' and tutors' right to ensure, according to their own beliefs, the education of minor children they are responsible of (Article 29 (6));
- freedom of religious education, according to the specific requests of each cult. In state schools, religious education is organized and guaranteed by law (Article 32 (7));
- freedom of person to develop his/ her own spirituality and to thrive to values of national and universal culture (Article 33 (2)).

The Law of National Education 1/2011 foresees to:

- guarantee education based on the principle of equity, guarantee cultural identity, recognise and guarantee rights of persons pertaining to national minorities, the right to maintain, develop and express their ethnic, cultural, linguistic and religious identity, the principle of freedom of thought and independence against ideologies, religious dogma and political doctrines, the principle of social inclusion, the principle of organizing the confessional education according to the specific requests of each recognized cult (Article 3);
- ensure education in the spirit of dignity, tolerance and respect of human rights and fundamental freedoms, cultivate sensitiveness towards human issue, towards moral-civic values and respect for nature and natural, social and cultural environment (Article 4);
- ensure the constitutional right for all children to participate to Religion class, according to their own confession (Article 18, al.1) or not to attend Religion class (Article 18 (2));
- ensure Religion being taught only by qualified teaching personnel (Article 18 (3));
- financial support and coordination of accredited private and confessional education (Article 60, Article 64 (8, 9));
- ensure the same rights and duties for Religion teachers;
- forbid activities that violates morality norms, activities that endanger the health and the physical or psychic integrity of children, youth, teaching, auxiliary teaching and non-teaching personnel, as well as activities of political nature and of religious proselytism (Article 7);
- the fact that Religion has the same opportunities as other subjects within The National Curriculum Framework (school competitions, extracurricular activities, teachers have the same rights and duties etc.).

The updated Government Ordinance no. 137/2000 on *preventing and sanctioning all forms of discrimination*, republished in The Official Monitor no. 99 from 8.02.2007 foresees implementing the principle of equality among citizens, excluding privileges and discrimination by exerting the right to freedom of thought, consciousness and religion (Article 1 (2)(d)(vii)).

Law no. 489/2006 on *religious freedom and the general regime of cults* that guarantees:

- the right of every person to have or adopt a religion, to manifest it individually or collectively, in public or in private, by practices and rituals specific to the cult, including religious education, as well as freedom to maintain or change the religious belief (Article 2 (1));
- the exclusive right of parents/tutors to opt for the religious education of the minor children, according to their own beliefs (Article 3 (1));
- the right of the child aged 16 years and over to change his/ her religion (Article 3 (2));
- the right of the cults to ensure teaching Religion in state or private education, to appoint teaching personnel for Religion in state schools or, in the case of serious misbehaviours, to withdraw its approval (Article 32 (1 – 3));
- the pupils' right to prove the study of their own religion with a certificate from the cult they belong to, in case the school management cannot ensure Religion teachers that belong to the cult they are part of (Article 32 (4));
- the cults right of founding and managing education units for training Religion teachers as well as establishing the form, the level, the number and the school plan for their own education institutions (Article 33 (1, 2));
- the cults right to draft education plans and curricula for pre-university theological education and the curricula for teaching Religion, as well as the right to approve the education plans and curricula for higher education (Article 34 (1, 2));
- the right of the teaching personnel from the theological education units from state education to be recognized by The Minister of Education (Article 35);
- the right of children from placement centres organized by public, private or cult institutions to benefit of religious education according to their religious pertaining (Article 36 (1));
- the recognized cults right to create and manage forms of confessional education of all levels, profiles and specializations that will be financially supported by state (Article 39 (1, 3));
- the right of confessional education units to organizational and functioning autonomy according to their statutes and canons, in compliance with the legal provisions of the national education system (Article 39 (4));
- the pupils or students' right to enrol in confessional education, no matter the religion or confession, guaranteeing their religious education freedom, corresponding to their own religion or confession (Article 39 (5)).

III.10. Rights of national minorities

III.10.1. How the right of national minorities to develop educational activities that are their own is protected?

The right of national minorities to develop educational activities is protected by the Romanian Constitution (the right of persons pertaining to national minorities to learn their mother tongue- Article 32 (3) and by The Law of National Education (Articles 45 and 46 – the children pertaining to national minorities have the right to study in their mother tongue, at all levels, types and forms of pre-university education, according to the law; the children and the youngsters pertaining to national minorities benefit of elements of positive discrimination meant to increase the chances of school success, for example the increased quota for calculating the standard cost per pupil/ pre-schooler, taking into account teaching in the national minority language or teaching the national minority language).

