

Part 4

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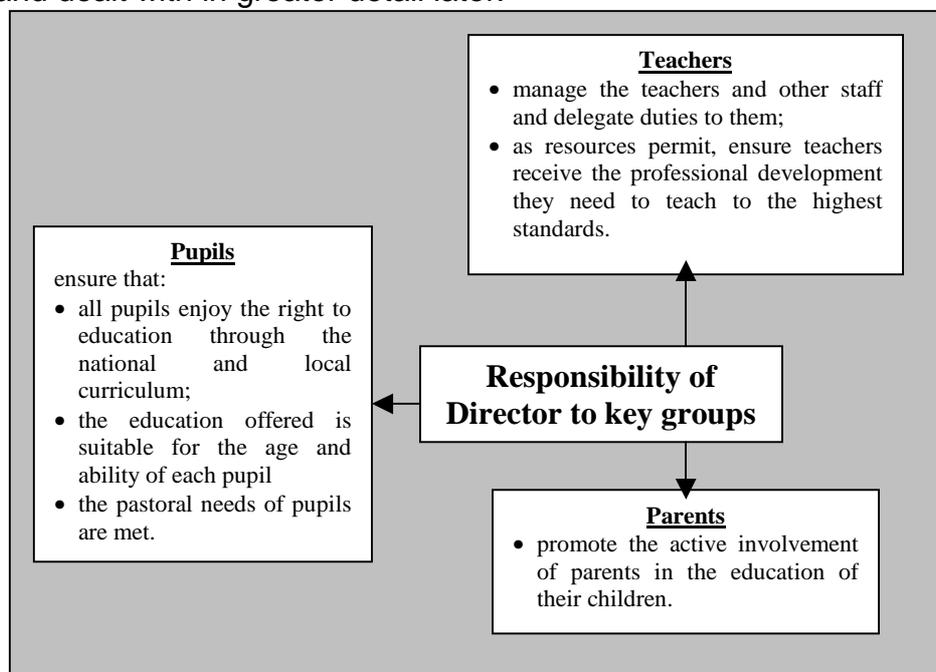
1. School Directors*

a. Main roles of the Director

The quality of education in any country stands or falls on the work of the school. High standards are set and maintained through the interaction of teachers and pupils in the classrooms. The Director is the main professional in the school and is the day-to-day manager, but a successful school requires a Director to work as part of a team. Subject to the law and decisions of the Ministry, Municipality or School Board, the main roles of the Director are to:

- lead and offer vision to the school;
- promote high quality education, seeking continuously to improve standards;
- promote and monitor the achievement of equality of opportunity for all, including girls, members of minority communities and pupils with special educational needs;
- create a positive spirit in the school which encourages mutual respect, hard work and a growing sense of responsibility among the pupils;
- act as champion of the school in the community; and
- marshal the financial and other resources of the school effectively and efficiently to meet its educational aims.

The general responsibilities of the Director to the key players in schools - pupils, parents and teachers - are summarised in the diagram on the next page and dealt with in greater detail later.



* Notes

In this part of the handbook, the footnotes refer to the appropriate section of the Regulation on Primary and Secondary Education in Kosovo, referred to as 'the law'.
The term 'parents' includes guardians of children.

School Development Plan

One of the first tasks of a head teacher is to begin consultations on drafting a school development plan. This should set out the aims and objectives of the school within the context of the law and official curriculum; identify any long-term needs such as buildings or major equipment, decide on priorities according to the resources available. The draft plan should set targets for education and administration in the school, including timetables for necessary improvements; these targets should be sufficiently high to challenge the school, but not so high as to be out of reach.

The draft plan should be discussed with parents, teachers, ancillary staff, pupils, representatives of the local community and particularly the School Board. Once approved, the Director should regularly refer to the development plan to ensure it is being achieved and recommend corrective action in the event of any shortfall in meeting the aims, objectives and targets. The plan should be reviewed annually as part of the process of ensuring continuous improvement in the work of the school.

EMIS Returns

The Director should ensure that the EMIS data (See Part 2, Section 6) are collected, checked and returned to the Ministry each April and October. Copies should be given to the School Board and back-up copies retained, including paper copies.

b. Staff Management

The Director is responsible for promoting the welfare of teachers and other staff and should ensure that working conditions are conducive to high quality work. She/he must ensure that staff have clear terms and conditions of employment and that all agreements and regulations on pay, hours and working conditions are followed. She/he should have an open door in cases where teachers and other staff, or their trade union representatives, have complaints and should seek to put them right informally before it is necessary to resort to the grievance procedure.

In managing teachers and other staff, the Director will lead by example and offer a role model for others. The Director is involved in the appointment of teachers and other staff in her/his school¹ and should ensure they receive the induction, training and support needed to contribute fully to raising educational standards in the school. She/he is responsible for coordinating their work, ensuring that it is purposeful and meets the aims and objectives of the school.

