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ANALYSIS OF DISCRIMINATORY PROCEDURES

**THE REGULATION OF PRIMARY EDUCATION
EFFICIENCY, SYSTEM OF RESPONSIBILITIES AND SOCIAL ISSUES**

PhD Theses

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1 THE TOPIC OF THE THESIS, REASONS FOR CHOOSING THIS TOPIC

The problem of discrimination in the primary school system is situated at the intersection of several areas of the law:

- the supranational (international) and domestic systems of human rights and, within these, children's rights;
- the system of duties and rights of students, parents and teachers (and other stakeholders/affected parties);
- in the system of protected characteristics (vulnerability), disadvantaged treatment and unequal opportunities as a result of belonging to a minority;
- the multi-level system of regulation (legislative) and practice (enforcement) of institutional functions and maintenance.

Almost without exception, the authors of education policy programmes emphasize the cliché that education is the key to our future, a key sector, but one which does not generate immediate and direct benefits.

A good strategy, a truly professionally designed, effective education policy takes 10-15 years to show its real positive effects, so the short-term interests of governments often override such investments. Recently however, spectacular international results have been achieved through the effective development of the school system, thanks to various competency tests that very clearly identify the countries that are performing better in educational terms. Every three years, the OECD also publishes a detailed analysis of the tests and the students who take them - based on the data received – focusing on issues such as the performance of disadvantaged students and municipalities, gender gaps and career paths.

In all areas - reading comprehension, math and science - the performance of Hungarian 15-year-olds has shown a downward trend since the early 2000s. Although the 2018 PISA survey shows a very minimal improvement in performance, the analysis of the tests shows that those students who perform extremely poorly are highly identifiable by school type and/or geography, clearly indicating strong social segregation and a growing social divide (or social scissors). The problem that needs to be highlighted, and the focus of this dissertation, is that in Hungary children's test scores and their performance in school are highly dependent on their social background, which means that it is not their talents and gifts but their background that determines whether they are destined to fail or succeed. This is illustrated by the fact that there is an average difference of 170 points between the best and worst social backgrounds in our country.

Another sign of an inequality of opportunity is that in Hungary students are also strongly differentiated by gender, as the figures clearly show, with girls being much weaker in math and science, and less motivated by teachers to do well in masculine traditions. /traditionally masculine subjects.

All this is extremely important for our topic, since the content of institutional, parental and student obligations and rights (who is responsible for what and to whom and to what extent), their fulfilment, purpose and results largely determine the inequities of practices and roles in the educational system, the likelihood of discrimination.

The basic question of my dissertation is how certain educational policy motives and their manifestations, i.e. the regulatory modes affect the actors of the school system, especially the next generation(s), what their social consequences are, who is responsible for all these processes, changes and in what way.

However, in order to understand the above and to make the hidden causes visible, it is necessary to understand the latent links, which can be investigated from a social science perspective by mapping

and analyzing the relationship between territorial (geographical, economic) and social (family, community) conditions and inequalities in the schooling and educational outcomes.

2 THE SETTINGS OF THE RESEARCH OBJECTIVES

The case analysis raises complex issues from the legislative, enforcement and law-enforcement sides.

Hypothesis 1: Discriminatory practices, inequities (unequal opportunities, different types of discrimination, exclusion, drop-outs, etc.) and problems of educational effectiveness in the primary educational system have common roots.

Planned hypothesis testing and research questions:

- Which laws (international and domestic) and policies (international, EU and domestic) determine the current functioning of the educational system from an anti-discrimination and equal opportunities perspective?
- What is the context of inequalities in primary public education?
- How do children from different backgrounds interact within schools in terms of effectiveness (contextual effects)?

Hypothesis 2: Discrimination in schools itself is defined as the dominant role of the education system in transforming children's perceived weaknesses (in this case their social background and status) into disadvantages.

This is directly the responsibility of the teachers, and indirectly the responsibility of the conditions and persons who provide the working conditions and environment for teachers, i.e. the system and its regulation, i.e. the legislators.

- - What do researchers think: what factors are present and how do they affect students' school performance?
- - What do legislators think: which factors are present and how do they affect students' school performance?
- - What do educators think: what factors are present and how do they affect students' school performance?
- - In fact, what factors are there and how do they affect students' school performance?
- - How do the infrastructural and environmental characteristics of the school affect/determine the effectiveness of education?
- - What is the sense of responsibility and empowerment of teachers in the country?

Hypothesis 3: If the legal principles and regulations on equity, equality and equal opportunities in education are not implemented in the practice of primary education, but remain latent (unresolved), their strongest negative impact is on society itself.

Planned hypothesis testing and research questions:

- - What characterizes the precedents related to vulnerable social groups?
- - What are the spatial dimensions of students' self-advocacy skills?
- - In which cases are the least potential for empowerment demonstrated?

Why is non-discrimination in schools so important? In almost all cases, the use of the term 'discrimination' without an adjective refers to a negative form of discrimination, i.e. discrimination resulting from unfair and unequal treatment, with negative effects and consequences. The case analysis raises complex issues from the legislative, enforcement and law-enforcement sides.

- - this approach has a negative impact on the person concerned;
- - this effect stems from the distinction;
- - the distinction is unreasonable and unjustifiable.

-The difference between discrimination and simple distinction is perhaps the most important one - confirmed by the European Court of Human Rights - that the latter always has objective, legitimate, justifiable and justifiable reasons.

What exactly is inequality of opportunity in schools which, according to the basic premise of this dissertation, is also a phenomenon of latent negative discrimination? Inequality of opportunity at school means that learning outcomes are very strongly correlated with the social situation of the pupil which, in turn is a major obstacle to social mobility and development. We could also describe inequality in schools as the result of negative discrimination against vulnerable pupils (those who are disadvantaged or vulnerable in some way).

The general premise is that disadvantage is the cause of failure at school, poor learning outcomes and that family background is responsible for this perception. According to this approach, laws and equal opportunities programmes are written and most research is based on this approach. It is usually the case that a particular social group or groups which are disadvantaged for one reason or another (Roma, disabled, poor, deviant, sick, etc.) are singled out and research is carried out among them. What we see in this approach is the perpetuation of inequalities - for example, someone who is declared disadvantaged or repeatedly disadvantaged is stigmatized, someone who is repeatedly told by teachers not to be bullied just because they are darker-skinned needs help and can be humiliating, someone who is looked at strangely because they have a physical disability is excluded, etc. Unequal treatment can be seen as a practical consequence of discrimination.

Thus, the basic hypothesis of my thesis is that it is not inequality of opportunity due to vulnerability that causes learning disadvantages in the school system but the hidden yet demonstrable discriminatory functioning of the education system that makes students vulnerable who do not meet the equalized standards.

3 PRESENTATION OF PRELIMINARY RESEARCHES

In my dissertation, we will start from the big general questions and deductively proceed to our focus. First we will review the theoretical background necessary to understand the problems raised and to answer our questions, I will provide an overview of what the international and domestic literature, the representatives of different disciplines have thought about the phenomena and consequences of inequalities that directly or indirectly affect our topic, and the analysis of my present legal and administrative work will be based on these. The multidisciplinary research steps were carried out chronologically as follows:

PERIOD	RESEARCH LOCATION/ INSTITUTION	SCIENCE/ DISCIPLINE	NOTES, RELATED EVENT ACTIONS
2018-2021	Károli Gáspár Reformed University, Doctoral School of Law and Political Sciences	Public administration, education policy political science, sociology of organization, sociology of law, sociology of organization, pedagogy	Legislation, regulation, education policy, accountability and consequences, research on discrimination
2009-2020	ELTE Faculty of Psychology and Pedagogy, Department of Education Doctoral School	Education Policy Research Methodology	School research, teacher interviews and methodological workshops, scientific student circles
2017-2019	EU-EEM Research International Project	Organizational Sociology, Education Policy and Pedagogy Research Methodology	Conducting classroom research, teacher interviews and running a university methodology workshop
2005-2009	SzIE/SzIU University, Gödöllő	Economy Regional Sciences	Regional and spatial development programmes
2002-2005:	Prime Minister's Office Department for Equal Opportunities/ Ministry of Social Affairs and Family National Network for Equal Opportunities (OEH)	Public administration, social policy, EU law and institutions Development policy, human rights, Network development	Participation in the drafting of the Equal Opportunities and Equal Treatment Act and in international educational and equal opportunities organizations Design and development of the National Network for Equal Opportunities 2002-08
2001-2004:	Netherlands, Maastricht, Maastricht University	Public administration, political science, organizational culture	Examination of pre-accession funds EU accession, policies
1999-2001:	Canada, Montreal, McGill University	Social policy, International comparative research Law, equity and ethics Organizational development	Development of international research networks Complex comparative (equal opportunities) analysis of health systems
1995-2000.	North London University, Social Sciences	Social sciences, applied social support methods Organizational Sociology	Minority and equal opportunities research and good practice Erasmus research fellowships. Studies on welfare societies
	ELTE TÁTK Faculty of Sociology, Institute of Social Policy	Social sciences: organizational sociology, political science, social psychology	Research on the post-conflict situation, research on social policy processes Republican fellowships
1992-1999.	Budapest Social Centre (today: BMSZK) ELTE School of Social Work	Sociology, social policy and housing policy	Life career studies New social system Development of the homeless care system in Hungary

My preliminary researches and work experiences related to my dissertation (1992 - 2021.)

