

## Romania's higher education system and inclusive education policy

In 2015, the Ministry of National Education and Scientific Research elaborated a Strategic Framework for Equitable Higher Education, which aimed at increasing the quality of the system higher education in the European context of the Bologna Process, by improving the strategic approach of Romanian universities at local, national and international level.

Romania has made a number of commitments in the Bologna Process (launched in 1999) on developing the social dimension of education and equity in higher education. The first mention of the responsibility assumed by the Member States of the EHEA was made on the occasion of the Ministerial Communiqué adopted at the end of the Ministerial Conference held in Prague in 2001<sup>1</sup>.

Policy discussions on equity, in particular access, path and completion of higher education, took the form of assumptions about quantifiable targets, adopting government strategies with clear objectives addressing the issue of growing access to education and improving the participation rate.

As far as equitable higher education in Romania is concerned, several aspects need to be mentioned:

### *Primary legislation*

The right to education is guaranteed by the Romanian Constitution (Art. 32 para. 1)<sup>2</sup> which guarantees university autonomy, freedom of religious education, as well as free, state education. For young people from disadvantaged families and institutionalized ones, social scholarships are provided by the state.

### *National Education Law*

The Romanian education system is regulated, in accordance with the Romanian Constitution, by the organic law no. 1/2011 of National Education<sup>3</sup> - that ensures the framework of the exercise the constitutional right to lifelong learning. This lists a series of elements that outline the vision and mission of education, defined as national priority. A number of articles of the law refer to a fair access system in education, such as the fact that the education system assumes equal rights of access to secondary education, higher education and lifelong learning (LEN, art. 2, para. 4) both for Romanian and EU / EEA / Member States citizens.

Secondary and higher education are governed on the basis of:

"The principle of "equity" - on the basis of which access to learning is achieved without discrimination" (LEN, art. 3, paragraph A); "The principle guaranteeing the cultural identity of all Romanian citizens and intercultural dialogue" (art. 3, para. g); "The principle of recognizing and guaranteeing the rights of persons belonging to minorities national rights, the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity (art. 3, para i); "The principle of ensuring equal opportunities" (LEN, art. 3, para j); "The principle of social inclusion" (art. 3, para o); "The principle of focusing education on the beneficiaries" (LEN, art. 3, para p).

The document also assumes that "education contributes to social integration. These provisions can be grouped into several categories:

A. Regarding the **participation of underrepresented groups**, the development of the social dimension and reducing inequalities:

<sup>1</sup>[http://www.ond.vlaanderen.be/hogeronderwijs/bologna/documents/mdc/prague\\_communique.pdf](http://www.ond.vlaanderen.be/hogeronderwijs/bologna/documents/mdc/prague_communique.pdf)

<sup>2</sup><http://www.constitutiaronaniei.ro/>

<sup>3</sup><https://lege5.ro/gratuit/geztsobvgi/legea-educatiei-nationale-nr-1-2011>

- higher education is not allowed to function on the grounds of age, ethnicity, sex, social origin, political or religious orientation, sexual orientation or other types of discrimination, except for affirmative action measures provided by law (LEN, art.118, para 2);
- at least one place shall be allocated for free study, in addition to the tuition fee approved, for young people from placement centres (LEN, art. 205, para 6);
- social scholarships are allocated to students from disadvantaged families, as well as those institutionalized (LEN, art.12 para 2)<sup>4</sup>;
- free of charge transport facilities are granted for orphans or students from foster homes (LEN, art.205, para. 2).

Starting with 2018, the Ministry of National Education allocates a number of state budget subsidised places, specially designed for high school graduates from high schools situated in rural areas<sup>5</sup>, in order to ensure equality of chances.

B. Regarding **student support services**, counselling and guidance, flexible learning pathways, alternative access routes, the legislation provides the following:

- free medical and psychological assistance is provided (LEN, art. 205);
- access roads adapted to students with physical disabilities are arranged in the totality of the university spaces, as well as the conditions for the normal development of academic, social and cultural activities in higher education institutions, adapted to them (LEN, art.118, paragraph 3).
- grants are allocated from the state budget for university dormitories and canteens (LEN, art. 205);
- free assistance and complementary services are provided, including counselling with the purpose of vocational guidance (LEN, art. 202 - b).
- the flexibility of learning paths is allowed, the Education Law defining the forms study without frequency and distance. Moreover, flexibility is also achieved at the level of universities / faculties, by offering optional courses and optional, their number and type differing depending on the university, field of study, study program, institutional resources.