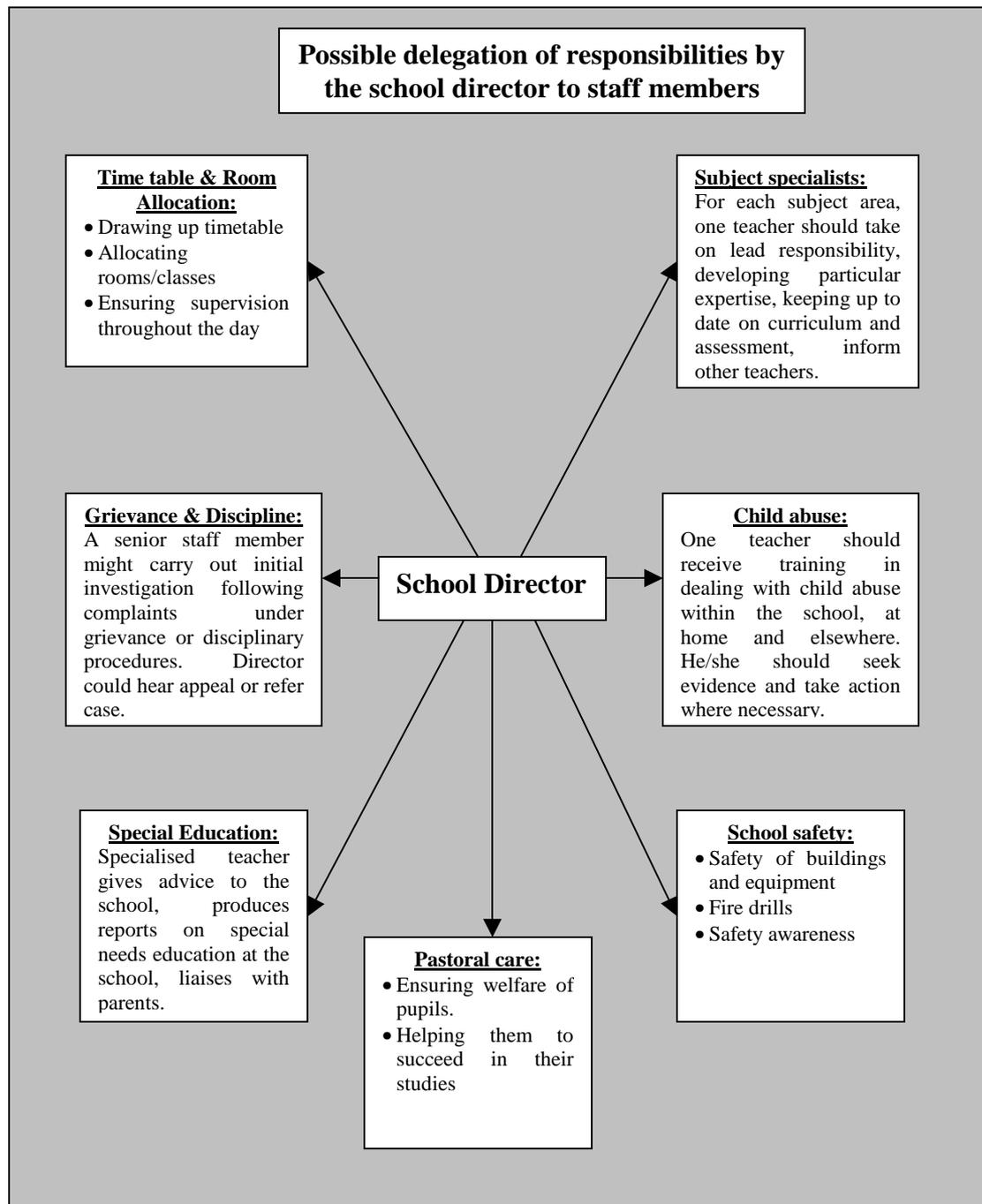
Delegation

It is important for the Director to recognise the expertise and leadership qualities of teachers and other staff and to give them extra responsibility. In delegating responsibilities and tasks, the Director must recognise that she/he remains accountable to the EDO, Municipality and School Board for the

¹ Section 28.5

proper running of the school. It will be necessary, therefore, to have procedures to ensure acceptable standards.

A Director must appoint a deputy Director, whose duties include important managerial functions within the school and replacing her/him when absent.² Each school will also have a technical manager with tasks such as cleaning the school building and maintaining equipment and supplies. The Director should consider the following areas of work as particularly suitable for delegation to the deputy or other members of staff:



² Section 24.1.6

Monitoring Performance

The Director must ensure that all staff recognise the importance of their role and encourage them in their work. As the leading professional, the Director should pay regular visits to classrooms and give teachers the benefit of his/her advice and experience in a sensitive and confidential manner. In cases where teachers or other staff consistently perform at an unacceptable standard, despite advice, support and professional development over a period of time, the Director needs to invoke appropriate procedures for dismissal.

Grievance and Disciplinary Procedures

At an early stage, the Director should ensure that policies and procedures are drawn up to cover:

- complaints by staff against other staff or against the Director (grievance procedure);
- staff discipline, in cases where allegation are made of misbehaviour or inadequate performance by a member of staff (disciplinary procedure).

These policies and procedures should be written in accordance with any directives from the Ministry or Municipality, following consultation within the school and discussion by the School Board. They should be in accordance with the principles of natural justice e.g. anybody investigating a complaint should be independent of the parties involved and there should be a system of appeal to a person or body who was not involved in the original investigation.

c. Pedagogical Management

General

High educational standards require everyone in the school to work together, supported by the national curriculum, the EDO, Municipality and the law. The Director plays a crucial role and must:

- create and maintain the expectation among parents, teachers and pupils of high standards and seek to raise them continuously;
- emphasise that high educational standards require high standards of behaviour and discipline, hard work and regular attendance at school;
- ensure that the school is seen to promote mutual respect for people from all communities, to encourage diversity and to oppose discrimination;
- ensure that the contribution of pupils is respected and that they develop the skills and confidence to become independent learners;
- maintain close contact with parents and involve them in the education of their children;
- keep in contact with local business and community leaders so as to win public support for the work of the school and to help motivate the pupils.

Curriculum Management

A central role of the Director is to organise and implement the curriculum, taking account of the legal requirement for teaching to be adapted to the abilities and aptitudes of the individual pupil.³

In addition to the national curriculum, the principal is responsible for proposing the school-based curriculum. She/he should consult teachers and the local community on this school-based curriculum and must consult the School Board. The school-based curriculum requires the approval of the Ministry on the recommendation of the Senior Education Officer.⁴

A Director should keep teachers informed of all relevant changes in either the national or school-based curriculum. She/he should ensure that all documents from the Ministry on the curriculum, assessment, text books or other pedagogical issues are passed on to relevant teachers.

The Director or a very senior member of staff, such as deputy-Director, must ensure that all aspects of the curriculum are covered, with particular emphasis on the basic skills of literacy and numeracy, especially in primary schools. This includes the assessment of the curriculum, so as to identify and correct weaknesses, as well as monitoring the teaching and curriculum planning of teachers and their general ability to motivate the class;

d. Special Educational Needs

Municipalities have a duty to provide special education for pupils who cannot benefit satisfactorily from ordinary tuition. Schools play the key role in this process. See Part 3 Section 5.

e. Extra-Curricular Activities

Extra-curricular activities, such as sport and non-athletic school clubs, support the school's educational work and help offer pupils a well-rounded school experience. Co-operation and teamwork are among the benefits for pupils, and schools should encourage pupils to participate in clubs that are offered.

Unlike most school activities, which are decided by the Director, it is the School Board that decides on extra-curricular activities.⁵ However it must take account of the duty of the Municipality, in co-operation with the EDO, to promote social policy and public health objectives through curricular and extra-curricular events, including road safety programmes, campaigns to promote reproductive health and prevent the spread of communicable diseases and action against tobacco and other forms of drug abuse.⁶

³ Section 4.2

⁴ Section 12.2 (c)

⁵ Section 25.9 (d)

⁶ Section 19.2 (c)

Activities for All Pupils

As far as possible, extra-curricular activities should be made available to all pupils. The principle of non-discrimination applies to all school activities, whether in school hours or not. Extra-curricular activities should, therefore, be suitable for pupils of different sexes and communities and of different abilities.

Extra-curricular activities taking place on or off the school grounds will be monitored by a teacher or appropriate staff member and the normal standards of discipline apply.

