

Legislative Suggestions and Comments Provided by the Czech School Inspectorate in the School Year 2009/2010

In the school year 2009/2010 the Czech School Inspectorate (CSI) submitted to the Ministry of Education, Youth and Sports (MEYS) suggestions and comments in the below described areas and consulted on relevant issues accordingly. The overview below does not encompass comments provided within internal consultation procedures as such comments only highlighted some discrepancies and inconsistencies in legal regulations, ambiguities in wording and so on and these problems were subsequently removed.

1. In November 2009 the CSI drew up comments concerning a draft **amendment to the Education Act** which has not yet been applied (currently some of the then proposed amendments are being opened again). The CSI had essential comments on the proposed amendments and, *inter alia*, raised the following reservations:
 - a) an insufficiently drawn up draft amendment which would permit teachers to “temporarily seize” certain objects from pupils (such as mobile phones); the amendment did not take into account all possible impacts (the draft amendment is not part of the altered proposal submitted in November 2010);
 - b) the CSI recommended clarification of terminology and unambiguous distinction between funds for costs and expenses stipulated in Sec. 160 of the Education Act;
 - c) the CSI highlighted discrepancies in an administrative decision-making procedure to be followed by head teachers in cases when they decide on rejection of applications of admission (the decision itself is the final act of the whole process thus it is not clear, until the last minute, whether to proceed in compliance with the Code of Administrative Procedure or any other act); the CSI is convinced that exemption from the administrative proceedings is not the correct way to cope with this issue and thinks that substantial simplification of these proceedings would be the proper solution to the problem described (with an alternative being to create a specific procedure only for the purpose of the Education Act as it is in the case of school-leaving examinations).
2. In March 2009 the CSI gathered comments concerning the draft “**School-leaving Examination Decree**”. The CSI delivered a number of fundamental comments. In the period reviewed in this Annual Report (the school year 2009/2010) the CSI delivered only comments and suggestions which could not substantially affect the current model of the “new school-leaving examination”. The reason was not to change instructions during the process already launched (all stakeholders had been informed, training courses had been held and the mock school-leaving examination had been planned and so forth). Therefore the CSI stressed only such modifications which could facilitate or clarify the prepared model without being fundamentally changed (the CSI proposed, *inter alia*, to change the method for proving the identity of pupils, conditions for leaving the classroom during longer examinations, and the method for determining the final proposal for evaluation if there are two examiners).
3. In the area of **special education needs**, *inter alia*, as a follow up to thematic inspections performed in practical schools and to proposals for adoption of a new decree regulating the area of the special education needs of children, pupils and students, the CSI repeatedly emphasised the need to tackle the following issues:
 - a) problematic wording of Sec. 16 of the Education Act according to which school advisory centres are always obliged to determine whether the person is disad-