

APPROACH OF ALBANIAN NON-PUBLIC EDUCATION WITH THE EUROPEAN ONE

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Abstract

The education system faces the challenges of a new philosophy of life, free market economy and European integration of our country, where the European standards achievement faces the delicate problems that require solutions. In present and future developments, reforms in preuniversity education, carry with them the trend of internal development, with the aim to integrate the Albanian society in regional and European developments. An important achievement in the field of democratization of institutions of education is the expansion of non-public education. Democratic development of our country opened up new prospects for private education, education that is most associated with the country's economic prospects, which means young people are prepared according to the needs of the market. The challenge that we have to face in the transition period is to adopt the functioning of economic and social life on the basis of the mechanism of market institutions and western democracy requires that public and nonpublic education to be developed, consolidated and follow the trend of western countries education.

Keywords: Private, education, system, Albania, Europe

The purpose of the study

- The purpose of this study is to compare the private preuniversity education systems in European countries with the private preuniversity education system in Albania.
- Comparison will consist in areas such as legislation for the opening and operation of institutions of private preuniversity education, the distribution of students in classes, demands for staff, state control, requirements for curriculum, class size, support for families in need, etc.

Introduction

Developments of non-public education in Albania after 90s

Democratic changes of the 90s brought to the Ministry of Education and Science the demand for the restoration of non-public education, presenting first requirements for creation of this new alternative in education. In the absence of legislation to regulate relations between education governing bodies and private entities, (religious communities, associations, foundations, individuals and legal entities), it is operated on agreement between the two parties. The first legal regulation became law on 21.06.1995, "*On preuniversity education system*". While on the Albanian Constitution is written: "*Pupils and students can be educated in private schools of all levels, which are created and operate under the law*"⁷⁰. Initially, in the years 1990-1995, the new education alternative was embraced by religious communities, associations and foundations, legal foreign persons, who founded the Medrese. After the 1998-1999, this option came to be seen as interesting for local persons, a trend which took place even more after 2000. This development is related to the development of education policy itself, illustrated by legal framework for private preuniversity education, which has gradually changed and is reinforced with the relevant legal acts.

The responsible bodies for private preuniversity educational institutions are the Council of Ministers, Ministry of Education and Sports, Ministry of Social Welfare and Youth and institutions under the ministry, where we can mention local educational units (Departments of Regional Education, Education Offices and Employment Centres). Ministry of Education and Sports is represented locally by local educational offices, which are established by the Council of Ministers. Local educational units are educational departments, at the regional level, and education offices at the district level, which are responsible for the operation of educational institutions within its jurisdiction⁷¹.

There are a number of laws, decisions and guidelines for the licensing and operation of private institutions. The most important are:

- Article 57, point 6 of the Constitution of the Republic of Albania.
- Law No.7952 dated 21.06.1995 "*On preuniversity education system*", amended by Law no. 8387, dated 30.07.1998, "On some amendments to the Law No.7952, dated 21.06.1995, "*On preuniversity education system*" and the decision of Council of Ministers no.358, dated 26.05.2009 "*On licenses and permits handled by or through the National*

⁷⁰ Albanian Constitution, Article 57, point 6.

⁷¹ Article 30, "*Local educational units*" points 1, 2, 3, Law no . 69/2012 "On preuniversity education system in the Republic of Albania".

Licensing Center and a few other common laws” amended and Licensing shall be according to the provisions Law no. 10081 dated 23.02.2009 “On licenses, authorizations and permits in the Republic of Albania”.

- Council of Ministers Decision no 248, dated 28.05.1999 "On the criteria for granting operating permits for private preuniversity educational institutions and additional private preuniversity educational institutions, where students learn religious subjects or foreign languages".
- Guideline no 33 dated 11.01.2010 "On the criteria and procedures for the review of applications for licensing private educational institutions and additional private preuniversity educational institutions.”
- Law no. 69/2012 "On preuniversity education system in the Republic of Albania".
- Guideline no. 6, dated 14.03.2003, of the Ministry of Education and Science and the Ministry of Labour and Social Affairs *"On the registration of preuniversity education institutions”*.
- Guideline no.1590, dated 04.08.2008, of the Ministry of Labour and Social Affairs *"On licensing procedures of entities that perform activities on professional training”*.

