

## **EXPLANATORY MEMORANDUM**

**to Law 4310/2014, Articles 63-68 (Official Gazette of the Hellenic Republic A' 258)**

### **Extracts**

Progressive modernization of the institutional framework for Minority education is an essential condition for its upgrading. This aim is to be reached through the extension of regulations in force which have already been successfully implemented in the public educational system of Greece while at the same time the nature and mission of Minority education shall be maintained, as laid down by the provisions of Lausanne Peace Treaty (Legislative Decree on the ratification of Lausanne Peace Treaty 25/8/1923, Official Government Gazette of the Hellenic Republic, A' 238), the laws in force on general education and Law 694/1977 (Official Government Gazette of the Hellenic Republic A' 264) "concerning Minority Schools of Muslim Minority in Thrace" and Law 695/1977 (Official Government Gazette of the Hellenic Republic A' 264) "concerning regulation of issues of teaching and supervising staff of Minority schools and of the Special Pedagogical Academy".

The establishment of the Special Pedagogical Academy of Thessaloniki (Royal Decree 31/1968 "concerning the establishment of Special Pedagogical Academy in the city of Thessaloniki", Official Government Gazette of the Hellenic Republic A' 8/22-1-1969) following a request pending since 1924, marked a new era for the Minority education system as the Greek State decided to support institutionally, financially and logistically an educational institution operating specifically to educate teachers for the Minority educational program of Minority schools. Moreover, the abolishment of the Special Pedagogical Academy of Thessaloniki (Law 3966/2011, Article 59 (10), Official Government Gazette of the Hellenic Republic A' 118 as amended by Law 4186/2013, Article 35, Official Government Gazette of the Hellenic Republic A' 193) in conjunction with the system proposed for the training of teachers for the Minority program of Minority schools marks a new era for the Minority education system as it is made evident that the intention of the Greek State is to ensure full equality (in terms of scientific, pedagogical and professional qualifications) between teachers of the Minority program of Minority schools and graduates of Primary Education Departments of Greek Universities.

The appropriate way to implement this strategic decision is to ensure that teachers of the Minority educational program of Minority schools graduate from the same Tertiary Education institutions (namely Departments of Primary Education of Greek Universities) under the same conditions as teachers teaching in the Greek Language program of Minority schools. However the former need to acquire special additional language skills required for teaching in the Minority educational program of Minority schools.

By Law 4283/2014, Article 15 (Official Government Gazette of the Hellenic Republic A' 189/10-9-2014) and by the relevant Ministerial Decree, the equivalency procedure between graduates of the Special Pedagogical Academy of Thessaloniki and graduates of Departments of Primary Education of Greek Universities is established. This action demonstrates the consideration of the Greek State for teachers of the Minority program of Minority schools and, at the same time, it completes the policy of equal rights and equality before the law. Additionally, this action confirms the strategic decision of the Greek State that teachers of the Minority program shall be graduates of Departments of Primary Education of Greek Universities and possess additional special skills required for teaching in the Minority program.

The implementation of decisions for the abolishment of the Special Pedagogical Academy of Thessaloniki and the establishment of a new framework within the Department of Primary Education of Greek Universities for the training of teachers to teach in the Minority program of Minority schools in conjunction with the broader policy of equal rights and equality before the law require a re-examination of the framework for the administrative organization of Minority education so that it can be updated to changing circumstances.

The implementation of Decree 3418S/178513/Z1 of the Minister of Education and Religious Affairs (Official Government Gazette of the Hellenic Republic B' 3292/24-12-2013, "Regulation of issues relating to the Coordinating Office for Minority schools of Primary and Secondary Education") has proved that regulations which are already in force in the public education system of Greece when extended to the Minority education without affecting in the slightest sense its nature and mission, bring positive outcomes on issues relating to administrative operation which can improve the quality of education provided.