After an overview of the functions of the education system, the social and territorial aspects of inequalities in schools and the research, models and mechanisms of action that have been carried out so far, we will move on to the study of the school as an organization, the laws within the institution, important interrelations such as socialisation, motivation, school culture and pedagogical culture, the impact of latent discrimination on inequalities.

4 PRESENTATION OF RESEARCH:

The principle of the rule of law and the requirement of legal certainty: "Hungary is an independent, democratic state governed by the rule of law." The right to human dignity. The right to education: "Every Hungarian citizen has the right to education. Hungary shall ensure this right by extending and universalizing public education, by providing free and compulsory primary education, free and accessible secondary education and higher education accessible to all on the basis of ability and by providing financial support for those who receive education as provided by law." the right of children to protection and care, the right to legal remedy: "Everyone has the right to a remedy against decisions of courts, authorities and other administrative bodies which adversely affect his or her rights or legitimate interests." The question of free education itself is a decades-old professional controversy, a question that also strongly affects equal opportunities, a question rooted in serious theoretical and ideological considerations, but also in very practical ideas, which cannot be discussed separately here for reasons of space, but which is an extremely important topic.

It is essential that information on the possibilities of legal remedies should also be provided in proceedings outside the administrative procedure. The question of whether a remedy is available is therefore not a formal one (whether it is provided or excluded by law), but a substantive one (whether it was actually provided).

The first part of my dissertation, which consists of three series of research and a total of seven research papers, is a review of secondary research, relevant academic literature, and relevant national and international regulations, in which I examine the guidelines and laws on equal opportunities and discrimination in schools, and the relationship between territoriality, school performance, achievement, social and family background and unequal opportunities as a basic problem. In the preliminary primary research, I will use quantitative (data analysis) and qualitative (interviews, situation analysis) methods to present the educational and sociological dimensions of the problem. Finally, in a third step - also within the framework of primary research - I will use quantitative (data analysis, content analysis) and qualitative (situation analysis, case studies) methods to examine the functioning of educational regulation both at the international, (mainly EU) level and at the domestic level.

After a general introduction of my research, an analysis of the basic problem, I have posed my research questions, described the methodology and the conduct of the research, and then the results of my research, and, finally, I have provided answers to my research questions.

In order to investigate the effects of territoriality and family background, I conducted quantitative research by

- the effects of family background and territoriality on student achievement, and then
- I compare the correlation between family social situation and territorial indicators (which has the stronger "effect") on school performance (I note here that the word "effect" is often put in quotation marks in my thesis, because quantitative analysis can in fact mostly only show correlation and causal effects to a lesser degree),
- I use a large-sample analysis to examine the contextual effect in schools,
- examine the relationships and analyze the inequalities between economic endowments, social background and school performance in the areas, and finally
- I will analyze the impact of school infrastructure (conditions, information technology equipment, library provisions) on school inequalities, taking into account data from all the national places of work.

In addition to this, I also conduct quantitative research on the territorial dimensions of assertiveness and the different types of problems of inequality and equal treatment based on reports and data from the national ombudsman's office.

Our qualitative research was selected from a nationwide total sample (all Hungarian primary schools) using a three-stage procedure,

- regional-economic criteria, then
- by performance-based selection, and from the resulting narrowed samples
- random sampling

the schools whose teachers I conducted guided structured interviews with, in cooperation with my students.

The teacher interviews in the schools were analyzed according to several separate methods, as there was a wealth of interesting information and a very rich reflection of content in the huge amount of material.

- I divided them into four (2 x 2) categories (disadvantaged/performing/underperforming schools in economically advantaged areas) to see how teachers from different types of schools think differently and what they consider important about issues of inequality in schools.
- I have also highlighted, by theme, what the teachers interviewed thought and said about the most important factors for my research: family background, regional characteristics and school culture.
- Through case analyses and the analysis of data from complaints, I looked at the types of discrimination cases that reach the complaint and investigation stage and the cases where action is taken.

According to the latent discrimination model, it is the family that has the real effects, while the effects and inequalities created by the school are more or less in line with social background and spatial inequalities. Our question is what characterizes their determinant role on learning outcomes, and more precisely what their relationship is with learning outcomes. We ask whether - while the school is an autonomous agent but creates inequalities according to contextual circumstances - it transforms inequalities in this context into more inequalities in a social context, or inequalities in territorial context, or neither, or both.

I have assumed a system of effects that interacts with the family background and social situation of the pupils, which, as a factor to be examined, is related to the regulation of education, which fundamentally determines the system of functioning and relations in the school, which 'influences' the learning outcomes, i.e. the pupils' performance in school. The strength of the interrelationship of the system of effects has a major impact on children's equality of opportunity, if children's success and progress at school is determined by their family background, then this can be described as an unfair and unequal system.

In the fourth part, I take a look at the national and international regulation of all this. This is where the issues of efficiency and accountability - which are becoming increasingly important in primary education - and in particular, the forms of regulation and options for preventing discriminatory phenomena, are highlighted. My thoroughly comprehensive research series can be divided into two separate parts, both qualitative and quantitative. In the secondary research part, I will review the literature and present cases of discrimination, while in the first primary research part, I will investigate the level of discrimination in schools through more practical research, mainly in the field, to see whether and how school attendance and location, the type and endowment of the municipality, the level of development, etc. have an impact on school performance.

In my research, I have mainly used data from the National Competence Survey (NCS), which shows that there is a strong correlation between spatial characteristics and learning outcomes, which leads to our basic question whether this is a direct link. The correlations (which we will prove later to be only mediated, indirect, and therefore questionable as to whether territorial characteristics alone determine school performance) are detailed as follows:

- In wealthier regions, results are better?

- Results are worse in 'HH' municipalities.

As I analyze the data from the OMC competency test with 264 277 pupils from 4308 schools, I will show the impact and correlation of national spatial factors (by region and by type of settlement), family and economic background on the school performance of 12-15 year olds, demonstrating how the national primary school system becomes both a preserving and reinforcing instrument of inequality.

The first part of my fifth, more theoretical research project is an investigation of distortions and abuses in schools in the international and domestic arena, with a focus on the analysis of legal cases related to them. The case analyses raise complex issues from a legal perspective, mainly about:

- which children's rights are or may be violated in the course of education,
- who are the most typical actors in these cases on both sides, especially those who violate these rights,
- how we can protect ourselves against such cases, and
- how can prevention be applied?

In the second part of this research, I looked beyond the explicit violation of the law to examine the factors that may disadvantage - on a massive scale, the masses of future generations without committing a particular violation. Each models of deficit, segregation and latent discrimination already described above can be used as a conceptual framework (theory, paradigm, etc.) to examine and explain from different perspectives the fundamentally offending differences between children, i.e. the causes of inequalities of opportunity. These models provide different explanations of

- how differences in learning outcomes arise,
- why personal development outcomes differ and are related to social situation, and
- what action is likely to be optimally effective

in this whole situation of inequality of opportunity.

