



Technical Guide for the Implementation of the Methodology for Monitoring, Identifying, Assessing, Preventing and Combating School Segregation in Pre- University Education

Part III – Prevention and Combating of School Segregation

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The overall coordination was provided by a dedicated team consisting of Luminița Costache (Education Specialist, UNICEF in Romania) and Eugen Vasile Crai (Education Specialist, UNICEF in Romania), Claudiu Ivan (sociologist – UNICEF consultant in Romania), Vasile Strugaru (IT Specialist – UNICEF consultant in Romania), and with the support of the team of the Ministry of Education and Research, coordinated by Mr. Under-Secretary of State Marian Daragiu. We extend our special thanks to all of them for their constant support, strategic guidance and valuable contributions provided throughout all the stages of the drafting process.

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1. List of abbreviations and acronyms

ARACIP	Romanian Agency for Quality Assurance in Pre-University Education
ARACIIP	Romanian Agency for Quality Assurance and Inspection in Pre-University Education
CCD	Teaching Staff Resource Centre (Casa corpului didactic)
SEN	Special educational needs
CJRAE	County Centre for Educational Resources and Assistance
CMBRAE	Bucharest Centre for Educational Resources and Assistance
CNDS	National Commission for School Desegregation
DG REFORM	Directorate-General for Structural Reform Support of the European Commission
ISJ	County School Inspectorate (CSI)
ISMB	School Inspectorate of the Municipality of Bucharest
ME	Ministry of Education
MEC	Ministry of Education and Research
MEN	Ministry of National Education
OMEC	Order of the Minister of Education and Research
OMECT	Order of the Minister of Education, Research and Youth
OME	Order of the Minister of Education
NGO	Non-governmental organisation
UN	United Nations
PAS	School Action Plan (Planul de acțiune al școlii)
PDI	Institutional Development Plan (Plan de dezvoltare instituțională)
SIIR	Integrated Information System for Education in Romania
TSI	Technical Support Instrument
UNICEF	United Nations Children's Fund

2. Prevention and combating of school segregation

The Methodology for the monitoring, identification, assessment, prevention and combating of school segregation in pre-university education (the Methodology) establishes a series of legal obligations on educational establishments, the ISJ/ISMB and the Ministry of Education for the prevention of school segregation. The legal obligations incumbent on the actors of the Romanian education system listed above require their proactive involvement in ensuring that the school population enrolled in each educational establishment reflects the social, ethnic, cultural and other diversity of the population of children/students existing in the school constituency (or, as a proxy indicator, at the level of the administrative-territorial unit in which the establishment was set up – see also Annex 1.1 Integrated Framework of Indicators for Monitoring School Segregation – Basic/Restricted Monitoring, footnote 4, on Indicator 5).

Article 28 of the Methodology establishes a universal obligation for the prevention of school segregation: 'pre-university educational establishments, together with the ISJ/ISMB and the Ministry of Education, shall adopt and implement the measures necessary for the prevention of any kind of school segregation, in order to ensure an inclusive school environment in Romania'. Other articles of the Methodology stipulate the obligation of educational establishments, the ISJ/ISMB or the Ministry of Education to ensure that students/children are equitably distributed at the level of the educational establishment, at the level of the buildings of the establishment, of the study formations (classes/groups), and as regards the distribution of students in the last two rows of benches.

As in any other domain (e.g. health, etc.), prevention of school segregation must always be the way forward — not only because in this way the right of every child to a quality inclusive education is not undermined and equity in education is a school reality present in all pre-university educational establishments, but also because intervention in cases of school segregation takes time and may require the commitment of additional (human, financial) resources.

The monitoring of school segregation, regulated under the Methodology as an annually recurring process, was designed both for the purpose of preventing school segregation — allowing the distribution of students to be tracked at all monitored levels (educational establishment, buildings of the establishment, study formations, or at the level of the last two rows of benches in the classroom) for each school year — and for preventing school re-segregation, where cases of school segregation have been identified and a school-desegregation plan has been successfully implemented.

Measures for the prevention of school segregation are regulated both in OME No. 7701/2024 and in other regulatory acts to which the Methodology refers — for example, OME No. 3945/2024 approving the procedure for the random allocation of toddlers/preschoolers/students to study formations. The educational establishment is in the best position to assess school-segregation risks based on the monitoring report at unit level; it is also the best placed to identify the prevention or intervention measures required.

Prevention of school segregation is a priority because it allows the negative consequences of school segregation listed in Article 5 of the Methodology to be prevented. An educational establishment that makes the necessary efforts to prevent school segregation will have lower early school leaving, will be more attractive to highly qualified teachers, will have a higher pass

rate of students in national assessments, will contribute to the dismantling of social, ethnic and other stereotypes and prejudices, and will generate solidarity and social cohesion.

Within the Romanian education system, one of the most effective measures for preventing school segregation is to ensure a high level of educational quality across all educational establishments (as is the case in the Finnish education system). An education system in which the quality of education is comparable across all establishments drastically reduces segregationist tendencies. From this perspective, Article 29(2) regulates the obligations of ARACIP and the ISJ/ISMB to include in the external evaluation of educational quality and in school inspections the aspects relating to educational equity and school desegregation. Furthermore, Article 29(3) establishes an obligation for the ISJ/ISMB to adopt 'a plan of priority measures for ensuring the baseline level of educational quality in all pre-university educational establishments in their constituency in which school segregation occurs'. For the implementation of these county plans, the Methodology lists possible sources of funding. Any investment to increase the quality and inclusiveness of education is at the same time an effective measure for preventing school segregation.

Methodology, Article 29

Art. 29

- (1) To prevent school segregation, all pre-university education units, regardless of their organizational or funding form, must ensure a basic level of quality of education in all teaching and learning spaces available to them – buildings and classrooms.
- (2) ARACIP establishes this basic level through education quality standards and includes in the external evaluation of education quality and in school inspections the aspects related to equal access to education and the prevention of school segregation.
- (3) ISJ/ISMB adopts a priority measures plan to ensure the basic level of quality of education in all pre-university education units where school segregation occurs, under its jurisdiction. The County Council/City Hall of Bucharest for ensuring the basic level of quality of education may benefit from funding through the National Strategy for the Prevention of School Segregation and the relevant action plan, through priority investment programs in education or through other programs supported by European or national funds.

The Methodology proposes a set of school-segregation prevention measures which it divides into general measures — in the sense that these measures can cover all protected criteria or any of them — and measures specific to each criterion protected against school segregation. In this chapter we will review the different types of measures for preventing school segregation, each of which will then be developed in the following chapters.

General measures for the prevention of school segregation include:

- Improving the quality of education and equity in access to quality inclusive education;
- Community involvement for an equitable school for all children; informing, counselling and communicating with parents;
- Configuring the school constituency;
- Configuring study formations;
- Quality of the infrastructure of the buildings and classrooms of the educational establishment, as well as quality of school furniture and equipment;
- Management of student placement in the classroom.

Specific measures for the prevention of school segregation according to the protected criteria include:

- Specific measures for the prevention of school segregation on the ethnic criterion;
- Specific measures for the prevention of school segregation on the disability and/or SEN criterion;
- Specific measures for the prevention of school segregation on the criterion of the socio-economic status of families;
- Specific measures for the prevention of school segregation on the criterion of students' academic performance;
- Specific measures for the prevention of school segregation on the criterion of students' area of residence.

In the same way, where the efforts of educational establishments to prevent school segregation have not produced the expected results and forms of school segregation are identified at their level, the establishments are obliged to proactively combat those forms of school segregation.

Article 47 of the Methodology establishes an obligation, for all educational establishments that have identified at least one form of school segregation on at least one protected criterion, to revise — within 3 months of the end of the monitoring schedule of a school year — 'the Institutional Development Plan, as well as the School Action Plan, by including at least one strategic objective for eliminating the type(s) and form(s) of school segregation evidenced by alert scores'. The Institutional Development Plan will be accompanied by a School Desegregation Plan, which has the nature of an operational plan. The revision or drafting of these plans is mandatorily carried out as part of a consultation process with educational beneficiaries and partners, including trade unions in education and representatives of groups vulnerable to school segregation. Article 48 of the Methodology provides that 'the head of the educational establishment shall set the strategic objective(s) in the PDI/PAS and draft the School Desegregation Plan, in consultation with the Administrative Council of the pre-university educational establishment, the teaching staff, the school council of students, the parents/legal representatives of children/students and their associations, the local/county authorities and non-governmental organisations'.

In this introductory section on the prevention and combating of school segregation, we wish to underline that it is not only educational establishments that have obligations regarding the prevention and combating of school segregation, but also the ISJ/ISMB and the Ministry of Education. All actors in the education system have an obligation to combine their efforts for the prevention and combating of school segregation and the promotion of an equitable and inclusive school environment.