Between the academic years 2006-2011, Romania ensured:

- education with teaching in the mother tongues for the Hungarian, German, Ukrainian, Slovak, Roma, Serbian, Croatian and Czech minorities;
- study of the mother tongue for Hungarian, German, Ukrainian, Slovak, Roma, Serbian, Croatian and Czech, Turkish, Russian, Polish, Bulgarian, Greek and Italian minority.

III.10.2. Relative legislative² and governmental measures at educational level, in institutions managed by minorities. The provided information has to refer to the linguistic aspect, mainly to the existence of education in pupils' mother tongue and to learning languages, provided in education policy

One priority for The Minister of Education, Research, Youth and Sports in the context of reforms between 2004 and 2008 was „**Promotion and good use of the cultural diversity in education**”³. For this objective, the following have been undertaken:

- developing *training activities for teachers* both at national and local level, as well as extra-school activities and community development foreseen in the county components within PHARE 2003 and PHARE 2004 projects „*Access to education for disadvantaged groups*”;
- in the revised plan (in June 2005) of *Roma Inclusion Decade*, the minister aimed to value and maintain the Roma cultural heritage by introducing the topics of **prevention and fight against discrimination** in the common trunk of the school curriculum. Thus, some chapters from certain school curricula recommends to cultivate interethnic, intercultural exchanges and relations;
- development of *Teaching history and democratic citizenship in Romania* project. The actions aimed training History teachers (100 teachers participated to the organized training

² **Data from D.R.T. and M.E.C.T.S.**

³ The Romanian Government, *Report over accomplishing the provisions of the 2005 – 2008 governing programme* , 2008 (www.guv.ro)

programmes) in the context of democratic citizenship, publishing educational materials, comments of historic sources, and ways of implementing democratic values in schools. Also The National Society of History Teachers – CLIO was created;

- continuing *The European dimension in teaching history* project, financed by The Council of Europe, in which a research has been developed for collecting historical data, creating a CDs collection regarding the European historical sources and publishing a handbook for teachers teaching Europe history;
- continuing education on *Holocaust issue*, through delivering auxiliary materials in schools, organizing school contests and starting training courses for teachers, in the country and abroad;
- participation of the minister, as partner, to projects with external financing that promote inter-culture and diversity in education (partnership with organizations like Amare Rromenza and Romani CRISS);
- participation to *The image of the other in teaching history* programme financed by the Council of Europe, that was developed between 2006 and 2009 with two components: *The impact of Islam in the European society* and *Controversial aspects in the image of the other*; the project would be finalized with a teacher's book.

In 2007, at the proposal of the State Secretary for education in the national minorities language and for relations with the Parliament, two important documents were approved: **The order of the Minister of Education no. 1528/ July 2007** on *promotion of diversity in education* and **The Order of Minister no. 1540/ July 2007** on *forbidding school segregation of Roma children* and approval of the Methodology for preventing and eliminating discrimination. Both were transmitted to county school inspectorates, in order to be implemented.

In 2008 – 2009 school year, the national minorities that benefitted of *educational units with teaching in their mother tongue* were the Hungarian, German, Ukrainian, Serbian, Slovak, Czech, Croatian, Bulgarian, Roma and Italian. At the request of the Italian community, within *Dante Alighieri* bilingual theoretical high-school from Bucharest the first class with teaching Italian as mother tongue was founded in 2007. In 2008-2009 school year there were two classes with teaching Italian as mother tongue– the 5th and the 6th – along with classes in intensive Italian (as modern language).

In April 2008, by **The Order of the Minister of Education no. 3774**, the first *school curriculum for intercultural education* from Romania was approved, meant for an optional course for majority and minority pupils from secondary school, a course held in Romanian. The curriculum was proposed by the *National Centre for Curriculum and Evaluation in Pre-university Education*, being centred on pupil as subject of the teaching-learning process.