Terms to open a private school

The party which requires to open a private school applies to the Ministry of Education and Sports. The party can have the permission to open a private school only when programs, curricula and conditions of their implementation do not contradict national interests, with the Albanian legislation, public order, moral standards and hygiene, when providing conditions necessary along with the necessary teaching staff⁷². Along with this they must have a suitable school building, equipped with teaching materials, have the appropriate curricula for the proper level and suitable teaching staff⁷³. When requiring permission to open a private school for religious subjects or foreign languages, Albanian language and literature, the history of the Albanian nation and the geography of Albania are compulsorily taught in Albanian language⁷⁴. Upon application, the applying entity must meet the criteria and the following documentation:

Selfdeclaration form.

- Technical documentation.
- Based on Guideline no. 33 dated 11. 01. 2010, the head I, point 4, *Criteria for granting a license*, must meet the normative standards to function as educational institutions.

⁷² Law no . 8387, dated 30.07.1998, For preuniversity education system, Article 44, point 2

⁷³ Law no . 8387, dated 30.07.1998, For preuniversity education system, Article 46.

⁷⁴ Law no . 8387, dated 30.07.1998, For preuniversity education system, Article 44, point 3

Requirements to be met by the teaching staff

Entities requiring permission to open private educational institutions, must prove that they have the relevant education teaching personnel with the appropriate qualifications and must provide the necessary teaching staff. This means that teachers must have a minimum of appropriate education for the subject they cover. Staff engaged in teaching becomes evident in the Ministry of Education and Science and the respective Regional Education Directorate or the Education Office. For private schools, whose programs are identical to those of public schools, teachers should be liable and possess the qualifications the same as public school teachers. No less than 60 % of the teaching staff should be employed full time.

State control over private education

Ministry of Education and Science through the Department of Inspection and its educational bodies in districts, periodically checks the secular learning process private schools, verifying the implementation of the requirements of the curriculum plan approved by them. The competent control authorities based on the guideline, no. 33 dated 11.01.2010, head II, point 2, "*The obligations of the private preuniversity educational institution and private complementary preuniversity education institution to the Ministry of Education and Science*", check the documentation that should be in the custody of them, (registers of students, alphabetical index, statistics on the number of students and teachers, etc.).

The financing of private education

Financing of private pre-university educational institutions is made by the subject who creates the activity and supported by parents of students or from donors.⁷⁵ Ministry of Education and Science supports financially, according to possibilities and programs approved, local private educational institutions, which are nonprofit and have at least five years operating as private institutions. According to criteria established by the Council of Ministers, financial support for private schools is differentiated according to their ranking in the national basic education exams or state graduation, as well as international contests or tests. Under this section, point 2, private schools use financial support only for excellent students in national and international activities. From 2009 a modest fund is provided by the Albanian government for pre-university institutions established by religious

⁷⁵ Law no. 69/2012 "*On pre-university education system in the Republic of Albania*", article 39 "*Financial support for private pre-university education*".

communities to assist in the payment of teachers, provided by Law no. 10140 dated 15.05.2009, Article 4.⁷⁶

Private pre-university educational institutions and private additional pre-university educational institutions are licensed by given tariffs. Fees of enrollment in Albanian private schools vary by educational level they offer, conditions of the building, the quality of education, additional conditions and location.

To support families in need there is no special program, excluding the case of textbooks for compulsory education.

The recognition of curricula and training

In accordance with Albanian law, the curriculum used in private schools in most cases is the same as that of public schools. There is an exception for schools that offer religious courses and some foreign schools whose curriculum has also courses in foreign languages, but even in these cases, they are controlled and approved by the relevant state bodies.