Thus, regulations in force and procedures relating to the educational program (courses, curriculum, teaching language, schedule, etc.) of Minority schools are not affected or altered by these arrangements. Changes are limited to aspects of administrative procedures which are necessary in any case, since the new training system for teachers of the Minority program of Minority schools cannot follow the concept of the previous administrative system which was built on the view that teachers of the Minority program of Minority schools are graduates of a non-University special institution with less years of study and therefore with different qualifications.

According to data provided by the Regional Directorate of Primary and Secondary Education of Eastern Macedonia – Thrace, during the financial year 2013, EUR 18,571,629.53 was spent for the operation of Minority schools in Thrace. EUR 17,963,686 was allocated for teacher salaries and EUR 607,943.53 was paid by the State for operational expenditures of schools. Payment of such considerable amounts of money, particularly in this economic juncture, requires reforms for more rational and effective utilization of this significant investment for the benefit of students attending Minority schools.

In respect of the financial contribution offered by the Greek State to the Minority educational system, it is noteworthy that by Law 2781/1922 (Official Government Gazette of the Hellenic Republic A' 86) the State may provide special grants to the schools of Muslims, Jews and Armenians in Thrace. Salaries of teachers in the sector of the Greek-language

program have always been charged to the national budget and not to the Muslim communities.

The tables below give an overview of the Minority education during school years 2013-14 and 2014-15:

**A. Number of Schools by Level of Education**

Region	Elementary Schools		Middle Schools-High Schools		Medresses	
	2013	2014	2013	2014	2013	2014
Xanthi	52	49	1	1	1	1
Rodopi	92	83	1	1	1	1
Evros	15	14	0	0	0	0
Total	159	146	2	2	2	2

**B. Number of students**

**B1. School Year 2013-2014**

Region	Elementary Schools		Middle Schools-High Schools		Medresses	
	Boys	Girls	Boys	Girls	Boys	Girls
Rodopi	1.397	1.305	328	366	157	127
Xanthi	1.345	1.315	225	309	23	16
Evros	211	207	-	-	-	-
Total	2.953	2.827	553	675	180	143
	5.780		1.228		323	

**B2. School Year 2014-2015**

Region	Elementary Schools		Middle Schools-High Schools		Medresses	
	Boys	Girls	Boys	Girls	Boys	Girls
Rodopi	1.358	1.248	360	417	158	117
Xanthi	1.353	1.279	248	324	20	23
Evros	210	205	-	-	-	-
Total	2.921	2.732	608	741	178	140
	5.653		1.349		318	

**C. Number of teachers in Minority Primary schools**

	Elementary school teachers		Elementary school substitute teachers		Graduates of the Special Pedagogical Academy of Thessaloniki		Graduates of the Special Pedagogical Academy of Thessaloniki (substitutes)		English teachers		P.E. Teachers	
	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014
Rodopi	160	162	7	10	137	140	25	29	14	9	12	6
Xanthi	136	147	4	5	111	110	31	28	15	16	14	14
Evros	28	20	1	9	26	24	5	4	1	-	3	2
Total	324	329	13	24	274	274	61	61	30	25	29	22

**D. Number of teachers in Minority schools of Secondary Education**

	Number of Teachers			
	Greek-Language Program		Minority Program	
	2013	2014	2013	2014
Medresses	26	23	9	9
Minority Middle Schools- Minority High Schools	29	36	35	37

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In accordance with Article 7 (1) (a) of Law 694/1977 (Official Government Gazette of the Hellenic Republic A' 264), the composition of the teaching staff of Minority schools is determined by Ministerial Decree. By this Decree the number of teachers' posts and the allocation of these posts is laid down, depending on whether the teacher is member of the Minority or not (see Ministerial Decree 55367/1978 "Concerning the composition of the teaching staff of Minority Schools of Thrace" Official Government Gazette of the Hellenic Republic B' 501 and Ministerial Decree Z2/182 "Composition of the teaching staff of Minority Schools" Official Government Gazette of the Hellenic Republic B' 555/6-5-1999). Thus there is always an even number of teaching posts in Minority schools (two-teacher, four-teacher, six-teacher schools etc.) and therefore the economic cost of their operation is increased because the requirements on teaching staff numbers are increased. By Decision 847 of the Prefect of Evros, Decision F.2.1./P.E. 897 of the Prefect of Xanthi and Decision 564 of the Prefect of Rodopi (Official Government Gazette of the Hellenic Republic B' 1929/26-10-1999) the official permanent posts of Minority schools have been laid down fully applying the teaching staff allocation depending on whether the teacher is member of the Muslim Minority or not. Consequently a post of a teacher member of the Muslim Minority may not be held by a teacher who is not member of the Muslim Minority and vice versa.

