

Annex 2 – Regulations on Education Infrastructure in Romania

Infrastructure Standards

1. **Government Decision no. 21/2007 approving the standards for authorization of temporary functioning of pre-university education institutions, and standards for accreditation and periodic evaluation of pre-university education institutions.**

The standards for authorization and accreditation are national standards applicable to public and private pre-university education institutions, and represent a set of minimum standards to be met in order to be able to conduct educational activities.

- The existence of the school premises and auxiliary spaces (canteens, dormitories, locker rooms, kitchens, and laundry rooms, inter alia) own and/or rented, leased or in any other legal form.
- The appropriate number of classrooms, laboratories, school workshops, conference halls, and auxiliary spaces, inter alia, according to the forecasted enrollment plan.
- The adequate type of laboratories, cabinets, school workshops, conference halls, and auxiliary spaces, inter alia, for the education level, type of school, and disciplines included in the curriculum.
- The existence of a space for the school library/information and documentation center or of an agreement to use another school's library.
- The existence of ICT and communication facilities.
- The existence of sanitary facilities and equipment according to the Hygiene Norms for Entities for Protection, Education and Training of Children and Youth.
- Accessibility to school premises and auxiliary spaces for all students, including those with special needs.

2. **Order no. 1955/1995 of the Minister of Health approving the hygiene norms of the units for care, education and training of children and youth** stipulates, among other requirements, that:

- Outdoor space should be at least 20 square meters per child in kindergarten, and 10–50 square meters per student in primary and secondary schools.
- The maximum number of children in a kindergarten classroom should be 20, 25 in a primary school classroom, and 30 in secondary school classroom.
- The size, location and adaptation of sanitary facilities shall be determined considering the age of children and youth. Toilets for children and youth shall be separated from those for the adult staff. In units for pupils and students, toilets designated for their use shall be separated by gender, including in physical education rooms.
- In the recreational spaces (indoor or outdoor), school workshops, laboratories, dining rooms, and physical education rooms, a drinking water source shall be provided. Where connecting to the water supply network is not possible, the management of the units for the care, education and training of children and youth shall provide the setting up of own sources of water (checked periodically for drinkability).
- In the absence of accessible public sewerage systems, units are required to provide their own facilities for the collection, treatment, and disposal of fecal and domestic waste and wastewater.
- The equipping with furniture shall consider the age and physical development of children and youth, their number, the nature of the activity and the destination of the rooms.

- The heating systems shall not allow the release of toxic substances in the room. All units for children and youth are prohibited from using metal stoves for heating, as well as from using coal in nurseries, kindergartens and orphanages for preschool children.
- All rooms for children and youth shall be naturally ventilated and shall ensure direct natural lighting and a noise level that does not exceed 35 decibels.
- Classrooms shall have a temperature 18–20°C.
- A volume of 5–8 cubic meters per pupil/student shall be provided.
- Students in Grades 1–4 shall have only morning classes.

Financing Mechanisms

3. **Law no. 1/2011 – Law of National Education** provides the principles for financing pre-university education.

- The Ministry of National Education and Scientific Research (MNESR) establishes the annual standard cost per student/preschooler, which represents the basis for the core funding. Pre-university education shall be financed according to the “financial resource follows the pupil” principle, based on which the budgetary allowance due for a pupil/preschooler is transferred to the educational institution attended.
- The MNESR has the responsibility to elaborate specific norms for the construction of schools and their equipping at the level of pre-university education.
- Pre-university education financing includes (i) core funding, (ii) complementary funding, and (iii) additional funding.
 - (i) The state provides core funding for all preschool children and students in accredited public, private or denominational general compulsory education. The state also provides core funding for accredited public, private and denominational vocational and high school education, and public post high school education. The core funding is made based on and within the limits of the standard cost per student/preschooler, according to the MNESR methodology. It is ensured by the state budget through the local budgets, from amounts deducted from the value added tax and other revenues, for salaries, bonuses, allowances and other entitlements in cash, provided by the law, and the related contributions; staff’s training and assessment costs; students’ assessment costs; goods and services costs; current maintenance costs. The core funding approved yearly through the budget law is distributed to communes, towns and municipalities by the county general directorates of public finance, with specialized technical assistance from county school inspectorates.
 - (ii) The complementary funding ensures capital expenditures, social expenditures and other costs associated to the public pre-university education process. It is ensured through the local budgets of the territorial administrative units from amounts deducted from the value added tax, for investments, capital repairs, consolidations; expenses with students’ transportation; expenses with commuting of teaching staff; among other categories of expenses. The complementary financing approved yearly through the budget law is distributed to communes, towns and municipalities by the county general directorates of public finance, with specialized technical assistance from county school inspectorates.
 - (iii) The additional funding is granted as a global fixed amount from the budget of the MNESR in order to reward the education institutions with special results in the field of inclusion or performance. The local councils and county councils may contribute to the additional funding by giving grants to the education institutions based on their own methodology.