Organization of exams and certificates issued to students

Organization of exams in private schools coincides with the state examinations and assessment system follows the same criteria and models as in public schools.

Movement of teachers from public to private sector

Based on the relevant legislation, teachers can move from public to private sector and vice versa, or to work simultaneously on both systems. In cases where teachers work in both systems at the same time they have to declare and pay additional quota of social and health insurance for the salary stated in the private sector.

Chart no. 1 represents the number of pre-university education institutions open from 1995 until 2012.

⁷⁶ Law no. 10140 dated 15.05.2009, Article 4 : "The state finances religious communities for salaries of teachers of preschool education institutions, pre-university and university, owned directly or through non-profit organization created and administered by religious communities, and they are approved by the Ministry responsible for education and/or the Council of Ministers". This contribution generally covers about 5 % of the costs.

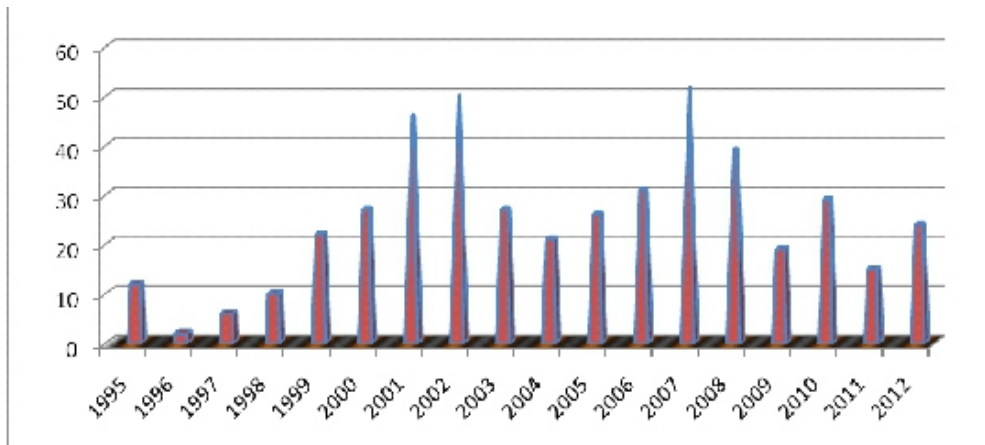


Chart no. 1. Number of licensed institutions

Development of private education in European countries

According to the report of Eurydice, private education after 2000 has undergone numerous changes in European countries. Given the relationship that have the private with public education in European countries, they can be grouped into three groups. The *first* group includes countries such as Britain and Greece where private schools do not receive public funding. However, this is not an obstacle for the country to have the right of control over private educational institutions. In the UK some private institutions receive funding from churches. The *second* group includes countries like France, Italy and Portugal where there are different types of contracts, which establish a link between private schools and public authorities. The *third* group includes the majority of European countries, where the financial support of private schools has many elements in common with public schools. In Belgium, Denmark, Germany, Spain, Ireland, Luxembourg, Austria, Finland and Sweden private education is not funded either partially or fully, but operates more or less under the same conditions as the public one. In the Netherlands, financial equality between public and private institutions is a constitutional right.

The financing of private education in European countries

According to Eurydice in Europe, 2005, at least 80% of educational expenditure (all levels of combined education) is covered by the public budget. In private institutions, which receive little or no funding by the public authorities, take payment fee by parents, which sometimes is very high. In countries where private institutions are financially supported almost as much as public schools, private education is free. However, in most countries parents voluntarily contribute to the cost of education. In contrast,

in some countries, private institutions charge fees even though they are financed by the state, but the fee levels are limited. In Greece, Italy and Britain there is no private schools at the level of compulsory education that receive financial support from public authorities. Most of the schools, owned by churches or trustees (England, Wales and Northern Ireland) are financed from public funds as part of the public education sector.