Last but not least, the Methodology also includes sanctions in case of non-compliance with these obligations for the prevention or combating of school segregation. Article 60 of the Methodology provides: 'Non-compliance with the obligations laid down in this methodology by staff of pre-university educational establishments and of the County School Inspectorate (CSI) / School Inspectorate of the Municipality of Bucharest shall give rise to disciplinary liability.'

3. General measures for the prevention of school segregation

a. Quality of education and equity in access to quality education

Beyond the fundamental premise that education is a fundamental right of every child, we start from the observation that education is also a collective good — that is, the education of current and future generations of students has value not only for the wellbeing of each citizen of the country but also for society as a whole. Consequently, the State and the public authority must care for the preservation and development of this good. The value of education is not only the individual sense, according to which a citizen's education brings wellbeing to himself or herself, but, above all, the collective sense — that each citizen's education contributes to the wellbeing of the other citizens and of society in general. In short, we undoubtedly live better in a group, community or society to the extent that its members are better educated.

Studies and analyses carried out so far have concluded that the manifestation of the school-segregation phenomenon affects the educational stock accumulated by the members of a society and, implicitly, the level of collective wellbeing. Education being a collective good, as noted above, the State and the government must intervene and regulate also the manifestation of the school-segregation phenomenon.

School segregation is an undesirable phenomenon primarily because it has direct negative effects on educational equity and on the overall quality of education received by the student population, frustrating the fulfilment of the mission of pre-university education — which is 'to ensure the conditions and the framework necessary for reaching the development potential of each primary beneficiary of education, both from a cognitive, socio-emotional, professional, civic standpoint and in the field of entrepreneurship, so that he or she actively and creatively participates in the development of society, having a sense of national and European belonging' (Pre-University Education Law No. 198/2023, Art. 1(2)).

Educational equity means that each student has the possibility to attain a level of education consistent with his or her potential. This is also stipulated in Pre-University Education Law No. 198/2023, which states that equity consists in 'observance of the right of each primary beneficiary to have equal chances of access, participation in education and reaching his or her optimal potential, ensuring access and participation in education for all children, regardless of their characteristics, disadvantages or difficulties, and in accordance with individual needs or with the level of support required' (Art. 2(d)).

At the same time, the quality of educational services is intrinsically linked to ensuring an inclusive education environment — that is, to 'ensuring access and participation in education for all children, regardless of their characteristics, disadvantages or difficulties, and in accordance with their individual needs or with the level of support required' (Art. 2(e)).

Concentrating educational excellence — or ensuring high-quality educational services only in certain school environments (certain schools, buildings, classes) benefiting in a segregated manner only certain categories of students, while in other school environments the quality of educational services is significantly poorer — does not represent inclusive education or educational equity, nor does it achieve the broad objectives of educational policies. Such a state of affairs runs counter to the interest of educational policies in ensuring access to quality education for all students, so that educational achievements across the entire student population are maximised relative to their potential.

It is precisely for this reason that Pre-University Education Law No. 198/2023 expressly specifies in Art. 79(1) that *'in pre-university education, school segregation is prohibited at all levels', given that 'school segregation means that type of discrimination practised within an educational establishment through the physical separation of toddlers, preschoolers or students belonging to a group defined under paragraph (3) into groups/classes/buildings/structures/desks, such that the percentage of toddlers, preschoolers or students belonging to that group out of the total number of students in the group/class/building is disproportionate to the percentage that the children belonging to that group represent in the total population of the age range corresponding to an educational cycle in the respective administrative-territorial unit' (Art. 79(5)). The groups of students whose school segregation is prohibited by law are defined by 'the ethnic criterion, the disability or SEN criterion, the criterion of socio-economic status of families, of membership of a disadvantaged category, of area of residence, or of academic performance of the primary beneficiaries of education' (Art. 79(3)).*

In order to apply concretely, in the school management process, the legal provisions against the manifestation of school segregation laid down in Pre-University Education Law No. 198/2023, Order of the Minister of Education No. 7701/2024 was adopted, approving the Methodology for the monitoring, assessment, identification, prevention and combating of school segregation in pre-university education.

In the Methodology, Art. 28 specifies that *'pre-university educational establishments, together with the ISJ/ISMB and the Ministry of Education, shall adopt and implement the measures necessary for the prevention of any kind of school segregation, in order to ensure an inclusive school environment in Romania.'*

But why does school segregation nevertheless exist, how can the manifestation of this phenomenon in educational systems in general be explained, given that for society as a whole and for each citizen individually it is a phenomenon with a negative impact on wellbeing?

The best answer is that there is variation in the quality of public educational services provided in different learning environments (schools, buildings, classes), and citizens naturally and actively search for the best learning options for their children. Some citizens clearly have superior resources (of knowledge, material, social capital, relational, etc.) which enable them to identify and access the best educational pathways for their children. In this context, a tendency emerges for the concentration of those students who come from families with superior resources in learning environments with higher-quality educational services, and of the vulnerable ones — defined by certain criteria such as those mentioned above — in less favourable learning environments.

Homogeneity in the quality of educational services across all learning environments would render the resulting segregationist tendency meaningless and would prevent the manifestation of school segregation.

Understanding this reality, the Methodology stipulates in Art. 29(1) that *'for the prevention of school segregation, all pre-university educational establishments, regardless of their form of organisation or financing, must ensure a baseline level of educational quality across all the learning spaces at their disposal — buildings and classes'.*

Ensuring a baseline level of educational quality in all teaching spaces presupposes that pedagogical activity is performed at an appropriate level by all teaching staff involved in the act of teaching, seeking to respond to the specific needs of students in an equitable and inclusive manner. Students in a class/building/school structure do not always receive the same level of support in the educational process from their family; sometimes it happens that the family is broken, single-parent, with parents temporarily working abroad, marked by economic problems, or with parents who do not have an optimal level of education to adequately involve themselves in their child's educational process and to guide him or her on this journey. Such socio-economic problems specific to the student or his or her family should not affect the quality of the student's school participation, the attainment of a level of school achievement in line with his or her natural potential.

Negative stereotypes against certain categories of students, or an inadequate approach to ethnic diversity (e.g. the case of Romanian Roma students) or to disability, may lead to unjust situations of discrimination affecting educational equity in the unfolding of the school process. The negative impact on educational quality and equity is multiplied when the student simultaneously cumulates socio-economic difficulties of the kind mentioned and is also at risk of discrimination on account of ethnic or disability characteristics. The categories of students mentioned above are often at risk of early school leaving or, if they nevertheless manage to maintain their school participation, are at risk of educational achievements below their potential.

Pre-University Education Law No. 198/2023 provides, for situations of this kind, the possibility of running 'After-school' programmes (see Art. 74) or 'Remedial learning' programmes (see Art. 75), or programmes within the broader efforts to reduce early school leaving (Art. 77 of the Law).

Students such as those mentioned in the above categories rightfully need additional support from the school in order to compensate for socio-economic vulnerabilities for which they bear no responsibility, on the one hand, and whose education represents a collective good, on the other hand, as we noted at the start of this section.

In meeting the desideratum of an inclusive, desegregated learning context, in accordance with Art. 29(1) (cited above) of the Methodology approved by Order of the Minister of Education No. 7701/2024, ARACIP also contributes, which is why the same article specifies in (2) that *'ARACIP establishes this baseline level through educational quality standards and includes in the external evaluation of educational quality and within school inspections the aspects relating to educational equity and school desegregation'*.

ARACIP's activity is supported, according to the same order, by the ISJ/ISMB. The same article stipulates in (3) that *'the ISJ/ISMB adopts a plan of priority measures for ensuring the baseline level of educational quality in all pre-university educational establishments in their constituency in which school segregation occurs. The county / Bucharest Municipality plan of measures for ensuring the baseline level of educational quality may benefit from financing through the National Strategy for School Desegregation and the associated action plan, through the Priority Investment Zones in Education programmes, or through any other programmes supported by European or national funds.'*

The role of the school management and of the teaching staff is vital in this process, both by organising support programmes for these vulnerable students within the school, and by ensuring a desegregated learning context, in which such vulnerable students are not marginalised and

deliberately placed predominantly in certain learning facilities where the interest in teaching and the quality of education provided are weaker compared with the rest of the existing learning facilities.

b. Community involvement for an equitable school for all children; informing, counselling and communicating with parents

Successfully ensuring a desegregated educational process essentially also presupposes the existence of favourable attitudes towards this process on the part of the community of parents who are beneficiaries of educational services within the school constituency assigned to the school structure or unit. Where the community of parents and other important actors in the community (such as local public authorities, informal leaders, etc.) do not understand the positive opportunity of learning in a desegregated context and the positive impact of this process for all students, there will be obstacles and blockages that will frustrate the attainment of the desideratum of an equitable, desegregated learning process.

For this reason, an important stage in preventing the manifestation of school segregation is the carrying out of an effort of information, counselling and communication with parents to present to them the necessity of organising school education in a desegregated manner. Of course, such an approach must also be correlated with ensuring a context for providing educational services of similar quality across all facilities and learning spaces, as we presented in the previous section. The motivation of competition between parents to place a student in a learning context considered more favourable must be diminished and even eliminated by ensuring learning contexts of similar quality everywhere.