RESEARCH	METHODOLOGY	RESULTS / COSEQUENCES
Examining the school contextual effect	Quantitative longitudinal (12 years), full-sample (national) data analysis, value of the PHI of worse/better-off schools (student CSHI and individual performance and school socio-economic status), and the school's social SES. We examined children from socially disadvantaged backgrounds and found that among them, children with better results are more "attracted" to schools with better than average social backgrounds.	<ul style="list-style-type: none"> - Among children from the same but more disadvantaged social backgrounds, schools with pupils from better backgrounds on average attract the better pupils, so that their better results are not, or only to a small extent, the result of the 'pull effect'. - It is not the good pupils who 'pull up' the lower-achieving pupils, but selection that enables the better-achieving children with lower family background indices to get into the more 'elite' schools. - Children with above-average results would perform better in any school compared to their peers from the same social background but with lower performance. - Only for students from moderately poor family backgrounds can the contextual effect be validated. - It is not a question of better pedagogical performance of the 'better' school, nor of better results in reducing inequality of opportunity in such schools, but rather a 'simple' selection phenomenon.
Analysis of correlations and inequalities	Quantitative full-sample (nationwide) data analysis with spatial breakdowns between 2014-2016 of 2785 p.e. schools to investigate the correlations (by location) between the economic endowments of the areas, the social background and the school's OKM mat. and language test performance in grades 6 to 8 based on the PHE. In a second calculation, we averaged both test scores and pedagogical value added by county, i.e. we did not look at the scores of individual children or schools, but of a particular county	<ul style="list-style-type: none"> - If we look at the variance at the county level by individual, rather than looking at averages, there is a high level of correlation between the spatial endowments and the school performance of individual pupils. - If we consider the impact of territoriality by looking at the economic outcomes (GDP per capita) of the counties and the average pupil and school performance per county based on the statistics, then the correlation coefficients show much stronger correlations than before (for individual pupil performance). - Family and social background mediates the economic and social characteristics of the area, but has no direct impact on children's success, failure and equal opportunities at school. - The strong correlation between achievement and family background was known, but I have shown that it is not causal,
Impact of factors examined on school performance		

		<p>it's rather that a social disadvantage becomes a cause of academic failure through institutional mediation. The school creates inequalities of opportunity among students by 'converting' inequalities into performance, into measurable outcomes.</p> <p>Impact of factors examined on school performance</p>
Examining the influence of site infrastructure on student performance	Quantitative full-sample (nationwide) data analysis of whether the quality of the building available to students and the quality of the facilities involved in the educational process are related to performance in the school. Using central OKM results, relationships between current building condition (ordinal variable), library, digital facilities were examined using Spearman's correlation coefficients, T-test.	<ul style="list-style-type: none"> - Building condition and equipment (spatial distribution of the national situation) do not "influence" school outcomes in a meaningful way (cf. Coleman report), as my analysis confirms. - The existence of a library can be either a precursor or a consequence of better territorial conditions, or of higher family status and higher parental expectations and needs. - Surprisingly, the number of machines with Internet access in school is slightly inversely related to test scores and PHÉ scores. - When the effect of CSHI scores is removed (i.e. used as a control variable), the above relationship, i.e. the association between school ICT provision and student performance, disappears. - I have shown that improvements in site infrastructure alone do not have a positive "effect" on student performance.
Assertiveness analysis of complaints by the Office of the Commissioner for Fundamental Rights, Education Rights	Quantitative (semi-semantic territorial analysis by referrals) and qualitative (interview and document, content of complaints) analysis (with a total of 1060 cases over two years for 19 counties and Budapest)	<ul style="list-style-type: none"> - Fewer complaints from certain counties (as a proportion of the population) does not always mean that there are fewer equal opportunities problems, but just less advocacy and awareness. - The high volume of data from Budapest may raise the question of the territorial causes of this phenomenon. The fact that the capital has all offices locally, with easy access to administrative facilities, is a well-understood spatial characteristic. A similar aspect could be the concentration of a large number of non-profit advocacy and rights organizations. - Data analysis suggests that education is less important as a factor in advocacy than territorial and economic factors
Teachers' awareness of responsibilities and rights	Semi-structured semi-randomized structured interviews with teachers in a randomized school selection within a 3-dimension sample of interquartile (upper and lower domain and performance quartile), with qualitative analysis.	<ul style="list-style-type: none"> - Regional differences in legal awareness are weaker variables than expected. Standardized curricula and educational management, full centralization has not resulted in equal opportunities, but in some "problem equality". - Domestic teachers mentioned the following in terms of their own disadvantages, injustices and inequalities of opportunity: disproportionate workload (also due to commitments, administration, COVID, lack of teachers), fear of constant external expectations and evaluations, insecurity and feeling of vulnerability due to frequently changing circumstances, negative changes in prestige (loss of recognition of the teaching profession in the past), lack of recognition of certain specializations, unfairly low salaries in international comparison and also within the national society. - Teachers' perceptions of children are more strongly divided on this issue. - Teachers see the selection effect clearly, but feel that they are not actors in this story, but rather "suffering subjects", passive spectators, especially in the case of segregated schools. Where the proportion of Roma pupils has fallen in the last 5-8 years, there is a sense of 'elite schooling', with classes referred to as 'normal classes' and language and other classes where the upper classes enroll their children. Here it is clearly stated that "fortunately, the ethnic problem does not exist here." - Shifting responsibility outside the institution: Teachers tended to see more traditional methods as important and positive in terms of cultural issues towards equal opportunities, i.e. they thought that they could contribute to promoting equal opportunities by extra activities outside class time, outside school, by their efforts outside normal education - In the case of disadvantaged pupils, there was a strong emphasis on catching up, on promoting and competing for talents ("which were discovered despite their situation"). - Discrimination among children: the difficulties of dealing with exclusion, bullying, prejudice from home at school, in class or during breaks. - Punishment is often inadequate, but teachers mostly complained about it when it was ineffective. They also complained about the feeling of being powerless and the children's lack of motivation. There is a very low culture of praise in schools and many teachers do not believe in its positive impact. - Rewards are not well known. In the area of cooperation, solidarity, helping and supporting the disadvantaged and needy were considered more important, group work, cooperative implementation of joint projects (even as a learning tool, a useful method) emerged in few schools, competition is more emphasized, is considered important in almost all schools, is seen as a motivating factor between children, within the institution and between institutions.
Case study: Equal Treatment Authority on reported equal treatment problems in education and training	The investigation of reported cases spans 15 years of the OCR's activity. In total, 52 cases were examined between 2005 and 2021, all of which had the common feature of having been initiated as presumptions of infringement.	<ul style="list-style-type: none"> - Decisions of the OBH. and other characteristics, 18% health status. 2-2% political, sexual, or 2% ethnicity as a Protected Characteristic. - Relatively high level of enforcement capacity of people with disabilities - Minority, ethnicity issues remain in latency at

		high rates.
Analysis of EU legislative proposals	Quantitative analysis of all European Union Parliament and Commission documents from 2004 to 2021, of which 33 338 proposals on education, primary education, equal opportunities, equal treatment, equity, schools	<ul style="list-style-type: none"> - Italy, France and Germany have given priority to reducing all forms of discrimination in the field of education during the period under review. - The Czech Republic, Greece and the Netherlands have a high number of proposals on equal treatment, including Hungary in terms of population - Poland, Spain and Belgium have given priority to educational equity in recent years. - The proposals place particular emphasis on training and support for teachers' professional and methodological development (e.g. problem- and solution-oriented, cooperative and project-based). Another typical priority is the development and provision of vocational and adult education and training, work-based learning.

Testing the latent discrimination model, which is the most comprehensive explanation and therefore the conceptual framework of my analysis, is a difficult task because we do not yet have sufficient knowledge about the factors present in the pedagogical culture which fundamentally influence the formation of students, i.e. we cannot operationalize the full range of school effects. In fact, if we want to show, or more precisely to prove, that the transformation of social disadvantage into learning disadvantage, (into inequality in educational outcomes, into inequality in terms of advantages and disadvantages), is due to the actions of the school, we need to 'measure' the impact of the school in some way, and the important features of the pedagogical culture in this respect, and this seems to require a very complex study.

In my research above, I have answered my research questions, tested my hypotheses, summarized my experiences and drawn conclusions based on the results. Finally, I have formulated proposals at various levels and methodologies for the study, situation analysis, prevention and treatment of territorial inequalities, in particular of inequalities in schools, discriminatory practices, the development of a more equitable, near-discrimination-free education system, institutional development and complex territorial development, as well as new research directions.

5 RESEARCH FINDINGS AND CONCLUSIONS

From the analysis of the data, it is clear that there is a particularly strong correlation between the average score of upper secondary school students in mathematics and reading comprehension per county, the pedagogical value added in mathematics and reading comprehension, and the family background index. Of course, the situation is more nuanced, and we will return to this both in our qualitative research and in our conclusions, but we also consider it important to examine - on the basis of the variables we have constructed from the data available - whether the correlations are indeed also effects and in what direction. To this end, I have also carried out a more in-depth statistical analysis of the impact of regional inequality on school performance. To detect this effect, we examine the impact of the economic power of the counties on educational institutions by "removing" the effect of the family background index, i.e. by using a CSHI-controlled partial correlation analysis on test scores and educational added value.