The additional funding is based on a performance contract concluded between the pre-university education institution and the sponsor.

- The MNESR shall ensure funds from the state budget for pre-university education institutions to finance: (i) national programs approved through Government Decisions; (ii) national contribution to projects/programs financed by the GoR and other international financial institutions/organizations; and (iii) annual and multi-annual programs for investments in modernization and development of public pre-university education institutions, including school consolidation, rehabilitation, and equipping.

4. Government Decision no. 136/2016 approving the methodological norms for determining the standard cost per student/preschooler and establishing core funding of public pre-university education institutions.

- The core funding of salaries, bonuses, allowances and other entitlements in cash, provided by the law, and the related contributions is based on the standard cost per student/preschooler. The standard cost per student/preschooler for these expenditures is determined for each level of education, route, profile, specialization/field, depending on the number of students/preschoolers, teaching language and urban/rural area. For the year 2016, the value of the standard cost for coefficient 1 is 3,043 lei/year.
- The core funding of staff training and assessment, students' assessment, and goods and services costs is based on the standard cost per student/preschooler. The standard cost per student/preschooler for these expenditures is determined for each level of education, route, profile, specialization/field, depending on the size and type of education institution, urban/rural area and temperature coefficients for geographical areas. For the year 2016, the value of the standard cost for coefficient 1 is 321 lei/year.
- Education institutions which also consists of classes with students that study in the minorities' mother tongue shall be allocated additional amounts.
- The education institutions with legal entity shall submit, no later than November 20 of each year, to the territorial administrative units and to the school inspectorates, the number of students/preschoolers per level of education, route, profile, specialization/field for the entire institution with legal entity. The principals of the education institutions with legal entity are responsible, according to the law, for the accuracy of the data submitted.
- The main credit release officers of the local budgets shall submit the data received from the education institutions to the county general directorates of public finances by December 10, both for the entire territorial administrative unit and for each education institution with legal entity, for the allocation of amounts deducted from the value added tax.
- The distribution of the amounts deducted from the value added tax, approved by the annual state budget law for communes, towns, and municipalities, shall be decided by the director of the county general directorate of public finances, with technical assistance from the school inspectorate.
- The amounts associated to a territorial administrative unit shall be determined by multiplying the number of students/preschoolers with the specific standard costs.
- The main credit release officers of the local budgets shall determine the amounts for core funding per education institutions with legal entity based on the number of students/preschoolers and the specific standard costs.

5. Government Decision no. 363/2010 approving the cost standards for investment objectives financed from public funds.

- The cost standards are reference documents providing guidance to advance investment objectives financed from public funds, technically similar to the benchmarks set out in the standards.
- Following the initial publication, three Government Decisions were published: (i) Government Decision no. 717/2010; (ii) Government Decision no. 250/2011; and (iii) Government Decision no. 1061/2012.
- The current form of the decision comprises twenty cost standards for investment objectives financed from public funds, three of them related to education infrastructure:
 - (i) School with 8 classrooms for lower secondary education, located in rural or urban areas; the unit cost (exclusive of value added tax) is 431 euro/sqm.
The school should include the following areas: classrooms; laboratories; teachers room; principal, secretary offices; toilets; storage room; central heating room; circulation areas (hallways, stairways). utilities: electricity and water from the public network, autonomous heating system.
 - (ii) Kindergarten with 4 classrooms – building designed for preschool education that includes proper facilities and equipment required for modern education; it may be located in rural or urban area. The unit cost (exclusive of value added tax) is 417 euro/sqm.
The kindergarten should include the following areas: health check-up room; isolator with toilets; locker room; classrooms; toilets for each classroom; multifunctional area; teachers room; teachers' locker room with toilets; central heating room; utilities: electricity and water from the public network, autonomous heating system.
 - (iii) Students dormitory – building designed for students' accommodation during the school year or holidays, that include proper facilities for regular comfort. The unit cost (exclusive of value added tax) is 603 euro/sqm.
The dormitory should include the following areas: reception; administrative office; bedrooms, paired with toilets; pantries; storage room; central heating room; circulation areas (hallways, stairways); utilities: electricity and water from the public network, autonomous heating system.
- The cost standards do not include the costs of land acquisition and preparation, utilities, design and technical assistance, technological tests and commissioning.