



HUNGARY

by

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Overview

During the three decades that have passed since Hungary's transition to democracy, the most significant undertaking in Hungarian education has been the attempt to define Hungarian educational policy, especially as it is influenced by and related to the major European educational systems. Aside from attempts to distance Hungarian education policies from socialist models, recent changes have been characterized both by nostalgia and a desire for greater educational freedom. On the one hand, there is great nostalgia for the continental model of schooling, which emphasizes high-quality secondary education but does so in the context of a comparatively centralized model of educational policymaking. On the other hand, there is also an affinity for the transatlantic model, which emphasizes local and institutional autonomy.

In the past thirty years, Hungarian public education has been exposed to international trends that have shaken more stable educational systems. The influence of these trends is noticeable: the right for the free choice of schools has become not only legal but also widely accepted, and denominational and private (foundational) schools have integrated into the system. Schools also enjoy a high degree of autonomy, Hungary is among Europe's leaders in this respect (Key Data 2005). Many view these changes as systemic improvements; however, Hungary still faces enormous challenges, especially when it comes to serving pupils of all backgrounds and abilities. In rural areas and some urban

communities, pupils are segregated by socioeconomic background. Moreover, culture has a great impact on the school system's ability to serve some children. In some communities, school attendance is not yet an accepted norm. Other important issues in Hungarian education include the low social and financial prestige of teaching and the ageing of the teaching profession more generally, a lack of qualified teachers in certain subject areas, and—despite a strong demand—growing uncertainty about the role of schools in the teaching of values.

Legal Framework

In 2011, a new constitution, the Fundamental Law of Hungary was adopted by Parliament. It contains similar regulations as the former, '89 Constitution¹ did only with some relevant changes. The Fundamental Law states that every Hungarian citizen has the right to education.(Gerencsér, 2012, 112.) This is ensured by extending and generalizing public education, by providing free and compulsory primary education, free and generally accessible secondary education, and higher education accessible to everyone according to his or her abilities, and by providing financial support as provided for by an Act to those receiving education (Art. XI.). The Fundamental Law also ensures the right to freedom of thought, conscience and religion (Art. VII.). The content of this right is the same as before, but several regulations regarding the establishment and the categories of the Churches had been changed, which had an obvious influence on who can establish schools and who can perform religious education in schools. The Fundamental Law ensures the parents' right to choose the upbringing to be given to their children; and parents are obliged to take care of their minor children which includes the provision of schooling for them (Art. XVI.). Freedom of learning and the freedom of teaching is also ensured (Art. X.). National minorities living in Hungary also have the right to receive education in their mother tongues (Art. XXIX.). Furthermore, freedom of expression (Art. IX.) and the prohibition of discrimination (Art. XV.) need to be mentioned as well.

These provisions contain the constitutional basis – rights and obligations – of the right to education: the free and compulsory education, freedom of learning, freedom of teaching, free choice of educational institution, the neutral state education system, the free establishment of educational institutions, the language of the education, the possibility for religious education, parents' rights and obligations and the obligations of the State. The Fundamental Law determinates only the fundamental legal framework and the detailed regulations are in Acts. The main obligations of the State are to provide the legal background and to maintain the education system.

The detailed regulations are contained in the Act CXC of 2011 on National Public Education and in the Act CCIC of 2011 on National Higher Education. The National Public Education Act declares that the public service duty of the State is to ensure the right for free and compulsory primary education, free and generally accessible secondary education, until the obtaining of the secondary school-leaving certificate as well as the training for the first vocational qualification. The higher education institutions are

¹ Act XX of 1949 on the Constitution of Hungary (amended in 1989 as one of the major achievements of the democratic political and legal changes).

organizations established for the performance of educational, academic research and artistic creative activities, which shall constitute their core activities, thus they are more closely connected to the freedom of scientific research and artistic creation (Art. X).

The National Public Education Act declares the rights and obligations of the students, teachers and parents. According to this, the students have the right to – inter alia – receive education; receive education in compliance with their particular national status; the information and knowledge imparted to them in an objective and multifaceted manner in the course of teaching in the whole pedagogical programme and activity of state schools. The students have the right to use pre-school, school and hall of residence service at church or private institutions and receive religious and ethics education and instruction organized by a church legal person at state and local government educational institutions. The right to have access to information necessary to exercise their rights and be informed about the necessary procedures to use these rights is also ensured.

The fundamental tasks of the teacher are to guarantee through his/her educational activity the development of the child's personality, the promotion of his/her talent; for this purpose to make all possible efforts, and to consider the individual skills, capabilities, the pace of development and socio-cultural environment of the child. Knowledge needs to be transferred in an objective and versatile manner by applying diverse methods, to conduct the educational activity and instruct the students' activities in a professionally organized manner, expertly at annual and class level, adjusted to the student group.

The Act declares the rights and obligations of the parents as well. Parents are obliged to provide the necessary conditions required by the intellectual, physical, emotional and moral development of their children, to ensure that their children fulfill their obligations, and to provide all the assistance which may be reasonably expected from them in cooperation with the institution, to monitor their children's development and progress in their studies. Parents are also obliged to guarantee that their children participate in pre-school education and complete the compulsory education. Parents have the right to freely choose a pre-school, school or a hall of residence in compliance with their children's abilities, skills and interests and their own religious, and ideological convictions and their nationality. After the child reaches the age of fourteen, and does not lack legal capacity, parents may exercise this right jointly with their children.

Students, parents, teachers or anybody else who takes part in the education system may turn not only to the Commissioner for Fundamental Rights, but also to the Office of the Commissioner for Educational Rights. The latter is an independent, internal organizational unit of the Ministry for Education, established in 1999. The petitioners may submit a written petition in individual cases if in their judgment their guaranteed rights have been infringed or there is a direct threat of such infringement. All available legal remedy must be exhausted apart from court proceedings. The Commissioner must investigate all petitions, and if the petition is well founded, the Commissioner will initiate conciliation. The Commissioner may initiate ex-officio proceedings if he or she finds that a legal regulation, a measure or its omission may result in a grave infringement, or may infringe the rights of a larger group of citizens.