From the outset, the fundamental choice of the legislator has been to ensure that the Minority schools are staffed with the same number of teachers members of the Muslim Minority for the Minority program as teachers non members of the Muslim Minority for the Greek-language program. Ensuring staffing of teachers who are native Greek speakers is an essential requirement at scientific and pedagogical level so that students of Minority schools have increased potential to learn the language of the country of which they are citizens.

This fundamental choice on teachers' allocation is the basis for the provision made in Article 14 (2) of Law 2986/2002 (Official Government Gazette of the Hellenic Republic A' 24) laying down that a Vice-Principal is appointed in all Minority schools "regardless of the number of classes operating" as well as for all the Ministerial Decrees laying down the procedures for appointing Principals and Vice-Principals in Minority schools for their optimal internal operation (see Ministerial Decree 16287 "Concerning the appointment of Principles and Vice-Principals of Minority Elementary schools and the responsibilities and duties of Vice-Principals of these schools" Official Government Gazette of the Hellenic Republic B' 139/18-2-1978, Ministerial Decree 367/42790/Z2 "Appointment of Principals and Vice-Principals of Minority schools of Secondary Education" Official Government Gazette of the Hellenic Republic B' 1261/6-8-2010 and Ministerial Decree 1983S/111597/Z1 "Appointment of Principals and Vice-Principals of Minority schools of Primary and Secondary Education" Official Government Gazette of the Hellenic Republic B' 2120/28-8-2013).

In addition to the abovementioned, this teachers' allocation system has been in force for decades and it is considered by the Minority as a guarantee for preserving the nature of Minority schools. Consequently this legal provision reiterates the existing measures in order to make the intention and targeting of the State perfectly clear.

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The abolishment of the Special Pedagogical Academy of Thessaloniki (Law 3966/2011, Article 59 (10), Official Government Gazette of the Hellenic Republic A' 118 as amended by Law 4186/2013, Article 35, Official Government Gazette of the Hellenic Republic A' 193) was not matched by the necessary provision for the equivalency procedure of degrees awarded by the Special Pedagogical Academy of Thessaloniki which has been a repeated request of Special Pedagogical Academy of Thessaloniki graduates as well as of the wider Muslim Minority community. Nor was it matched by the establishment of a training institution for providing further knowledge and skills required so that teachers of the Minority program of Primary Minority schools can best respond to their mission. At the same time, and in the absence of a legislative framework that would lay down the remedy for the aforementioned need, by the Ministerial Decree determining the student admission quotas for Tertiary Education institutions for the academic year 2011-12 (Ministerial Decree F.151/65680/B6 Official Government Gazette of the Hellenic Republic B' 1202/11), 20 additional students members of the Muslim minority were admitted in the Department of Primary Education of the Aristotle University of Thessaloniki, beyond the 0.5% which has been laid down as a positive action measure for strengthening attendance of Minority members in National Universities (Ministerial Decree F.152.11/B3/790 Official Government Gazette of the Hellenic Republic B' 129/1996) with a view to study in the "Section of Minority Education"

(as it has been named by the Department of Primary Education) although this section had not been legally established. Although it was made perfectly clear that the possibility to establish “Sections” had been excluded by law, admissions of Muslim Minority members to the Department of Primary Education of the Aristotle University of Thessaloniki beyond the 0.5% have continued.