Pupils should have the opportunity to propose extra-curricular opportunities. If enough pupils express interest in a club that does not already exist, and if they can secure the help of a staff member, schools should consider adding the club to their extra-curricular activities, as long as the goals of the club are compatible with the goals of the school.

f. Financial Management

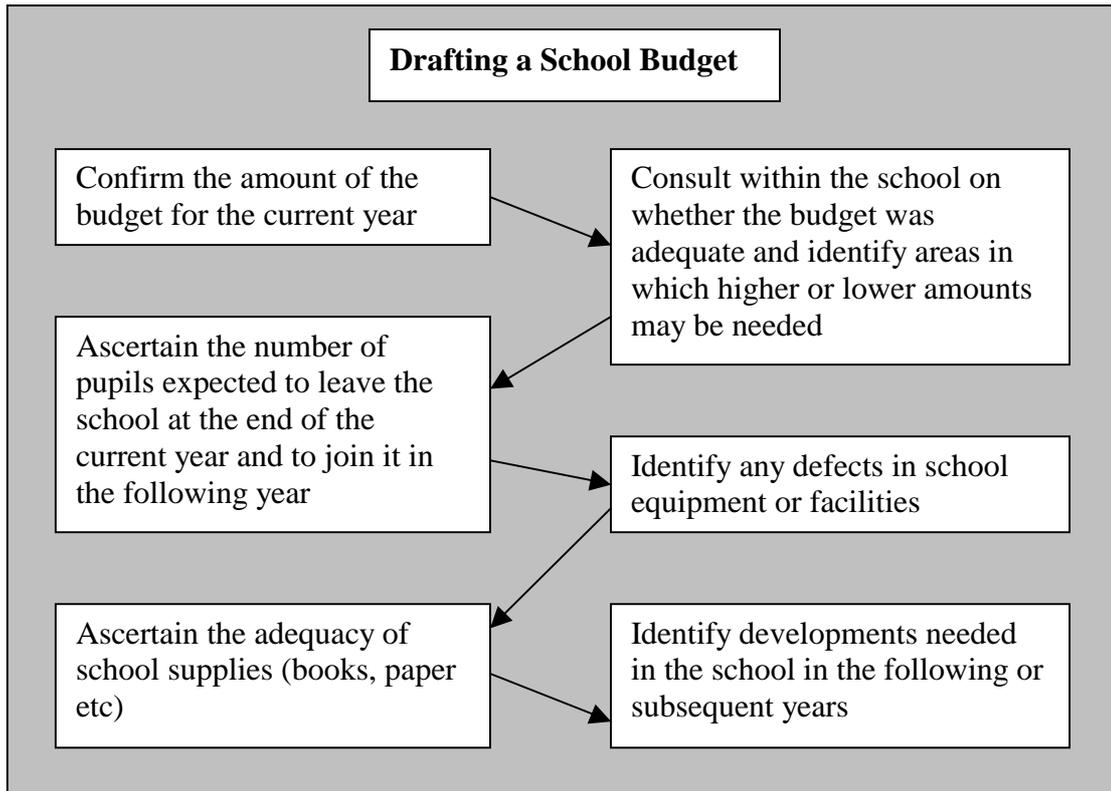
Under the law, the Ministry allocates funds to municipalities to carry out their functions in the field of primary and secondary education.⁷ It is the job of the Municipality to allocate the funds to schools and to plan and administer these funds in a cost-effective way.⁸ More detailed information on financial school management will be included in a separate financial handbook.

School Budgets

The MED will make a scheme for the submission and approval of public budgets, which should be kept safely along with this school handbook. The Director should prepare a draft budget well enough in advance to meet the deadline decided by the MED. In preparing the draft budget for the following year, the Director should take the following steps:

⁷ Section 14.1

⁸ Section 21.1



The Director should then present a draft budget to the School Board, identifying the amounts being sought under the headings required by the MED (such as teachers' pay, maintenance of building, books, equipment and administration) and should take account of any comments made before submitting the budget to the MED.

The Director should report to the School Board on the outcome of the budget submission, including the allocations under the various headings and should submit regular financial reports during the year to the School Board and MED.

Private Donations

In addition to money received from the Municipality, a school may receive donations of money or materials from parents or other private individuals or charities. The School Board has the right to decide how these funds from outside the public budget are allocated, but they must be used for school purposes.

Accounting for Money

The Director should keep precise and correct records of money received and spent and should follow UNMIK/CFA guidelines on financial administration and procedures (see finance handbook). The duty to keep proper accounts applies to private donations as much as to public funds.

g. Facility and Asset Management

The Municipality is responsible for maintaining and repairing the buildings and equipment of schools and providing support services such as adequate fresh water, sanitary facilities and health services.⁹ Subject to the EDO and the Municipality, the school Director is responsible for the general administration of the school.¹⁰ This includes the maintenance and security of the buildings, grounds and equipment and the safety of staff and pupils. For further information, see also Part 1, Section 2 of this handbook.

Beginning in 2002, the Director of each Kosovar school will delegate many day-to-day responsibilities in these areas to the person holding the new position of technical school manager. This person has no role in pupil discipline and should report any misbehaviour to the appropriate teacher or other member of staff.

The technical manager will conduct an annual inventory of all school books, materials, supplies, equipment, furniture and school apparatus, along with a description of the condition of each item.

Requests for repair or replacements will be submitted to the Director and should be carried out as approved by her/him. The technical manager should order all non-teaching supplies as required and within the budget allocation for these items.

The technical manager should work with contracted cleaning, painting and other personnel or with volunteer parents to ensure the buildings are kept clean and safe, that the interiors and exteriors are painted on a regular basis, and that the grounds are kept neat. Materials used for cleaning, painting, and landscaping should be kept in a secure location at all times when not in use.

Safety

The technical manager should ensure that all aspects of the building are safe at all times and report any problems to the Director. She/he should be responsible for unlocking and locking the school, ensuring safety equipment, such as smoke alarms and fire extinguishers, is working properly, that passageways and escape routes are left clear and that emergency exits are unlocked and unobstructed.

The Director should devise and the technical manager should implement systems for:

- monitoring those people entering or leaving the building who are not pupils or members of staff;
- keeping close track of the keys to the school buildings, and the individuals to whom they are given.

Outside Use of the School

⁹ Section 19.2 (a)

¹⁰ Section 24.1.2

The law states that schools must refrain from religious instruction or other activities promoting any specific religion and from political education or activities for or against any specific party. This applies to the use of the school building as well as to the teaching of pupils. The Director, in consultation with the School Board, should prepare a scheme for the use of school buildings for non-teaching purposes. This should include:

- the sort of organisations that can use the school building or grounds;
- the conditions under which use will be permitted;
- charges, if any, that will be made for the use;
- penalties in the event of breaches of the conditions or damage to the building or grounds.

The technical manager should implement the policy and refer any problematic applications for school use to the Director. Copies of the scheme by which the school building or grounds are made available should be supplied to any outside group seeking to use them. The technical manager should strictly enforce any conditions, collect any charges due and ensure that no damage is caused

She/he should maintain a master calendar of all after-school clubs and activities, or other after-school events by the school or outside groups, in order to keep track of all sanctioned uses of the school buildings or grounds that take place after the school day is ended.