In any case, precisely because it is necessary to involve the community of parents in the process of preventing the school-segregation phenomenon — making the members of every beneficiary community served by each school aware of the importance of organising the provision of educational services in a desegregated manner — Order of the Minister of Education No. 7701/2024 provides in Art. 30(1) that *'the ISJ/ISMB and the pre-university educational establishments shall periodically carry out campaigns to inform and raise awareness among parents and local communities regarding the negative consequences of school segregation and the importance of quality inclusive education. Pre-university educational establishments shall collaborate with non-governmental organisations and other relevant institutions within these information and awareness-raising campaigns.'*

Schools do not always have the resources necessary to run such awareness campaigns on their own — which is precisely why the legislator's recommendation in the article cited above is for these initiatives to be carried out in collaboration with relevant organisations outside the school, such as non-governmental organisations or other relevant institutions (such as School Inspectorates, local public authorities, etc.). The role of school counsellors, school mediators, community facilitators or school psychologists can be important in this process.

On the other hand, such communication campaigns can also be carried out without collaboration with other relevant organisations or institutions, especially where such partnerships are not possible — whether due to the absence of non-governmental organisations in the locality, or the refusal to participate in such initiatives, etc. Parent–teacher meetings organised by the form teacher of each class can provide an occasion for promoting the importance of organising the school process in a desegregated manner.

Furthermore, Art. 31 of the Methodology expressly provides that *'pre-university educational establishments engage the entire school community — students, parents, teaching and administrative staff, other interested parties — in creating an inclusive, positive, safe educational environment based on relationships of trust for the prevention and combating of school segregation.'*

A final remark in this section is that it would be advisable for efforts of communication and awareness-raising about the necessity of school desegregation to begin from the earliest stages of children's public education, even from kindergarten. In this way, parents will be better prepared to understand school desegregation from the very beginning of the primary cycle.

c. Configuring the school constituency

School segregation may be a direct consequence of residential segregation. The latter is a phenomenon that is not the explicit object of the regulatory acts on school segregation, but it must be considered in this process. Each school structure/unit serves a particular school constituency, and the way in which the school constituency is delimited may lead to the accentuation of the effects of residential segregation on school segregation. Such a case has been flagged in an analysis of segregation carried out by CADO (a non-governmental organisation)¹.

Thus, the deliberate delimitation of a particular school constituency so that students of a certain category of vulnerability defined by Order of the Minister of Education No. 7701/2024 are placed preferentially in a particular school structure/unit — even though some of those vulnerable students have their residence closer to another school structure/unit — constitutes de jure an act of school segregation that infringes the principle of school desegregation promoted by the legislator. Accordingly, paragraph 2 of Art. 30 of Order of the Minister of Education No. 7701/2024 stipulates the following: *'(2) The configuration of the school constituency must be carried out so as to promote educational inclusion and avoid school segregation. The configuration of the school constituency must be grounded in the principle of proximity of primary beneficiaries of education, using official INS data and/or other available official data.'*

In other words, the only principle accepted for the configuration of a particular school constituency is that of student proximity — the distance of their residence from the school structure/unit where they study. Situations in which students are allocated to a school constituency under a particular school structure/unit even though their residence is closer to another school structure/unit automatically raise suspicion of school segregation influenced by residential factors. Regarding the principle of student proximity in the configuration of the school constituency, the authors of this guide wish to specify that there may be situations in which an atypical configuration of the school constituency may constitute a measure to prevent or combat school segregation (both in urban and in rural areas) and to align the various shares of the school population with those of the population of the administrative-territorial unit and, consequently, to reduce alert scores. However, in order to derogate from the principle of student proximity, it is recommended that there be a higher level of supervision and, accordingly, that the ISJs, when identifying such a situation, request the opinion of the CNDS before taking the final decision. The CNDS will verify whether the justification of the ISJ's proposal is rigorous

¹ https://cado.org.ro/wp-content/uploads/2023/03/18112022RaportMonitorizareEvaluareSegregareScolara_Ro.pdf

and can contribute to the expected benefits for school desegregation. Such a solution should be included in the Methodology so that the obligations of the ISJ/ISMB and the CNDS are explicitly regulated.

On the other hand, there are situations in which students commute to school units and school constituencies that are not even adjacent to the one in which they reside — far from the school to which they belong. Some schools are 'magnets' for students from other school constituencies than the one they serve, while there are also school units whose constituency experiences a 'haemorrhage' of students towards other constituencies. Such phenomena, when they affect a significant number of students, certainly have an explanation that most likely involves the assiduous search — especially by those parents who can afford this luxury — for those school units where they believe the quality of educational services is higher. Of course, on the other hand, the phenomenon is also supported or facilitated by the willingness of some teaching staff to accept the requests of certain parents to have their child placed in particular educational units/study formations.

The legislator was aware of these aspects when, in paragraph 3 of Art. 30 of Order of the Minister of Education No. 7701/2024, they regulated that '*(3) The ISJ/ISMB shall monitor the migration of students between school constituencies in order to identify the constituencies from which students migrate, the concrete causes of this phenomenon, and shall establish the measures required.*'

The conditions under which a student may attend a school other than the one to which they belong (by virtue of having residence within the latter's school constituency) are regulated by Order No. 4019/2024, Annex 1, on the approval of the Methodology for enrolment of children in primary education. The basic condition is that the school where there are requests from outside its constituency must have sufficient available places according to the enrolment plan. Where there are more requests than available places from students outside the constituency, a set of distinguishing criteria is applied.

Furthermore, the School Inspectorates may intervene to reconfigure school constituencies in order to avoid school segregation resulting from segregation on the area of residence criterion: '*The school inspectorates may decide to reconfigure school constituencies up to the start of enrolment, so as to ensure the optimisation of the process of including children in the preparatory grade, in the situation where the capacity of an educational establishment does not allow all the children in the school constituency established in the previous school year to be included in the preparatory grade, as well as in other justified situations, such as the elimination of school segregation resulting from segregation on the area of residence criterion.*' (Order No. 4019/2024, Annex 2 – CALENDAR for enrolment in primary education for the 2024–2025 school year)

d. Configuring study formations

The way in which the configuration (allocation) of students *to study formations takes place* — understood here as those groups of students who are taught in the same school space and at the same time by the same teaching staff (a particular class set up in a school unit is, for example, a study formation; likewise a group of toddlers/preschoolers) — is a key aspect of the process of preventing school segregation.

The equitable allocation of students to these study formations means, in fact, that each student, regardless of his or her origin, social, economic, medical situation or ethnicity, will have a

similar chance of being distributed to any of the study formations. Put differently, ideally, the distribution of students within study formations is carried out according to a formula that is not influenced by the preference of an adult to be included in a particular study formation. Such formulas for distributing students are either random by lot, or random in the alphabetical order of names (see also OME 3945/2024 approving the Procedure for the random allocation of toddlers/preschoolers/students to study formations).

Why is such a distribution of students within study formations equitable?

Because configuring study formations in this way allows any student — regardless of the status of his or her parents and their capacity to exert influence — to access the best learning conditions available in the school unit to which he or she belongs by residence, or simply in the school unit where he or she is enrolled. The criteria for evaluating educational services are often subjective, especially at the level of their beneficiaries — they may relate to the perceived value of certain teaching staff, to the more adequate supporting infrastructure available to support the teaching process, or simply to a particular valuation of certain categories of potential classmates with higher social status, etc. What matters less from the standpoint of school segregation is what these criteria for evaluating the quality of education may be; what is extremely important, however, is that every student should have the same chance of access — theoretical and practical — to any study formation, which leads to more uniform access to quality education for all students regardless of their socio-economic situation, and consequently to an overall increase in the quality of education within the school system (efforts to improve the quality of educational services will be concentrated uniformly across all study formations). As we noted above, ideally, educational services of a similar level should be provided in all study formations, without any particular interest in including a student in a specific learning context: where the quality of educational services is similar across all existing learning contexts, there is no longer a reason to prefer a particular study formation.

Such a desegregationist perspective in the constitution of study formations has multiple advantages, which we list briefly here: it leads to the standardisation of educational quality; it allows students from various social categories to meet in the same study formations, which ensures greater social cohesion, homogenisation of values and preparation for adequate participation in real society life in adulthood; there will be greater interest from all stakeholders in having quality educational services in all study formations (which will increase the overall quality of educational services over time); the impact manifested by cases of students with difficult socio-economic situations on the educational process will be balanced across all study formations — and will not be concentrated only in some of them, etc. The systematic, long-term effect of such an approach is a higher average level of educational preparation in the student population, with the concentration of vulnerable students in particular study formations avoided.

