ORIGINAL

Governance in educational institutions in Portugal

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ABSTRACT

The present study addresses the governance processes governing the organization and management of educational institutions in Portugal, in a context of analysis in which the educational reforms carried out in this country, from the early nineteenth century (when school responsibility is assumed exclusively by the State) to the present, play what we estimate a central role. It is in response to this reality, on the basis of which we study their meaning and state. Evaluation, privatization and autonomy are the vectors which, we believe, provide the frame for a market speech in which we intend to emphasize, considering, on the one hand, that the management of education is conditioned by political developments and interests, of one kind or another, and, on the other hand, that the evolution of governance in its various institutions, although in progress, is gradually adapting to the standards set down at European level in varying degrees of intensity.

KEYWORDS: GOVERNANCE, EDUCATIONAL ADMINISTRATION, EDUCATIONAL QUALITY, EDUCATIONAL LEGISLATION

1 INTRODUCTION

The Old Continent has always been object of study and analysis as far as social policies are concerned and, in this context, the reforms carried out have been, and still are, an example for the rest of the world. Suffice it to cite the exemplifying frame that led to the approval of the Spanish constitution of 1978, not only at a Europe level, but internationally. Therefore, talking about a European scenario as a cultural, social and, especially, political and economic welter makes us reconsider the idea of Europe as a construct of differentiated countries, with common and sometimes diverse policies, that lead to a new vision of This European Space in which Portugal plays a key role.

We can unequivocally state that this country has always had a special interest in educational reforms. Aware of the power of education as a means of ideological and economic influence, the Portuguese government intends to assume educational responsibility based on principles that mark the future of its current policies (Teixeira et al., 2012). Compulsory education in close relation to the right to education and equity, and teacher training are the most significant axes of education in this

territory, not only for their eminently reforming character, but for the importance acquired in the analysis of governance practices in training centres. Entangled in this complex framework, the events occurred in recent years in the Portuguese context become especially important. The global economic crisis that this country has been unable to escape and the political situation that it has generated at particular level have resulted in continued confrontations in which the political and educational issue has been strengthened. Opting for a further increase of compulsory education to 18 years, following the example of other European countries (Lei nº 85/2009) -Belgium, Germany, Poland, Hungary y Holland (EURYDICE, 2010a)-, is one of the measures of the Socialist government to deal with this difficult situation. This is intended, firstly, to reaffirm its progressive ideology in the context of equal opportunities and the improvement of the quality of education, and also to respond to the European trend of increasing compulsory schooling (EURYDICE, 2010b). The purpose, therefore, is twofold. As stated by the Portuguese Prime Minister at the Conference of Experts held at the Cultural Centre of Belém (Portugal) on April 27, 2009, it is key to improve secondary education making it accessible to all citizens and to "retain" in the educational system to more than 35,000 students who left it before completing the top non-higher postsecondary education (15-18 years-old). This socialist reform responds to a common problem in our continent. In the words of Peña, "one of the primary concerns of the member states of the European Union has been, throughout its history, the extension of compulsory education. The general trend in all countries to extend compulsory education is justified largely by the need to provide all young people with the knowledge bases, skills and values that enable them to understand, participate and adapt to the working world and afterwards, to continue learning throughout life" (2000, p. 57). Therefore, from the perspective of social challenge that this latest legal development acquires, it is ensured that the group that, until that date, left school at an early age and was the most difficult to re-engage in educational and social terms, has the means, competences and training resources to develop a full life in the sense that Delors demonstrated a couple of decades ago (1996). It is, thereafter, when the increased number of students generates redefinitions in the organization of educational institutions that focus on the idea defended by Diaz Gibson et al. (2015): "the collaboration between educational and social organizations of the community represents a key asset to improve educational results" (p. 59).

Leaving the marked state control and the rigid organizational structures that characterized the Portuguese State in past decades, today we have the quasi obligatory mimicry with international policies, and, especially, European ones, and the

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consequent "accepted loss" of state sovereignty in favor of decentralized education units (Sorensen & Torfing, 2009). The idea that no figure, whether local or community, has inherently the full power or necessary knowledge for the management and organization to respond to the problems that are included in the educational system is the main weapon which new governance models have (Kooiman, 2010; Robertson, Mundy, Verger y Menashy, 2012). These can be classified into three typologies. The first, which refers to the administrative governance model (the creation of an external institution to monitor the whole process); the second and most widely widespread based on the paradigm of shared participation; and, finally, one that refers to the leading organization (an organization exercises government leadership thanks to the available resources) (Provan & Kenis, 2007).