Book Distribution

The Director, in consultation with teachers and the School Board, should draw up, and the technical manager should implement, a system for book lending. (If the school has its own librarian, then that person should implement the policy). The annual inventory will determine the quality of school textbooks and library books and influence priorities for the spending of the budget. Pupils and staff members with proper school identification should be entitled to borrow books from the school library for a period of time. Consideration should be given to allowing parents also to borrow books.

Teaching and non-teaching staff should strive to encourage among pupils and parents a respect for the books and other materials available at the library. The policy should include a system of fines for books that, without good reason, have been lost, returned late or have been damaged.

h. Health and Safety

The Kosovar school system is dedicated to providing a safe place of work and a healthy working environment. Toward that end, each school Director may appoint a school health and safety representative to oversee safe working practices, organise evacuation procedures, oversee fire drills and keep pupils, staff and other users of the school informed. The school Director will meet regularly with this staff member and the technical manager to ensure that any hazards are rectified as quickly as possible.

The Director should draw on the expertise of the technical manager and the school health and safety representative and consult with the board in order to draw up a health and safety policy for the school. Among the issues to be included are:

- Regular inspection, preferably by an expert retained by the Municipality, of the safety of school premises and equipment, with the results submitted to the Director and School Board.
- Oversight of contractors and other outside staff to ensure that they work in accordance with applicable safety codes.
- Ensuring that equipment and materials used in the school are suitable and safe for their intended use.
- Making all staff, pupils and school users aware of any instructions or safety advice relevant to them.
- Reporting all accidents involving pupils and/or staff immediately to the school Director.
- Developing a policy for storage and handling of hazardous substances, or substances which are toxic, corrosive, flammable or irritant. Proper safety equipment should be used whenever handling these materials and they should not be used by pupils without a staff member present. An inventory of any such substances on school premises should be made on a regular basis.
- Goods should not be stored in boiler rooms, oil stores, switch rooms, corridors, doorways, beneath stairs, on staircases or in front of emergency exits, and these areas should also be kept clear of debris.
- First-aid kits should be kept in various parts of the building, clearly marked in the event of emergencies. A number of staff members should be trained in first aid and have their training updated regularly. The technical manager should inspect first aid kits regularly and replenish supplies.

Safety outside the School

The Director's direct responsibility is for the safety of staff and pupils in the school building and grounds. She/he will also seek to ensure their safety on their way to and from school. Pupils, in particular, should be encouraged to report any incidents, such as harassment or assaults, outside the school. The Director should then discuss with the Municipality how best the safety of the pupils can be guaranteed.

The Director should also ensure a proper system of traffic management, to minimise the risk from buses and cars. This might include the supervision of pupils alighting from and boarding school buses.

2. Pupils

a. Pupils' Rights

Pupils have important rights under the law in Kosovo. All children have the right to free education for nine years at Levels 1 and 2 (primary and lower secondary), including free learning materials, such as textbooks.¹¹

Pupils do not have to pay for tuition at Level 3 (upper secondary), but may have to pay for their own teaching materials and equipment and examination fees. The Ministry may issue instructions on this subject, which should be kept with this school handbook.¹²

Municipalities are required to arrange safe and efficient transport for pupils in compulsory education. This transport is free for pupils within the catchment area living more than four kilometres from the school and for pupils with disabilities. Municipalities may charge or waive fees for other pupils in compulsory education i.e. pupils living within four kilometres of the school and pupils from outside the catchment area. Municipalities are not required to provide transport for upper secondary pupils and may charge such pupils if they do provide a service.¹³

Mother Tongue

An important additional right in Level 1 (primary) schools is for the child to learn her or his mother tongue.¹⁴ Primary schools must respond positively to requests from parents for mother tongue teaching. If the school does not already have a teacher who can teach in the language, they need to include provision for an appropriate teacher, or part-time teaching hours, in their annual budget applications. However, children may also be allocated to a school especially designated for teaching in this language.

Other rights given to pupils in primary and secondary education include:

- developing their personality, talents and mental and physical abilities to their fullest potential;¹⁵
- teaching that is adapted to their individual abilities and aptitudes;¹⁶
- education that ensures and promotes their mental and physical wellbeing;¹⁷
- being protected, as far as possible, from injury or exposure to offensive words or actions and to be safe from corporal punishment of any other form of humiliating punishment;¹⁸
- being free of direct or indirect discrimination.¹⁹

¹¹ Sections 3.1.2 and 3.1.3

¹² Section 3.1.4

¹³ Section 22.1

¹⁴ Section 3.3

¹⁵ Section 4.1 (a)

¹⁶ Section 4.2

¹⁷ Section 4.5

¹⁸ Section 4.6

Schools need to ensure that these rights are extended to all pupils, including those from different communities, boys and girls and pupils with special educational needs.

Pupil Representation

School Boards in all secondary schools must establish a Pupil Council, with at least one representative for every class, elected by secret ballot. Its function is to work towards the improvement of the learning environment, working conditions and welfare interests of pupils and to make representations on these matters to the Director and School Board.²⁰ The Director should draw up a draft constitution for the Pupil Council, along with rules for nomination and election of class representatives and procedures for meetings. Once established, the Pupil Council should be permitted to make representations to the School Board on any aspect of its procedures.

In addition, pupils in secondary schools are entitled to elect, by secret ballot, three of their members to serve on the School Board. They can hold this appointment for three years provided they remain pupils at the school.²¹ Pupils are not entitled to take part in discussions in which they have a personal interest.

b. Pupils' Responsibilities

The Ministry, Municipality, school Director, teachers, parents and pupils share responsibility for developing the pupils' personality, talents and mental and physical abilities to their fullest potential; developing respect for human and fundamental freedoms; promoting respect for their own cultures and values and those of others; and preparing pupils for responsible life in a free society. Towards this end, pupils themselves, as they grow older, must assume increasing responsibility for their behaviour and actions.

c. Discipline

Normal misbehaviour by children will be corrected by the teacher in the classroom, but a small number of pupils must never be allowed to disrupt the education of the majority. The good teacher recognises that discipline requires fairness and firmness and will win the respect of the pupils without being over-familiar or excessively disciplinarian. Good discipline can best be achieved if pupils are working purposefully and the teacher can sustain their interest and encourage them with praise and incentive instead of relying on sanctions and punishments. A good balance of school activities, including physical exercise, is important.

¹⁹ Section 5.1

²⁰ Sections 26.1 and 26.2

²¹ Sections 25.2 (c), 25.3 and 25.5

However, more formal steps are needed to deal with cases that go beyond routine classroom indiscipline. It is essential that schools have clear policies and procedures to deal with such cases.