It is precisely in this context that Order of the Minister of Education No. 7701/2024 approving the Methodology for the monitoring, assessment, identification, prevention and combating of school segregation in pre-university education stipulates very clearly in Arts. 32, 33 and 34: *'Art. 32. The configuration/reconfiguration of study formations can contribute to the prevention of school segregation from at least the following perspectives: equitable allocation of toddlers, preschoolers and students at the level of buildings, where the same educational cycles of the pre-university educational establishment — at structure level — are taught in two or more buildings, and equitable allocation of students into groups/classes, where there are at least two groups/classes in the same study year. Art. 33. Pre-university educational establishments are*

obliged to configure/reconfigure study formations so as to prevent any form of school segregation. Art. 34. Pre-university educational establishments are obliged to allocate toddlers/preschoolers/students equitably at the level of buildings, of study formations (i.e. groups/classes) and of the last two rows of benches in the classroom.'

It should also be recalled that Order No. 3945/2024 approving the Procedure for the random allocation of toddlers/preschoolers/students to study formations is currently in force — a regulatory act detailing how the equitable allocation of students to study formations can practically take place.

In the process of constituting study formations through the allocation of students to classes, it is also necessary to manage adequately other student moves between classes — processes inherent in the unfolding of the school process. Such moves are carried out, for example, in the case of repeating students or those who are transferred. Students from both categories must, in accordance with the legislation in force, be equitably distributed among the study formations existing within a school. For example, the repeating students from a given study year will not all be allocated to the same class (where there are several classes). The same will be done with transferred students. Order of the Minister of Education No. 7701/2024 specifies in this regard:

'Art. 35. Pre-university educational establishments shall equitably allocate, at the level of classes, the students who repeat the school year. The same obligation applies to the allocation of children between preparatory classes for those students who, for one reason or another, have not completed the preschool cycle or have completed it incompletely.'

Art. 36. Pre-university educational establishments shall equitably allocate, at the level of classes, the students who arrive by transfer from another educational establishment, or who request a transfer from one class to another within the same educational establishment.'

e. Quality of the infrastructure of school buildings

Specialised studies show that the most important element that gives the measure of the quality of educational services is the teacher who teaches in the class. Nevertheless, the infrastructure of school buildings is also one of the important elements taken into account by the beneficiaries of educational services when evaluating their quality. Without a minimum level of school comfort, of facilities that make the pedagogical act efficient, even the performance of the teacher and the attractiveness of the school among students may suffer (for example, we may think of school units with the toilet outside the building, in the yard, or teachers who do not have access to minimum digital teaching tools — computer, internet, etc.).

By the infrastructure of school buildings, we mean here aspects such as the school's heating system in winter and the air-conditioning system in hot summer periods, the furniture and walls of the classrooms, access to toilets, spaces dedicated to particularised teaching of a subject (chemistry, biology laboratories, etc.), digital instruments supporting the pedagogical act (interactive board, video projector, computer, printer, internet), means of accessibility in the school for students with disabilities, gymnasium and the quality of its facilities, sports ground, etc.

In order to ensure the premises of lasting school desegregation, it is important — in light of what has been presented above — that the infrastructure of school buildings should meet, anywhere in Romania, a minimally satisfactory level in all the aspects mentioned (facilities for students and teachers, support equipment for the pedagogical act, etc.).

School-segregation monitoring includes, in its extended stage (the one in which only those school units where situations of school segregation have been identified participate), the analysis of several indicators relating to school infrastructure, in order to capture aspects such as those mentioned above. Where, in school facilities where school segregation has been observed (at building or class level), a deficient level of the infrastructure of school buildings is also manifested, it will be necessary to implement priority measures in these cases for bringing that school infrastructure up to a minimally satisfactory standard. Such a standard will be apt to ensure a safe and attractive school climate for students, conducive to the provision of educational services at least at a similar level to the situation of other school facilities populated predominantly by non-vulnerable students.

f. Management of student placement in the class space

Order of the Minister of Education No. 7701/2024 specifies that school segregation in the last rows of benches is prohibited — through the predominant placement of vulnerable students in the last rows of benches. Such a prohibition applies only in the case of pre-university educational establishments *'which have classrooms preserving the spatial arrangement of rows of benches, have a minimum of 25 students enrolled in that class and do not ensure the rotation of students in their desks at least once per educational module'* (Art. 37, Methodology).

Vulnerable students are those categories of students already mentioned previously (Roma students, students with disabilities, students who come from families with low socio-economic status, from rural areas, etc.), and the regulatory act mentioned specifies: *'where possible, students belonging to vulnerable groups shall not be placed in the last two rows of benches in the classroom. In cases where this is not possible, the share of students belonging to vulnerable groups shall be no greater than their share at the level of the study formation'* (Art. 37, Methodology).

'Art. 38. To prevent school segregation through the placement of students in the last two rows of benches, pre-university educational establishments may either ensure the rotation of students in their desks at least once per educational module, or rearrange the classroom in a different way from rows of benches, such as: in a circle, semicircle or amphitheatre, lounge-style, etc.'

We may note that school segregation at the level of the last rows of benches is the form of school segregation that can be prevented and combated most easily — only requiring a decision of the form teacher regarding the periodic change of student placement in the classroom desks, or through rearranging the format of seating in the classroom. What must be explicitly avoided is the permanent placement of students from vulnerable categories in the last rows of benches of the class, where participation and the benefit of participating in school activities may be diminished.

4. Specific measures for the prevention of school segregation

a. Interdependence of specific measures for preventing school segregation. The intersectional approach to school segregation

The specialised literature that has addressed the issue of equity in education has shown that the vulnerability of a student is often 'intersectional', meaning that the same student cumulates simultaneously several characteristics that predispose him or her to vulnerability in the school process — for example, the case of a student who comes from a family where the parents' education is at most 8 grades, from a rural area, and at the same time, the student has a social-scholarship file, coming from a family marked by poverty.

It is precisely for this reason that segregation must always be viewed in a complex manner, simultaneously from several perspectives — ensuring that *'specific measures for the prevention of school segregation on a particular criterion are correlated with the other specific measures for the prevention of school segregation, so that the prevention/reduction of a particular type of school segregation does not lead to the appearance/increase of another type of school segregation'* (Art. 39, Methodology).

A hypothetical example would be that in which — concerned only with avoiding segregation on the area of residence criterion — students from rural areas are distributed across the two classes of a particular educational level, without considering the educational level of the students' parents. It may thus happen that students from rural areas whose parents have secondary or higher education are all distributed in one class, while the other students from rural areas whose parents have at most lower-secondary education are distributed in the other class. Such an option in the distribution of students coming from rural areas is inequitable since it most likely generates school segregation on the criterion of the family's socio-economic status (indicator: parents' educational level). To prevent school segregation, both students from urban and rural areas must be distributed between the classes of the same study year in equal proportions from each category of students defined by the parents' educational level: rural-area students with high-school/higher education will be distributed equally between the two classes (following our example); rural-area students with at most eight grades of education will also be distributed equally between the two classes. The same will be done with students from urban areas.

Things must be treated similarly in the case of students with disabilities or of Roma ethnicity whose parents have higher/secondary education or less education (at most 8 grades) — not all students with disabilities or of Roma ethnicity whose parents have higher/secondary education will be distributed in the same class, while the other students with disabilities or of Roma ethnicity, whose parents have at most eight grades, will be distributed in another class.

Naturally, the random distribution of students (where the preferences of those involved do not influence the distribution of students) will lead to a balanced composition of various learning spaces — classes/buildings. However, when such a random distribution nevertheless leads to school segregation (and such situations have been documented in the specialised literature; random/computerised distribution is not an infallible measure in all cases but, obviously, in the majority of cases it contributes decisively to a more equitable allocation of children/students), it must be corrected through a justified decision of the school, taking into account also the concomitant vulnerability characteristics that some of the students may have.

b. Specific measures for preventing school segregation on the ethnic criterion

An aspect of utmost importance, which raises specific challenges in the case of preventing school segregation on the ethnic criterion, is the identification of students who belong to a particular ethnicity and, in particular, of Roma-ethnicity students (without, however, limiting ourselves to this ethnic minority — the ethnic criterion refers to all minorities, not just the Roma minority). Negative stereotypes against Roma in general still persist in Romanian society, as do discriminatory practices stemming from these prejudices. Against this background, many Romanian citizens of Roma ethnicity prefer to mask their ethnicity and declare themselves as belonging to another ethnic group.

Self-declaration of ethnicity is the most accurate way to identify a person's ethnicity; in the case of a minor student, his or her ethnicity must be declared by the parent/legal representative. Hetero-identification (identification of ethnicity by third persons, based on characteristics — language, dress, for example — or on knowledge of someone's personal history) is a process subject to error. It is in this very sense that Art. 40 of Order of the Minister of Education No. 7701/2024 specifies in paragraph 1 that *'(1) The ethnic identification of children/students in a pre-university educational establishment shall be carried out on the basis of the self-identification method — that is, through the declaration of ethnicity by the parent/guardian/legal representative or by the adult student.'*

As noted above, the phenomenon of avoiding self-declaration of Roma ethnicity is well known. To ensure a truthful ethnic identification and to increase the chances that as large a share as possible of Roma students can have their ethnicity recorded, in the school-segregation monitoring process it is advisable for this information to be collected under the strict regime of confidentiality and preservation of the personal character of this information. The respondent (one of the parents/the student's legal representative) must necessarily be assured that he or she will benefit from all the guarantees of the legal framework in force for the protection of personal data, including the legal guarantees of absolute confidentiality regarding ethnic affiliation, and must be informed of the exclusive purpose for which this information is used — a purpose that is to his or her advantage (in order to detect and combat situations of school segregation that sometimes negatively affect the school participation or performance of Roma students).

