

# Policy Statement



Association  
of Kosovo  
Municipalities

## EDUCATION



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## Policy Statement in Education

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### Summary:

This document analysis the role of municipalities in **education** and emphasize that:

- Greater inclusion of schools and municipalities in strategic planning of education services,
- Need for more investments in infrastructure and education,
- Actual personnel of schools and municipalities should be more included in curriculum and management reforms,
- Municipalities through AKM should be consulted on changes in legal acts on education,

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The Association of Kosovo Municipalities is established in accordance with the European Charter of Local Self-Government to promote the interests of the people of Kosovo through strengthening the work of Municipalities.

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### Principle References:

Constitution of the Republic of Kosovo

Law on Local Self-government, No. 03/L-040

Law on Education in municipalities of the Republic of Kosovo

European Charter of Local Self-government

**PREFACE BY  
THE PRESIDENT OF THE ASSOCIATION OF KOSOVO  
MUNICIPALITIES**

Kosovo needs strong local government. Policies for the development of Kosovo can only succeed by involving and informing the local level. The Association of Kosovo Municipalities has an important role to help the Government, to offer good governance, and also, to inform the Government of the concerns and difficulties of the municipalities.

This Policy Statement prepared by the Association of Kosovo Municipalities, has these main aims:

- To demonstrate that municipalities achieve success when they are given a high scale of local self-government.
- To reaffirm the importance of active citizen participation in decision making processes of local authorities.
- To highlight the difficulties encountered in the development of policies at the municipal level and to propose solutions to better meet the needs of citizens.
- To communicate European practice in local government, and to encourage the adoption of that practice in Kosovo.

The work of the Association of Kosovo Municipalities is based on the European Charter of Local Self-Government. Meeting the criteria of this Charter is an important requirement for Kosovo to take its place in Europe.

The purpose of these statements is to affirm the responsibilities of municipalities, guaranteed by the Constitution and laws of the Republic of Kosovo. Their position further strengthened through the European Charter of Local Self Government which gives a strong mandate to local government level across Europe.

Results of the work on this project are challenging and offer a serious set of propositions to help set government policy and priorities. I hope that this policy statement will be read and reviewed by all those who value the municipal perspective of the Republic of Kosovo.

We are seeking constructive consultation and debate on Policy Statements of AKM and ultimately to take steps forward for the benefit of the citizens of Kosovo. Your observations and comment will be appreciated.

**Bajrush Xhemali**  
**President of the Association of Kosovo Municipalities**

## 1. INTRODUCTION

Collegium of Education has prepared this Policy Statement on Education by analyzing the current situation in Pre-University Education.

Within the transfer of responsibilities from central to local level it is intended to give more competences and in this regard to return the autonomy to schools. Such a thing has begun by delegating financial autonomy to schools that practically is going on in 13 municipalities of Kosovo.

Municipalities are seeking increasingly to have a greater involvement to decide on certain issues.

Regarding investment in school infrastructure, they are in good level but still have not conclusively resolve the issue of school space. If we make some comparisons with the period of four years ago, we have progress in the work of educational institutions that have worked in three or four shifts and this issue is mitigated pretty well. The reform process that is taking place in pre-university education is seeking to provide an accessible curriculum for pupils. From the reform process, we have some results but it remains to be done in raising the quality of education, quality of teaching and such a process needs work and dedication.

Issues which should be discussed in education with special emphasis should be: Strategic Development Plans of Schools, School Management, Inclusion of Children in Education, Education of Children with Special Needs, Informal Education, the delegation of finance to all schools, opening of dormitories, operation of volunteer work, etc.

This policy statement aims to identify and make present and contribute some very important issues for pre-university education system in Kosovo.

## 2. EXISTING LEGISLATION

### **Law No. 03/L-068**

### **ON EDUCATION IN THE MUNICIPALITIES OF THE REPUBLIC OF KOSOVO**

#### **CHAPTER II**

#### **Responsibilities and Competencies of the Municipalities in Education**

##### **Article 4**

##### **Competencies and Enhanced Competencies of the Municipalities**

4.1 Municipalities shall have full and exclusive powers, insofar as they concern the local interest, while respecting the standards set forth in applicable legislation with respect to the provisions of public preprimary, primary and secondary education, including registration and licensing of educational institutions, recruitment, payment of salaries and training of education instructors and administrators.