Monitoring Indiscipline

In light of their duties under the law, schools must monitor individual misbehaviour by pupils. They should inform the EDO of any pupils who are being disruptive, devise special measures to try to integrate such pupils into the school and monitor the effectiveness of these measures. This should include discussions with parents and referral of the pupil to specialist psychological, welfare or health services, where available. Unless reasonable efforts have been made, a parent is likely to win an appeal to the Ministry against a decision to move the pupil to another school.

Drafting School Rules

The main means of setting and enforcing expectations of good behaviour on the part of pupils is through the school rules. The Director should consult within the school and draft school rules for presentation to the School Board; the draft agreed by the School Board is subject to approval by the Municipality.²² The Director should ensure that all members of staff, pupils and parents are made aware of the rules and any amendments to them, taking care to explain them carefully to young pupils and to parents who may have difficulty reading them. The rules must be displayed in the school and a copy given to every new pupil on enrolment.²³

Under the law, the rules shall include standards of conduct and specify the procedures and measures to be used against pupils who break the rules. Provided a warning has first been given, this can include temporary loss of privileges to take part in extra-curricular activities or a formal reprimand to the pupil and the parent.²⁴ Procedures for dealing with alleged misbehaviour must include giving the pupil the opportunity to put his or her case. In the case of serious allegations against pupils at Levels 1 and 2 (primary and lower secondary), the parent shall also be given the opportunity to make representations.²⁵

d. Content of School Rules

School rules might include the following items.

- All members of the school community must respect the sensitivities of others. Disrespect, humiliation, threats, or acts of violence or vandalism will not be tolerated.
- A general atmosphere of orderliness and quiet, in the classrooms and in the hallways, is necessary for a productive educational atmosphere.
- Pupils are expected to be in class on time, every time. Parents must inform the school if the pupil is to be late or absent for any reason.

²² Section 25.9 (a)

²³ Section 27.3

²⁴ Section 27.2

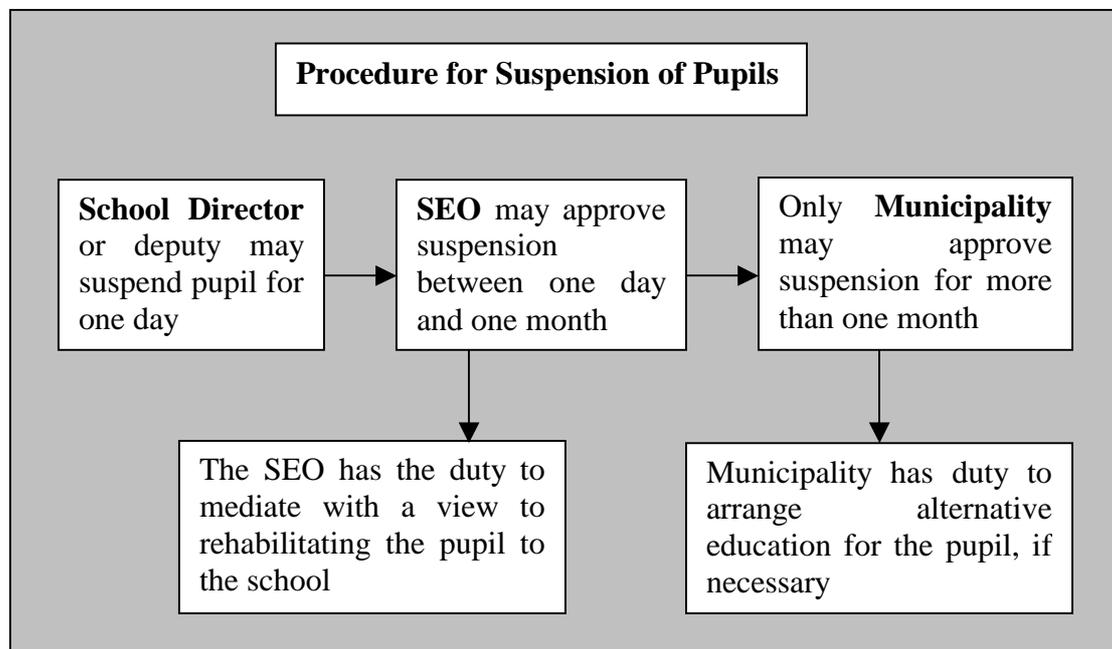
²⁵ Section 27.4

- Pupils are expected to come to class prepared, having completed any homework, projects or other work that is required.
- Pupils may not bring weapons or potentially dangerous implements to school, including alcohol and cigarettes.
- Pupils may not leave school premises during school hours unless supervised by a teacher or with the permission of the Director or delegated senior member of staff.
- Pupils are expected to be attentive in the classroom. Classroom discussion must be under the control of the teacher.
- Pupils should not answer out of turn in the classroom, or without being called upon by the teacher.
- Consumption of food and drink is prohibited in class, except that permitted food may be consumed during allocated breaks. Chewing gum and sweets are never permitted.

Suspension of Pupils

As with the grievance and disciplinary procedures for staff, the Director may wish to delegate responsibility for the initial investigation of allegations of breaches of school rules to another member of staff; the Director will then be free to hear appeals.

The Director or deputy may suspend a pupil from attending any class or from the whole school, but for only one day. The procedure for dealing with such cases is shared between the school, the EDO and the Municipality, as follows:



e. Bullying (harassment among students)

Bullying can be physical or verbal. It may involve deliberately excluding a pupil from discussions or activities or destruction or theft of property. Bullying has a

very destructive impact on the educational climate of the school. It is important to stop it when it occurs, not just to protect victims and preserve a positive school environment, but to teach pupils with anti-social tendencies proper behaviour for their adult lives.

All pupils have a role to play in eliminating bullying. Pupils who are victims of it should:

- immediately tell a teacher who can deal with the situation and support the victim;
- try not to show they are upset, even if this is not easy, remembering that fear feeds bullies;
- try to stay with a group of people;
- tell themselves that they do not deserve to be bullied and should be proud of who they are.

Pupils who see another pupil being bullied should take action e.g. tell an adult immediately. If they do nothing, it may appear as though they are on the bully's side. They should not let the victim feel as though she or he is all alone.

f. Alcohol and Drugs Policy

Possession, use, distribution, sale or transfer of alcohol, illegal drugs and/or paraphernalia is strictly prohibited and will be dealt with severely by the school. Depending on the severity of the violation, the school may inform the police or other external authorities.

g. Admission and Attendance of Pupils

Primary and Lower Secondary

Admission of pupils to primary and upper secondary schools is a shared responsibility of the school, EDO and Municipality. The system will operate within the following framework.

Catchment Areas

The Municipality regulates which schools are designated for specific catchment areas in the Municipality.²⁶ This handbook refers to schools serving a catchment area as the local school.