Structure of Government-Operated Schooling

In the Hungarian education system, ISCED 0 is the level of education of the age before school-age, children above 3 three years old attend kindergarten where on the one side they are taken care daytime, on the other side, they are prepared for school life. This latter is the reason why law regulates attending kindergarten compulsorily. The lower age boundary for starting kindergarten was five years old earlier, and since 2015 it has been three years old.

Parents are obliged to get their more than six-year-old children enrolled to school. In Hungary, primary/elementary school consists of eight years, and it can be lessened to four or six years because since the political changeover there has been a possibility of attending institutions having different systems. ISCED 1 is the lowest level of elementary education; it is the scene of acquiring basic skills. Children have all-day education and rearing, they are provided to have occupation within the walls of the institution until four o'clock. In lower classes, afternoon occupation tends to happen in day-care system (all-day teaching with some interrupting breaks OR teaching in the morning, preparation and homework in the afternoon). In upper classes, students can take part in sport training, in workshops, in coaching and in preparation for the entrance exam.

From elementary school, students can go to the next level (ISCED 2) in three ages. After fulfilling four years, they can enrol in grammar schools consisting of eight years, or after the sixth year they can apply for grammars schools of six years. Or the students also can decide that they want to finish their elementary studies in the primary school whose upper classes are considered level ISCED 2. In all the three cases, the entrance exam to the secondary school can happen by regarding the results of elementary school and/or by a central written entrance exam (in some cases oral entrance conversation is needed as well). One third of the concerned age groups study in classes of the system-changing (consisting of eight or six years) grammar schools having established in the beginning of the '90s.

The secondary education system was transformed in 2016 so at the moment there are three types of secondary schools: vocational school, secondary vocational school, grammar school. In vocational schools providing dual training students can acquire a qualification of level ISCED 3 after fulfilling three years (in the 11th class) then they can step out into the labour market or acquire A-level during another two-year program. Besides the qualification of ISCED 3, students of the secondary vocational school have A-level exam in the 12th class. Then they can have a job, participate in a post-secondary vocational training or start studying in higher education. The lower classes of grammar schools belong to ISCED 2, the upper classes belong to ISCED 3. The studies of grammar school finish with the A-level exam after four, five, six or eight years. By the choice of the student, the A-level exam can be of intermediate or of advanced level. The five-year training starts with a 0th, a language preparatory year in which students study a language intensively (15-18 hours per week) and other subjects are only taught to a certain level (this type of training system is available in half of the grammar schools).

By Act LXXX of 2019 (accepted in November, 2019) the structure of the vocational

training system is being transformed from the school year of 2020/2021. By this, there will be two different institutions of vocational training: technical institute and vocational school. In both of them, the training starts with preparatory, primer studies. After this, in the vocational schools there is a two-year long technical training, and in the technical institutions, after the two-year departmental foundation there is a three-year long technical training. Students can also have A-level exam in the end of the technical school. In the vocational school they can have A-level exam in another two years, during evening course. In both types, students study in dual system from their 15 years old age.

Freedom to establish and operate non-government schools

The monopolistic period of the state ownership of schools, which was established in the decades of state socialism, ended after the political transformation of 1989. By the law, non-state schools have two categories: church-run and private. In the plural education system, the state can fulfil its role of taking care of the public education also by making a contract with other maintainers (local government of national minorities, churches, religious communities, associations, foundations, enterprises). After the failure of the state socialist dictatorship, for establishing the legal conditions of the free school choice, two needs appeared: broadening individual rights of freedom (for example, freedom to choose schools, freedom of conscience, freedom to choose religion) and the legal guarantee of creating the institutional conditions for practising these rights (operation of churches, establishing private schools).

After the political changeover, it was Act IV of 2011 on the Freedom of Conscience, Religion and the Legal Status of Churches, Denominations and Religious Communities that first stated the freedom of a parent to decide what type of education they want for their children: religious, anti-religious, neutral of religion or containing moral principles. This was explained in Act CCVI of 2011 (Section 2): "Parents and guardians shall have the right to decide on the moral or religious education and religious schooling of their minor children, and to provide for it accordingly." From 2011, The Fundamental Law (Section 2 of Article XVI) has guaranteed this. By Act CXC of 2011 (Point 3.e) of Section 46) on Public Education, students have the right to choose church-run or private public education institution.

The rights of freedom became realistic in the society when laws created possibilities for establishing non-state schools. By Act CXC of 2011 on National Public Education, which is valid in the beginning of 2020, not only ecclesiastic legal person or religious association but minority local government or other person or organization can establish and maintain educational institution if they acquired the right to do it by official contract/agreement. The situation of church-run institutions is dealt by not only the Act on Public Education but also by Act CCVI of 2011 on the Right to Freedom of Conscience, Religion and the Legal Status of Churches, Denominations and Religious Communities in which Section 9 states: "Churches shall have equal rights and obligations.

The State may take into account the actual social role of churches and the public interest activities performed by them in the course of enacting additional rules of law related to the social role of churches, and while maintaining relations with them." By the Act on

Public Education, special rules can be applied to the church-run and the private institutions with respect of reporting and accounting (Point 1) of Section 31, Act CXC of 2011).

Furthermore, the situation of faith-based schools is special because on the one hand, the state has to provide the infrastructure of the education and control the content of it, and on the other hand, it cannot have ideologic pressure on churches and cannot interfere in the assignment of the leaders of their institutions. Since in state socialism the organisations of the church were controlled by the party state, it was stated immediately in Act IV of 1990 and it was fixed in the Constitution of 2011 (Point 3) of Article VII) that in the Hungarian Republic the church and the state are separated from each other. From 2011, Act VI of Fundamental Law (Section 2 of Article VI) has guaranteed it. The acts exactly determine in what schools owned by churches or religious associations can deviate from school institutions, and that the state is not allowed to establish any kind of organisations for controlling or directing churches. Moreover, these schools cannot be forced to follow the governmental curriculum, they can choose textbooks and teaching aids differing from the ones available for free by the state, they can build knowledge and compulsory Bible classes adequate to their religious ideology or world-view into their pedagogical program, and also, they can expect religious rules concerning the behaviour and appearance, obligations, rights and religious activities from the teachers and students.