However, where the method of ethnic self-declaration is nevertheless not effective, and because school segregation is a phenomenon that also affects Romanian citizens of Roma ethnicity to a great extent, the method of hetero-identification may also be used — but only with the contribution of an expert person (community ethnic leader or mediator, school mediator, health mediator) from the community where the student lives and who is familiar with the history and situation of the student and his or her family, or previous administrative data may be used which were previously provided by a member of the student's family, or with the help of the self-declared ethnicity of a relative of the student.

Thus, Art. 40 of Order of the Minister of Education No. 7701/2024 specifies in paragraph 2 that *'(2) In documented exceptional situations, ethnic identification may also be carried out on the basis of hetero-identification, with the support of a local expert familiar with the particularities of the local community, a community ethnic leader or mediator, school mediator, health mediator, or on the basis of other prior administrative data — such as the confirmed ethnicity of a parent/older brother/sister who previously attended school, or on the occasion of other situations within the school process.'*

In the case of students who come from mixed-ethnicity families, the ethnicity self-declared by one of the parents remains the most reliable means of recording this information.

Moreover, in order to create conditions as favourable as possible for identifying the real ethnicity of students, it is recommended to carry out information and awareness campaigns on school desegregation within ethnic minority communities (and, in the case of Roma communities, all the more so), emphasising the importance of declaring real ethnicity and the fact that there are no negative consequences for the student or family in case of declaring ethnic belonging. In this sense, Art. 41 of the regulatory act invoked above specifies that *'the pre-university educational establishment may carry out information and awareness campaigns on school desegregation in ethnic minority communities, including with the help of materials drafted in the languages of the ethnic minorities and with the involvement of a local expert who is well acquainted with the local community, and/or a school mediator, health mediator, social worker for better communication with the community and to prevent potential prejudices or ethnic stereotypes in the drafting of campaign materials.'*

Also in the case of assessing segregation on the ethnic criterion, it is important to consider the situation intersectionally — that is, to also monitor the degree to which Roma-ethnicity students identified also cumulate other vulnerability characteristics, which accentuates the negative impact of segregation on educational experience and school results. For example, a Roma-ethnicity student who comes from a family where parents have higher education and the material situation is more than satisfactory will be able to cope with the still-persistent negative stereotypes against Roma differently from a Roma-ethnicity student who at the same time comes from a family where parents have at most 8 grades and is marked by poverty — and things can become even worse for this latter student if he or she also presents a disability or comes from a rural area. Statistics (including those of the last Census carried out in 2021) show that there is a significant gap between Romanian citizens of Roma ethnicity and other citizens with regard to socio-economic criteria (poverty, accumulated educational stock), which is why it is very likely that intersectional or concomitant vulnerability (including Roma ethnicity) is frequently encountered in reality. It is precisely for this reason that it would be even worse for Roma students who concomitantly have several social vulnerabilities to also face the problem of school segregation — a fact that would multiply school inequity.

Another phenomenon that is important to consider in designing measures for the prevention of school segregation on the ethnic criterion is school dropout or early school leaving. School-population losses (students who drop out) from one educational cycle to another are greater among Roma students compared with other students, which is why the share of Roma students in classes/buildings/last rows of benches within a student cohort may vary from one educational cycle to another. Such situations will need to be considered in the practice of preventing school segregation, by preserving from the very start of primary education classes and buildings that are constituted homogeneously, with similar percentage distributions of Roma students — also considering the additional vulnerabilities of some of them.

c. Specific measures for preventing school segregation on the disability and/or SEN criterion

In the case of students with disabilities or SEN, school segregation very often means a condemnation to exclusion and marginalisation, with no chance to develop to their full potential. There are, of course, situations in which — depending on the severity of the student's

disability — the integration of children with disabilities into mainstream education requires additional investment and support (support teacher or permanent accompanying person, resource room for educational and psycho-pedagogical support, etc.) — see, in this regard, the provisions of Pre-University Education Law No. 198/2023, Arts. 68–71.

To prevent the situation of school segregation of students with disabilities, one of the essential measures is for the pre-university educational establishment to have the necessary infrastructure to ensure easy access to all classrooms, and to have the necessary measures or assistive technologies in all existing classrooms and buildings. The optimal situation is for any classroom and building within a school unit to be capable of hosting the educational process of a student with disabilities or SEN, in accordance with the legislation in force.

It is precisely in this sense that Art. 42 of Order of the Minister of Education No. 7701/2024 stipulates: *'Educational establishments have the obligation to ensure the accessibility of all educational spaces for students with disabilities and/or SEN and the reasonable accommodation necessary for the inclusion of students with disabilities and/or SEN in all the buildings and classrooms where students with disabilities and/or SEN are enrolled.'*

Where the access and inclusive participation of students with particular disabilities cannot be ensured in all classrooms or in all buildings, their segregation in those school spaces specifically equipped with the necessary infrastructure will automatically be produced. Such a situation is undesirable and cannot constitute a legally-grounded reason for segregating students with disabilities. The regulatory act mentioned above stipulates in this regard at Art. 43:

'(1) The principle of school desegregation is transposed into practice through the equitable allocation of children with disabilities and/or SEN to existing learning spaces — buildings, classes, desks.

(2) The allocation of all children with disabilities enrolled in the same study year to a single class among those existing — when several classes per study year are set up — based on various considerations (such as that in that class there are additional resources allocated, a support teacher) constitutes a form of school segregation.

(3) Students with disabilities, regardless of the severity of the disability, included in a pre-university educational establishment at structure level, shall be distributed equitably among the buildings, classes and desks existing within the educational establishment.'

It is also important to mention here another measure that may prevent the school segregation of children with disabilities. Often, the teaching staff who work with children with disabilities have difficulties and specific challenges in ensuring adequate pedagogical management of the classroom. Certainly, in these situations, the teaching staff should be specifically trained to ensure an inclusive school environment for the child with disabilities, in accordance with his or her specific needs and the specific type of disability. For this reason, some teachers may invoke a lack of specific training to manage a class where students with particular types of disabilities study and, from there, the placement of these students in other classes where the teaching staff can manage the situation. Therefore, the training of all teaching staff to work with students with disabilities, providing an inclusive formative environment, is a measure that may prevent the school segregation of students with disabilities and, furthermore, contributes significantly to educational inclusion.

d. Specific measures for preventing school segregation on the criterion of the socio-economic status of families

Socio-economic status is fundamentally understood, within Order of the Minister of Education No. 7701/2024, through a few basic characteristics of the student: (1) the parents' education (the highest education of one of the parents is considered, as standard); (2) the level of material wellbeing or material difficulties of the family (students vulnerable in this respect being identified by the fact that they have filed a social-scholarship file, for the free provision of school supplies or for other forms of support — irrespective of whether they benefit from these or not — i.e. financial constraints); (3) whether the student is institutionalised or in foster care; (4) coming from a single-parent family; or (5) students who are in the care of grandparents or other family members than the parents.

We can say that this criterion of the student's socio-economic status is fundamental in the school-segregation process, being harmful to educational equity and amplifying the effects of segregation when it cumulates with any other criterion of vulnerability to school segregation (such as ethnic affiliation, disability, rural origin, single-parent family, etc.).

When a Roma-ethnicity, disabled, or rural student, for example, on the other hand does not present any characteristic that would make him or her vulnerable from the standpoint of the socio-economic criterion (through the subsequent aspects described in the regulatory act), he or she has the chance of adequate and consistent support from the family, which has the resources to intervene and can involve itself in the student's school process — preventing and to some extent compensating for the effects of other vulnerability.

However, when the student is vulnerable on the socio-economic criterion (through one of the aspects mentioned, or indeed several — often those aspects manifest concomitantly, being a cause of one another, such as low education due to material difficulties), he or she is often deprived of the much-needed support of the family in the school process. And for this reason, the only protective resource that remains is that of public institutions and their representatives (from the school, public authority, etc.).

The equitable allocation of vulnerable students on the socio-economic criterion to buildings, classes and desks thus becomes essential so that the broad aim of the education system can be achieved — especially given that, in the case of these students, there are probable premises that the family cannot fulfil its function as the primary advocate of the child's rights and wellbeing. Accordingly, the Methodology adopted through OME No. 7701/2024 expressly stipulates at Art. 44 that *'Educational establishments are obliged to equitably allocate, at the level of buildings, classes and desks, the toddlers/preschoolers/students who are vulnerable on the criterion of the family's socio-economic status.'*

A measure to prevent the segregation of students vulnerable on the socio-economic criterion is the one already mentioned — namely, ensuring qualitatively equal or similar educational services in all study formations.