Impact of the factors tested on school performance

My statistical analysis completely changes what has been a common, taken-for-granted and popular perception that spatial inequalities, children's social situation and family background, and the pedagogical culture of schools combine to have a direct and direct impact on learning achievement and, at the same time, create inequalities of opportunity. Our partial correlation analysis, controlling

for family background as a variable, shows that there is in fact a slight inverse correlation between spatial endowments and school test scores and pedagogical value added, but it is not significant. In other words, there is no real correlation between territoriality and children's performance, i.e. children from similar social backgrounds in any county have similar performance. (The same result was obtained when we examined the same partial correlation for variables by type of municipality.)

Examining the influence of site infrastructure on student performance

In this research chapter, the "impact" of site infrastructure on student achievement was examined, and this data analysis most clearly revealed the indirect and direct levels of correlation. School facilities alone have no impact on school performance. It can be assumed that the statistical correlation between the existence of a library, its level of equipment, family background and student performance is not causal, but rather stems from common causes (e.g. there was simply a demand for it, parents expected or required its creation, they may have helped to create the library, they may have donated books to the school library, examples of which were seen in some smaller municipalities).

Teachers' awareness of their responsibilities and rights

Among the cultural issues towards equal opportunities, teachers tended to consider more traditional methods as important and positive, i.e. they thought that they could contribute to promoting equal opportunities through extra activities outside school, through their efforts outside normal education, such as organizing and holding their own celebrations, participating in cultural events, going to the theatre, the library, and enjoying reading. In the case of disadvantaged pupils, there is a strong emphasis on catching up, on promoting and competing for talent ("which is observed despite their situation").

The school's impact on latent discrimination

According to the findings of the interviews conducted with teachers, pedagogical methodology plays an important role in the development of inequalities in schools, with motivation being the key instrument. There is a strong correlation between achievement and family background, but this is not a causal relationship per se. Social disadvantage is not a direct cause of learning failure. The latent discrimination model attributes the real cause to the transformative effect of schooling, as our research suggests.

On this basis, the following diagram shows the interplay of factors, where it is worth highlighting those spatial indicators have only an indirect effect on pupils' performance at school.

Based on this, the following figure shows the interaction of the factors, highlighting that the regional indicators have only an indirect impact on students' school performance.

In the impact framework itself, there are three main factors:

- The school (its culture, pedagogical methods, performance indicators)
- Social situation (social environment and family background)
- The characteristics of the region or municipality (and the resulting indicators)

Thus, the difference in average test scores between regions or even in comparisons between smaller areas - is not because one region is better (or worse) because of some regional or territorial effect, but because one region has a different proportion of disadvantaged children than another.

In defining inequalities of opportunity, our question is what characterises their determinants of learning outcomes, and more specifically how they relate to learning outcomes. According to the latent discrimination model, it is the school that has the real impact, while the inequalities that the school creates are more or less related to social backgrounds and spatial inequalities. The question is whether

- while school is an autonomous agent but creates inequalities according to the contextual circumstances - it transforms inequalities in social situations, or inequalities in territorial situations, or neither, or both.

The economic situation of the area and, consequently, the standard of living of the people living in that area, i.e. the availability of jobs, opportunities, services, etc., largely determines the social situation of families. The social situation of families also determines - albeit to a lesser extent - the endowments of the area, and all this has a dynamic 'influence' on each other, as it is shaped by both migrants and immigrants, so the direction of spatial mobility of society and, for example, of families (which in Hungary is very low compared to that of developed countries) is also a characteristic indicator.

(We present our own further research findings on how the above contexts are perceived and assessed by teachers in primary schools in our sub-chapter on the social and geographical aspects of inequalities).

Thus, we observe processes and phenomena that are interrelated to varying degrees between spatial factors and family social background.

In a similar way, a back-and-forth system of influences between school culture and school performance can be identified.

To sum up, the results of my quantitative research above show that family and social background mediates the economic and social characteristics of the area, but has no direct impact on children's success or failure at school or on their equal opportunities.

It is the school itself that creates inequalities of opportunity among students by 'converting' inequalities into performance and other measurable outcomes. This process is demonstrated by our statistical analyses, for example, showing that the educational value added is significantly correlated with school performance and regional social situation only when the family background index is excluded and these data also point to the phenomenon that schools - rather than having an equalizing effect on inequalities - preserve and in some cases increase them, as described in the latent discrimination model.

Analysis of international discrimination cases and policies

The results of my quantitative research show that certain countries, notably Italy, France and Germany, have given high priority to reducing all forms of discrimination in education during the period under review.

One of the EU's priorities is to increase employment and therefore promoting the attainment of quality qualifications at secondary level is a constant minimum expectation of the European Union towards its Member States. It is interesting to note from the quantified data that the most successful countries in the PISA surveys have not been very good at giving 'outward' suggestions to other Member States, and that the Czech Republic, Greece and the Netherlands have given special attention to equal treatment - as has Hungary in terms of population - while educational equity has been important for Poland, Spain and Belgium in recent years.

Some of the EU recommendations are about ensuring that students are given high-quality training of appropriate theoretical and practical content and length, so that they have the necessary skills to be able to take part in the so-called "European Qualifications for All".

In cases of possible school change and at the exit stages of education, modern career guidance services should be provided to the highest possible quality.

In my proposals, which are based on the research, I have given particular emphasis to training and support for the professional and methodological development of teachers (e.g. problem- and solution-oriented, cooperative and project-based methods), precisely because of the above. Another specific priority is the development and provision of vocational and adult education training, work-based learning.

6 RESULTS

Process analysis

The constitutional interpretation of the norms of the legal system applicable to children (and pupils) gives a specific meaning to the concept of equality before the law, which is to be interpreted not only in terms of the application of the law but also in terms of legislation, i.e. it is the formalization of the principle of equality as a norm. I have examined the process (input, operational, output/outcome) of these from a regulatory and effectiveness perspective.

Examining the school contextual effect

I used quantitative analysis to examine the effects of social situation on school performance from several angles, which I defined as very strong inequalities. These results point to the following relationships:

1. There is a strong relationship between test performance and social situation, while the relationship between SeS (Socioeconomic Status) and test performance is much weaker. At this point, the effects of the phenomenon of "regression to the mean" should be taken into account (in the case of calculations with PAVs (pedagogical added value, in Hungarian: PHÉ)). Unfortunately, to our knowledge, there are currently no developed methods for this. It is certain that if we were able to take the effect into account, we would obtain slightly higher values for the strength of the effect (on the so called 'partial eta' η^2)

2 A significantly weaker relationship with PHEs does not mean that the school is not operating latent discrimination. We can see a correlation that is not strong, but it's still there. It means that the school develops pupils in a way that is slightly related to their social situation in the development of PHÉ, and to a slightly greater extent for those who are better off. However, this is a two-year effect, whereas a typical 12-year schooling period consists of six such two-year periods, and the effects are cumulative.

3. The really interesting thing is that my data analysis shows - especially in the case of the relationship with test scores - that the relationship with social situation is much stronger than with area indicators. In other words, if we take two students who are identical in all characteristics, the only difference being that they go to school in a different type of municipality, or study in a different region, or study in a HH (disadvantaged) region or a non-HH region, there will be no particular difference between these two students in terms of their test scores or their PAV (of course, this is meant statistically).

To investigate the school contextual effect, I analyzed (quantitatively) a 12-year longitudinal, large-sample (national, full sample) dynamic data analysis: due to the school selection effect, there is a larger difference in the social composition of students between schools than within schools. The contextual effect analysis based on the MPHÉ (MPAV= Mathematical Pedagogical Added Value) shows that the contextual effect is only validated for students with a moderately poor family background, as a function of students' CSHI (IFB= index of family background) and individual performance and the social background of the school.

As discussed above, disparities in student achievement along spatial and municipal lines can be observed, for example, students from smaller municipalities perform worse than children from larger municipalities.

This clearly demonstrates that it is not the good students who "pull up" the poorer performing students, but selection that allows the better performing children with lower family background indices to get into the more "elite" schools. My analyzes also showed that, contrary to popular belief and much professional opinion, the importance of the contextual effect is much smaller than is generally assumed.

In our own calculations, we have looked at children from socially disadvantaged backgrounds and found that the children with better results tend to be 'attracted' to schools with better than average social backgrounds. Children with above average results would perform better in any school compared to their peers from the same social background but with lower results.

It is not a question of better educational performance of the school - the 'better' school - or of better results in reducing inequalities of opportunity in such schools, but rather a 'simple' selection phenomenon.

Analysis of correlations and inequalities

Based on the 2014-2016 data, I also examined 2,785 primary schools to see what correlations exist (by county-level distribution of sites) between the economic endowments of the areas, the social background and the differential performance of schools, again based on the OKM math and reading scores, and the educational value added in math and reading for grades 6 to 8.