Measures of MECTS in cooperation NGOs and other institutions

- **Contests, projects, programmes, campaigns** (2006 – 2011) focused on the issue of fighting against discrimination in the field of education:

- **School Olympics** (up to the national stage) financed by MECTS for: Hungarian mother tongue, Hungarian language and literature, German mother tongue, Slovak mother tongue, Ukrainian mother tongue, Romani mother tongue, Turkish mother tongue, Russian mother tongue, Serbian mother tongue, Czech mother tongue, Croatian mother tongue. Between 2006 and 2011 10 school Olympics took place for pupils pertaining to national minorities.
- **national contests** financed by MECTS. In 2011-2012 school year 19 national contests were organized for the Hungarian minority (the contest for Hungarian language and culture, literature, spelling, reciting, Mathematics, History, Theatre, interdisciplinary, Sports etc.), for Roma minority (the national school contest on Roma history and traditions, “Ștefan Fuli” competition of literary creation in Romani etc.) and the national school contest „Diversity” (annual, January– December: 290 persons in the final stage, 900 persons in the mass stage). Also, we mention that all national minorities participate to activities connected to fight against discrimination organized in schools, at local level, but also at county level.
- **summer kindergartens** previous to the 1st grade, after the model offered by “All in kindergartens! All in the 1st class!” strategic mega-programme. In 2010 and 2011, 8400 Roma children benefitted of this programme. The programme was thought as a „second chance” for children aged between 5 and 8, who had never attended kindergarten. The programme was developed in 420 disadvantaged communities (approximately 10 localities from each county) and was initiated by MECTS, having as partner Ruhama Foundation from Oradea.
- **courses of school recuperation** like „The second chance” (annual, around 5000-7000 teenagers, youngsters and adults, from which 60% Roma).
- **SDS national programmes** and of supporting high-school pupils, according to the new Law of National Education no. 1/2011;
- **distinct places for Roma children at high-school admission** for various specializations (annual, between 2800 – 3400 pupils from the 9th grade are admitted on such places);
- **distinct places for young Roma at university admission** (from 420 annual places- in 2005, 2006, 2007 - in the academic year 2009-2010 492 distinct places were given and occupied by young Roma, at 2010-2011 admission 555 places were foreseen, while for admission in 2010-2011 academic year- a number of 611 places, at all state universities).

The national curriculum added within *Man and society* curricular area the following disciplines: *Intercultural education* (at secondary level) and *History of national minorities* (at high-school level), that can be studied optionally at various grades according to the school offer. For both disciplines, in 2008, school curriculum was drafted by specialists of the Institute of Educational Sciences. These were based on the Order of the Minister of Education no. 1528/18.07.2007 on promoting diversity in education, The white book of intercultural dialogue was adopted by The Council of Europe in May 2008, as well as the Recommendation of the

Council of Europe no. 15/ 2001 on teaching history. From 2008 there is also a handbook for teachers that teach *History of national minorities*. This auxiliary material was drafted in cooperation with DRI within *The European Year of Intercultural Dialogue* campaign.

University centres throughout the country introduced courses of initial training for students or master and doctoral courses for professionals in the field of intercultural education. Such courses are held mainly at faculties of pedagogy, psychology, educational sciences, sociology and others. The most well-known are those from Iași, Timișoara, Cluj, Bucharest (UNESCO Department for Intercultural and Inter-religious Exchanges), Sibiu Universities.

The NGOs that promoted the rights of persons pertaining to national minorities have chosen intercultural education as favourite topic. Among these the following have developed successful and innovative projects: The Intercultural Institute Timișoara, The Centre of Resources and Ethnic-cultural Diversity (Cluj), *Divers* Association (Tg. Mureș), PER Regional Centre (Bucharest and Tg. Mureș), *Educația 2000+* Centre (Bucharest), *Pro Europa* League (Tg. Mureș), *Prosper* ASE Association (Bucharest), Euro Ed (Iași), the branch of AIESEC Romania student association etc.

The Department for Interethnic Relations (DRI) is a component of The Romanian Government and supports intercultural programmes, organizes events in the multiethnic areas of Romania like: educational programmes, contests for pupils, seminars, conferences, training sessions for pupils, teachers and journalists, documentary films about Roma issues, book fairs, inter-ministries work reunions, cultural and academic manifestations etc.

The objectives of these programmes were the following:

- promoting education as essential element of supporting diversity and intercultural dialogue under all its aspects;
- the central role of media in promoting the principle of equality and mutual understanding;
- development of attitudes of respect for ethnic, cultural and religious diversity;
- training and practicing the abilities of intercultural communication and connection, in order to prepare the participants to actively take part to social life, as well as their professional training;
- understanding the importance of accepting linguistic and opinions diversity;
- acquisition of new knowledge and practising critical thinking.

DRI realized activities like:

- **Teachers training** to include the intercultural component in teaching humanities like history and civic education; to observe the close connection between education for democratic citizenship and intercultural education, as well as preparing the curriculum for *Intercultural education* optional course for secondary school (approved by Order no. 3774/ 22.04.2008 of The Minister of Education).