The rigorous application of OME No. 3945/2024 approving the procedure for the random allocation of toddlers/preschoolers/students to study formations may also prevent the segregation of students on the socio-economic criterion.

We would also mention here, on the other hand, as a preventive measure, the conduct of efforts to raise awareness in the community served by the school — including parents with high socio-

economic status this time — about the importance of ensuring educational equity and its extremely important stake for the entire society, including by providing educational services without segregating students on the socio-economic criterion.

e. Specific measures for preventing school segregation on the criterion of students' academic performance

Students' academic performance reflects, to a large extent, the socio-economic conditions that the student has experienced throughout life. Beyond a student's native endowment, school performance is given by the involvement and investment made by the family throughout the child's life, from the very first days of his or her birth. Consequently, grouping students according to school performance as reflected in marks, grades or results in various competitions or exams is inequitable. Art. 45 of the Methodology explicitly states this prohibition: *'The configuration of study formations based on marks/grades, school results, or in order of results in various competitions/admission examinations is prohibited.'*

It is important to understand correctly this prohibition stipulated by the regulatory act: the fact that study formations cannot be configured according to school results does not mean that admission to a school cannot be organised to select a limited number of students — rather, it means that those students who have met the minimum admission grade should not be allocated to classes in descending order of grades — the first ones, with the highest grades, in one class, and the next ones, with lower grades, in other classes. The recommended procedure in this case is cross-allocation across classes (the first-ranked into one class, the second-ranked into another class, etc.).

In order to prevent the manifestation of segregation on the criterion of academic performance, the established procedure must prevent students/parents from being able to opt, after admission, for a particular class — the allocation to classes is the prerogative of the school management.

It should also be specified that students who happen to repeat a year must be distributed uniformly across the study formations constituted at a particular educational level (where there are several classes/study groups in existence), and, in preparatory classes, students should not be distributed to classes based on the criterion of whether or not they attended an early-education programme. Precisely in this sense, Art. 12(2) of OME No. 7701/2024 specifies that *'school segregation on the criterion of academic performance shall also be constituted by the physical separation of children in the preparatory grade based on whether or not they attended an early-education cycle'*, and Art. 35 stipulates that *'pre-university educational establishments shall equitably allocate, at the level of classes, the students who repeat the school year. The same obligation applies to the allocation of children between preparatory classes for those students who, for one reason or another, have not completed the preschool cycle or have completed it incompletely.'*

f. Specific measures for preventing school segregation on the criterion of students' area of residence

Area of residence may create a disadvantage in the school process — for example, the situation of students from rural areas who commute to urban schools, the time spent in this regard creating a disadvantage for them compared with students who live in urban areas. Official data show gaps in school participation and school results between rural-area and urban-area students.

It is precisely for this reason that the segregation of rural-area students is inequitable, and the Methodology specifies at Art. 46 the prohibition of their segregation: *'Pre-university educational establishments that educate students coming both from urban and from rural areas shall equitably allocate the children/students from the two areas of residence — and in accordance with the principles of inclusive quality education — at the level of buildings, classes and the last two rows of benches. The configuration of study formations on the basis of the child's/student's area of residence is prohibited.'*

In this case too, a procedure for the random allocation of students prevents segregation on the basis of area of residence; likewise, observance of the other prohibitions previously mentioned will have as its effect the organisation of schooling without segregating rural-area students from the others.

5. Intervention in cases of school segregation

a. The school-segregation monitoring report at the level of the educational establishment

Following the school-segregation monitoring process, in the basic (restricted) monitoring stage, on the basis of the data reported by each school unit directly in SIIIR, each school structure (the calculation is carried out at the level of each school structure) receives a school-segregation score, for each criterion (type of segregation — on the ethnic criterion, the disability/SEN criterion, the socio-economic status criterion, the academic performance criterion, the area of residence criterion) in each of the possible forms of segregation (at the level of buildings, classes, the last rows of benches) — details regarding the score calculation are provided in *Annex 1.4 — Methods for assessing school segregation and for calculating school-segregation scores for pre-university educational establishments* (see also Technical Guide – Part 1 — Monitoring, Identification and Assessment of School Segregation, Chapter 7, Methods for assessing school segregation and for calculating school-segregation scores for pre-university educational establishments).

All these scores are included in *the school-segregation monitoring report at the level of the educational establishment*, generated from the SIIIR Module for school-segregation monitoring at the end of the collection and uploading of the data required for monitoring school segregation. This report also specifies the alert scores — those situations that suggest the existence of school-segregation situations requiring a more thorough analysis.

Practically, an alert score may be identified according to any criterion considered and in each form of segregation. In Stage I, the restricted monitoring, only aspects strictly related to the existence of school segregation are tracked. When the segregation score is above the alert threshold, the school is required to also participate in the extended monitoring stage, providing an additional set of data directly in SIIIR.

In accordance with Art. 23(3) of the Methodology: '*(3) The collection and reporting of data on extended monitoring is mandatory only for those pre-university educational establishments that have obtained scores above the risk threshold in the restricted monitoring; the risk score is any score greater than 1, i.e. a score that indicates a deviation from the equitable distribution of children/students greater than 10 percentage points.*'

The collection of data related to extended monitoring has the role of helping the school unit to identify manifestations and risks of school segregation and the targeted solutions or measures through which to intervene effectively to prevent or eliminate the school-segregation situations evidenced by the alert score. Moreover, the Methodology encourages all educational establishments to go through both stages of school-segregation monitoring (i.e. also the extended monitoring): Art. 23(2): '*in order to obtain a complete picture of inclusion or school segregation, pre-university educational establishments may follow the entire school-segregation monitoring process, both the basic monitoring and the extended monitoring.*'

b. The school desegregation plan

Alert scores trigger, in accordance with the Methodology, the revision within three months *'from the end of the updated monitoring schedule, of the Institutional Development Plan, as well as of the School Action Plan, through the inclusion of at least one strategic objective for eliminating the type(s) and form(s) of school segregation evidenced by alert scores' (Art. 47(1)). Within the Institutional Development Plan and the School Action Plan, there is an obligation to include 'at least one strategic objective for eliminating the type(s) and form(s) of school segregation evidenced by alert scores' (Art. 47(1), Methodology).*

The revision of these plans takes into account, using the data collected within monitoring (basic and restricted), aspects such as:

- a) the evaluation of the quality of educational services in the educational spaces where school segregation has been found;
- b) the results of consultations with students, parents/legal representatives of students — including those of students from categories vulnerable to school segregation — teaching staff and trade union organisations.

The aim of these revisions of the Institutional Development Plan (PDI) and the School Action Plan (PAS) is the elimination of school segregation (through the establishment of a strategic objective/objectives at school level) and the adoption of measures leading to the same level of quality and inclusiveness of the school education services provided in all the learning spaces of that pre-university educational establishment (Art. 47(2)), and to the reduction of scores below the alert threshold.

The Methodology provides, in Art. 48, the need to draft, where school segregation is found, a School Desegregation Plan that will be part of the Institutional Development Plan (PDI) of the school unit. The standard procedure is for the School Desegregation Plan to be drafted in consultation with the Administrative Council of the pre-university educational establishment, the teaching staff, the school council of students, the parents/legal representatives of children/students and their associations, the local/county authorities and non-governmental organisations.

At this point, the school has wide manoeuvring space and can choose specific measures for the specific problems it faces. Such initiatives may be (the list is not exhaustive):

- ✓ **First of all, the forms and criteria of segregation where the highest scores were identified may be analysed and the causes of that situation understood.** By way of example, the educational establishment may identify, following the analysis of school-segregation situations, the hypothesis in which school segregation may be the result of explicit intentions of one category of parents to have their child enrolled in a particular class or to avoid enrolment in another class. In this hypothesis, the evaluation of the quality of educational services provided in the various study formations should be of primary importance.
- ✓ **Improved quality of educational services may also be achieved by facilitating, for the less qualified teaching staff, access to specialised pedagogical training and the digitalisation of teaching** (equipping the classroom with digital teaching tools such as an interactive board, laptop, etc. and training the teacher to use such tools).

- ✓ **Poorer educational quality in a study formation may come either from the weaker preparation of the teaching staff, or from their weaker motivation to provide quality services, etc.** The school management and the management team may set a strategic objective in this direction, such as the selection of one or more teachers with higher qualifications, better prepared, concurrent with efforts to desegregate the study formations.
- ✓ **The quality of educational services may be reinforced, where school segregation is found, also through the initiation of 'Remedial learning' or 'After-school' programmes, under the conditions of the law.** The identification of school-segregation situations may be a solid argument for grounding the running of such supplementary study programmes.
- ✓ **Depending on the intensity of school segregation, a measure for redistributing some students from one formation to another may also be established, in parallel, to eliminate or reduce the level of school segregation below the alert score.**
- ✓ **The running of information and awareness-raising campaigns on school segregation** — its importance for ensuring an equitable school climate, or its negative effects — may also be organised as a strategic objective followed by the school unit.