The schools (FEH/PoA = places of assignment) were analyzed in terms of regional differences, which were determined by taking GDP per capita (see the relevant table in the Annex) broken down by county. We wanted to know how the correlation between territorial characteristics and school outcomes varies when we look at averages rather than variance at county level, so we repeated the above test by averaging both test scores and educational value added by county, i.e. we did not look at the outcomes of individual children or schools but rather of a given county.

If the effect of territoriality is taken into account by looking at the economic outcomes (GDP per capita) of the counties and the average student or school performance per county based on the statistics, then much stronger correlations can be found based on the correlation coefficients compared to the previous (performance per individual student).

Examining the capacity and territorial dimensions of advocacy by analyzing complaints to the Ombudsman

One of our research questions concerned the extent to which assertiveness is related to spatial factors, to what extent and in what way the economic or other characteristics of a given region "influence" the assertiveness of its inhabitants. Some of the problems related to inequality, discrimination and unequal treatment in Hungary are concentrated in state and non-state rights organizations, while others remain hidden.

Our study analyses human rights-related reports in general and in the field of education and schools, based on documents available in the library of the Office of the Commissioner for Fundamental Rights and on documents provided by the Office of the Commissioner for Education.

Among the complaints about discrimination and unequal treatment, particular attention is paid to complaints about education, which, according to the Ombudsman, in most cases does not include complaints about minorities, as this is the responsibility of a separate office.

In our chapter on territorial inequalities, we referred to this phenomenon, i.e. the differences in the ability to assert interests along the centre-periphery (Káposzta 2013, Nemes Nagy 1996, 2009, Pál 2013). Of the three model approaches described there, mainly the geographical and social central-periphery models (Lengyel, Rechnitzer 2004) can explain the differences in the ability to advocate, as

well as the node distances, as they show the difficulties of access. Of course, spatial characteristics are also associated with several social characteristics, the combined effect of which underlies the resulting values (Annex Table 30). One of the aspects considered to be relevant is the education level of the population, and therefore the county indicators for this have been compared with the values obtained.

Analysis of correlations and inequalities

My qualitative research confirms and justifies my quantitative findings on the extent to which prejudice, stereotypes and the resulting discrimination, negative discrimination, are the social causes of inequality. It is often very difficult to disentangle and operationalize these concepts and processes in research, a criticism that is raised in several places (Eröss, Gárdos 2007), and a possible obstacle is that respondents may only give very consciously filtered answers.

Basically, in this thesis I will take an unconventional but solution-oriented perspective on inequalities of opportunity, and here I will refer back to the protected characteristics listed in laws, directives and regulations. It is then that the need for society, law or even advocates to protect certain groups becomes meaningless, if there is simply a minimum respect for human dignity and each other within a given society, if there is a real respect for the fact that all people are different.

Law is the determinant of a society's moral system, its ethical substance. In educational institutions, where there can be a particularly strong sense of subordination, a closed world with specific rules, there can be vulnerability, ambiguity of roles, abuse, human conflict, lack of regulation or over-regulation, etc.

For this reason, it is particularly important to prevent moral disturbances, to resolve potential conflicts and abuses, which requires a common knowledge of rules, a common objective, and the knowledge, understanding and respect of the framework of moral rules and predetermined forms of behaviour¹.

The education system and its regulation

The education system and its regulation are in a constant state of flux, under fire from critics, influenced by a myriad of external influences, changes both intended and unintended, visible and invisible, evaluated and analyzed, and never spoken of, taboo phenomena. It is clear that not only the direction of influences, but also their strength, levels of dependency, internal and external processes strongly determine the functioning and effectiveness of the school system.

In order to review the changes in all these processes and paradigms, I would like to present the evolution of the conceptual framework, the changes in the social and legal conceptions of childcare and education in an interdisciplinary approach, which includes a philosophical background (equality, solidarity, development, freedom and responsibility), social science and the history of theory (sociology, economic geography, psychology), legal theory and practice (equality, equity, responsibility, justice, equal treatment, children's rights, education rights, etc.)

The European Committee of Social Rights has introduced a specific analytical framework for the right to education, with the key concepts of availability, accessibility, acceptability and adaptability (in line with the approach of the UN Committee on Economic, Social and Cultural Rights). According to this approach, measures restricting access to education must be justified and foreseeable, must pursue a legitimate aim and must not be discriminatory.

Exclusion, unequal treatment and the effects of selection

In my study of children from socially disadvantaged backgrounds, I have shown that the better-performing pupils tend to be "attracted" to schools with better than average social backgrounds. Children with better than average results would achieve better results in any school compared to their lower performing peers from the same social background, so this is also a latent discriminatory process, whereby it is not about the better pedagogical performance of the school - the 'better' school - or the better results of such schools in reducing inequality, but rather a 'simple' selection phenomenon.

¹ Erről bővebben:

Mihály Ottó (2001): Pedagógiai, etikai, tudományos és jogi normák az iskolai erkölcsi szocializációban, Új Pedagógiai Szemle

The same process plays out with a negative sign, in the opposite direction, in the case of selecting lower-performing children.

There are several reasons for this inequality of opportunity. In the most typical cases, it occurs in social institutions that do not ensure equal treatment or opportunities for all. It is illegal in some countries - in some cases, but not consistently – as well as being unfair or at the very least inequitable. Examples include behaviour that results in negative discrimination against women, or disadvantages for certain minorities in the labour market. We could also mention the territorial inequalities in access to education and in the availability and quality of transportation and other municipal services.

To summarize, we can also observe quantifiable disadvantages that are different from the majority - in a negative direction - such as the lower paying jobs of the disadvantaged (women, minorities) or those in poorer countries, quantifiable and clearly identifiable inequalities that - as we have already said - have a negative impact on the life chances of the people concerned.

Inequalities of opportunity can result from a lack of certain skills or abilities - in some cases directly, in other cases as a result of prejudice or unfair discrimination – that can be a disadvantage to the people concerned..

The school situation is more difficult for a child who is

- a member of a minority, in which case the language used in the family may be different from that used at school, and the culture or customs at home may be different from those at school (Torgyik, Karlovitz 2006);

- a foreign national, in which case (similarly) the mother tongue may differ from the language of the school, the culture or customs of the family from those of the school, and the nature and content of previous school socialization and studies from those of the schools in Hungary (Feischmidt, Nyíri 2006; Vámos 2004; Réthy, Vámos 2006).

- a child whose personality traits or learning difficulties may also be a socialization disadvantage (Réthy, Vámos 2006); or a persistent illness (e.g. diabetes);

- a child exposed to or at risk of prejudice in any respect (Feischmidt 2013; Vámos 2004, Forray R. 2001; Csepeli, Závecz 1995).

The reasons for the emergence of these difficult situations have been discussed, among others, in Chapters 3.4 and 3.5. As I mentioned in my introduction, I consider equal opportunities as an ideal but unattainable social goal and I examine it as such in the context of different societies.

7. CONCLUSIONS

The principle of equal opportunities is enshrined in the constitutions of several countries, including the founding documents of the European Union and the regulations deriving from them. It is also enshrined in Article 6 of the European Community's founding convention (prohibition of discrimination on grounds of nationality) and in Article 119 (equal pay for men and women).

With the entry into force of the Treaty of Amsterdam, a new Article 6/A on non-discrimination reinforces the principle of equal opportunities. This new Article aims to enable the Council to take the necessary measures to combat all forms of discrimination based on sex, ethnic origin, age, religion, conscience and sexual orientation.

The political need to further develop anti-discrimination legislation and the legal system in this direction emerged in domestic legislation shortly after the regime change. It is also known as the Equal Opportunities Act or the Anti-Discrimination Act.

The protected characteristics named in the Act and equality before the law are a priori principles governing the application of the law and apply equally to all persons. Under domestic law, equality

before the law is the constitutional counterpart of equality before the courts, which is enshrined in procedural rights.