In all European countries, more than 90% of students attend primary and secondary schools on public institutions sector. Public authorities finance most of students on compulsory education. Public education sector is prevalent in all countries except Belgium and the Netherlands. While in Greece, Spain, France, Ireland, Italy and the UK in along the students attending public or private institutions receiving public funds, there is a small percentage of students attending private institutions that do not receive public funds. In Greece, Italy and the UK, this percentage is higher than 5-6%. In half of the European countries (Belgium, Spain, Ireland, the Netherlands, Austria, Portugal and Finland) in most cases, public authorities cover staff salaries. Operative expenses in private schools, in most cases also is covered by the public authorities as it is done for the public schools (Belgium, Germany, Spain, Netherlands, Portugal).

The differentiation between public and private education is further complicated by public schools that have autonomy in financial matters. Some European schools have the authority to seek funding. Only schools in Greece, France, Luxembourg, Finland, Iceland and Norway do not have full autonomy in this area. In general European schools can not receive credits. This can be accomplished only in the Flemish Community of Belgium, Netherlands, Italy, Bulgaria and Romania. When it comes to using private funds some educational systems allow schools to get goods for everyday operating services and employ non-teaching staff (within the limits of private funds available to them). Some educational systems do not allow schools to do this.

Private educational institutions in Europe differ from each - other by the amount of funding they receive from the state. Those who receive more than 50% of the funds are considered that receive aid and those who receive less than 50% of the funds are considered that do not receive funding from the state. In 15 European countries, the law allows private schools to be established, but it is not always clearly defined, but implicit in the constitution as the right of choice and freedom of education. In Spain, France, Ireland and the Netherlands is the state obligation to provide funding to private education institutions, offering compulsory education for students. In other countries, possibilities for public funds of private schools are not defined in constitutional law, but are given at various legal provisions. In Greece, Austria and Portugal basic legislative structure is run by private-

sector specific legislation. In Germany it is the state that regulates private education, through specific laws for public and private schools.

Conditions for establishing private schools

Almost in all European countries the government controls the establishment of private educational institutions through legislation and the conditions defined for the standards of compulsory education. In most European countries, the establishment of private schools is done with the approval of the decree of the schools, where a minimum of basic conditions should be met for the compulsory education of students. The conditions of private schools that receive public funds should match or be higher than those on public schools. The approval is taken before the opening of school, which can be temporary or permanent, depending on the assessment of control. This authorization may be canceled when the school does not comply one or more of the conditions, (such practices are applied in countries like Denmark, Spain, Italy, Luxembourg).

The second set of requirements for opening a private school, adhere to the physical conditions in which learning takes place. These requirements relate to : buildings, equipment, health, safety and the number of students in class. In most European countries, standards for buildings, equipment, health and safety are fundamental when opening a private school. On the other hand, the number of children is taken into consideration. In some countries, a condition for opening a private school, which receives funding from the state requires a minimal of students. This case is in Denmark, Ireland, Netherlands and Sweden.

The most important requirement to be met for opening a private school is connected with its contents. Although in many European countries the freedom to education is set to constitutional principles, in some countries it is the state that sets basic targets and objectives of students attending compulsory education. Countries that do more specific agreement dealing with the curriculum are Belgium, Greece, Spain and Ireland. In Belgium and Luxembourg minimum curriculum is set by the state. This factor constitutes the main focus of the review of the request by the government regarding the approval of the establishment of the school and its continued activity.

Requirements for teaching staff

In all European countries two requirements are emphasized regarding academic staff at private schools : *a)* professionalism and academic qualifications and *b)* good moral character and law abiding. The first category of requests is related to the teaching and management staff of schools, with individuals and organizations that established the school. For all European countries the most important thing is the preparation of

academic staff, specifying that teachers should have scientific qualification, psychological and methodical in accordance with the level of education. These are similar to those of the public sector.