All pupils of compulsory school age (nine years beginning with the school year following the child's sixth birthday) living within the catchment area have the right to attend a local school of the appropriate Level (primary or lower secondary).²⁷

A parent may apply for a place in a school serving a different catchment area, including a school in a different Municipality. The appropriate Municipality

²⁶ Section 19.1 (b)

²⁷ Sections 7.7 and 7.8

must allocate places in the school in a fair manner on the basis of transparent, published criteria.²⁸

Deciding on Admissions

The law does not specify who actually administers or takes decisions on the allocation of places. The decision may be taken by staff in the Municipality itself, or the Municipality may delegate this function to schools. In this event, all schools must keep a copy of the criteria decided by the Municipality and follow them carefully.

A parent who is dissatisfied with either the procedure used to allocate places or with the decision taken may appeal to the Ministry, which may require the Municipality to reconsider the decision.²⁹

If the Municipality delegates matters of admission to schools, the tasks involved include the following:

- Ensure that parents are aware of their right and duty to send their children to school during the years of compulsory education.
- Emphasise that all boys and girls, including those with special educational needs, are entitled to education.
- Ensure that parents are aware that the school is their local school (once municipalities have decided on catchment areas).
- Make parents aware that they have the right to apply to another school, including one in a different Municipality.
- Make parents aware in good time of any date by which they need to put their child's name down for the school or to apply for another school (this date will probably be set by the Ministry or Municipality).
- Attempt to identify how many children in the catchment area have reached the age of six since the previous 1 September.
- Identify how many pupils are due to leave the school and the capacity of the school to accept new pupils.
- Allocate places to all applicants from the catchment area.
- If there are not enough places for all local children, the school should immediately alert the Municipality to the problem so that it can, for example, arrange for the provision of additional temporary accommodation.
- If there is surplus capacity once all local children have enrolled, the school needs to consider applications from other catchment areas and municipalities.
- Schools must allocate places in a fair manner, using transparent, published criteria set by the Municipality.

Informing Parents

Several methods are available for informing local parents, including notices in shops, articles and advertisements in local media, meetings with local organisations and, perhaps most valuable of all, by word of mouth through parents who already have children at the school.

²⁸ Section 7.9

²⁹ Section 7.9.1

However, it is inevitable that some problems will arise. For example, parents who apply to a school serving a different catchment area may fail to get a place there and, at a late stage, may seek to enrol their child at the local school. Schools, therefore, need to be flexible and seek to accommodate all children to the best of their ability.

Liaison with Municipality

Schools must keep their Municipality aware of developments in the admission of pupils because the Municipality needs to organise services such as transport. This can be particularly important if the children admitted to the school are from minority communities. In addition the school should be alert to the possibility that a lower or higher than expected intake might change its staffing entitlement.

Early Entry to School

Although the normal age of entry to compulsory education is the school year after the child's sixth birthday, there is a procedure to admit younger pupils. The decision lies with the SEO, who must be satisfied that the child would be educationally disadvantaged if not enrolled. This might apply, for example, if a Kosovar child returned home after beginning school in another country. If a school receives an application from an under-age child, it should advise the parents that the SEO can consider a case for early enrolment.

School Attendance

All pupils must attend the school to which they have been allocated for the duration of primary and lower secondary education, with two exceptions. One exception, expected to be very rare, is where the pupil is exempted from attendance; only the EDO can approve this if it is in the best interests of the child and only on the request of the parents.³⁰

Another exception is that the EDO may move a pupil from the primary or lower secondary school which the pupil is entitled to attend to another school "when due consideration for other pupils so indicates".³¹ This could cover cases where a pupil's indiscipline is disrupting the work of other pupils. If such problems arise, other solutions must be attempted before the pupil is moved. If these solutions do not work, the pupil should be placed in another school; this could be in another Municipality, but not if that would mean the pupil had to leave home or have unreasonably long journeys between home and school.

A parent of a child who is dissatisfied with a decision to move the child may appeal to the EDO against the decision. A school should keep parents informed if their child is involved in indiscipline and seek their support in resolving the problem. The school should always inform parents of their right to appeal if a decision to transfer the child is being considered.

³⁰ Section 7.8.1

³¹ Section 7.10

Monitoring School Attendance

As part of her/his duty to promote equality, the Director should monitor attendance rates by boys and girls and by members of different sexes. If problems are detected, the Director should investigate the causes and seek solutions along with the EDO and the Municipality.

The School Year

Schools will need to make clear to parents and children that attendance is compulsory throughout the school year. This normally lasts for at least 38 weeks out of the 45 weeks that fall roughly between September in one year and July the following year; the Ministry will decide the exact dates each year.³²

Whilst the Ministry decides the dates of the school year, the Municipality approves local school holidays in accordance with applicable law. So schools need to ensure they know beforehand and advise parents of pupils and prospective pupils of the dates of the school year and the dates of local holidays in that Municipality.

In addition to the local holidays, pupils may apply for up to two weeks additional leave. This is at the discretion of the Municipality, which must consider whether the application for leave is appropriate and in the best interests of the pupil. Schools should advise parents of this right to request additional leave, especially parents from communities whose religious observances cannot be accommodated within the school holidays decided by the Municipality.

Upper Secondary Education

Pupils do not have the right to education at upper secondary level and attendance at this stage is not compulsory. Instead, access to upper secondary education is open on a voluntary basis. The law has specific provisions about the admission of pupils to upper secondary schools. The Ministry must issue guidelines by 1 May 2002 setting out a fair selection system which will be administered by the municipalities. The only admission criterion set out in the law is that the pupil must have satisfactorily completed the Level 2 (lower secondary) curriculum appropriate to the studies applied for at Level 3.³³ For example, a pupil applying to do science in an upper secondary school would be expected to have completed the science curriculum in lower secondary school.

Pupils in upper secondary may have to pay for their own books and materials, examination fees and home-to-school transport.

h. Induction

³² Sections 1.1 and 13.2

³³ Sections 8.1 and 8.2

Part of the task of the school is to ensure the smooth transition of pupils into school life. Induction will vary depending on whether the pupil is six years old and enrolling in school for the first time, a twelve year old transferring to lower secondary (unless attending a combined school) or a young adult entering upper secondary.

It is likely that very few six year olds will have had the benefit of pre-school education, so the transition to primary school is particularly important. The primary school should develop links with the pupils' homes in the year before they enrol in the school. During the spring and summer before the school year, prospective pupils should be invited to visit the school with their parents and be put at ease about their forthcoming enrolment; a school could, for example, organise recreational events and introduce the pupils to their teacher-to-be in an informal manner.