The rights of students not wishing to attend faith-based schools are highly protected by the law. If a student's parents do not want to register their child to a church-run institution, then the local government has to take care about that they would not be overburdened in the case of choosing a non-church-run school. Furthermore, an institution can only be made faith-based if at least half of the students (or in case of under-age students at least half of the parents) support this decision.

The owner structure of the Hungarian public education developed by the political changes is highly different from that of the period of the party state or the previous period. Before the forced nationalisation of 1948, around half of both of elementary and secondary schools were faith-based. In the period of party state, only ten church-run schools could operate and none of them was elementary school. In the school year 2016/2017 the proportion of the non-state secondary educational institutions is a lot higher than that of elementary ones. While in primary level every fifth school is non-state, in secondary level every other school is non-state. (Table 1) However, the proportion of students of non-state institutions – except grammar schools – does not reach one fifth. In the case of secondary (grammar) schools and student's hostels – because of their traditionally great educational experience – the proportion of churches as maintainers is higher, whereas in technical trainings the presence of foundations is more typical (Lannert-Mártonfi 2006). The special task of faith-based vocational institutions is not to serve the economy but specifically to raise up the students fallen out from the education system and being disadvantaged and to help them integrate back into society (Morvai 2018). Institutions operated by foundations or other maintainers (of public utility or managing organisations) either work by an alternative pedagogic system or they are educational enterprises of a wanted vocation (Hideg et al.2016).

The proportion of non-state sector has firmly grown since 2010. While in the school year 2009/2010 13% of elementary educational institutions belonged to this sector, in the school year 2016/2017 this proportion was 20%, in secondary level this proportion grew from 30-35% to 49-57%. Within the sector, the proportion of church-run institutions has grown the most dynamically, in the vocational education the proportion of churches as owners increased by 4-5 times, in elementary level it was doubled, regarding institutions. The reason of this was that the state regarded the churches being maintainers of the institutions as partners who usually undertook the education and rearing of student societies struggling with socialisational disadvantages.

Table 1 Proportions of non-state educational institutions and their students by the statistic of the school year 2016/2017.

Non-state maintainer	Elementary level		Vocational schools		Vocational grammar schools		Secondary grammar schools		Student's hostel	
	School	Student	School	Student	School	Student	School	Student	Institution	Student
Church-run	15,5%	14,1%	21,9%	9,7%	23,2%	10,0%	27,9%	22,7%	24,0%	16,8%
Foundational	2,9%	1,5%	21,0%	5,3%	21,4%	5,4%	11,5%	6,3%	5,2%	4,1%
Other	2,0%	0,8%	9,8%	2,9%	13,2%	3%	8,4%	10,8%	2,1%	1,3%
Sum of proportions	20,4%	16,4%	52,7%	17,9%	57,8%	18,7%	47,8%	39,8%	31,3%	22,1%
N=	475	121 864	118	18 978	214	38 289	278	85 450	115	10 641

Source: Statistical Yearbook of Public Education 2016/2017. Budapest: Ministry of Human Capacities

In foundational schools, the education of the student groups small in numbers by a special curriculum is expensive so mostly students of higher-middle class being able to pay tuition fee study there. In church-run institutions students do not pay tuition fee. Besides the capital, the network of faith-based institutions is denser in the Eastern and in the peripheral parts of the country. In the capital the students of higher status dominate the schools, whereas in rural areas, especially in elementary schools or vocational schools of little villages, mostly students of lower status are present. Since the extension has happened mainly in the latter areas, the society of the church-run educational institutions has been restructured excessively.

Homeschooling

As a general rule, the compulsory school education can be completed by school attendance. However, the National Public Education Act allows home schooling – as an exception – under certain conditions.

The possibility of the choice between home schooling and compulsory school attendance is based on the parental right – ensured in the Fundamental Law (Art. XVI.) – namely,

that parents have the right to choose the upbringing to be given to their children; and parents are obliged to take care of their minor children which includes the provision of schooling for them.

The rules of home schooling were modified in 1 September 2019. The reason for this modification was the unification of the home schooling system. According to the new regulation, the list of acceptable reasons for allowing home schooling has been narrowed down. Since 2019, home schooling is available only due to certain special circumstances of the student. The Act allows home schooling when the student's personal ability, or his/her unique situation makes it necessary, and when it is beneficial for the student's development, and continuing and completing his/her education. Only under these circumstances and always for a limited time period is it allowed to permit home schooling. Home schooling should be requested by the parents or in the case of an adult student the student personally. According to the new regulation, the request for home schooling should be submitted to the Educational Authority (Oktatási Hivatal) instead of the school. Home schooled students are tested at twice a year, and are required to take end-term exams.

Public Funding of Schools

The proportion of expenses of the Hungarian public education (elementary and secondary education) compared to the GDP has slightly decreased since 2010 with some fluctuations.

Educational expenses in the proportion of GDP in Hungary

	2010	2011	2012	2013	2014	2015	2016	2017
All educational expenses	4,75	4,34	4,08	3,93	4,21	4,31	4,38	4,34
By educational level								
Kindergarten (ISCED 0)	0,73	0,66	0,66	0,71	0,74	0,77	0,74	0,74
Elementary Education (ISCED 1-2)	1,66	1,47	1,40	1,40	2,08	2,25	2,37	2,18
Secondary Education (ISCED 3)	0,96	0,86	0,8	0,62				

Source: KSH https://www.ksh.hu/thm/2/indi2_2_2.html

Since 2013, a considerable system change could be observed in the Hungarian public education regarding the maintenance system and the finances. The essence of the change is that a governmental and centrally directed public education system stepped into the place of the public education formerly having operated as a local public service.

In earlier periods, the public education (ISCED 1-3) was a task of local governments which was done by the local government by using their own institution system or involving institutions of other maintenances, and financing also was their task which could be solved by using own resources and the normative support of the government. In 2013, the public education became a task of the state, and the institutions formerly maintained by

the local governments were transferred into the maintenance organization of public educational institutions of the educational department of government. At the same time, financing became input financing whose essence is that the public educational institutions can get the pedagogues' wages through the deconcentrated units (educational districts) of the maintainer and the material expenditures are also paid by this organization. The individual budgeting of schools was ceased, and the maintainer of the institutions does not make the expenses public, which is troubling by the aspect of transparency and accountability. As for financing, local governments only participate in the developmental and recovery tasks connecting the rights of ownership of the school buildings. (Furthermore, they also participate in the work and maintenance of kindergartens (ISCED 0) that basically continue to happen in institutions of the local governments. This is supported – like it was before – by the state giving a definite quantity of money to the maintenance.)