4.2 Municipalities may, in addition to the powers referred to in Paragraph 1 of this Article, be vested with enhanced competencies in the field of education as prescribed by this law or other applicable legislation.

4.3. In accordance with the Law on Local Self Government, municipalities shall be entitled to cooperate, within the areas of their own competencies in the field of education, with other municipalities and other authorities. This entitlement includes cooperation with municipalities and institutions, including government agencies, in the Republic of Serbia.

##### **Article 5**

##### **Competencies of the Municipalities in Public Education Levels 0, 1, 2, and 3 (Pre-Primary, Primary, Lower Secondary and Upper Secondary)**

Competencies referred to in Article 4 of this law shall include the following specific municipal competencies in public education at levels 0 (pre-primary), 1 (primary), 2 (lower secondary) and 3 (upper secondary), in accordance with general guidelines and/or procedures and standards promulgated by MEST:

- a); construction of educational facilities in accordance with Chapter 3 of this law and other applicable legislation;
- b) registration and admission of students in accordance with due respect for the principles of nondiscrimination under law;
- c) employment of teachers and other school personnel in accordance with legal procedures for the recruitment, selection and employment of public employees;
- d) selection of the Director and/or Deputy Director of educational institutions in accordance with legal procedures for the recruitment and legal criteria's determined by MEST from a commission established by the Municipality which two members shall be from the Municipality and one from MEST;

- e) registration, public health and safety inspection and licensing of pre-primary educational institutions, in accordance with Chapter 4 of this law;
- f) payment of the managerial staff as well as other employed personnel in accordance with Kosovo legislation;
- g) training educators and other professional staff in accordance with guidelines, principles and standards promulgated by the MEST;
- h) supervision and inspection of the education process in accordance with guidelines established by the MEST;
- i) development, approval, and implementation of the Rules of Procedure for schools, including the Code of Conduct for managerial staff, teachers, other personnel, and students as well as disciplinary measures;
- j) reporting on pre-primary level education, budgetary and management operations to municipal governments and the MEST in accordance with municipal and central legislation;
- k) application of such delegated functions or competencies as shall be determined by formal agreement between the municipality and the Government of the Republic of Kosovo;
- l) monitoring and reporting on students' educational and social progress to parents and other responsible authorities as determined by legislation; and
- m) determination of the parents' participation fee for the admission of children to nurseries and kindergartens in accordance with the laws of Kosovo.

## **Article 6**

### **Administrative Responsibilities of the Municipalities**

Competencies referred to in Article 4 of this law shall include the following municipal administrative responsibilities in public education, in accordance with general guidelines and/or procedures and standards promulgated by the Ministry of Education, Science and Technology (MEST):

- a) municipalities shall provide educational administration services sufficient for the functions of preprimary, primary, lower secondary, upper secondary and higher education in accordance with the law;
- b) minimum educational administrative services shall include the appointment of a Municipal Director for the department/directorate including the education functional sector as well as sufficient professional and support staff to perform the duties required under Kosovo legislation; and
- c) monitoring of and reporting on educational management and operations in municipalities shall be performed through the municipal administrative body identified as competent for that function by the Mayor of the municipality.

## **Chapter III**

### **Article 8**

#### **Competences of Municipalities**

8.1 Public educational facilities may be constructed by the municipality and funded through the budget of the municipality and other donations.

8.2 Municipal competencies in education facility construction shall include identification of needs for building education facilities, determination of building locations and provision of municipal land, preparation of an implementation plan, design of the facility, issuance of the construction permit, procurement of construction services and materials, necessary inspections, issuance of final occupancy permits, and creating normal conditions for the education and training process.

8.3 The municipality must submit confirmation of the availability of municipal land for construction, the project implementation plan, and the final school design not later than 60 days prior to the projected date for the posting of a procurement for construction services.