In the case of Portugal, we understand that the new administrative self-management alternatives of the School promoted from units such as Municipais of Educação Conselhos and the Agrupamentos of Escolas responsible for "aprofundar a autonomia das escolas, implementando modelos descentralizados de gestão e apoiando a execução dos seus projectos educativos e organização pedagógica" (Decreto-Lei nº 125/2011 de 29 de Dezembro), respond as strategies to improve the quality of the educational sphere and, at the same time, as representatives of a necessary autonomy. We will give an account of it in the following sections.

2 THE STATE OF THE QUESTION

The systematic and rapid progress demonstrated by the depository institutions of educational autonomy in Portugal has marked the initial approach of this research making use mainly of a still scarce documentary and bibliographic support offered by both primary and secondary sources. The limited bibliography published around the topic –the main studies refer to the governance processes carried out in the institutions of Higher Education and not of Primary ones– and country under study, we understand that because of a lack of interest in the Portuguese question in Europe and in the world, forces us to consider the present analysis as an extremely positive challenge. It is, therefore, due more to an obvious need than to a particular decision that the studied documentation comes from the Portuguese context. Authors like como Nóvoa, Alves & Canário (2000), Pedrosa, Costa, Mano & Gaspar (2014), Azevedo (2004), Barroso (2004; 2009), Grancho (2009) & Neto-Mendes (2004), with a wide and proven scientific career are concerned about this issue assuming that the interest in analyzing the development that the Portuguese convergence is having with international education policies in relation to the privatization of schools, the improvement of competences, the tools of control and the external quality evaluation itself, not to mention the loss of state sovereignty in favor of new decentralized organizational units, is still scarce internationally. As we noted, much wider is the literature that analyzes the processes of governance in Higher Education, considering it is in this stage in which the hardest and fastest changes have occurred. In this regard they highlight the work of García & Martín (2014), Magalhães, Veiga, Ribeiro & Amaral (2013), Magalhães, Veiga, Amaral, Sousa & Ribeiro (2013), Amaral, Tavares & Santos (2013), Neave & Amaral(2012), Magalhães & Santiago (2009), among others.

We equally understand that the past trend towards the centralization and standardization of the Portuguese educational

system criteria (Maroy, 2008), examples of a strong state control framed in rigid organizational structures that limited freedom of action, was not of interest for the international scientific community. However, the new way of understanding the management of its educational institutions has permitted that some educational organizations as Eurydice and even OECD have focused their attention on a more detailed analysis of the new management processes of their educational structures.

The educational institutions are conceived, at present, as managed organizations and not as administered organizations, in which a greater number of education figures ("democratic participation") take part and where, in addition, centralized and concentrated management is reduced (Eurydice, 2012). This implies, at the same time, a reorganization of the educational system, which is considered as the flourishing of a "revised" model of autonomy (Azevedo, 2004; Pedrosa, 2014). In this way, the School gets alternative forms of self-management that allow the acceptance of new and effective competencies locally speaking, thanks mainly to the transfer of the ones which up to then had enjoyed the top political authorities. This broadens the perspective, moving from a purely technical approach to a much more social and political one (Rodriguez, 2015) that does not forget the neoliberalism or the cultural patterns that govern the so-called "new economies" (Popkewitz, 2013).

The governance in the management of educational institutions intensifies its perspective as a technical issue at the expense of the social and political issues that should guide education. It is in this way that schools acquire their own decision-making capacity through the various representative bodies, not only in the pedagogic field, but also in the administrative and financial ones.

The increased autonomy in the organization and management of school organizations and the growth of participation of the different sectors of the educational community in the decision-making process has broken with the previous model, where the State had the exclusivity in the field of education and the results did not respond to an efficient functioning (PISA, 2006). However, the transfer of competences is being carried out moderately, especially since the central government believes that ensuring the "cohesion" and the national "homogeneity" are two of the most important aspects to keep in the development of their national policies and because, as noted by the Associação Nacional de Professores President in Portugal, it has just succumbed to that transfer of power, as an institutional mechanism (Ball, 2008) to "aliviar a máquina administrativa" (Grancho, 2009, p. 26) and improve some results that still remain vague (PISA 2009, PISA, 2012). Therefore, a variation in trend has gradually occurred, moving from a vertical control to an incipient horizontal power. Thanks to the latter, the result of a long process that will give account of in the next section, it has been possible to give voice to a larger number of figures in an external evaluation system, continuous and global, under the Gabinete de Avaliação Educacional, an entity attached to the Ministry of Education.