State-financed schools do not manage their own budgeting. Teachers get their wages from the maintenance organisation of the institution; the amounts are determined by their age and category in the table of pedagogues. Schools can submit their extra needs (for example, material expenditures) to the maintenance organisation.

In 2015, there was a further change namely that secondary vocational institutions, the maintenance of institutions of vocational education and that of adult education were transferred from the educational development of the government (and its maintenance organisation of public educational institutions) to the Department of National Economy, and in 2018, to the Department of Innovation and Technology and its maintenance organisation of institutions, with no change in the financial system.

The managing organisations also participate in financing the vocational training – besides the state – by paying in money to a central fund. The basic part of National Fund of Employment for supporting trainings is constituted by a tax called contribution of vocational education. Beyond the basic part, the minister of vocational education and adult education is responsible for the rest of the money needed. Its utilization is mainly achieved by tenders, basically for purposes of vocational training inside school system and outside adult education and school system, for training support of the managing organisations, for domestic associate financing of developments of EU, for scholarship of students studying skills shortages, for developing the practical training places of vocational institutions.

The financing of non-state public educational institutions differs from that of state ones. The budgeting of state contributes to fulfil the public educational jobs of the non-state institutions, whose criterion – by the law – is that "the institution operates with respect to the business licence".

Among non-state institutions, the schools of the main denominations (they are considered main according to the canon) and the public educational institutions of the minority local governments – by the number of their authenticated pedagogues – get support having average wage as a base. The authenticated number of pedagogues is determined by the number of students per pedagogue – based on the law – which is

counted by the average of the state schools. In state-schools, the average wages – which is also regulated by the law – is determined by the average of personal allowances and additional costs of the pedagogues employed state schools.

Furthermore, the state gives support to the schools of minority local governments and the main denominations churches according to their headcount for the operational and recovery expenses. These schools essentially get all their operational expenses from the government.

However, in the case of the private public educational institutions that are not run by churches or local governments the amount of financial contribution based on average wages differs from the above mentioned amounts because it only covers part of the personal allowances and they do not get support for their operational expenses. The cost beyond the support is paid by the parents.

Every school gets support of meals and textbooks (to provide it at a lower price or free for the concerned children and students). Moreover, the main denominations get further support for teaching Bible study or moral philosophy and for those textbooks.

Support for Families

In Hungary, parents have the right to choose school. For choosing the institutions, the open scholastic teaching days, the scholastic introductory programs in kindergartens, the parental forums organised in the settlements, the documents available in schools and on scholastic websites. Travelling to the school can be supported by the maintainer or the settlement by for example providing a bus pass or an own car. It is being planned to introduce school buses for traffic (like in the USA).

Besides the right to choose school, parents also can look at the scholastic pedagogical program and get information about the children's progress regarding their studies and developments. Parents can be represented in the parent-teacher association and in the school board. Also, parents can get to know the pedagogues in parent-teacher conferences, meetings, open lessons, scholastic and outdoor events, family visits. By a study (Lannert et al. 2012), compared to the average population (30%), pedagogues support less (14%) the idea of the parents having opportunity to control what and how to teach in the school.

Involving the family into the decisions concerning the questions of the child's scholastic life and scholastic processes significantly has an impact on the student's effectiveness, behaviour, settling in, feeling integrated, satisfaction, further studies and risk of quitting. (Kozma 1999, Róbert-Dronkers 2004, Pusztai 2006, Szemerszki 2015, Imre 2015) The successful communication between the home and the institution is considered to be the condition of the student's progress, emphasizing the utilization and use of the family resources in the child's scholastic life and the helpful attitude of the school towards the family.

Family is not a static creature but a dynamic system always being changing. Changes

concerning the family can come from the family itself (for example, a birth of a new baby, illness of a family member, divorce) or from an external factor forcing the family system to change (for example, ceasing of a workplace, moving). As a pedagogue, it is worth to get to know the current life cycle of the students' families and to see clearly its advantages and occurrent risks. The continuous communication with the child and the parents can help to know and understand the cycle of the family or the change in the cycle of that.

Since 2010, the government has created a number of rules helping the families in the school life of children. Students are allowed to have free textbooks (it has been introduced gradually since 2013 for all students). Meals are free or have some discount for certain students (free: students of child-care allowance, students living in day-institution of disabled people; discount: permanently ill or disabled, living in extended family). The largest camp program in Hungary is Erzsébet Camp (Erzsébet tábor) in which every year 100-130 thousands of children take part (day-care camps or sleepover camps) who would not be able to afford to go on holiday with their families by self-effort. From 2018, the state has paid for the first language exam and the training and exam of Highway Code. The other allowances and discounts regarding the families also foster the educational and rearing costs of the children, such as tax reliefs, supports of building a home and of housing.

An important segment of involving parents in scholastic life is home studying. On the one hand, this notion consists of the actual time spending on learning, for example, checking the homework, helping with homework, asking questions about it, checking the equipment. On the other hand, part of the parental behaviour regarding school is questioning the events having happened in the school. This concerns not only the lessons but also the settling into the community.

By the point of view of the social backgrounds of students, we can meet a wide variety of parents even in a relatively homogeneous school. The way of involving parents and thus that of home studying depend on – among others – age, sex, occupation, behavioural samples having seen at young age. But mostly, it depends on the scholastic qualification of the parents, the type of the settlement, the financial background and the measure of the family. It can be stated in general that the circumstances having positive effects on scholastic performance can be created by the high qualifications and high social statuses of the parents, and also, the greater settlements in which the family lives.