- This document aims to positively value the Romanian cultural diversity by the young ones. It structures around the following **integrator topics**: origin and settlement of minorities on the Romanian territory, the identity elements, history of minorities and the evolution of relations with other communities, contribution to general and local patrimony, and mutual perceptions in collective imaginary.
- *Intercultural education and democratic citizenship in schools workshop* (August 10 – 15 2008) was organized in cooperation with The Intercultural Institute from Timișoara and the Project on Ethnic Relations Regional Centre. Here, the authors, representatives of school inspectorates, teachers and specialized NGOs debated the new **curriculum** in order to extract practical conclusions referring to teaching in schools *Intercultural educations* optional course.
- *The European year of intercultural dialogue campaign* was managed by The European Commission. The Romanian participation to the campaign was coordinated by the Consultancy Centre for European Cultural Programme and was reflected in the web page www.dialog2008.ro, connected to www.dialog2008.eu. In this campaign, DRI together with British Council Romania, The French Institute, The Information Bureau of The European Parliament, The Intercultural Institute from Timișoara, The Resources Centre for Ethno-cultural Diversity, PER Regional Centre, *Educația 2000+* Centre developed projects in the area of non-formal, but also formal education.

DRI cooperated with the Secretariat of the *European Charter of Regional or Minority Languages* within the Council of Europe, with the Representative of the European Commission at Bucharest, with the Information Bureau of the Council of Europe at Bucharest, with MECTS, with the Consultancy Centre for European Cultural Programmes, with the Institute for Studying the Problems of National Minorities, with the *Project on Ethnic Relations* Regional Centre, with the Resources Centre for Ethno-cultural Diversity, with the Intercultural Institute from Timișoara, with members of the academic community from Romania etc.

IV. Means used to sensitise various foreign authorities on these instruments and to eliminate the encountered obstacles. Short evaluation upon the efficacy of the means used and the main challenges to ensure equal chances in education

Up to now, there has not been prepared a detailed evaluation of the efficacy of measures from this area. The main areas of intervention through which the current obstacles can be surpassed and that can make possible the development of an integrated strategy of information are:

- identifying the main categories of stakeholders/authorities and the needs of information from the Convention/Recommendation perspective;
- developing relevant contents starting from the results of the needs analysis, adapted to the characteristics of various institutional stakeholders;
- identifying the main channels and means of informing that can be used in this area;
- identifying public institutions at national, county and local level with direct responsibilities in promoting the strategy, its monitoring and evolution;
- identifying the necessary resources and the various financing sources.

Among the most important challenges the education system is facing at present in order to promote equal chances in education are the following:

- lack of statistical data regarding characteristics of various categories of children and youngsters at risk of exclusion and of assistance needs;
- insufficient cooperation of institutions with the responsible in collecting and analyzing statistic data relevant for identifying the main categories of beneficiaries of education and training system at risk of being excluded;
- lack of impact reports to indicate the efficacy and the efficiency of the current measures of support for pupils vulnerable categories;
- lack of resources to implement integrated measures of support for pupils' vulnerable categories, mainly in what concerns the contributions of the local authorities;
- insufficient valuing/promotion of interventions with impact on children and youth at risk of exclusion and of the success conditions;
- insufficient base of relevant statistical data for policies that promote equal chances.

The main areas of intervention so obstacles might be overcome are:

- elaborating non-discrimination messages, starting from the needs identified within some relevant surveys (i.e. Opinion barometer);
- developing a strategic partnership between authorities in the field of education and representatives of mass-media;
- developing training programmes at the level of county school inspectorates for the personnel with responsibilities in communication and information;

- initiating/supporting national sensitising campaigns, in partnership with non-governmental stakeholders, to promote non-discrimination messages with the help of complex channels of communication: radio-TV campaigns, written press, on-line campaigns, caravans etc.
- promoting successful programmes and projects that support non-discrimination principles at local level.

Actions meant to sensitise the public on non-discrimination principles and equal chances in what concerns education established by the Convention and the Recommendation. Activities of The National Commission in order to promote the Convention/Recommendation and determine a debate on determinant issues regarding the rights expressed in these instruments.