3 THE EVOLUTION OF EDUCATIONAL POLICIES AND GOVERNANCE IN PORTUGAL: FROM THE PAST TO THE PRESENT

As we know, the Revolution of April 25th brought about many administrative and management changes, being one of the most significant related to the 45% increase in education spending.

Even so, the budget that was and is allocated to education is one of the lowest among the EU countries, being its educational results inferior to the results of other Member States as it stated in the data provided by Eurostat. This fact has forced Portugal to alter the ways of regulating public authorities when it comes to managing its educational system using, in many occasions, market devices that are justified "from a technical point of view, (...) with criteria of modernization, bureaucratization and fight against the "inefficiency" of the state ("new public management), as by imperatives of a political nature, according to neoliberal and neoconservative projects" (Barroso, 2004, p. 118).

Therefore, governance in Portugal, understood as the structures, relationships and processes thanks to which policies in Higher Education (Santiago et al., 2008) are developed, is presented as an authentic redefinition of the organization of the educational system, in which the interactions of the various levels of management has led to a greater coordination (among all sectors involved: teachers, students, principals and families) and a better functioning. In this regard, one of the most important measures, introduced with the new education policies, is the impetus given to the autonomy of schools and the implementation of the "gestão democrática" in educational institutions as a mechanism to offset the administrative, bureaucratic and centralized inefficiency, which has maintained the Portuguese school organization until recently (Neto-Mendes, 2004).

If until 1974 the school was virtually closed to the community and was characterized by the relationship of subordination to the central government, emphasizing an autocratic management of itself and a centralized and concentrated organizational model, from this date onwards the spread of values, such as participation, democracy and equal opportunities joined the possibilities opened by the newly established local governments, resulting, all of it, in a greater democratic participation (Decreto-Lei nº 221/74 del 31 de maio); However, the vertical dependence, based on the ministerial authorship, is still reducing the supposed horizontality.

We understand that a great step is taken when the Education Law is passed in 1986, a clear commitment towards the decentralization of the educational administration. In Article 43, in which educational structures (distinguishing among national, autonomous, regional and local) are recognized, a strengthening of the relations with the community is carried out and the right to self-management of the educational institutions is introduced, specified in the Decree 43/89 of self-government of schools. The 90s and the first decade of the twentieth century are noted for suggesting an arrangement of educational governance structures, which is broadly maintained until today.

Currently, the Ministério da Educação is still responsible for determining school curricula, establishing the employment policy for educational personnel, designing the general educational objectives, fighting against inequalities and ensuring the equity of resources. As noted, the most fundamental issues still fall on this central body assuming, therefore, the main and final political responsibility. This involves that, despite the fact that in the reorganization of the relations among the state, the educational institutions and the society a nascent decentralization has been opted for (as regards competences and prominence of educational agents), the leading role in policy development remains in the hands of central Administration.

In a second structural order and until 2011, at which moment, as we know, they are made extinct, we find the Regional Directorates of Education. Although at first they were conceived as depository entities of educational decentralization, they still maintain an important dependence on the Ministério, both politically and bureaucratically, so their capacity for autonomy in the entrusted functions is very limited, focusing basically on tasks of political-administrative arbitration, and of pedagogical support and control of schools, which, in other words, is understood as an almost exclusive management of human and material resources.

At a local level a territorial and administrative decentralization occurs, a reorganization of the educational system which is carried out through an internal governance, in which the bodies of the educational institution acquire management and funding responsibilities. In this context we find, on the one hand, the Conselhos Municipais (Decreto-Lei 7/2003, January 15th), participants in the management bodies of schools), municipal advisory teams and responsible for the decision-making of top political authorities (such as the Ministry of Education and Regional Directorates of Education). These authorities are responsible for assuming the role of "partners" in the adecuacy of education, through the combination of the national social values, ideals and practices with their local practices. On the other hand, the Escolas and Agrupamentos de Escola, enjoying many units of action regarding participation, management and administration (among them, and to highlight just some let's mention the School Assembly, the Executive Management, the Pedagogical Council, the Administrative Council, the Coordination of Centers, the Department of Educational Guidance and coordination of year, cycle or course, administrative staff and the auxiliary personnel of educational action...), guarantee the relative autonomy of schools and the participation of all their agents. This is how the transfer of educational competences, new and effective at a local level, and the recognition of the municipalities as management units are considered the essential cores of a strategy for educational modernization. The institutionalization of a system of continuous and global evaluation to be able to improve the qualification of the national human resources in the European context, increasing their competitiveness and their ability to cope with new social challenges, are the weapons that Portuguese policy count on to increase its efficiency, effectiveness and quality in the teaching and learning processes and to contribute to the debureaucratization and stability of the educational resources (Decreto-Lei nº 208/2002, October 17th).

