

Reforming the Legal Status of Teachers in Estonia

Jüri Ginter, Sille Uusna*

I. Which categories of teachers are distinguished in your country? (Please mention the legal norms and law).

Until 2013 the categories were a junior teacher (noorem pedagoog), a teacher, a senior teacher (vanem pedagoog) and teacher-methodologist (metoodik).
The conditions and order for atestation of pedagogues.

II. Which qualifications (diplomas) are required for each respective category?

To become a teacher you are required to have a bachelor degree as a preschool teacher or a vocational school teacher or a master degree as a basic school teacher or a high school teacher. A junior teacher may be without such diploma. Qualification requirements for pedagogues:

“If in a competition organised for filling a vacant teacher position no teacher who meets the qualification requirements is found, the head of the school may enter into a fixed-term employment contract for a period of up to one year with a person who has at least secondary education. In such an event the head of the school shall organise a new public competition during the year.” Basic Schools and Upper Secondary Schools Act § 75 para 6.

153

Are there any other requirements to be fulfilled (nationality, residence)?

A teacher has to know Estonian language even in schools where the language of teaching is not Estonian. Other regulations are similar to other workers.

III. What is the nature of the teacher’s employment contract (public, private, %)?

The teacher’s employment contract is private and secret. Basic Schools and Upper Secondary Schools Act.

Are teachers considered civil servants?

No.

* University of Tartu.

IV. Who is the teacher's employer (state, local community, specific educational body)?

It depends who is the owner of the school. Most of schools are owned by local communities. The employment contract is signed by the headmaster of the school. Basic Schools and Upper Secondary Schools Act.

Who pays the teacher's wages?

The salary is agreed between the headmaster and the teacher. The money comes from the owner of the school. The state pays for basic schools and high school teachers. "Authorised representatives of the Government of the Republic, national associations of local authorities and registered associations of teachers shall agree on the nationwide minimum wages of teachers, including the wages of class teachers, based on the grades given to teachers upon assessment and the Government of the Republic shall establish these. If no agreement is reached, the Government of the Republic shall decide the size of the minimum wages. Basic Schools and Upper Secondary Schools Act" § 76.

V. How are teachers recruited?

Teachers are recruited by the headmaster after a public contest (konkurss) usually permanently. Junior teachers are recruited for a year.

VI. Is a permanent appointment as a teacher possible?

154 Yes.

Under what conditions?

Junior teachers are recruited for a year. Replacement of temporarily absent teachers is also not a permanent job.

VII. What are the career possibilities of a teacher? (salary, promotion?).

Until 2013 there was a possibility to get a higher category with higher salary but with the same obligations. A teacher may get more money for more lessons and for being a class teacher (klassijuhataja). If a headmaster has more money he/she may increase the salary even more.

VIII. Can teachers be transferred to another school (voluntarily, involuntarily?).

Under what conditions?

The transfer from one school to another school may be only voluntary and usually it means the termination of the previous contract.

IX. Is a part-time teaching job feasible?

Under what conditions?

Part-time teaching is spread in smaller schools, where are not enough lessons in some subjects. The headmaster has to agree with part-time working. While a person is working part-time, the social tax should be paid at least for the minimum salary and the pension will be lower.

X. Can a teaching job be combined with other paid activities (e.g. as a self-employed person)?

Yes. There are no specific regulations for combining a teacher job.

Under what conditions?

The headmaster has to agree with it.

XI. Do teachers receive in-service training?

The Constitution of the Republic of Estonia stipulates: “Everyone has the right to education.” (§ 37). This right also extends to teachers. In order to make education accessible, the national government and local authorities maintain a requisite number of educational institutions. Other educational institutions, including private schools, may also be established and maintained pursuant to the law” (§ 37). Teachers’ further education is supplied by state universities and private institutions. Everyone has the right to be taught in Estonian. (§ 37) Teacher training is predominantly in Estonian. When foreign lecturers are used, they usually speak English translation is available. When other languages are used the translation is always guaranteed. „The provision of education is overseen by the national government (§ 37).” In the case of teachers’ education, this role is limited to delivering teaching licenses for training institutions (Education Act § 6) and ordering and organization of training by the Ministry of Education and Science. Authorisation of training institutions is intended to complement in the new Adult Education Act.

Education Act (§ 18) defines further education as: “Further education is general education and professional knowledge, abilities, skills and professional values and behavioural norms meeting the professions requirements that are necessary for maintaining and expanding existing knowledge, abilities, skill, values and norms”. The same Act (§ 26) defines the training centres: “Further education can be provided by universities, colleges, vocational schools, as well as cultural centres, libraries and other cultural institutions, language schools, folk schools, development and learning centres, training companies, corporations, unions, and associations whose statutes stipulate training.”

The Adult Education Act (§ 3) stipulates the division of the adult education, depending on the application:

1. general education;
2. professional education;
3. free education.

General education allows open university students or externs to acquire higher education. Professional education allows acquisition and improvement of specialty, professional and occupational knowledge and skills, as well as re-training in the workplace or educational institution. Teacher education is on bachelor’s (vocational teachers and kindergarten teachers), master’s or doctoral level. In the further training of teachers they can attain different courses and collect credit points to obtain the next level of

education. Free education can develop personality, creativity, talents, initiative and social responsibility and to live with knowledge, skills and abilities. Learning takes place in courses, study circles, or any other form suitable for learners. Teachers can also participate in free education and use attained skills as a teacher, and even use such credit points in professional education and general education.