According to data compiled in 2013, the graduates of the Special Pedagogical Academy of Thessaloniki are 315 while 234 have applied to be hired as substitute teachers for the school year 2013-14. The requirements for teachers’ appointment in the Minority program of Minority Primary schools – when the financial conditions allow- are not expected to exceed 20-30 per year. The last time when 35 graduates of the Special Pedagogical Academy of Thessaloniki have been hired in permanent posts has been in 2010. Consequently, the admission of 20 students members of the Muslim minority per year beyond the 0.5% is largely in excess of the operational needs expected to emerge in Minority education and leads to waste of human resources and potential.

Teachers in all levels of education in Greece hold a four-year University diploma. The only exception had been teachers studying in the Special Pedagogical Academy of Thessaloniki in order to teach in the Minority program of Minority schools. It is regrettable that despite the abolishment of Primary Education Colleges (“Pedagogical Academies”) and the establishment of Departments of Primary Education in Universities (Article 46, Law 1268/1982, Official Government Gazette of the Hellenic Republic A’87/16-7-1982), no similar decision had been made for the Special Pedagogical Academy of Thessaloniki which operated as a two-year study institution until 2001. Only in 2002 the period of education in the Special Pedagogical Academy of Thessaloniki was increased to a three-year study by the Ministerial Decree 76102/Z2/17-7-2002 (Official Government Gazette of the Hellenic Republic B’963/26-7-2002).

Establishing exclusive admission of students in a University Department on the basis of criteria such as religion is unconstitutional. Therefore transforming the Special Pedagogical Academy of Thessaloniki into a University Department or establishing an “Introductory Branch” (or “Section” under the previous legislative framework) of this nature in a University was not and is not possible. The provision for a positive action measure in favor of a specific group (such as the establishment of 0.5% for admission of Minority members in Universities) is an entirely different matter than the provision for a measure excluding all others but this specific group (that is to say the establishment of a University Department for the exclusive attendance of Muslim Minority members).

All teachers –regardless of any special skills or needs that their students may have- are required to acquire the scientific knowledge in the field of Education as set internationally for their successful teaching in the current school environment.

This position advocates the necessity for all teachers’ training (including the ones who will teach in the Minority program of Minority schools) to take place within the Departments of Primary Education of National Universities. In this way, equality of teachers of the Minority program of Minority schools to their colleagues of the Greek-language program is ensured,

while the efficiency of the former is increased within the school environment of Minority schools where they both work together.

However, at the same time, the Greek State must ensure that all necessary special skills and knowledge (in particular the teaching language of the Minority program and knowledge on Islamic religious education) are provided for teaching in the Minority program of Minority schools. The relatively small number of teachers required to staff the Minority program of Minority schools, introduces the possibility of operating a single educational structure to provide the aforementioned special skills and knowledge.

Conferring the right of appointment into two different posts exclusively to members of the Muslim minority and not to their colleagues nonmembers of the Muslim minority who hold the same degree (Diploma awarded by a Primary Education Department of a National University) constitutes a discriminatory measure against non Muslim Greek citizens, since Muslim minority members would have the right to be appointed to public schools in the same way as nonmembers of the Muslim minority, while the latter would not have the right to be appointed to the Minority program of Minority schools. At the same time, issues of scientific, pedagogical and professional proficiency arise since it is not possible that within the same duration of studies a person acquires the necessary knowledge and skills to respond to the teaching needs of both the elementary public school and the Minority program of Minority schools in Thrace.

Consequently those specific skills and knowledge required for teaching in the Minority program of Minority schools (in particular for teaching the Minority program language and Islamic religious education), should be provided additionally and beyond the basic studies of a Primary Education Department. Therefore the need arises to establish a training structure for Primary Education Department graduates, members of the Muslim Minority in Thrace, to provide them with the specific knowledge and skills required to teach in the Minority educational program. The successful completion of the training program will be a required qualification for a teacher to be appointed in a teaching post in the Minority program of Minority schools. In this way, teachers members of the Muslim minority in Thrace will have the right to be appointed to public schools as graduates of Departments of Primary Education of National Universities and, at the same time, an exclusive right to be appointed to the Minority program of Minority schools in Thrace justified by their attendance in the additional training program.