The parents at home primarily ask about grades obtained and the homework but also about friends and class mates. It can be shown that regular conversations not tightly connected to scholastic performance and home communication have an exceedingly good impact on scholastic effectiveness. (Imre 2015) The habits connected to home studying are formed by the families. In this, the pedagogue can help by giving regular information about the child's progress, qualities, knowledge (beyond grades, by verbal evaluation). Moreover, the pedagogue can give useful advices regarding the circumstances, regularity, learning habits and methods of home studying. They inform the parents about external help possibilities and opportunities by which students can prepare properly, for example about developmental programs, afternoon schools, developmental programs of talents.

Distinctive Character of Schools

The Hungarian public education system – as it could be seen in the chapters about the school system – basically consists of institutions financed by the state, even when the maintainer of the school is a church, a fund or a private person. The state finances even non-state institutions by a budget connected to contracts with institutions (this is the so-called contract of public education). The rules of this are based partly on the law of budget, partly on individual agreements. This kind of support system essentially has existed since the political changeover; only the proportions, the conditions and titles of obtaining the governmental resources and the amount of financing have been changing.

The question of financing is essential for the non-state institutions, since in Hungary the costs of private institutions can be paid only by a few parents, but meanwhile, there is a gradual need for non-state schools. So, by the financing, the government essentially set the whole system of conditions of the non-state schools, since it can connect the governmental allowances to strict and changing conditions. In the summer of 2019, the National Law of Public Education was modified. This law makes the curricular obligations of the non-state institutions stricter than those of the state institutions, which raises difficulties in maintaining the unique features of the institutions. The reason behind this is that some private institutions were created exactly to differ from the centrally compulsory governmental curriculum, so this was restricted by a change of act in 2019 according to which the alternative curriculum can be accepted only if its structure of subjects differs by 30% at most from the state one and it contains half-year cycles of evaluations (Section 8, Act LXX of 2019). The reason behind this act is the intention for the interoperability between schools but the act can also be interpreted as an intention of roll-back of the private sector following alternative pedagogic conceptions. The freedom for establishing schools still exists. If the educational minister allows the pedagogic program of a non-state school and if it meets the legal requirements (regarding the stability of operation and the adequacy of the National Curriculum), it can start working. Every other year legal examination is required. (Section 24, Act CXC of 2011)

By the present regulation, among the registered non-state institutions we can find mostly institutions maintained by churches, minority local governments and foundations. These institutions are independent by the aspect of professionalism, the maintainers can differ from the governmental curriculum, however, the majority of church-run schools follow the governmental curriculum and the characteristics of the schools can be seen in the religion-based scholastic culture and the extracurricular programs beyond the curriculum. Formally there is no professional, ideological boundaries regarding the non-state institutions, moreover, in several aspects, they have more freedom than the state-run institutions. The possible differences are the following (Section 24, Act CXC of 2011):

- (1) They do not have to be neutral regarding religiosity and ideology (neutrality in ideology was one of the most important topics of the educational philosophic debate in 1990, mainly because of the monarchism of the former leftist, atheist ideology), (See: Pusztai & Chrappán, 2012), the students and the teachers can be required to belong to the given denomination and to participate in the religious activities;

- (2) They do not have to take into consideration the required minimum number of students (in state schools, the minimum number of student groups is strictly regulated, it is forbidden to start a student group below a certain headcount);
- (3) Also, non-state schools can have rules about designating leaders different from those in state schools, essentially it is an exclusive right of the maintainer to decide and – differently from the state schools – and asking the opinions of the pedagogues, students and parents is not necessary;
- (4) The maintainer can ask for tuition fee from the students (if there is no contract with the state regarding it) but this is typical only in the case of the completely private institutions (owned by a foundation or association) because by governmental financing the schools can have more stable and greater income than only by parental financing;
- (5) Church-run institutions can build religious, faith-based programs into their scholastic pedagogic program.

It is generally true that any institution (including state institutions as well) has the right and obligation to create an own scholastic pedagogic program that is validated by the maintainer. These institutional programs can be built on any type of pedagogic conception if they match the legal rules (by the aspect of pedagogy-professionalism, the legal boundaries are not strict here). Besides the above mentioned differences, these schools have to meet the requirements of the Hungarian curricular regulation. They can choose applying the curriculum that is compulsory in every state schools as well or they can have an own curriculum accredited that fits to their own pedagogic conception and also meets the requirements of the National Curriculum (generally this is not a problem) (Pusztai & Bacskai, 2015). In the case of secondary schools, the pedagogic program and the local curriculum can differ from those of state schools but the A-level exam and the requirements of the technical exam are the same. So in this aspect there is no difference between state and non-state institutions (unless it is not an international school because in this case they adjust to the international standards of the given institute, of course).

Non-state institutions have a wide variety of programs: there are spiritual, alternative and reform pedagogical programs among them (kindergartens and schools of Waldorf, Freinet, Montessori, Rogers). In Hungary, the non-state institutions are basically not the so called elite schools but very often schools of giving a chance for students being disadvantaged, socially and economically living on the edge who could not or could hardly meet the requirements of the state school system. Besides this, because of not trusting in the pedagogic illusion of the system of state institutions, there is a trend of establishing schools for children having special educational need (for example, students with dyslexia, ADHD, Asperger's syndrome etc.) in which children can have professional development. They are mainly foundational schools which work by the intense help of parents and other supportive organisations, besides governmental financing.

In the chapter about homeschooling it could be seen that private studying is a legal possibility even within the governmental system. The proportion of private students was 0.64% in 2016, the four fifths of them was in the elementary age group. The proportion of children becoming private students based on experts' decision is 0.14%, the majority of them become private students by their parents' decision and they create student groups

by avoiding schools which are overbureaucratic and overburdened by the curriculum. These student groups want to be completely separated from the traditional school system conceptionally, but being a private student involves the obligation of having exams in a state school in the governmentally compulsory requirements every half year. However, the status of private students does not involve normative from the state so these groups are completely self-supporting, they live by tuition fees, which causes serious operational problems because of the lack of stable financing. The number of these student groups is infinitesimal compared to the whole of the institutional system; they aim at the market of parents consciously opposing the state education system of whom there are only a few who are really willing to pay for the student groups having unsure outcomes (Prókai, 2018).