One of the most representative characteristics of the Portuguese educational system throughout its history has been its strong tendency toward the centralization and standardization of educational criteria. This situation has been gradually reduced by transferring competencies to regional and local governments, and through major reforms that have modified and tried to correct the large deficits of the educational system, thereby changing the basic principles governing its organization, so "esta mudança de referenciais sobre a gestão escolar integra-se numa mudança paradigmática mais vasta relacionada com a territorialização das políticas educativas, com a redistribuição de poderes entre o "centro" e a "periferia", com a recomposição do papel do Estado na regulação da educação e com novas formas de "governança" (Barroso, 2009, p. 993). Along these lines, the above mentioned Decree 7/2003 originated an academic and political debate, being the starting-point for the newly created

Municipal Councils of Education "(…) na análise das questões da descentralização, da territorialização, da subsidariedade, da regulação e da eficácia do sistema educativo" (Forum Português de Administração Educacional, 2006, p. 1).

While some recognized experts of the Portuguese educational policy (Barroso & Dutercq, 2005) consider that municipal intervention has a limited character and that it is a mere rhetorical device to justify alternative models of regulation, others (Formosinho & Machado, 2004) define it as strategies of "remote control" of the policies carried out by the Ministry. Following this approach, we believe that the autonomy given to schools is, in theory, within a broader process that is aimed at adapting educational policies to each particular context, ensuring greater flexibility, efficiency and effectiveness to the particular needs of each community. However, in practice this is translated as a pretended autonomy, of mãos atadas, more focused on taking the key decisions than on coordinating all the bodies involved in the light of paying attention to the real needs, reducing the ability of their leader's decision-making, the ability to define its regulations, internal and budgetary organization, and disposal of their own resources (space rental, charging fees ...). We distinguish, therefore, a relative displacement of power and control over education, where the State is neither the only responsible nor the organizer of it, but it is the main protector.

Therefore, we can say that the political transformations, caused by the importance of the commercial evaluation and by the social pressure, together with those carried out in relation to the management of the school have as their main objective to strengthen their own autonomy and their opening to social control. The community, thanks to the involvement of educational agents (trade unions, students' parents, etc.), is in charge of it, resulting in a greater articulation between the school and the society. Thus, the changes brought about by the reforms in governance, particularly visible since the late 90s in Portugal (Decreto-Lei nº 115.A/98, May 4th, de Régimen de Autonomía, Administração e Gestão e Agrupamiento de Escolas), have contributed to the fact that educational institutions have stopped being, as mentioned above, administrative organizations and have become managed organizations. It is in the late nineties when the "revised model of school autonomy" based on the paradigm of "territorialization of educational policies" is legally enshrined.

Despite the recognized progress in the last two decades which we have been providing an account of, the changes to promote educational improvement in this country have not had the celerity and acceptance they have had in other European countries (Nòvoa, Alves & Canàrio, 2001); and although important reforms have been promoted in order to democratize and modernize the school, restructuring the various management levels of the educational system (central, regional and local) to carry out the decentralization of educational management, the expected success has not been achieved, especially because they have not reached, with the necessary efficiency, the schools that are ultimately responsible for carrying them out.

3.1 Recognition of legitimacy, effectiveness and efficiency in the educational policy of Portugal

It is an obvious remark to argue that nowadays it is becoming more common, both internationally and nationally, to analyze the relationship between education and the State, as a mechanism to determine the degree of appropriateness of educational policies and their efficiency. The last works are focused on "exploring "the structural web" (policy networks) of interests in a particular educational system in order to determine, in a more realistic way, the meaning of the policies undertaken and the possibilities of their realization" (Sánchez Ferrer, 1996, p. 99). In the context under study, we can find two groups of contributions in this field. On the one hand, the ones that link democracy and education, focusing on determining "to what extent education has to convey certain values and inculcate certain favorable attitudes towards democracy in children and young people" and, on the other hand, those in charge of studying "the contribution of education to the development and modernization of countries" (Sánchez Ferrer, 1996, p. 90). As Pedró says, "it is not surprising that educational policy and governance are, more and more, issues of obligatory presence in political speeches, of one or another ideological orientation ideológica (Brunner, 2000; Cajiao, 2001; Grilo, 2002; Nóvoa, Alves, & Canário, 2000). It is even widely believed that educational reforms are an invaluable opportunity for the social and economic improvement of a country, although there are many questions and uncertainties brought about by the results achieved by the countless reforms that have been legislated and the multi-million investments that have been made in education in the last decades" (1993, p. 7).