The state used to give at least three per cents of teachers' annual salary fund for further training of teachers in state and municipal schools (Adult Education Act § 13), in 2013 this sum was reduced to one present and the ministry promised to organize and order courses themselves and deliver them free for teachers. In practice, these resources were not given for teachers of universities and vocational schools. For unemployed and job seeking teachers training courses are ordered by the Ministry of Social Affairs and local municipalities (Adult Education Act § 13), but in practice there are few such courses as because of the relatively low pay for teachers there are few unemployed teachers and job-seekers. Training for teachers of private schools is not covered by the state budget. The employer or the teacher himself has to pay for it or go to free courses or use the options of the Enterprise Foundation, the Environmental Investment Centre, etc.

Education Law (§ 6) stipulate the competency of the Ministry of Education and Sciences for teachers' training: establish a procedure for the attestation of teachers and improvement of professional skills, and organize their training and further training; ... coordinate further training and retraining.

Framework requirements for teacher training specify that the goal of professional training courses is to support the profession, specialty and occupational development of teachers (§ 16). Teachers learn individually, in state or municipal institutions, licensed private schools or at a licensed private teacher if their activities are meet the specialty taught by a teacher (§ 17) Teacher pass every five years professional training of at least 160 hours. Vocational teachers pass every three years a professional training of at least two months (§ 17). The regulation does not specify whether two months and 160 hours are a duty or a right, and therefore a school cannot require a teacher to pass a training neither can a teacher demand money and possibilities to attain courses.

156

Professional standards for vocational teachers expect professional training, professional working experience, pedagogical training and/or pedagogical experience, a professional teacher adaptation year and lifelong further training.

Further training was also expected in the professional standard for kindergarten and general school teachers up to 2012. This standard was voluntary and not mandatory. In 2013 a new standard was adopted.

XII. Is a leave of absence possible?

For what reasons (sabbatical, vacation, educational leave, leave for social reasons, medical reasons,...)?

Schools do not work on holidays (Christmas, Easter and others). Preschool teachers' vacation is 42 days, basic and high school teachers vacation is 56 days, teachers may get 20 days educational leave with average salary, 10 days educational leave without salary and 15 days educational leave to graduate a school. Adult Education Act (*Täiskasvanute koolituse seadus*)

XIII. Is there a specific liability for teachers?

There is no specific liability for teachers.

XIV. What is the disciplinary status of teachers?

Teachers are workers.

Is there a specific teacher's ethics?

There are even two different codes of ethics for teachers.

What are the disciplinary sanctions?

The sanctions are the same for all workers.

XV. What reforms on the status of teachers are planned taking into account the financial constraints in the sector?

The ministry intends to abolish the categories for the teacher and to give to the headmasters free hands to differentiate the salaries themselves. In 2013 the state increased the minimum salary for basic and high school teachers and intends to increase it to the average salary of all employees. The state stimulates municipalities to close down smaller schools, first of all upper secondary schools by reducing the financial support to those schools.

XVI. How does the government deal with the problems of teaching as becoming an aging profession and how will it make the teaching profession attractive for younger teachers?

157

Beginner's allowance (2013th 12 783€) for teachers who has completed teacher training at a higher education level and commences work as a teacher in a school for the first time, except in a school located in Tallinn or Tartu, within 18 months as of completing the teacher training. PGS Some grants are paid to students in teacher education. A special program **Youth to School** (*Noored Kooli*) finds young people from other faculties to work for some years as a teacher.

XVII. Background information

Adult Education Act (Täiskasvanute koolituse seadus) <https://www.riigiteataja.ee/akt/118032011008>
 Basic Schools and Upper Secondary Schools Act (Põhikooli ja gümnaasiumiseadus) <http://www.legaltext.ee/et/andmebaas/tekst.asp?loc=text&dok=XXXXXX12K2&keel=en&pg=1&ptyyp=RT&tyyp=X&query=p%F5hikooli%2D+ja+g%FCmnaasiumi>
 Education Act (Eesti Vabariigi haridusseadus) <https://www.riigiteataja.ee/akt/13335923>
 Framework requirements for teacher training (Õpetajate koolituse raamnõuded) <https://www.riigiteataja.ee/akt/122032011015>
 Key Data on Education in Europe 2012. Education, Audiovisual and Culture Executive Agency P9 Eurydice http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/134en.pdf
 Qualification requirements for pedagogues (Pedagoogide kvalifikatsiooninõuded) 26.08.2002 nr 65 <https://www.riigiteataja.ee/akt/13363346>
 The conditions and order for atestation of pedagogues (Pedagoogide atesteerimise tingimused ja kord) 02.10.2002 nr 69 <https://www.riigiteataja.ee/akt/113092012007>

The Constitution of the Republic of Estonia

<http://www.legaltext.ee/et/andmebaas/tekst.asp?loc=text&dok=X0000K2&keel=en&pg=1&pty-yp=RT&tyyp=X&query=p%F5hiseadus>

Youth to School <http://www.nooredkooli.ee/?mid=55>