There is a freedom of establishment and operation of the non-state and the non-church-run institutions. And even if by the experts of the area the legal surrounding makes it harder and harder to have alternative programs freely, these schools have operated with headcounts being stable, unchanged for around the last 10 years, the number of students has not been increasing in the private institutions, while the proportion of students of state schools has continuously been decreasing. By the data, between 2010 and 2017, among students of elementary school the number of students of state schools decreased by 11%, while the proportion of students attending church-run school increased by 106% and that of private students increased by 13%. It is quite obvious how many students migrate from state elementary schools: In 2010, 91.4% of all students attended state school, 6.7% of them attended church-run school, 1.9% of them attended private institution; in 2017, these proportions were 83.6%, 14.1% and 1.9%. One reason of this is that in 2011 several local governments of settlements gave their elementary schools to the church because in this way by the acts they could get lot higher governmental sources, which made the life of their schools stable.

In secondary education, these proportions have not changed essentially, in the Hungarian school system church-run secondary schools have been present in an increasing proportion since the political changeover, the state has operated the two third of schools since 2010. The unique characteristics of non-state schools can be manifested without obstacles in their pedagogical concept, in the activity system of the schools, partly in the structure of the subjects (the amendment allows 30% diversion from the curriculum of state-schools, which seems to be quite tight), in the choice of text books and auxiliaries and also, in the freedom of methodology. In other areas of scholastic operation they can divert mostly regarding the required qualifications of the pedagogues; not only church-run institutions who can require the religious affiliation, but they can expect special preparation (for example, the schools of Waldorf have their own qualification system). These unique expectations are primarily retrainings for teachers, and they can be fulfilled by the activities promoting continuous professional development.

Decisions about admitting pupils

In Hungary, the enrolment in elementary schools happens at the 6 years old age of the children. There is information about the available institutions for the parents on the websites of the local governments and those of certain schools. Enrolment takes place by

district but parents can ask for their child's enrolment to another district. Children from the given district cannot be rejected by the institution but children from outside the district are not obligatory to be accepted. Therefore, in the case of overapplication children belonging to the district have priority and also disadvantaged students, students with special educational needs, and other unique circumstances (for example, the sibling of the child is the student of the school). Institutions teaching seeded sport or art can require aptitude test but apart from these schools there is no entrance exam to state elementary schools.

Free school choice applies to secondary institutions also (grammar school, secondary vocational school, vocational school), students can apply for any departments of any secondary schools, without a quantity restriction. However, these institutions can organise entrance exams, the entrance requirements are made public. There is central written entrance exam in native language and mathematics, beyond these results also the grades of elementary school are considered for the decisions process. Schools can organize also oral meeting (informal conversation). Schools with certain profile (for example, art and sport) can require and aptitude test where the talents of students can be got to known.

Students can apply for several institutions but they have to make an order of them. In the course of the entrance process, the sum of the reached points and the institution order given by the student are taken into consideration. It is the director who makes decision about enrolments.

Grammar school can be found in towns of minimum 10 thousand habitats, vocational institute can be found in towns of minimum 15 thousand habitats. The non-local students are externs or college students. Most part of the need for colleges can be fulfilled by schools.

Non-state institutions can individually set the entrance process. Church-run institutes can make religious values entrance conditions. Generally they can accept applicants from other denominations as well, the denominational background have to be certified in most cases and a pastoral recommendation is necessary as well. If in a settlement only one public educational institution operates, it has to enrol school-age children.

The integration of students with special educational needs is developed continuously, the attitude of pedagogues, appropriate methods and materials, teaching aid aim to foster this. Besides the governmental intention, the appropriate attitude of the scholastic local community is important. (Imre 2011)

Decisions about Staff

Working in public educational institutions has strict conditions. These conditions basically concern the level of pedagogic qualification, and these are the same in state, fundamental and church-run schools. Besides pedagogic qualification, clean record is a condition of employment in all public institutions. In the following table the types of institutions and the required pedagogical qualifications can be seen. (Table 2)

Table 2 School types and required pedagogical qualifications

Type of institution	Pedagogical qualification	Taught subject
elementary school 1-4	BA-degree	all subjects
elementary school 5-8	MA-degree	subjects of general education adequate to degree
grammar school 1- 4 (1-6; 1-8)	MA-degree	subjects of general education adequate to degree
vocational training	technical teacher (technical MSc + teacher MA)	technical (theoretical and practical) subjects in vocational training
vocational training	technical trainer (technical secondary/higher qualification)	technical training in and outside the school

The requirement of qualification is independent of the maintainer. The requirements regarding pedagogical qualification are the same in state, church-run and private institutions; they are definitely regulated by the Law of National Public Education. In the case of the pedagogues in church-run institutions, belonging to a given denomination means advantage but the lack of it is not a disqualifying reason (except Bible study teachers who necessarily need to have qualification of Bible study MA adequate to the given denomination). (Bacsikai et al. 2019)

Since the introduction of the curriculum of 2012, the freedom of teachers has not cover strategically important questions of the curriculum: the centrally compulsory curriculum definitely determines the number of lessons and the content of each topic, the speed of progress and also the order of the topics. Compared to the previous time period (Pusztai-Chrappán, 2012), the book market basically ceased; there are one-two centrally edited, freely available text books whose application is compulsory. By this, differentiated adjusting to the student groups has become difficult, but at the same time, teachers definitely have freedom in teaching-learning methods, in organizing of learning and partly in processes of evaluation, furthermore, they can use additional materials but only to the extent of the financial possibilities of the school. Last year the level of freedom of non-state and non-church-run schools was significantly decreased.

There is a basic expectation of teachers working in non-church-run schools namely that they should not influence students on ideologic and political questions and they should do their job with the thought of tolerance and democratic variety. However, the National Curriculum of 2012 definitively moved towards such common educational aims which had not been so declarative in the previous curricula: the knowledge of the original Hungarian community, the national identity and the identity of the Carpathian Basin, the education of moral principles and family life, all these definitely guarantee the emphasized appearance of the conservative-Christian values. (Varga et. al., 2014, Chrappán & Bencze, 2020)

Since 2013, teachers can walk through a 5-level career path (depending on their qualification and the time spent with work), which influences the salaries and the number of compulsory lessons, and expects certain expertise-researcher tasks from the higher level pedagogues. The status of work law of teachers is changeable: they are public servants in state schools, they have normal assignment in a non-state school, in every type of institutions the maintainer is their employer (in its representation, the director of the institution).