8.4 Schools shall have their own budget separated from the Municipality.

### **Article 9**

#### **Competencies to be Determined by Funding Sources**

9.1 If all or a portion of funding for construction of a facility is a direct grant from the MEST formally accepted by the municipality for that construction:

- a) the construction project must be reviewed and approved or disapproved by MEST within 60 days of submission by the municipality and prior to the beginning of procurement for the construction work;
- b) MEST's review and approval of such projects shall be transparent and based upon conformance to the Education Construction Master Plan or any successor legislation and adherence to MEST school design and construction criteria; and
- c) the MEST review and approval process shall be subject to review in accordance with Kosovo legislation.

9.2 If no direct grant from MEST is used to fund all or a portion of the construction costs for an educational facility, the MEST may only approve design and construction, in accordance with the official MEST school design and construction criteria.

#### **Enhanced Competencies of the Municipality of North Mitrovica**

The following shall be the municipal competencies for higher education in North Mitrovica:

- a) The University of North Mitrovica shall be an autonomous public institution of higher education;
- b) The university shall enact a statute to specify its internal organization and governance, and procedures and interaction with public authorities, in

accordance with central framework legislation of the Republic of Kosovo, which shall be examined by an independent commission:

- i) the independent commission shall consist of seven (7) members:
  - ii) three (3) representatives selected by the MEST;
  - iii) three (3) representatives selected by the university; and
  - iv) one (1) international member selected by and representing the International Civilian Representative.
  - v) the commission shall take all decisions by a majority vote;
  - vi) the Chairmanship of the commission shall rotate annually between a representative selected by the university and a representative selected by the MEST.
- c) Decisions on the conformity of the statute with central framework legislation, European standards and best practices and on matters concerning the accreditation of the university within the Kosovo university system shall be taken by the independent commission established by Article 14.b of this law;
- d) The Municipality of North Mitrovica shall have authority to exercise responsibility for this public Serbian language university, in accordance with applicable law of the Republic of Kosovo;
- e) The university shall have a Board consisting of nine (9) members, of which two (2) shall be appointed by the municipality, five (5) elected from among the faculty and/or student body of the university, and two (2) to be appointed in a manner to be determined by the statute of the university;
- f) The Municipality shall ensure that the university receives adequate premises and funding for its operation from the budget of the Republic of Kosovo and other institutional sources. Funding for the university from the government of the Republic of Serbia must be transparent and made public, in accordance with the laws of Kosovo;
- g) Operations and budgetary resources provided to the University of North Mitrovica shall be in accordance with standards and criteria developed and promulgated in accordance with the laws on Local Government Finance and Local Self-Government in legislation prior to 1 January 2009; and
- h) The Municipality of North Mitrovica may cooperate with any other municipality in operating the university.

### 3. STRATEGIC PLANNING

Municipalities realize that there is a lack of strategic plan in schools, even though such a thing has started happening in some schools. This is explained with the lack of consultation between the municipal directors of education and schools in terms of development strategic plan, the lack of harmonization between the results on the field and the aspirations of the central level. This lack of harmonization is also affected by lack of inter-ministerial coordination, where we have the lack of coordination between the various laws that affect in municipalities.

There should also be planned the preparation of teams in schools and municipal level to develop development strategic plans.

In the strategic framework for municipalities will be important:

- A strategic planning process that starts from school level passes through the municipal directorates of education and consolidated by the Ministry of Education, Science and Technology.

This can be achieved by:

- A standardized format for the order of priorities;
- Comprehensive drafting of projects for practical solutions of these priorities;
- Research of additional financial resources for the Kosovo budget by which to fulfill practical projects.

- A closer collaboration between schools, municipalities and the Ministry of Education, Science and Technology, and greater cooperation between ministries in particular, but limited only to the ministries related in education, finance, public services and spatial planning. Harmonization of laws is an important aspect of this cooperation.

It is anticipated that the Association of Municipalities in particular the Collegium for Education and Culture can give its assistance in this regard, by:

- Assisting in the elaboration of educational profiles, profiles can determine the details for raising the quality of education, creating a more suitable environment for education
- By planning and implementing inter-municipal projects on education
- By helping to strengthen cooperation between municipalities and the various ministries involved in the process.