Law has an important functional role in educational matters at macro, meso and micro levels, so the application of general principles of law contributes to the balance of human relations within the school community and can be applied in a specific way within the school community, since it also affects the rights of the developing child, i.e. the rights of the particularly vulnerable person. Specific objectives describe the conditions and qualities to be developed in certain areas of the educational system. These sub-objectives may include (strongly linked to the reduction of inequalities and selection)²:

1. Local (regional, institutional and teacher/educator) autonomy.	Autonomy: A decentralized but efficient and effective public education maintenance structure. Sectoral neutrality in education funding.
2. Methodological changings	Broad implementation of adaptive pedagogical innovative methodology and practice in Hungarian education.
3. Inclusivity and Comprehensivity	Personality development, heterogeneity and competence management in education.
4. Labour market needs and Flexibility	Modern vocational education and training that adapts to the changing nature of work, enhances career opportunities and shapes adaptability to change.
5. Content regulation in public education.	Supporting adaptive pedagogies and the development of local innovation processes
6. Significantly increasing the share of publicly funded educations and trainings.	Opening and Re-opening the doors to higher education, diversifying training, and introducing new training programmes (Agora, 2017)
7. Life Long Learning (LLL)	Adult learning: reducing inequalities of opportunity.

Proposals for regulatory and educational policy solutions to achieve the objectives

1. Tackling educational inequality and social disadvantage requires a legal framework and strategy	A complex, comprehensive approach that goes beyond education. Intersectoral and local cooperation, cooperation with parents, workplaces, legal conditions and support.
2. Decentralized, local system in public education.	Changes in legislation, their implementation and the provision of institutional and funding conditions for the new maintenance system. Substantially increase the economic, organizational, staffing and pedagogical autonomy of institutions in the context of the restructuring of the maintenance system. A consultative system of professional supervision (more like a workshop)
3. principle of compulsory kindergarten	Flexible management: entry, exit and attendance Determination of school readiness (professional, parents decide together)
4. Desegregation programmes	Development of a socially broad-based desegregation programme, implementation of the programme
5. Reform of the institutional structure of public education.	Reducing selection, longer general education, delaying the start of vocational training.
6. Transformation of content regulation based on professional consultation (NAT and framework curricula).	Local curricula, one of the main obstacles to equal opportunities, differentiated and personalized pedagogical work. Similar innovations in teacher education and teacher training systems, in higher education, (although research shows that this has already been done in many places.)
7. Education support staff	Education support services in schools and specialized services. Provision of funding and human resources for statutory services.
8. Restoring the compulsory school age from 16 to 18	Raising the compulsory school leaving age from 16 to 18 for drop-out solutions; e.g. workshop schools, other learning management and dual (education + work) solutions.
9. Circumscribed public education system, rational restriction of free school choice	Critical review of schooling regulation, Social grants Restructuring of the legal framework to eliminate selection processes, reflecting the social composition of school districts in schools in appropriate legislation, tightening up existing rules and ensuring accountability. Possibility of non-vocational further education in technical education
10. Renewal of education development policy. Strategic planning to prioritize improvements in equal opportunities and the eradication of school selection;	Priority given to local and regional innovation alongside central development; Pedagogical and methodological experiments aimed at renewing certain segments of public and higher education must be made possible by legal and funding solutions.
11. Reform of evaluation and quality assurance processes	Education system as a whole, taking into account the specificities of each level (kindergartens, schools, higher education): mainstreaming the reduction of inequality and selection in evaluation processes.

Education policy strategic objectives and their operational implementation, proposals for reducing inequalities and selection in schools (based on Agora Expert Roundtable, own ed.)

Inviting experts, expert groups and civil professional organizations to develop professional, policy alternatives on all issues where major decisions will have to be taken in the four-year cycle. Reviewing and analyzing the implementation of programmes which have received significant EU

² [Agóra Document of Educational Roundtable - PDF Free Download \(docplayer.hu\)](#) (2021.04.01)

support, including those aimed at reducing inequalities, and drawing conclusions and making the evaluation public. Where there have been abuses, appropriate legal action should be taken.

The system of school districts cannot be abolished immediately, but it is possible to reorganize some of the decision-making powers assigned to the maintainers and the institutions immediately by law, and to ensure some element of autonomy.

The social composition of schools demonstrates how selection and latent discrimination already have a strong impact on the input side, as schools with a poor CSHI average have not significantly improved their figures in the following years, while institutions with a good average have remained more or less stagnant at higher values. The segregation effect and the phenomenon of 'voting with one's feet', described in the chapters on territorial inequalities and the results of research on the phenomena and experiences of inequality in schools, are therefore territorially dominant, maintaining and reinforcing the undesirable polarization of the entire education system, starting from the input stage. Taking account of territorial disparities, I have used statistical methods to examine the educational added value of schools in different circumstances, and have shown that pupils' performance is 'influenced' more by their family background than by the targeted - but not always effective - developmental impact of education.

The next cause of the widening inequality of opportunity is the latent (and in some cases explicit) discrimination 'built into' the functioning of the school, which recognizes as appropriate, usable and valuable only those acquired abilities of pupils that are appropriate to the school's own culture, while considering the rest to be deficits. These two basic processes - as we shall see - have a very strong influence on students' progress (and subsequent opportunities). Performance measurement is a quantifiable representation of these processes; students' test scores can be used to measure the effectiveness of the school and some of its 'side effects'.

My research has shown that family background is much more important than area factors, i.e. they have only an indirect impact on students' learning outcomes. It is the social composition of the regions - shaped by historical, social and economic processes - that 'influences' school outcomes, i.e. it is transformed into inequalities of opportunity at school.

8. SUMMARY with SUGGESTIONS, RECOMMENDATIONS

The starting point of my dissertation was the domestic trend, which transforms social disadvantages into learning disadvantages in a quantifiable and blatantly international comparison.

The main aspect of equitable primary education in Hungary would be to reverse the current, demonstrably increasing trend and reduce the gap in opportunities. This not only disadvantages children, but also triggers long-term processes that create unfair disadvantages for the growing generations of low-prestige groups in society (e.g. Roma and/or those living in smaller settlements), which will be a major challenge for the 21st century. This is because talent is being lost, basic skills (reading comprehension, logic, etc...) and competence requirements of today's world of work (innovativeness, creativity, digital literacy) are at a lower level, thus reducing the endowment potential of society.

Summary of Research

My literature analyses since 2009 and my primary research series (school, case law and data analyses, teacher and expert interviews, field research with students) conducted between 2014-2021 have addressed the current state of primary education, its causes, accountability systems in a multidisciplinary way, but the responses all pointed in one direction, namely towards a more child-centered school-system (using a colour methodology, motivating, individualistic and non-discriminatory), which requires a change in the current educational culture and mindset, including values, school culture and mindset (organizational, methodological, pedagogical, communicative), and a change in educational policy (high quality and inclusive, economical and prestigious).

As I have shown from my analysis of ombudsman reports and OBH decisions, segregation and explicit, direct discrimination (both being extremely dangerous phenomena in social terms) are relatively easy to prove, in some cases to sanction or, better still, to correct. Public opinion also considers these to be the real problems, but they are only symptoms of the root problem, and their treatment is therefore symptomatic. The real mass disadvantages are caused by hidden, so-called latent discrimination, where expectations are standardized in the school system and norms are based on the culture (language, education, values, knowledge, behavior patterns) of the majority middle class. A fundamental paradigm shift in pedagogy is needed: a prevailing view is that differences between children should not be seen as differences in quality, and that diversity of knowledge and skills should be treated as a value.

Summary of Conclusions

Segregation is selection that goes hand-in-hand with overt or latent discrimination. I condemn all forms of segregation, but I consider it dangerous to focus too much on this issue, because desegregation alone will not solve the problems described here - nor will it substantially reduce inequalities of opportunity, overt and latent discrimination - and the right pedagogical culture has a much greater influence and importance in this respect.

Co-education is important not just for improving learning outcomes, but for our general educational goals: segregation of children and young people prevents people from different social backgrounds from learning to cooperate with each other, and reduces the effectiveness of education for understanding and tolerance. The segregation of disadvantaged groups without discrimination also reduces their life chances, as they have less chance of developing adequate social capital, personal relationships and they are far less likely to meet a reference group that provides them with a positive role model.

Important research finding for the social acceptance of inclusion is that the presence of disadvantaged pupils does not - within certain limits - worsen the performance of better pupils, but actually improves it.

The selective school system also has a negative effect on talent education: the talent education base is narrow, which may cause the performance of the "better" among Hungarian pupils to be worse than that of the average or poor in international studies. Latent discrimination further narrows the scope for the non-average (i.e. the "gifted" and the "below average, lagging behind, catching up"), causing countless failures for both groups.

Positive discrimination, inclusion, compensation for disadvantages, desegregation, the need to end selective systems and unequal treatment, the need for forced integration all have a single root: the systemic inequality of opportunity caused by latent discrimination, with its innumerable injustices and 'invisible' violations of children's and human rights. The education of children - who are in a minority in any respect in today's system, who are considered 'disadvantaged' - and their natural and complex education based on the development of competencies, regardless of their social situation, together with pupils who are considered to be 'in the majority' in the same perspective, is an important issue for equal opportunities and human rights.