Accountability for School Quality

In Hungary, the means providing the accountability of the scholastic competence: the studies of competence and the school-inspection.

One group of competence studies, that is relevant in the basically international comparisons in which Hungary has taken part from the beginning, are PISA, PIRLS and TMSS, which are surveyed using a country-wide representative sample.

On the other hand, another type of competence studies in Hungary is executed using the whole public educational population. This country-wide competence study is an evaluational system determined by the acts of public education that is about the reading comprehension and the mathematical knowledge of students of 6th, 8th and 10th classes.

Competence studies are made in Hungary regularly from the beginning of the years of 2000. There is a national report about the results of the study every year and the schools get feedback. Since 2007, the results of the competence study are public by maintainer, institution and location. The data in school reports make it possible for the school to evaluate its own work, place its performance even in comparison with schools similar to or essentially different to it. Based on the data of the competence study such schools can be identified also who reach better results than it could be assumed based on the family backgrounds or the earlier results of the students.

There is an act of department according to which the office organising the competence study has to send the results of the country-wide studies to every maintainer, and by the regulation every school has to make an action plan if it achieved a low result (defined by the act) in any location or in any type of training.

Besides the above mentioned facts, the law of public education of 2011 introduced the country-wide pedagogical-professional control system (school-inspection). Within its frames they organise continuous pedagogical-professional controls in the public educational institution which is an inspection being repeated every 5 years and finishing with evaluation. The aim of the country-wide pedagogical-professional control is to check the work of pedagogues externally and by uniform criteria and to evaluate it for the sake of improving the quality. The control covers all public educational institutions, independently from their maintainers.

Teaching of values

In the course of political changes after the failure of the state socialist system there was an acute debate about the value transmitting role of the schools. This debate was induced by the value pluralism appearing in the social environment and later in the schools and on the other hand, by the spreading of the liberal concept of education appearing as a reflex answering for the socialist pedagogy. The latter made the case for the autonomy of the wide-range value choice of children and it wanted to limit the influence of the factors traditionally having a decisive role in education (parents, teachers) in this aspect, as well. However, all versions of the Hungarian National Curriculum have stated such values which the school system, the curricula and the pedagogues should follow. The National Curriculum of 2019 has nine values such as: (1) responsible citizenship (2) emotion of patriotism (3) realistic self-knowledge and firm moral judgement (4) settling into the family, into smaller and extended communities and into the world of work (5) intention of establishing meaningful and long-term connections (6) ability to make responsible decisions for the lives of themselves and people for whom being in charge (7) ability to orientate self-dependently, to make opinions and to act; (8) understanding of natural, social, cultural phenomena and processes; (9) preserving the diversity of the culture and nature. Based on these, a determined educational value orientation stands out in whose central there is the development of human qualities important and useful for communities.

The indicators of the pedagogic evaluation system of 2019 also expect such value transmission from the pedagogues that is a lot more determined than earlier. By one of the indicators, pedagogues have to motivate the students to a conscious value choice and to shape of their own values. The role of the pedagogues has been widened not only by the role of fostering value choice but by that of orientating it when there is an expectation of them having the students knew the universal human, European and national values and teaching the students to respect these values. Even the promotion of the pedagogues depends on whether the qualifiers are convinced about that they can create such pedagogic situations in which the responsibility for the community is emphasized, the values come from the characteristics of the different cultural, social backgrounds of students and student groups are shown, and also, the students are educated to accept, respect, mutually support each other without prejudice.

Studies in the effectiveness of value transmission generally show the preference of the universal values of the modern world among the Hungarian youth. By a study of 2016, the young Hungarians consider mainly family safety, love, happiness, peaceful world, true friendship, freedom and inner harmony outstandingly important value. Among these the post-modern individual values dominate. Several meaningful universal communal values such as citizenship, exemption of prejudice, equality were rather among the moderately important values in their value orders. The traditional communal values such as obedience, sense of duty, respect of youth community and traditions were behind those. By the value study, the least important values for them are wealth, power and religion. Among the youth dropped out from the Hungarian school system, there are no significant fault-lines regarding the value preferences. While there is no difference between the value preferences of youth of high scholastic qualifications and low ones, there are minor

divisions by the sectors of school maintainers. In the preference order of the students and the alumni of church-run schools, in the first one third of the order the true friendship, the inner harmony and the safety of home country are getting ahead, so it seems that their school confirms them regarding these preferences.

Special Populations

1. History

In Hungary, the centralized education system was established in the 1700s. Vulnerable parts of the society were present from the outset in legislation and the institutional system. For example, orphan education was almost among the first public services to be undertaken by the state. In the previous centuries the care of orphans has been a part of the activities of various churches and religious orders, as has the education itself. The turning point in Hungary was the year 1741, when the first organized, institutional orphanage was established in Kőszeg, western Hungary (Vinczéné, 2009, 115). Later, a number of institutions have been set up throughout the country with special educational responsibilities.

Similarly, the centralized and nationwide education of the blind has a significant historical tradition. The first school for the blind was established in 1825 and is still the largest educational institution in the country. Today, its role has been significantly expanded and in addition to the school, there is a library, museum, education of sports, industry and music, as well as education for the mentally disabled blind. Based on the experience of nearly 200 years, a methodological center is now operating.

Among the educational models of physical disability, Dr. András Pető, a physician who created a conductive pedagogical system for the rehabilitation of persons with reduced mobility due to central nervous system damage, should be highlighted. This, so called “Pethő method”, was first applied by the institute he led in the 1940s. He has been involved in tertiary education since 1965 and is now taught at the independent faculty of the Medical University of Budapest.

“Conductive education is a comprehensive method of learning by which individuals with neurological and mobility impairment learn to specifically and consciously perform actions that children without such impairment learn through normal life experiences. Children are encouraged to be problem-solvers and develop a self-reliant “orthofunctional” personality that fosters participation, initiative, determination, motivation, independence, and self-sufficiency.”
(<http://semmelweis.hu/pak/en/about-us/about-conductive-education/>)

The education of national minorities was first established by the Minorities Act of 1868. Later, treaties ending the two world wars laid down the obligation for minority education, which has now become a special branch of the education system.