- Activities connected to the *Day of Non-violence in School*;
- *Mother Tongue Day*– at Unirii 1 underground station, pupils had banners with the advice "My language is humanity" in Romanian, Romani, Turkish, Hungarian, Arab, Hindu, Chinese etc.;
- *The International Child Day - 20.11.2011* – an artistic festival was organized at the Children's Palace where Romanian, Roma and other minorities pupils presented dances and songs in their mother tongue, in the presence of representatives of The National Commission of Fighting against Discrimination, IROO, relevant non-governmental organisation, pupils and teachers, and parents also;
- *Tolerance Martisor*- with the participation of pupils and teachers from Bucharest, took place at the Ceremonies Hall of the Minister of Administration and Internal Affairs, in joint organization of CNR UNESCO and MAI;
- *"Let's learn to live together" workshop*, September 4-7 2012, Bucharest, based on knowledge of cultural, confessional diversity and ways of diminishing acts of physical or language violence.

BIBLIOGRAFIE SELECTIVA

Balica, M., Fartușnic, C., Horga, I. et ali. (2004). *Perspective asupra dimensiunii de gen în educație*. Institutul de Științe ale Educației, UNICEF, Bucharest: Editura MarLink

Cuciureanu, M. (2011). *Puncte de trecere între învățământul tradițional și cel bazat pe modele pedagogice alternative în sistemul românesc de învățământ*, I.S.E., Bucharest.

The Romanian Government, (2008). *Report on fulfilling the provisions of the 2005 – 2008 government programme*.

Harda, Ș.I., Ionescu, M., (2006). *Deceniul de Incluziune a Romilor 2005-2015*, Bucharest, the Romanian Government and the National Agency for Roma.

Jigău, M. (coord.), (2006). *Program pilot de intervenție prin sistemul Zone Prioritare de Educație*, Buzău, Ed. Alpha MDN.

MECTS, (2010). *Report on the national education system*, Bucharest.

*** *The Global Campaign for Education – the 2011 edition*

*** *The Global Campaign for Education – the 2012 edition*

*** *Come to school! campaign (2011-2012)*

*** *The Decade of Roma inclusion 2005-2015*

*** *Istoria minorităților naționale din România*, Editura Didactică și Pedagogică R.A., 2008, a collective work initiated by Asociația Divers and coordinated by a group of historians.

*** *The Methodology for organizing “The second chance for primary education” programme*

*** *The National Plan against Poverty and Promoting Social Inclusion (PNAinc) 2002-2012*

*** *“The second chance for primary education” programme” (2005-2006)*

*** *The Programme of social inclusion in Romania (2005)*

*** *The pilot programme of intervention through the Priority Area for Education (ZEP) system (2002-2007)*

*** *School after school programme (SDS)*

*** *I and the Other – in private life. Education for gender equality project (2002-2003)*

*** *Pupils participation, a way of living democracy (2005-2006)*

*** *“All in kindergarten, all in grade 1” strategic project (2007-2013)*

*** *The Strategy of the Romanian Government to improve the Roma condition 2001-2010*

*** *The National Strategy for protection, integration and social inclusion for persons with handicap between 2006 and 2013*

The Romanian Constitution, 2003

The Law of National Education no.1 / 2011

Law 272/ 2004 on protection and promotion of the child's rights published in The Official Monitor, Part I no. 557 from 23/06/2004.

Law 202/2002 on equal chances between women and men published in The Official Monitor Part I no. 301 from 8.05.2002.

Law no. 116/2002 on preventing and fighting social marginalisation published in The Official Monitor, Part I no. 193 from 21.03.2002.

Law no. 489/2006 on religious freedom and the general regime of cults published in The Official Monitor, Part I no. 11 from 08.01.2007.

Law no. 122/2006 on asylum in Romania published in The Official Monitor, Part I no. 428 from 18/05/2006.

Law 87/2006 on approval of The Emergency Government Ordinance no. 75/2005 on ensuring quality education, modified by OUG 102/2006, published in The Official Monitor, Part I no. 334 from 13/04/2006.

NOTE no. 30159/17.02.2012

The Government Ordinance no. 137/2000 updated on preventing and sanctioning all forms of discrimination, republished in The Official Monitor no. 99 from 8.02.2007.

THE ORDER no. 5571 from October 7, 2011 on approval of The Regulation of organizing and functioning of the alternative pre-university education

THE ORDER no. 5349 from September 7, 2011 on approval of Methodology to organize "School after school" programme

THE ORDER on changing OMECTS 4072/2011 to approve the procedure of collecting data and information in order to evaluate universities and study programmes to classify universities and rank the study programmes

Selective websites:

www.anr.gov.ro

www.cedu.ro

www.cdep.ro

www.edu.ro

www.salavaticopii.ro

www.tehne.ro

www.unicef.ro