Regarding redistribution measures (whether we are talking about redistributing students between study formations or between the rows of benches in the classroom, or about redistributing study formations between the buildings of the educational establishment) when they are necessary, they must be thought through and applied on the basis of a principle of strict efficiency, so that the redistribution targets the smallest possible number of students and study formations through which the scores are reduced below the risk threshold. Research has shown that educational socialisation in non-segregated contexts has intrinsic benefits — such as raising the educational aspirations of children and families, increased valuation of education and human capital, richer and more diverse competencies and cognitive achievements, the development of diverse social networks, or improved school performance. All these intrinsic advantages of non-segregated education are more obvious for vulnerable students and families, but students or families with higher socio-economic status also benefit. As such, depending on the intensity of segregation and the particular context in each educational establishment, such measures may be required, and they must be openly communicated with the educational partners of the school. To reduce as much as possible the disruptive effects of measures redistributing students between study formations, it is recommended that these measures be implemented at the end of the school year (not during the school year), and complementarily, measures will be implemented to limit the negative effects of school segregation and to improve the quality of education.

In this process, representatives of other relevant, potentially partner organisations may also be co-opted — such as NGOs interested in this phenomenon or the local authority, employees of the social assistance service or other local experts (mediators, community facilitators, school counsellors), etc. The deadline for drafting the School Desegregation Plan by the school unit where school segregation has been found is three months from the end of the updated monitoring schedule.

The Methodology contains, in Annex 1.6, a template School Desegregation Plan which, once completed by the school unit, is submitted to the ISJ/ISMB (together with the strategic objective(s)). The ISJ/ISMB analyses and discusses with its partners (representatives of the

county school students' councils / Bucharest Municipal Council of Students, county / Bucharest Municipality representatives of representative parents' associative structures with activity relevant at national level, and representatives of trade union organisations representative at the level of the activity sector) the Desegregation Plan, to which it may bring amendments.

The ultimate aim of the Desegregation Plan is *'the elimination of any form of school segregation by reducing the scores resulting from school-segregation monitoring below the alert threshold'* (Art. 50).

Where a school unit fails to draft the strategic objective of the PDI and the School Desegregation Plan, and to submit them to the ISJ/ISMB, then *'these shall be drafted by the ISJ/ISMB together with the county / Bucharest Municipality educational partners, within one month from the expiry of the three-month period allocated to the school unit. The ISJ/ISMB may also consult the CNDS in the process of drafting the measures necessary for school desegregation. Where such a situation is attributable to the pre-university educational establishment, the ISJ/ISMB shall apply the sanctions provided for in the legislation in force.'* (Art. 51)

The Methodology also recommends measures for monitoring the implementation of the school-desegregation measures included in the PDI and the School Desegregation Plan. One of these is that the ISJ/ISMB *'shall include, as a matter of priority, in the planning of school inspections those educational establishments which, following school-segregation monitoring, have obtained scores above the alert threshold, as well as those educational establishments which are implementing a school desegregation plan'* (Art. 52), or *'after the completion of the implementation of the School Desegregation Plan and the attainment of the school-desegregation target(s), the ISJ/ISMB shall monitor for at least two consecutive school years the pre-university educational establishment, to prevent school re-segregation'* (Art. 53).

Effectively, in this way, an institutional mechanism is created for collaboration between school units and their supra-ordinate coordinating instances (ISJ/ISMB, in the future ARACIIP) for the implementation and evaluation of school-desegregation measures.

Hypothetically, the discussions and consultations at the community level initiated by the school unit may reach an impasse, where the parties participating in the discussion and decision (including members of the school's Administrative Council) do not reach an agreement on the interventions necessary for school desegregation. In this case, in order not to thwart the initiation of the intervention for school desegregation, *'the principal of the pre-university educational establishment shall request the ISJ/ISMB to initiate the mediation procedure. The mediation process will be coordinated by the ISJ/ISMB, which may also involve the CNDS in the mediation process.'* (Art. 54)

Annex 1.6

School Desegregation Plan

(examples of school-desegregation measures)

Section 1 — The monitoring report of the educational establishment

This section will contain the report at the level of the educational establishment (at structure level), generated from the SIIR Module for school-segregation monitoring at the end of the collection and uploading of the data required for school-segregation monitoring. Since only the educational establishment that obtains at least one alert score has the obligation to draft a school desegregation plan, and the educational establishment that obtains at least one alert score has the obligation to also undergo the second stage of school-segregation monitoring — extended monitoring — this section will contain the complete monitoring report of the educational establishment (basic monitoring and extended monitoring).

Section 2 — Alert scores: analysis of causes, objectives and measures of the school desegregation plan

In this section, for each alert score (on each criterion and for each form of school segregation), the educational establishment will include an analysis of the causes that determined the alert score. At the same time, in this section, the school desegregation plan will include, for each alert score (on each criterion and for each form of school segregation), the objective formulated by the educational establishment and the measures proposed for attaining that objective.

Criterion	Form of segregation	Level affected	Score	Causes	Objective	Measures
e.g., ethnic	classes	Class VII-C	2.7	The distribution of 7th-grade students in Gimnaziala X School followed the distribution made two school years previously, at the time of configuring the study formations at the 5th-grade level (the beginning of the lower-secondary cycle). In the two previous study years, the study formations remained practically identical (there were no student transfers, dropout or repetition situations disproportionately specific to class VII-C), which means that the situation found following the school-segregation monitoring process in 2024 — where in class VII-C an over-representation of students of Bulgarian ethnicity by 27% was identified compared with the other VII classes — is a situation that has persisted since the constitution of the 5th-grade study formations two years ago.	Reducing the alert score obtained in class VII-C below the alert threshold.	<ol style="list-style-type: none"> 1. Communicating the school-segregation situation on the ethnic criterion regarding class VII-C with all students and parents of the 7th-grade students. 2. Equitable redistribution of students of Bulgarian ethnicity across the 7th-grade classes at the end of the 2023–2024 school year. 3. Running of an information campaign on school desegregation in the community.
disability	buildings	Building C2	1.3	Gimnaziala X School carries out its activity in two buildings (C1 and C2). At the primary cycle level, 3 third-grade classes were set up (A, B and C). Classes III-A and III-B study in building C1, while class III-C — which includes the students with motor disabilities — studies in building C2, the only building accessible by wheelchair, which causes the alert score regarding the building-level segregation of students with disabilities.	Reducing the alert score obtained in building C2 below the alert threshold.	<ol style="list-style-type: none"> 1. Making building C1 accessible through the construction of an access ramp for wheelchairs. 2. Equitable redistribution of students with motor disabilities across the third-grade classes at the end of the 2023–2024 school year.

Socio-economic status	Last two rows of benches	Class V-A	6.1	Following the school-segregation monitoring of the current school year (2023–2024), a particular situation was identified at the level of class V-A — a class where the traditional spatial arrangement in rows of benches has been preserved, the class has 28 enrolled students, and students from families with low socio-economic status are over-represented in the last two rows of benches.	Reducing the alert score obtained in class V-A below the alert threshold.	1. Modifying the spatial arrangement of the classroom (class V-A) into a U-shape during the 2023–2024 school year.
Academic performance	classes	Prep. Class B	2	At the start of the current school year, two preparatory classes were set up in Gimnaziala X School — Prep. Class A and B. Following school-segregation monitoring, in Prep. Class B it was found that students who had not attended a kindergarten cycle were over-concentrated, generating an alert score on the criterion of academic performance.	Reducing the alert score obtained in Prep. Class B below the alert threshold.	1. Equitable redistribution of students who attended the preschool cycle across the two preparatory classes A and B during the 2023–2024 school year.
Area of residence	classes	Class IX-B	4.1	High School Y set up at the start of the current school year, in the theoretical stream, real profile, two 9th-grade classes with the mathematics–informatics specialisation. At the school-segregation monitoring, an over-representation of students from rural areas was found in class IX-B, generating an alert score.	Reducing the alert score obtained in class IX-B below the alert threshold.	1. Equitable redistribution of students from rural areas across the two 9th-grade classes with the mathematics–informatics specialisation during the current school year.
						2. Organisation of a training course on the monitoring and prevention of school segregation, and intervention in cases of school segregation, for the management and teaching body of High School Y.

Section 3 — Monitoring and evaluation

In this section, the school desegregation plan will include each objective with the related measures, developing for each measure the implementation period, the responsible person(s), the indicators for monitoring the implementation and the indicator value at the end of the implementation period. At the same time, in this section the school desegregation plan will correlate each measure with the allocated financial resources and with the partnerships set up for their implementation, where applicable.