- An addition to the base literature on which can be developed a strategy for

education, this can be achieved through:

- More frequent publications of instructions, municipal regulations, research and analysis relating to education in Kosovo;
- Distribution of model documentation for practices for education system especially for policies on which it is based the strategic planning where will be presented the role of the school, the Directorate of Education and Ministry.
- A greater involvement of minority communities in all phases of strategic planning.
- professional and timely translation of all materials:
- Greater motivation of communities to participate in the debate and formulation of strategy.

### 3.1 INFRASTRUCTURE

School facilities, classrooms, laboratories, workshops, gymnasiums, libraries, eating places and additional facilities are not sufficient for the number of children. Some objects have trouble with water supply, sewage and wastewater and heating systems. School infrastructure is on-going improvement in comparison with other years and this is being achieved through the help of the Government of Kosovo by MEST. Schools have difficulty for the access of people with special needs and to provide transportation for certain cases, especially for remote areas.

To improve school infrastructure municipalities require:

Preschool environments should continue to obtain playgrounds for children.

- ✓ Sustainable increase of financial resources in the education sector in Kosovo.

It is important that all parties, citizens, municipalities, the Kosovo government and donors have consideration for this issue.

Necessary measures to be taken are:

- ✓ Commitment of all responsible actors for the governance of Kosovo, based on the prioritization,
- ✓ Special considerations for the construction of spaces for people with disabilities in order to provide convenient access to the education system,
- ✓ Definition of terms for the improvement of educational infrastructure.

### 3.2 SCHOOL MANAGEMENT

It is intended that always to return to schools the autonomy in certain areas. Although this process has started it is still a difficult and a slow process.

The process started in the financial autonomy of schools.

Financial autonomy of the school is a new approach that aims to enable each school to really influence in raising the quality of services provided by the new funding formula, take into account the real needs of the school while the new system of division affects the budget to increase the responsibility of the municipality for each school on its territory and the responsibility of the school to the community itself.

This new system of funding formula requires extending to all municipalities in Kosovo, as pilot in three municipalities in 2009 and ten municipalities in 2010 is showing a positive effect which will certainly affect the quality of education building.

Difficulties in the reform process are creating more favorable conditions in educational institutions.

Municipalities are trying to make schools an educational and pleasurable environment for all children, raising standards of education for young people in the right way of education.

For that matter it is required that:

- To require support from the Ministry of Education, Science and Technology and other relevant institutions to assist with specific projects in this issue.
- To required by the educational community, although this is a little difficult to renew efforts to resolve the daily problems that we face, by activating more school councils, committees for education and other actors that can help in this matter.

### **3.3 PROFESSIONAL DEVELOPMENT**

Lack of professional literature, lack of school libraries and other teaching means which can make professional stimulation is a component which must be met consistently. For everyday teaching, the practices should be in alignment between curriculum, school literature and in disposition with available school means.

Professional development should be stimulated by the appropriate school facilities including renovation of facilities, schools, laboratories, enough space for pupils and additional school facilities. Also, professional development must be built by being stimulated by clear methodologies for teaching and teaching-learning.

Cooperation between MDE and MEST in professional development in education field is very important. For that matter municipalities require:

- A clear process by which municipal and teaching staff will be involved in curriculum development in public and transparent way,
- Review the existing curriculum is good that the municipalities are involved in,
- Freedom of municipalities to set 20% of the curriculum allowed to be developed by municipalities,
- Municipal and teaching personnel should be involved in the evaluation of textbooks proposed for use in schools,
- The training process of the teaching staff and personnel - education officer to be greater,
- Ensure the process of participation of teachers in training and instruction to enable the holding of additional or substitute for those training to be organized mainly weekends and during holidays.





AKM has the status of an observer in Council of Europe's Congress of Local and Regional Authorities in Europe. It is a permanent member of NALAS (Network of Associations of Local Authorities in South-East Europe), member of LOGON network, member of LOGIN network. Member is an Invited Association (similar to the status of an observer) in Committee of Europe for Municipalities and Regions (CEMR) and member in ALDA (Association of Local Democracy Agencies).



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