Once pupils have been enrolled in the school, schools should organise an induction programme. This should include an explanation, suitable for the level of development of the pupils, of:

- the key aims and values of education, such as mutual respect;
- the aims and values of the school;
- the main rights and duties of the pupils;
- the sort of education the school plans to provide and what it means for pupils;
- school rules and policy on discipline, and why they are important;
- the layout of the school;
- procedures for emergencies such as fires;
- procedures for arriving, taking lunch breaks and departing from school;
- who to turn to if they need help (including child abuse procedures);
- main school policies e.g. on homework.

i. Pupil Records

It is important for the school to keep records of pupils' educational progress. This can help teachers to plan work suited to the abilities and aptitudes of individual pupils and can be valuable to the school to which the pupils subsequently transfer. For pupils who wish to advance to upper secondary school, a record of their progress is essential. It must be clear, for example, whether the pupil has completed the course of study being applied for in upper secondary, so as to meet the requirement for admission.

In the case of pupils with special educational needs, the law requires a half-yearly report on progress.

However, reports must not contain sensitive personal data. The Ministry will issue instructions on the registration, retention and protection of personal data in schools. The law states that personal data relating to ethnicity or religious status may only be recorded for the purposes of statistical monitoring to assist in the promotion of equal opportunities and may not be used for any other purpose. In particular, such data may not be organised in such a way that

individuals may be identified. Official documents issued by schools shall contain no personal data other than the name and date of birth.³⁴

Schools will need to follow the instructions from the Ministry scrupulously. In the meanwhile, they should maintain separate files. One set will contain pupil records but without any personal information on the pupil other than name and date of birth. They will have to keep separate files, without any cross referencing, from which the progress of different sexes, communities etc can be calculated.

³⁴ Section 10.3.1

3. Teachers

a. Appointment and Employment of Teachers

The appointment of teachers is a shared responsibility of the Ministry, Municipality, School Board and Director. For further information see Part 3, Section 2.f.

b. Teachers' Rights

The law gives teachers important rights and protections as they carry out their tasks. These include the right to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions within the approved curricula without placing themselves in jeopardy of losing their job or any privileges they may have (but see Teachers' Roles and Responsibilities below).

The Ministry and municipalities must ensure that:

- teachers have freedom of organisation and assembly within the law, a guarantee of their right to join and participate in trade unions and professional organisations;
- staff are protected against direct or indirect discrimination on grounds such as sex, race, sexual orientation, marital status, colour, language, religion, political or other opinion, national, ethnic or social origin, association with a national community, property, birth or other status.³⁵

Teachers and other staff have the right to challenge in the courts any decisions or actions by the Ministry or Municipality that adversely affect them.³⁶

c. Teachers' Roles and Responsibilities

Teachers' right to freedom of speech may only be restricted by law. This means that teachers must take account of, for example, human rights and fundamental freedoms and the need to promote respect for pupils' cultures and values and for different civilisations. Specifically they must refrain from religious instruction or other activities promoting any specific religion and from political education or activities for or against any specific political party.³⁷

Teachers have a general duty to promote the aims and objectives of the school, contribute to the educational and social development of all pupils, maintain high standards of learning and behaviour and carry out the duties allocated to them. By law they are required to undertake appropriate professional re-training and development as required by the Ministry.³⁸

³⁵ Sections 29.3 (a) and 29.3 (b)

³⁶ Section 29.4

³⁷ Sections 4.1 (b), 4.1. (c), 4.1 (d), 4.7, 4.8, 29.1 and 29.2

³⁸ Section 28.2

Within the educational sphere, the main responsibilities of teachers are:

- to be completely familiar with the national curriculum and school-based curriculum within their area of teaching (by age-group or subject) and be aware of the curriculum in other parts of the school;
- to prepare teaching plans for the coming academic year and lesson plans for each day, taking account of the requirement that all teaching must be adapted to the abilities and aptitudes of the individual pupil;
- to be familiar with the full repertoire of teaching styles and know which ones are best suited to the class at any given time;
- to organise classroom resources effectively;
- to plan, direct and monitor the learning and behaviour of each pupil;
- to maintain high levels of behaviour and discipline, without using corporal punishment or other forms of humiliating punishment;
- to assess and record the progress of each individual pupil;
- to promote pupils' sense of curiosity and encourage them to become independent learners;
- to seek assistance and professional development in areas of weakness.

Responsibility for All Pupils

The teacher should care for the all pupils regardless of their sex, community, ability or other attributes. She/he should respect the confidences of pupils, whilst being alert to anything in their private lives that might affect their educational progress. In particular, teachers should take action and notify the appropriate member of staff if they suspect the child is being bullied or abused inside or outside the school.

Teachers must not undertake work outside school that might adversely affect their performance as a teacher. The Ministry will issue instructions governing the circumstances in which a teacher may take up additional paid or unpaid employment.³⁹ Teachers must abide by these instructions and the Director is responsible for their enforcement.

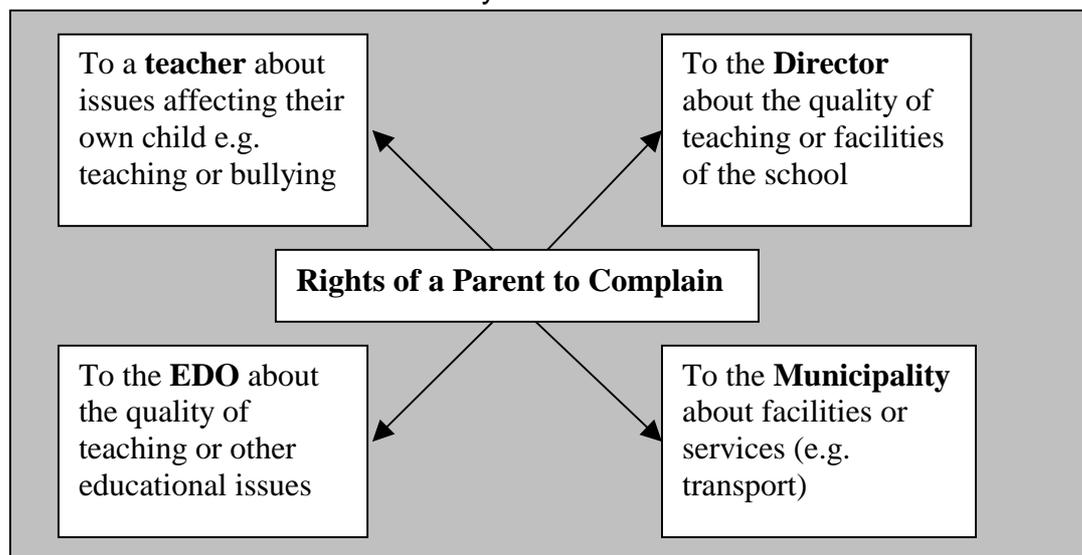
Teachers are expected to liaise with parents as part of their normal employment, including attending meetings with individual parents on their children's progress or meetings of parents generally.

³⁹ Section 29.5

4. Parents

a. Parents' Rights

Parents have important new rights in education, especially the right to have their children educated according to the law. They have the right to complain and to have their case heard fairly.