Democritus University of Thrace was established by Legislative Decree 87 of 27/7/1973 and operated in academic year 1974-75. Thus it had not yet been established when the Special Pedagogical Academy of Thessaloniki was established in 1968. Zarifios Pedagogical Academy of Alexandroupolis was abolished in 1968 and the Primary Education Department of Democritus University of Thrace in Alexandroupolis started to operate in academic year 1986-87. Therefore it was reasonable to have the Special Pedagogical Academy of Thessaloniki established and operating in Thessaloniki in order to be located close to the "Pedagogical Academy" (Primary Education College) of Thessaloniki at the premises of which it was hosted until its abolishment.

The equivalency procedure of graduates of the Special Pedagogical Academy of Thessaloniki to graduates of Departments of Primary Education of National Universities which will be implemented by Democritus University of Thrace was laid down by the relevant Ministerial Decision issued in exercise of the powers conferred by Article 15 of Law 4283/2014 (Official Government Gazette of the Hellenic Republic A' 189/10-9-2014).

Therefore, for scientific and pedagogical reasons as well as for reasons of rational allocation of student admission quotas for Tertiary Education institutions and of the way of acquiring the right to be appointed to teach in the Minority educational program of Minority schools, the solution adopted is the operation of a Graduate School for Minority Program Teachers within the Department of Primary Education located in Alexandroupolis. The sole aim for establishing the Graduate School for Minority Program Teachers is to provide members of the Muslim Minority who have graduated from national Primary Education Departments with the necessary training for their optimal qualification as teachers appointed to teach in the Minority program of Minority schools, should they wish to.

The assent of Democritus University of Thrace to take on the operation of this Graduate School has been expressed by the Rector's letter (Ref. B164/10-9-2014). Selecting the city of Alexandroupolis is most suitable for this purpose since, on one hand, in addition to the Department of Primary Education, also the Department of Language, Literature and Culture of the Black Sea Countries operating within the University of Thrace may cover effectively the courses linked to the teaching language of the Minority program and, on the other hand, the training cycle of studies will take place following graduation from a Department of Primary Education of a National University.

In this way, in addition to the rational allocation of teacher candidates for the posts of teaching staff of the Minority program of Minority Primary schools, necessary training is provided to members of the Muslim Minority who are graduates from Departments of Primary Education of National Universities and who wish to teach in the Minority program of Minority schools.

Thus, equal opportunities are provided for acquiring knowledge, skills and professional rights while at the same time it is ensured that teachers of the Minority program of Minority schools have an excellent knowledge of the national educational settings and have completed their basic Tertiary education studies into the national educational environment which shall benefit their future students.

All issues related to internal organization and operation of the Graduate School for Minority Program Teachers as well as the Program of Studies, will be laid down by a Presidential Decree -within the context of academic freedom- issued following a proposal by the Minister of Education and Religious Affairs and the Minister of Finance upon the recommendation of the Senate of Democritus University of Thrace.

Additionally the Graduate School for Minority Program Teachers may operate effectively as a Lifelong Learning institution for continuing vocational training of teachers serving in the Minority program of Minority schools. For the school year 2013-14, 274 graduates of the



Special Pedagogical Academy of Thessaloniki were in service in Minority schools as permanent teachers and 61 as substitute teachers.

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The appointment procedure of teachers in Minority Primary schools must be consistent with the general principles and the appointment system in force for public education through a competitive examination fairly- assessed and merit- based, preserving the elements strictly necessary for maintaining the special nature and the educational objectives of Minority Primary schools. It is noted that public teachers' hiring and appointment following a "hiring priority list" has been abolished by Law 2525/1997 (Official Government Gazette of the Hellenic Republic A' 188, 23-9-1997).