Control of the state

In European countries the operation of private educational institutions, at the level of compulsory education, is controlled by the state through legislation and inspection. In all countries and in all kinds of schools the control is held over the standards of teaching staff and teaching methods. Denmark is the only country that differs in respect to this. Control is also very widespread over buildings, equipment, health and safety. Private schools that have greater similarity to public schools or which enjoy a greater level of public financial support, compared to others, are subject to control. In many European countries the financial management is controlled by the state only there where the state gives funds such as: Belgium, Spain, France, Luxembourg, Netherlands, Portugal and England. While the limit of the number of students, the maximum or minimum is designated in many countries as a condition for the creation of a new school which is monitored regularly. However, in countries where inspection is carried out by government bodies it has two deviations from the rule. Thus, in the Netherlands inspectorate has semi-autonomous status of self-government, with maximum autonomy and without being affected by the Ministry of Education. On the other hand, in England (for schools that do not receive funding from the state) the monitoring is carried out by an independent non-governmental agency.

Equivalence of curriculum and qualification

In Greece, Spain, Ireland, Luxembourg, the Netherlands, Finland, Sweden and UK curricula of primary and secondary school of private sector are the same as the public schools. In specific cases, obligations relating to private educational plan are limited. Thus, in Spain it means they have only the minimum curriculum. In Germany, private schools must pursue the same objectives and have a level of education similar to that of public sector schools, but are not limited to the same curriculum. In most countries, regardless of the sector where teachers work, they receive a salary that is the same or comparable. In some countries the level of salary of teachers depends on the sector in which they teach. Thus in Spain and usually in Italy teachers in the private sector have a lower salary than those in the public sector. In Greece, the minimum wage in the private sector teachers is the same as those of the public sector, but sometimes can be even higher than that of teachers in the public sector.

Organization of exams

At the end of compulsory education (or first six years in the system with one structure) in most European countries, students do not receive a certificate, compulsory education continues as second education (last three years of secondary education in the system with one structure). Belgium, Greece and Italy the students receive a certificate at the end of secondary school. In these countries the certificate is the sole responsibility of the institution. The organization and evaluation leading to the certificate belongs to each institution, in the public and in private sector as well.

Conclusion

By comparing the current Albanian private education and European countries shows that:

- There are differences in percentages. In European countries this education takes 10 % in Albania, 8 %.
- In European countries we have private schools that receive funds from the state, while in Albania state finances religious communities for salaries of teachers on preschool education institutions, pre-university and university, a contribution that covers only 5% of expenditure. According to possibilities and programs approved, Ministry of Education and Science supports financially private educational institutions, which are nonprofit and have at least five years operating as private institutions. According to criteria established by the Council of Ministers, financial support for private schools is differentiated according to their ranking in the national basic education exams or state graduation, as well as international contests or tests. Private schools use only financial support for excellent students in national and international activities.
- European legislation obliges the state to ensure or provide public funding for the private sector. Albanian state law supports only public schools.
- The difference is obvious in the number of students. In some European countries there is a certain limited number of students as a condition to operate as a private school. In Albania there is no such condition.
- As for the state control, the basic difference is on the fact that in some European countries the financial control is done over private schools that receive public funding
- The financial support of private education with public funds constitutes the fundamental difference of private education comparing European countries and Albania.

Recommendations

- A better financial support of the state for non-public education is a necessity. This is because not only is the alternative that brings progress, but also as a way to increase the standards that this option offers.
- The recognition and implementation of the world practices, where the state not only require anything, but rather supports private schools up to 80% of costs. It would constitute a valuable contribution in terms not only of improving the quality of service, but also the progress of these schools.
- Albanian legislation must guarantee the support of private education with funding for given levels and criteria. The state should guarantee non-discrimination of students in pre-university education on benefitting from public funds, regardless where they attend this education in public or private sector. For this reason it is necessary to amend the existing legislation on pre-university education.
- Possible improvements of the Law "On pre-university education", concerning the functioning of private institutions as well as taking measures for administrative violations against managers or administrators of non-public educational institutions, including opening them without permission.
- On the other hand the state has obligations towards private education to encourage, sponsore and ensure fiscal incentives, because of the responsibility and obligation of the state to children and students in each category and type of education is exactly the same and equal.

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