In general, a parent does not have the right to choose the school the child will attend. Most children will attend the local school serving the catchment areas in which they live. However, a parent has the right to apply to the Municipality to enrol the child at a different school. For more detail, see section on Admission of Pupils.

b. Parents Role and Responsibilities

Parents have corresponding duties, in particular the duty to enrol the child at school and ensure she/he attends regularly. Compulsory schooling begins at the start of the school year following the child's sixth birthday and ends at the end of the ninth full school year.⁴⁰ It is an offence for a parent of a child of compulsory school age not to enrol the child in a suitable school, unless the parent makes alternative arrangements which are approved by the Ministry. The parent may be liable to prosecution and to fines if the child does not attend compulsory tuition.⁴¹

c. Helping their Children

Generally, the school should emphasise to parents how important it is to play an active role in the education of their children. Parents can help their children by:

- emphasising to the child the importance of education;

⁴⁰ Sections 7.1 and 7.2

⁴¹ Sections 7.12 and 7.13

- ensuring regular school attendance;
- reading to and talking to their children;
- encouraging their children to express their opinions and to respect the opinions of others;
- checking that the child has done any homework set by the school;
- ensuring the child has a quiet place to do homework and private study;
- discussing their children's progress with the class teacher;
- supporting the school in promoting high standards of education and conduct.

Schools should take positive steps to encourage the participation of parents by holding regular meetings in the school; sending home regular reports on their children's progress; encouraging them to read to their children and help them with homework; making them welcome to visit the school or to help in the running of the school on a voluntary basis (for example, as classroom assistants); involving them in cases of indiscipline by their children and encouraging them to take a positive approach to school, including education for girls and for pupils with special educational needs.

Collective Rights

In addition to these individual rights, parents have very important collective rights. Most of all, they form a majority on the School Board, which has the right to take decisions on some matters affecting the school and the right to be consulted on others. In primary schools, parents hold five places, elected by secret ballot for three years, and teachers have two seats. In secondary schools, parents have five places, teachers two and pupils three. In all schools, the chair of the School Board must be a parent.⁴² Parents should play an active role in the democratic process by voting for candidates for the School Board, by offering themselves as candidates, by reading reports from the Board and by attending meetings of parents. (See section on School Boards.)

Some parents may also be interested in seeking nomination or election to the Kosovo Parents' Committee for Education (KPCE), once the Ministry has established it. The functions of KPCE are to represent the interests of parents, make representation to the Ministry on any aspect of primary or secondary education in Kosovo and be the main channel of communication and consultation between the Ministry and parents.⁴³

⁴² 25.2 (a), 25.3, 25.5 and 25.6

⁴³ Section 16

5. School Boards

One of the key changes in the new law is the creation of School Boards, which bring together the various local partners in education to help run the school.

a. Rights of the School Board

The School Board has general oversight of the running of the school. It has the right to receive and review regular reports on the management of the school and to express views on any matter relating to the school, or to primary or secondary education in the Municipality or Kosovo as a whole. This includes being involved in writing the development plan for the school. But the powers of the School Board have important limits. On the one hand, the Board works within the framework of the law and the authority of the Ministry and the Municipality. On the other hand it must respect the right of the Director and other professional staff to autonomy in how they perform their tasks and how they run the school from day to day.

The Board has important rights and responsibilities. By law it has the right to:

- draft school rules for the approval of the Municipality;
- elect one parent and one teacher representative to take part in the appointment of a Director and teachers to the school;
- decide on the allocation of funds contributed to the school by parents and others outside the public budget;
- decide on extra-curricular activities.⁴⁴

In addition the School Board is entitled to be consulted about:

- the physical development of the school;
- school-based curricular matters;
- responses by the Municipality to any policy or consultative documents relating to education in Kosovo;
- dates of local holidays.⁴⁵

b. Responsibilities of the School Board

Members of the School Board have a general responsibility to:

- take an interest in the work of the school;
- promote its aims and objectives;
- ensure equality for everyone involved with the school, regardless of sex, community or other factors;
- promote the interests of all pupils, not just their own;
- ensure they are aware of the views of those they represent and keep them informed (e.g. through meetings, newsletters and an annual report);

⁴⁴ Section 25.9

⁴⁵ Section 25.11

- avoid any conflict of interest;
- respect the confidentiality of personal information.

The extent to which an individual Board member can discharge these responsibilities will depend on her/his expertise and maturity. A young pupil representative may not feel able to pronounce on broad educational issues affecting all of Kosovo, for example, but can still make an important input based on personal experience.

Among the specific responsibilities of School Boards under the law are to:

- express its views on any matter relating to the school or to education in the Municipality;
- establish a Pupils' Council, as set out by the law;
- meet at least every three months;
- keep proper accounts of any money received and spent and submit to the audit procedures of the Municipality.⁴⁶

c. Composition and Election of the School Board

The School Board is made up of:

- five parents
- two teachers
- three pupils (in secondary schools only)
- the school Director (non-voting)

In addition, the Board has the power to co-opt additional non-voting members. In doing so they must ensure representation on the Board for all communities with substantial numbers of pupils at the school; for employers; and for representatives of the wider society including the Community Office of the Municipality.⁴⁷

Term of Office

The term of office of parents, teachers and pupils is three years, so long as they or their children remain in the school. Parents and teachers may be elected for a second term.

Election of Chair

The chair of the School Board is elected annually by the Board from among the representatives of the parents and may be re-elected. The chair is responsible for the conduct of meetings and for ensuring that all members have an opportunity to contribute to discussions.

Role of Director

The Director of the school is secretary of the School Board and is responsible for administering its affairs, including drafting the agenda in consultation with the chair, giving notice of meetings, taking minutes, conducting correspondence and preserving the minutes and reports of the Board. The

⁴⁶ Sections 25.1, 25.10, 25.11 and 26.1

⁴⁷ Sections 25.2 and 25.4; see also UNMIK Regulation No. 2000/45 (Community Office)

Director reports to the Board on the activities and finances of the school and has the right to propose resolutions and contribute to debate, but not to vote.

Procedures for Elections

By law, representatives of parents, pupils and teachers on the School Board must be elected by secret ballot. Procedures for the elections will be decided by the Municipality, subject to any direction of the Ministry. These include:

- maintaining a list of parents, teachers and pupils eligible to stand for election and to vote;
- dates for nominations and elections;
- procedures for conducting campaigns, such as sending election addresses to voters or arranging election meetings;
- ensuring safe systems of voting;
- deciding the method of election e.g. proportional representation;
- counting votes and declaring winners.

d. Other Matters

If a school Board cannot be constituted or fails to meet for a period of three months, the School Director shall assume its duties. However, the Director must make every effort to constitute the Board, including convening a meeting at least once per year.

The School Board may invite the Municipal Education Director and the SEO to attend its meetings.