Complementary to the Education Law, Law no. 448/2006 republished in 2008<sup>6</sup>, on the protection and promoting the rights of persons with disabilities, contains a number of provisions on access to education for people with disabilities. These include:

- guaranteeing free and equal access to education and training (Art. 15);
- the possibility of access to education in a mass institution, including in institutions with teaching in the languages of national minorities<sup>7</sup> (Art. 16);
- access to specialized educational services, technical support equipment, manuals and adapted materials (Art. 18).

C. As regards stimulating the involvement of universities in achieving these objectives, the law provides for developing funding procedures up to 30% of the amount allocated at national level to universities, to stimulate the excellence of institutions and curricula, both within state universities as well as private ones. These funds should be allocated according to competitive criteria based on international standards (LEN, art. 197, para. a).

*The University code of student rights and obligations*

The rights of students are detailed in the "University Code of Rights and Obligations student" adopted by Order of the Minister of Education no. 3666/2012<sup>8</sup>, through which all students in the

<sup>4</sup>Social scholarships are awarded on the basis of general criteria approved by government decision, mainly to the following categories: orphaned students, those from non-income placement or family placement centers, students with TB and students whose families have not achieved, in the last three months, an average net monthly income per family member higher than the minimum wage on the economy.

<sup>5</sup>[https://www.edu.ro/sites/default/files/Centralizator%20liceu%20mediu%20rural\\_2020-2021.xlsx](https://www.edu.ro/sites/default/files/Centralizator%20liceu%20mediu%20rural_2020-2021.xlsx)

<sup>6</sup><https://www.mmanpis.ro/wp-content/uploads/2020/02/L-448-2006.pdf>

<sup>7</sup>Except for the case when the nature of the disability requires training in a specialised institution.

<sup>8</sup>[https://www.edu.ro/sites/default/files/ fi%C8%99iere/Invatamant-Superior/2016/studenti/OM\\_3666\\_2012\\_CODUL\\_DREPTURILOR\\_OBLIGATIILOR\\_STUDENTILOR%20.pdf](https://www.edu.ro/sites/default/files/ fi%C8%99iere/Invatamant-Superior/2016/studenti/OM_3666_2012_CODUL_DREPTURILOR_OBLIGATIILOR_STUDENTILOR%20.pdf)

national education system are granted an equitable education in terms of admission, completion and completion of studies". To achieve this goal, students are provided with:

- free educational and vocational guidance and counselling services; - tutoring services; - following the educational paths in order to ensure their academic integration, social and cultural needs in the community; - the right to be examined by an alternative method when suffering from a disability temporary or permanent, medically certified, which makes it impossible to present knowledge learned in the manner predetermined by the course holder, so that the alternative method indicated should not limit the achievement of the examination standards; - social scholarships, for the financial support of low income students, the minimum amount of which is proposed annually by the National Council for Financing Higher Education, referring to the real costs for meals and accommodation. Social scholarships can be combined with other types of scholarships.

Governmental strategies / documents with reference to equity in education:

*The National Strategy for Tertiary Education, 2015-2020<sup>9</sup>*

This strategy was developed by the World Bank for the Ministry of Education and adopted by the Government in July 2015. It puts forth three pillars for the development of the higher education system, backed by a few supporting conditions, on whose existence depends the achievement of strategic objectives, i.e. the increase of the level of access to higher education, promoting program development high-quality academic skills, adapting to the current needs of the global knowledge society, and promoting strategic engagement with the economic sector.

*The National Program of Government, 2013-2016<sup>10</sup>*

Another document with provisions in the area of equity (including education) is the National Program of Government 2013 - 2016 (PNG). It mentions among the objectives, the desire to "ensure social equity policies.

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<sup>9</sup>[https://www.edu.ro/sites/default/files/fisiere%20articole/Strategie\\_inv\\_tertiar\\_2015\\_2020.pdf](https://www.edu.ro/sites/default/files/fisiere%20articole/Strategie_inv_tertiar_2015_2020.pdf)

<sup>10</sup>[https://gov.ro/fisiere/pagini\\_fisiere/13-08-02-10-48-52program-de-guvernare-2013-20161.pdf](https://gov.ro/fisiere/pagini_fisiere/13-08-02-10-48-52program-de-guvernare-2013-20161.pdf)

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