Objective	Measures	Period	Responsible	Monitoring indicators	Indicator value at end of period	Resources	Partnerships / Notes
e.g. Reducing the alert score obtained in class VII-C below the alert threshold.	1. Communicating the school-segregation situation on the ethnic criterion regarding class VII-C with all students and parents of 7th-grade students.	1–20 May 2024	Head teacher; Form teachers of the 7th-grade classes.	# meetings with students; # meetings with parents	≥ 1	own	ISJ; School Council of Students; Parents' Committee of the educational establishment
	2. Equitable redistribution of students of Bulgarian ethnicity across the 7th-grade classes at the end of the 2023–2024 school year.	July 2024	Head teacher; Secretariat; SIIR officer; form teachers.	SIIR records; number of redistributed students	≥ 1	own	ISJ; School Council of Students; Parents' Committee of the educational establishment
	3. Running of an information campaign on school desegregation in the community.	Sep–Oct 2024	Head teacher; form teachers.	# communication materials produced; target group reached	≥ 1	NGO X, RON 5,000	ISJ; School Council of Students; Parents' Committee of the educational establishment; NGO X, which funded the printing of campaign materials.
Reducing the alert score obtained in building C2	1. Making building C1 accessible through the construction of an access ramp for wheelchairs.	July 2024	Head teacher; primary-school teachers.	Building C1 equipped with an access ramp	≥ 1	RON XXX, funding obtained through Programme Q	ISJ; School Council of Students; Parents' Committee of the educational establishment

below the alert threshold.	2. Equitable redistribution of students with motor disabilities across the third-grade classes at the end of the 2023–2024 school year.	Aug. 2024	Head teacher; primary-school teachers.	SIIR; # students redistributed between the two buildings	≥ 1	N/A	ISJ; School Council of Students; Parents' Committee of the educational establishment
Reducing the alert score obtained in class V-A below the alert threshold.	1. Modifying the spatial arrangement of the classroom (class V-A) into a U-shape during the 2023–2024 school year.	30 Jan. 2024	Head teacher; form teacher.	Class V-A	≥ 1	own	ISJ; School Council of Students; Parents' Committee of the educational establishment
Reducing the alert score obtained in Prep. Class B below the alert threshold.	1. Equitable redistribution of students who attended the preschool cycle across the two preparatory classes A and B during the 2023–2024 school year.	Dec. 2023	Head teacher; primary-school teachers.	SIIR records; number of redistributed students	≥ 1	own	ISJ; School Council of Students; Parents' Committee of the educational establishment
Reducing the alert score obtained in class IX-B below the alert threshold.	1. Equitable redistribution of students from rural areas across the two 9th-grade classes with the mathematics–informatics specialisation during the current school year.	Dec. 2023	Head teacher; form teachers.	SIIR records; number of redistributed students	≥ 1	own	ISJ; School Council of Students; Parents' Committee of the educational establishment
	2. Organisation of a training course on the monitoring and prevention of school segregation, and intervention in cases of school segregation, for	March 2024	Head teacher; teaching staff.	Attendance list	≥ 1	RON XXX, funding through the National Strategy for	ISJ; School Council of Students; Parents' Committee of the educational establishment

	the management and teaching body of High School Y.					School Desegregation	
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6. Initial and continuous training for the prevention, monitoring, assessment and combating of school segregation

For the successful application of the Methodology for the monitoring, identification, assessment, prevention and combating of school segregation in pre-university education, it is necessary to prepare the capacity of the actors of the education system for the analysis, monitoring, planning, implementation and evaluation of the measures imperative for the prevention and combating of school segregation. For this reason, Chapter VIII of the Methodology is dedicated to 'the initial and continuous training of teaching staff/ management teaching staff for the monitoring, prevention of school segregation and intervention in school-segregation situations.'

The initial and continuous training regulated in the Methodology concerns a series of target groups, all playing an important role in promoting a safe, inclusive and non-segregated school environment, which include both the management and the teaching and non-teaching staff of the educational establishment, and the management and staff of the ISJ/ISMB, together with parents, local authorities, NGOs or other educational partners at local, county or national level.

The target groups addressed by Chapter VIII of the Methodology may be summarised as follows:

- **Management staff of educational establishments** (heads and deputy heads). The management of pre-university educational establishments has a crucial role in implementing the methodology. Training should focus on inclusive leadership, diversity management, equitable resource allocation, monitoring and evaluation of progress, and the creation of a safe and inclusive school climate.
- **Teaching staff** (subject teachers, primary-school teachers, kindergarten teachers, form teachers). Here we can distinguish by level (toddler, preschool, primary, lower-secondary, upper-secondary) and by subject, since needs and challenges may vary. Training should include the new legal framework for school desegregation, inclusive teaching strategies, adaptation of the curriculum, classroom management, intercultural communication, identifying and combating discrimination, and supporting students from disadvantaged backgrounds.
- **Auxiliary teaching staff and non-teaching staff** (school counsellors, psychologists, school mediators, social workers). These staff play an essential role in supporting students, especially the vulnerable ones. Training should focus on intercultural counselling, intervention in cases of discrimination, segregation or bullying, collaboration with families, and creating a safe and supportive school environment.
- **School inspectors**. Training for inspectors should focus on monitoring the implementation of the methodology, evaluating the degree of segregation, providing support and counselling to schools, and identifying and disseminating best practices. It is important for inspectors to also be trained in data analysis and in the use of segregation indicators.
- **Representatives of county and local authorities** (county councils, local councils and town halls). These are responsible for the development of county or local policies, the allocation of resources, and the financial support of desegregation programmes.

Training should focus on the legislative framework, strategic planning, resource management, and inter-institutional collaboration.

- **Representatives of the Ministry of Education and Research**, members of the National Commission for School Desegregation and of other Directorates-General or other relevant entities coordinated by or subordinated to the Ministry. They need consistent training in the field of educational policies, research, monitoring and evaluation of the impact of desegregation programmes.
- **Representatives of trade union organisations in the education sector** — taking into account the mandate conferred by Pre-University Education Law No. 198/2023 on trade unions in matters of school desegregation.
- **Representatives of NGOs** and other relevant organisations (organisations working in the field of human rights, inclusive education, minority rights). Training should focus on advocacy, monitoring, research, and on their role in supporting communities and schools in the desegregation process.
- **Representatives of local communities** (parents, community leaders, representatives of minorities). Community involvement is essential. Training should focus on raising awareness of the importance of desegregation and the negative consequences of school segregation, combating prejudices and stereotypes, and on their role in supporting an inclusive school environment.

The multi-annual effort to train the staff of pre-university educational establishments, the ISJ/ISMB and the other educational partners should be embedded in a strategy for training the human resources of the education system in the field of school desegregation, which will be a component of the National Strategy for School Desegregation and the associated Action Plan (mentioned in Art. 29 of the Methodology).

The Methodology establishes that accredited providers of initial or continuous training services in education must include, under the topic 'inclusive quality education', aspects/topics on school desegregation. Art. 55 of the Methodology provides: 'In the initial and continuous training of teaching staff and of auxiliary school staff, school counsellors and school mediators, in the topic of inclusive quality education, aspects/topics on school desegregation shall be included, with a view to increasing the capacity of the education system for the prevention, monitoring and elimination of school segregation.'

Following the annual school-segregation monitoring process, the CNDS, ISJ/ISMB or ARACIP will have sufficient data to identify a series of training needs in the education system, and based on these needs, will propose specific national programmes and topics for continuous training on school desegregation, as well as topics for parental-education programmes and for information and awareness-raising campaigns for parents/the community. Articles 56 and 57 of the Methodology establish the mandate of the various structures, at national or county level, regarding training.

'The CNDS, ARACIP and the Teaching Staff Resource Centre (Casa Corpului Didactic), on the basis of the results of school-segregation monitoring at national level, shall propose specific national programmes and topics for continuous training on school desegregation — for the management of the ISJ/ISMB and of the pre-university educational establishments, for the teaching and non-teaching staff of the pre-university educational establishments, school counsellors, school mediators — as well as topics for parental-education programmes or for information and awareness-raising campaigns for parents/the community.' (Art. 56 of the Methodology). 'The ISJ/ISMB may propose to the Teaching Staff Resource Centre (CCD), on

the basis of the results of school-segregation monitoring at county level, specific county programmes and topics for continuous training on school desegregation — for the staff of the ISJ/ISMB and of the pre-university educational establishments, including school counsellors and school mediators — as well as topics for parental-education programmes or for information and awareness-raising campaigns for parents/the community, etc.' (Art. 57 of the Methodology).

From the perspective of these regulations, it follows that the future National Strategy for School Desegregation must be correlated with the priorities and measures provided for in the National Strategy for Supporting Parents, adopted through Government Decision No. 1353 of 30 October 2024, in order to include topics on school desegregation in parental-education programmes and in information and awareness-raising campaigns for parents.

The Ministry of Education and Research will initiate a dialogue with academia — the main provider of initial training — for the alignment of initial-training offers under the topic 'inclusive quality education', so as to include also aspects related to school desegregation.