Recognizing the need for a modern school, understanding and developing a system of criteria that is appropriate for today's world is a serious step forward for society and a foundation for development, while ignoring it means fragmenting society and stalling our progress. The desirable alternative to the current selective school system - which is fraught with latent discrimination - is not an increasingly standardized curriculum for all, a system of equalized expectations and treatment, but a humane and methodological diversity and personalization without segregation.

Our research (both quantitative research on school infrastructure and qualitative research by interviewing teachers) has clearly shown that there is no correlation between the success of pupils at school and the development of school infrastructure, which varies from area to area, from site to site. This is not to say that environmental and infrastructural conditions do not matter in education, that it is

not worth spending on building, equipment, technological improvements - it is a much more complex issue.

A well-designed, well-constructed school environment, modern technology, child-friendly classrooms, developmentally effective, usable, durable and interesting indoor and outdoor toys can play a crucial role in the educational process, but all this can only bring real change after a radical transformation of humane conditions. The modernization and development of the school system is therefore one of the most important sectors of a country's national economy and strategy, and one of the most important in shaping its future. However, the elimination of latent discrimination means understanding that the school system itself has transformed certain characteristics and endowments into disadvantages, so it is the regulation, the approach and the methods and processes that need to be changed - not the fate and situation of children who have already become disadvantaged.

We (me and my students) have also seen that in many schools - including those that teach almost exclusively the so called 'HH' and 'HHH' (living in a situation of disadvantage and multiple disadvantage) children - it's not only that the use of modern technology is excluded from teaching, but also that teaching is exclusively frontal, using 'classical' methods, with papers being written every week, and a seemingly endless, increasingly desperate struggle between teachers and students. (It is a trap, a vicious circle or rather a downward spiral, where the angrier and more frequent the demands are on their knowledge, the less children will be interested in the curriculum). Our experience shows that motivating students to learn and acquire knowledge does not equate to delivering and holding to account more and more factual material in a good environment, because the personality of the teachers and the methodologies that they use, the amount of attention that they have, the atmosphere and culture of the school does not depend on the facilities in the building.

One very clear and striking phenomenon - which highlights regional differences - is that teachers in schools with a high pedagogical added value in their areas of economic well-being use alternative pedagogical methods and report on their successes and pleasures. This can be contrasted with the fact that no mention was made of similar approaches in low-performing schools in disadvantaged areas, and the interviews revealed that the only 'catch-up' measures they could envision to address inequalities were extra-curricular ones. Given the increasing opportunity and need for learning from childhood to retirement, this requires the development of a lifelong learning policy concept (linked to the European Qualifications Framework). Everyone should be able to acquire key competencies and the skills needed for employability. Develop a comprehensive strategy to reduce school failure and early school leaving. A greater role and scope should be given to preparing for an active and responsible citizenship. Transitions from pre-school → school, primary school → secondary education and school → employment should be facilitated through information, services, child-centered thinking and the development of an applied pedagogical culture.

Suggestions, advises

Further research is needed to investigate the conditions under which educational development interventions have a significant (i.e. meaningful change in classroom practice, learning management methods and teacher behavior) and lasting (i.e. persistent after the development intervention has ended) impact on reducing discriminatory phenomena and related latent attitudes in the school system.

There is a common interest in making the results of research and development easily accessible through an internet database. Emphasis should be placed on disseminating them and on providing opportunities (and support) for their testing and further development.

In order to increase efficiency, it is necessary to increase the so-called 'absorption capacity' of the system as a whole, and of each individual institution within it (this refers to the capacity of regions or institutions to attract and absorb external resources and depends on many factors). In the case of the education sector, it is the expertise and the capacity for development and change of teachers that is the deciding factor.)

A healthy balance must be struck between the rights and responsibilities at macro (e.g. ministry), meso (e.g. regional or municipal, local) and micro (institution, school, class or, indeed, a particular teacher) levels. Together they determine the success of the implementation of development interventions. It is

the micro-level responses to macro-level initiatives that determine the quality of implementation. At the micro level, the teaching staff - or even a teacher - is the key to an intelligent interpretation of development interventions. Without interpretation in local terms (subsidiarity), development interventions become inapplicable in the long term. A decentralized strategy that provides a framework with loose guidelines - while leaving room for local, professional decisions, teacher creativity, individual responsibility and innovation within schools - is the best way to implement improvements.

The development of schools into 'learning organizations', where collaboration and co-learning enable those whose practice needs to change to be willing to do so, should be strengthened. Schools need to be made more open to their social environment, e.g. to promote partnerships between businesses and educational institutions, to support the development of wider learning communities that also work with civil society.

Encourage and support all forms of 'horizontal' learning (debates, discussions, corporations, community programmes, projects, etc.), which have the positive element of diversity. In order to introduce modern learning organization methods in the classroom, teachers' openness and capacity for implementation should be developed (and supported). Effective collaborations bring significant added value (motivation, knowledge, cooperation) for all participants in the collaboration. It is recommended that - in order to maximize this potential - a comprehensive strategy for developing and transforming the current public education system into an effectively collaborative public education system should be developed. We consider it important that education becomes a knowledge-intensive sector. To this end, the appropriate regulatory, organizational and financial conditions must be developed and continuously ensured. It is of particular importance to institutionalize research and development and to ensure a direct and interactive link between training and pre-school practice.

It is recommended that the current measurement system be further developed in order to better serve the development of educational institutions and the development of innovation. This requires both greater autonomy for schools and a better alignment of measurement with public education, in order to provide more accurate feedback. It should be examined whether the measurements can or cannot be adapted to school levels (grades 4, 8, 11 or 12) or whether the scope of the competency measurements could be extended.

In many cases, the formal expectations of the legislator and the practical requirements of the system are highly contradictory, for example, the competencies to be used in teacher training, as defined in the current EMMI Regulation No 8/2013 (30 January 2013).

This is a typical example of the clash between positive law and natural law: teachers are currently surrounded by an environment that is not conducive to development and learning in the real education system, and the use of the above-mentioned competencies required by law is impossible. In contrast to the current system of public education, there is a need to provide the right conditions, environment, support and incentives for teachers to work in a truly effective and integrative way, to engage in regular and meaningful collaborations with colleagues, parents and other professionals, to exchange knowledge and experience, to give and receive feedback, and to learn about new results and solutions. These should also become an important and valued part of teachers' work, as they serve the purpose of continuous development, learning, experience and quality improvement.

We recommend that parents should be more involved in public education - as important partners - than they are now. In order to promote effective parent-school partnerships, this area needs to be re-regulated. We also recommend the effective dissemination of good practice in the development and maintenance of teacher-educator partnerships within the institution; and the development and content of forms of cooperation between the institution and its stakeholders (specialist services, parents, decision-makers, etc.).

The factors which indirectly but demonstrably influence equality of treatment are the functions of the institutional system, i.e. education policy and the system of laws and regulations.

In order to make school culture and organizational culture assessable and measurable, have to be analyzed - as a strategic planning and measurement tool - the adaptation of Hofstede's methodology to

give each school the opportunity (research/surveys, training, methodological recommendations, individual/local development plans) to assess and analyze its own culture, to identify, understand and transform the cultural and value roots of problems.

The Finnish, some Far-Eastern or the Estonian examples, several English and Scandinavian schools, alternative initiatives and even other national educational methodologies and good practices have proven their suitability to meet the challenges of today's world, which, instead of emphasizing differences, focus on individuality as a value and community as a field of cooperation, which can work independently, responsibly and in groups, which can bring happiness and make others happy, and which can educate adults to become useful members of society. Perhaps this could also be a way of describing the school's main social function, so that discriminatory practices in the education system could be drastically reduced by means of organizational development and fundamental changes to the regulations.