In Portugal, as in other countries of the European Union, the management and organization of education increasingly responds to criteria of social management and less to educational criteria, where quality speeches are linked to guidelines established by the market. In this regard it is remarkable to mention those who refer to the reduced role of the State in education, adapting the offer to the demand and the replacement of pedagogy by productivity. Thanks to this argument, public schools are increasingly mimicking private schools in their management methods, leading to a progressive privatization of the educational system, where increased autonomy and the introduction of the market in schools make it necessary to increase their social attractiveness to achieve the highest possible number of students and so, to enter the competition environment governing the market. This has led to new forms of educational governance, where the supposed autonomy acquired by schools goes hand in hand with an increasing regulation and state control, turning it into a bureaucratic autonomy to articulate better the centre with the periphery, more than in a creative autonomy of educational projects involving the community. This new way of governing schools often implies a reduction in their democratic organization being subject to the criteria established by the market, and it poses, in turn, a big dilemma: the need to coordinate governance in schools without counteracting their democratic functioning.

To control all this process Gabinete de Avaliação Educacional was created at the end of the last century. The elaboration of external standardized evaluations by the General Inspectorate of Education, defining frames of information for educational figues to know the results which are expected to accomplish, and to get involved in achieving them, is still, nowadays, their main task. Thus, the State, who oversees the Gabinete, maintains the evaluator role of traditional school management while assuming the "control" of the results. It is the Ministerio da Educação who defines the parameters and indicators previously established, intensifying thereby the control and monitoring of results through the external standardized evaluation and national examinations, eliminated since 1980, which should be understood as a greater propensity towards curricular homogeneity. In this sense, this type of evaluation is understood

as a model of quality control of the educational system, which is in clear controversy with the institutional autonomy of teachers praised by the Law on the Educational System (Lei de Bases do Sistema Educativo, LBSE, 1986) and its subsequent amendments, which reflect the formative evaluation as the main modality of estimation, increasing thereby the conflict between the democratic and meritocratic school, of great historical importance in Portugal. In this context, the great challenge to achieve is not only to create a culture of evaluation, but to make it work for action and to lead to responsibilities for the educational figures.

In relation to the management of Portuguese schools we do not want to forget to mention as one of the main features, one more question. From 1974 to 2008, the continuity in relation to the choice of principal and collegiality is maintained. From this last year and until now, the autonomy given to educational institutions (Decreto-Lei nº 75/2008, April 22th) establishes a new model of management and administration of public schools and non-higher education by introducing, for the first time since the restoration of democracy, a one -person governing body materialized in the figure of the principal who ends the collegiate management. This document leads "(...) reforçar as lideranças das escolas, o que constitui reconhecidamente uma das mais necessárias medidas de reorganização do regime de administração escolar" (Decreto-Lei Nº 75/2008, de 22 de Abril, p. 2342) to a break from the previous reality, strengthening school management and increasing, in this way, the autonomy granted to them, especially in relation to self-organization and the assignment of its functions through autonomy agreements signed among the Schools, the Local Councils of Education and the Regional Education Directorates. Through these, new competences and resources to go deeply into autonomy are assigned for a period of two years.

4 CONCLUSION

Governance processes applied as new forms of educational management are a trend in which the member countries of the Union are clearly immersed.

Portugal, like many other states, has adapted to the political and social needs designed based on the market. Gradually and without forgetting the social, economic and cultural idiosyncrasy of the country itself, it has worked to transform schools into self-managed institutions but without ceding the ministerial power totally (Grek, 2010). Thus, even talking about a certain process of decentralization of the educational administration in Portugal, the actual weight in the global decision-making rests with the Ministry.

The constant increase of autonomy has found legal support in the creation of structures that offer support and distinguish competences in this new management framework. The purpose of pursuing educational quality required from European institutions is completed in the case of the Portuguese country through this controlled decentralization. This is justified considering the strong concentrating trend that has always described the Portuguese political system, even in those times of more opening.

It is understood that the actual opening to new local management processes, whether at a municipal level or of schools, improves the possibilities of educational effectiveness and efficiency. However, in Portugal this bet is not complete, at least as it is outlined nowadays. We have passed from

administered to managed schools, denoting a greater degree of autonomy, particularly evident in issues of small importance but, in turn, embedded in a marked pyramidal system of authority.

Therefore, there is still much to advance in the development of authentic policies settled in self-government that, quite possibly, will necessarily have to go hand in hand with more advanced and daring approaches that are able to break with the state tradition and that reaches, not only the management of education, but of the other areas where the transfer of competencies, as it is justified by the EU, is essential for the creation of a true model of governance of public institutions.

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