2. Pupils with Special Educational Needs

The Hungarian education system creates a specific group of pupils: a group of “children

and students with a need of special attention”. Within this, the Education Act identifies two categories: (i) children with special needs and (ii) disadvantaged children. Within the first, three other sub-categories were set: children with special education needs, children with behavioral problems and particularly talented children require special treatment. The (ii) group is specified by the child protection system.

The most comprehensive category is the child with special educational needs (abbreviated as ‘SNI’ which can be translated as children with needs of special education). Act CXC of 2011 on National Public Education (hereinafter: Public Education Act) Section 4 point 25 defines the SNI as: *“children / students requiring special treatment who, based on the expert opinion of the committee of experts, are handicapped or have perceptual, mental deficiency or speech disorder, or have multiple disabilities in case of the simultaneous occurrence of several deficiencies or have autism spectrum disorder or any other psychic disorder (serious disorder concerning learning or the control of attention or behavior).”*

Children or students with difficulties in integration, learning or behavior is a different group according to the Section 4 point 3 of the Public Education Act. These are the students *“who require special attendance and significantly underperform compared to their age based on the basis of the expert opinion of the committee of experts, or face social relationship problems or suffer from deficiencies in learning or the control of their behavior, or their integration into the community or personal development is impeded or shows special tendencies but do not qualify as students with special education needs.”* The Public Education Act sets different development obligations for these two categories. However, special treatment should be provided to both groups as set out in the opinion of the Committee of Experts. The Committee of Experts shall propose the provision of special care for the child, the method, the form and location of the care, the pedagogical service related to the care, the required specialist and its responsibilities (Annual Report of the Commissioner for Educational Rights, 2018. 102-110).

The examination of the Committee of Experts shall normally be initiated at the request of the parent or upon the recommendation of the educational or child protection institution. At the end of the procedure, expert committees may issue so-called ‘expert opinions’ with legal effect and binding force. The Expert Committee will inform the parent of the opportunities for their SNI child and inform them how can the child meet his/her schooling obligations. The appropriate educational institution for the SNI pupil shall be selected by the parent on the basis of the opinion of the Committee of Experts, taking into account the needs and possibilities of the parent and the child.

Educational legislation lays down different provisions for children and pupils with special educational needs regarding school maturity, compulsory schooling and private learning. The parent's decision-making power is limited in many matters, as the education and development of these students can only take place in accordance with the expert opinion. The expert opinion should include a statement that the SNI pupil can fulfill his/her compulsory education exclusively by going to school or exclusively as a private student.

For the SNI pupil, the principal of the school may grant exemption² or various benefits³. Although this decision-making power appears to be decentralized, the principal of the school should take into account the expert opinion and has no discretion in this regard. Both the Ombudsman (Commissioner for Fundamental Rights) and the Commissioner for Education Rights have the power to protect the rights of SNI pupils.

3. Nationalities (minorities)

Thirteen nationalities are registered in Hungary.⁴ Both the Constitution (Fundamental Law)⁵ and the cardinal act⁶ recognize the right of minorities to education in their mother tongue. The country is also bound by an international treaty, as Hungary was one of the first countries to ratify the Language Charter of the Council of Europe (ECRML) in 1998. Nationalities have cultural autonomy that enables them, *inter alia*, to set up minority schools.⁷ The state recognizes the mother tongue of Hungarian nationalities as a factor of community cohesion. The law states that the state supports the use of the language used by nationalities in nationality education, regardless of who maintains the public education institution. The additional costs of nationality education shall be borne by the state as defined by law. (<https://rm.coe.int/hungarypr7-en-docx/16807b69d7>)

Different forms of nationality education appears at every level of education, from kindergarten to university. Most educational institutions are maintained by minorities with the most widely spoken languages: German, Slovak, Croatian and Romanian. The educational, minority and language rights are examined by the Ombudsman primarily.

The Ombudsman's Deputy for Minority Rights (also) reports annually on her activities. According to her latest report for 2018, most of the submissions concerning minorities are related to education. She reported that the largest number of indications were related to the issue of nationality teacher training, the problem of nationality teacher shortage and the inadequate content and quality of nationality textbooks. In addition, there are issues that highlight the operational difficulties of minority-run primary schools. (Report of the Commissioner for Fundamental Rights, 2018. 292-293.)

4. Refugees and foreign citizens

Non-majority and non-minority students, but other (foreign) students are very narrowly regulated by law. Section 92 of the Public Education Act states that “a minor who is not a Hungarian citizen becomes eligible for kindergarten care and is required to attend school in Hungary if he or she is a refugee or admitted for subsidiary protection.” The rule of compulsory education is laid down in Article XI of the Fundamental Law.⁸

² There may be exemptions from rating by grades or from individual subjects. (Public Education Act, 56.§)

³ Benefits can be eg. Longer preparation time, use of educational tools, etc. (Public Education Act, 51.§)

⁴ Nationalities in Hungary: Bulgarian, Gypsy (Roma), Greek, Croatian, Polish, German, Armenian, Romanian, Rusyn, Serbian, Slovak, Slovenian, Ukrainian

⁵ Fundamental Law of Hungary Article XXIX. cikk (1)

⁶ Act CLXXIX of 2011 on the rights of nationalities Preamble and Section 12. and 19.

⁷ Act CLXXIX on the Rights of Nationalities Section 22.§

⁸ “(2) Hungary shall ensure this right by extending and generalizing community culture, by providing

Generally speaking, such education is scarce in public education. Most of the cases we know of occur in ecclesiastical education. Similarly, until now, only a church organization has issued methodological aids for the education and inclusion of non-Hungarian students.⁹

free and compulsory primary education, free and generally accessible secondary education, and higher education accessible to everyone according to his or her abilities, and by providing financial support as provided for by an Act to those receiving education.” Fundamental Law of Hungary Article XI. para (2)

⁹ I highlight the refugee missions of the Catholic and Reformed Churches, which also serve educational purposes. An example is the “Zia and Zahra” curriculum package compiled by experts from the Hungarian Jesuit Refugee Service. <http://jmsz.hu/zahra-es-zia/e-learning-munkafuzet-es-teszt/>

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