Therefore, the abolishment of the Council for Staff Regulations and Disciplinary Issues for Minority Education and of the procedures outside the competitions and selection process organized by the Supreme Council for Civil Personnel Selection ("ASEP"), as provided for under the relevant legislation for hiring or appointment of teachers in the Minority program of Minority schools, is a fundamental prerequisite for the launching of a merit-based and transparent selection of candidates to be hired or appointed in the Minority program of Minority schools. The new regulations are in line with the existing legislation on public education and promote the principles of equal rights and equality before the law in education.

The fundamental principles of the new system for hiring and appointing teaching staff to serve in the Minority program of Minority schools are as follows:

- A) Ensure merit-based and transparent terms of appointment or hiring for teachers in the Minority program of Minority schools.
- B) Safeguard the acquired rights of graduates of the Special Pedagogical Academy of Thessaloniki to be appointed to or hired for teaching posts in the Minority program of Minority schools.
- C) Safeguard the scope of Minority education to develop, inter alia, language competences and skills in both teaching languages.

For these reasons, as well as for the sole purpose to meet the needs of the Minority program of Minority Primary schools, a new Staff Category shall be set up under the header: "Teachers of the Minority program of Primary education Minority Schools of Thrace" ("ΠΕ 73" –Staff Category 73) wherein the right of enrollment is reserved to: a) graduates of the Special Pedagogical Academy of Thessaloniki , regardless of whether they have acquired equivalency of their degree to the degree of graduates of Departments of Primary Education of National Universities, b) graduates of the Department of Primary Education of the Aristotle University of Thessaloniki who are members of the Muslim minority in Thrace enrolled from academic year 2011-12 to academic year 2014-15 and provided that during their studies they succeeded in at least seven (7) courses covering the following modules: "Turkish language and Teaching Turkish language", "Minority Education" and "Multilingualism and Multiculturalism" and c) graduates of Departments of Primary

Education of National Universities who are members of the Muslim minority and hold a degree of the Graduate School for Minority Program Teachers of the Department of Primary Education of Democritus University of Thrace.

A request following the General Assembly of the Department of Primary Education of the Aristotle University of Thessaloniki has been submitted to the Minister of Education and Religious Affairs (Ref. 89/22-9-2014) to include graduates referred to in point “b” among the graduates having the right to be appointed in Minority schools.

Teachers’ appointment or hiring for the Minority program of Minority schools shall depend on their ranking order in the relevant ranking lists for teachers following their results on the competition organized by the Supreme Council for Civil Personnel Selection (“ASEP”) in accordance with Law 3848/2010. Candidates of Staff Category 73 shall sit with candidates of Staff Category 70 (Elementary School Teachers) for the same examination subjects in order to ensure teachers’ scientific and pedagogical proficiency while candidates of Staff Category 73 shall be tested additionally on the Minority program linguistic competence and on Islamic religious education so as to ensure their proficiency on these subject areas as well. Candidates of Staff Category 73 holding a degree of a Department of Primary Education shall have the right to rank on both ranking lists of successful candidates (Staff Category 70 and Staff Category 73) and, consequently, the right to be appointed or hired, at their option.

Until the first competition for the ranking list of successful candidates to fill vacant permanent posts of teaching staff and for covering operational needs of the Minority program of Minority Primary schools, teachers from the Single Ranking List for the Minority Program of Minority Schools shall be appointed or hired on the basis of their ranking order. The ranking criteria for the Single Ranking List for the Minority Program of Minority Schools for those who qualify for Staff Category 73 shall be set by Decision of the Minister of Education and Religious Affairs upon the recommendation of the Institute of Educational Policy.

The Single Ranking List for the Minority Program of Minority Schools shall be finalized three months before the conduct of the initial examination for the appointment or hiring of teachers for the Minority program of Minority schools. During the first three years teachers shall be appointed or hired for the Minority program of Minority schools at the rate of 40% from the Single Ranking List for the Teachers of the Minority Program of Minority Schools in rank order and at the rate of 60% from the ranking lists in force for teachers of Staff Category 73 following the competition of the Supreme Council for Civil Personnel Selection (ASEP). In that way, the necessary transitional period shall be granted so that all parties concerned may adapt to the new system for the appointment of teachers.

Translated by Callis MITRAKA