



NEWS REPORT

Date: 17 March 2010
Expert: Romanița Iordache
Title: The Romanian Ministry of Education adopted a Notification regarding Segregation in Education of Roma
Country: Romania

Context

Issue at stake: MoE Notification 28463 regulates the prevention and elimination of segregation of Roma pre-school and pupils in the educational system and includes some measures regarding study in minorities' languages

Ground of discrimination: Roma

Source: Miscellaneous

Field: Education

Legislative provisions: The MoE Notification is based on the provisions of the Education Law [Legea Învățământului nr. 84/1995], the Government Ordinance on Improving the Situation of Roma [Ordonanța de Guvern nr. 522/2006 privind îmbunătățirea situației romilor], the Order of the Ministry of Education regarding Study in Maternal Tongue [Ordinul MEN nr. 3533/31.03.1999 privind studiul limbilor materne], the Order of the Ministry of Education prohibiting Segregation in Education of Roma Children [Ordinul MECT nr. 1540/19 iul. 2007 privind interzicerea segregării școlare a copiilor romi și aprobarea Metodologiei pentru prevenirea și eliminarea segregării școlare a copiilor romi]

Content

Political development: While the Education Code which included extensive provisions on segregation in education, adopted at the end of 2009, had been declared unconstitutional by the Constitutional Court due to

procedural considerations¹ and a new draft Education Code is currently discussed, the Ministry of Education, Research, Youth and Sports issued a notification (internal norm targeting school inspectorates, kindergarten and school principals, teachers) to specifically deal with the prevention and elimination of segregation of Roma pre-school and pupils in the educational system. The Notification also includes some measures regarding study in minorities' languages.

The Notification 28463 from March 3rd, 2010 results from complaints received by the Ministry regarding tendencies of segregating Roma pupils or attempts of interrupting education in minorities' languages.

Internet link source and additional information: Notification is available <http://www.edu.ro/index.php/legaldocs/13466> (16.03.2010).

¹ Romania/Curtea Constituțională, Decision 1.557 from 18 November 2009 regarding the objection as to the constitutionality of the provisions of the Education Code.