AUTHORED PUBLICATIONS ON THE RESEARCH TOPIC

(MTMT: <https://m2.mtmt.hu/gui2/?type=authors&mode=browse&sel=authors10040756>)

- 1) Vera ALPAR (2021): Non scholae, sed vitae discimus: Questions and dilemmas of educational ethics; In: Rixer, Ádám (ed.) The long-term impact of the epidemic on the Hungarian public administration; Budapest, Hungary: KRE-AJK Lőrincz Lajos Public Law Research 488 p. pp.
- 2) Birher, Nándor (2021); Alpár, Vera; Knoll-Csete, Edit; Sőréné, Batka Eszter: Human solidarity – the ultimate victory of good-will, understanding, knowledge and peace, Cambridge Engage 1-41., 41 p.
- 3) Vera ALPAR (2021): The changing roles of social perception and social regulation in Spencer's and Durkheim's axioms; In.: Pléh, Csaba; Pokol, Béla; Szmodis, Jenő; Tóth, J. Zoltán; Paczolay, Péter; Alpár, Vera Noémi; Csillik, Péter; Birher, Nándor; Pongrácz, Alex,
- 4) Vera ALPAR (2020): A Study of Domestic Primary Education: The Mystical School and Irrational Equality of Opportunity; *Symbol COMMUNICATION, PUBLICITY, MEDIA*: 2020/2. szám – ksz. pp. 2-22. MTA - MKKT
- 5) Vera ALPAR (2020): The State, the Society and the Responsible Education Policy
In: Peter MISKOLCZI BODNÁR (ed.) XVI. National Professional Meeting of Law Doctoral Students, Budapest, Hungary: Károli Gáspár Reformed University, Faculty of Law and Political Sciences 305 p. pp. 11-25., 14 p.
- 6) ALPÁR, Vera (2020): Education and Political Responsibility; In: Peter MISKOLCZI BODNÁR (ed.): XVII. National Professional Meeting of Law Doctoral Students, Budapest, Hungary: Károli Gáspár Reformed University, Faculty of Law and Political Sciences 323 p. pp. 17-26., 10 p.
- 7) Vera ALPAR (2020): Teaching Children to Use the Media Sensibly and Wisely: *SCIENCE EDUCATION*; Journal of Hungarian Chamber of Entrepreneurs : - p. <http://kamaraonline.hu/cikk>
- 8) Vera ALPAR (2020): Problem and Solution Based Learning, PBL/SBL: Effective Learning Process - Problem-based Learning/Teaching, 15 p.
https://www.researchgate.net/publication/339711619_HATEKONY_TANULASI_FOLYAMAT_-_Problema-alapu_tanulastanitas_Problem_Based_Learning_PBL_METODOLOGIA_es_KUTATAS, Megjelenés: Európa,
- 9) ALPÁR, Vera (2020): Innovative Teaching Methods for Internationalisation: EU Tempus Campus Program Methodology, Case-studies and Good Practices; *GOOD PRACTICES IN INTERNATIONALISATION IN HIGHER EDUCATION INSTITUTIONS*; Budapest, Hungary: Tempus Public Foundation,
- 10) BIRHER, Nándor; ALPÁR, Vera; KNOLL-CSETE, Edit; SŐRÉNÉ, BATKA Eszter (2020): What the World needs now is solidarity, Cambridge Engage 8 pp. 1-36., 36 p.
- 11) Vera ALPAR - Lilla KIRÁLY (2020): How to acquire marketable legal knowledge: Competence expectations in Hungarian higher legal education; In. Sections of Pedagogy and Informatics, Komárno, Slovakia. 9-44., 36 p.
12th International Conference of J. Selye University <http://uk.ujs.sk/dl/3778/Alpar.pdf>
- 12) Vera ALPAR (2019): Educational Policy for the 21th Century Job Market: The relationship between primary school legislation, administration, and educational effectiveness from the perspective of the new, changing paradigm of implicit discrimination
- 13) Vera ALPAR (2008): Caring and/or enabling state. - 'The historical and cultural embeddedness of social transformation and its intersections in the Carpathian Basin at the beginning of the 21st century' Conference, 23 May 2008 <http://bpk.nyme.hu/?id=11539>; Effective social policy, creating equal opportunities, - Integration, - Social cohesion, Sopron, Hungary: University of West Hungary (NYME), 14 p
- 14) Vera ALPAR (2002): Attila ZONGOR (szerk.): The Opportunities of Using the Instruments of European Solidarity after Accession - Development Projects in the EU Member States, with special regard to the use of the Structural Funds, research, Ministry of National Cultural Heritage, Budapest, Hungary, 2001-2002, 06,127 p.
- 15) Vera ALPAR (2003): *La question de logement et les raisons des problèmes sociaux dans les villes* 1998. - Le travail social en Europe, - Brussels, Textbook in foreign languages, (English and French, ISBN 90-5095-242-9)
- 16) Vera ALPAR (2010): Dilemmas in Social Work - Personal Care Tasks in the Field of Basic and Specialised Care (Textbook and Workbook) - Textbook content element of the professional textbook of module 1853-06, module 016, National Institute of Vocational Education and Adult Training, Budapest.

- 17) Vera ALPAR - László KULCSÁR, -, Dezső KOVÁCS (ed.) (2009); Geography - Economy - Society: a Selection of PhD Students' Works; Gödöllő, Hungary: Gödöllő Innovation Centre Kft., 347 p.
- 18) Vera ALPAR (2016): "Here to live, here to die" - Territorial inequalities in Hungary; Hungarian Association for the Training of Social Professionals and Kodolányi János College - "Equipped for Social Work - Competences in Practice" National Scientific Social Conference, Bp, 2016. november 25.
- 19) Vera ALPAR (1998): Searching for Primer and Secunder Break-out Points ...; ESÉLY: Journal of Social Policy and Society 9: 4 pp. 75-85, (Full document available in Hungarian: Matarka)
- 20) Vera ALPAR: Expert Participation in the field of Training Quality and Content Development, Educational Research and Development (Development of Admission, Assessment and Examination Systems, Introduction of New Professions, Curriculum Development and Proofreading) in the National Institute for Vocational and Adult Education (NSZFI) a TÁMOP 2.2.1-08/1-2008-0002 kiemelt projekt szakmai tevékenységében 2008-2011.
- 21) Vera ALPAR (2006): Home-Start International (Children's Laws) – International Research, The research was funded by the European Commission under the Community Action Programme to Combat Social Exclusion 2002-06. London, ISBN-10: 0-9552289-2-1,
- 22) Vera ALPAR: Equal opportunities and equal treatment means of remedying those problems, EUTA–e-Hungary - Prime Minister's Office, Digital Solidarity Network Books, Budapest, 2009.
- 23) Alpár, Vera; Sebhelyi, Viktória; Almási, Judit; Herczog, Mária (szerk.) (2013); „Listen to Us!": The State of Children's rights in Hungary 2006-2012; Budapest, Magyarország: CsaGYI 206 p.
- 24) Vera ALPAR (2019): Mapping of supplementary, remedial and talent management institutional systems of public education in the Carpathian Basin; Governmental expert works (Research of the EFOP Remedial Education Programme, 2018-2019.)
- 25) Vera ALPAR (2007): National Strategy of Equal Opportunity and It's Implementation EU Conference
- 26) Vera ALPAR (2013): Key to the Future - Research on the Rights of the Child for the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions The EU Committee on the Rights of the Child
- 27) Vera, ALPAR (2008): Information technology, competencies, digital literacy in childhood development
Budapest, Hungary: EUTA–e-Hungary, Prime Minister's Office | Oktatás
- 28) Vera ALPAR (2009): Technical tools for people living with intellectual, sensory disability – Information technology for disadvantaged children in the service, EUTA–e-Hungary - Prime Minister's Office, Digital Solidarity Network Books, Budapest, 2009.
- 29) Vera ALPAR (2009): Introduction of free education software, helping in telehouses, EUTA–e-Hungary - Prime Minister's Office, Digital Solidarity Network Books, Budapest,
- 30) Vera ALPAR (2015): Cultural Values and Leisure Environment Accessible For Everyone (SEE CLEAR) international research, 2013-15.
- 31) Vera ALPAR (2016): Education Against Poverty; The Role of Schools in Creating Opportunities - "Protection, Activity, Empowerment" - a series of Conferences on Combating against Poverty - 09 November 2016, organised by the State Secretariat for Social Affairs and Social Inclusion of the Ministry of Education and Social Affairs. 2015-2016 www.szocialiskonferencia.kormany.hu
Directorate General for Social Affairs and Child Protection; Technical material page www.szgyf.gov.hu
- 32) Vera ALPAR (2019): Can the Education System be a Tool for Territorial Development?, Universitas Budapestensis de "Metropolitan" Annales - Tomus XII
- 33) Vera ALPAR (2019): Social work for communities, in communities; <https://docplayer.hu/5029329-Munkaanyag-alpar-vera-szocialis-munka-kozossegekert-kozossegekben-a-kovetelmenymodul-megnevezese.html>
- 34) Vera ALPAR and mts (2001): Political Attitudes, Symbols and Traditions; MTA Institute of Political Sciences , Publication date: 01 January 2001.
- 35) Vera ALPAR (2015.): Media Education (Project: Children's Media Education, 2015. június DOI: 10.13140/RG.2.2.24661.88803 https://www.researchgate.net/publication/333562980_Medianeveles