

Monitoring the Quality of Education: Contributions and Challenges

The Quality Assurance Act ends the process started with the General Education Law (LGE), shaping the new institutions which were created by this law. It is a key factor that the new competences of the Ministry of Education and the demands to the schools are made judiciously, and that they do not turn into requirements that end up unfulfilled, thus discouraging the initiative which is proper of schools, in a decentralized scheme where freedom of teaching should prevail.

With the recent approval of the Quality Education Assurance bill by the Parliament, after almost 4 years of proceedings, a crucial step has been given in the necessary reforms to improve the quality of education in the country.

These reforms begin with several agreements among the different political sectors motivated by the so called “Penguin Revolution” of 2006; these agreements were stipulated in the legislation through the approval of laws which gradually built a new institutional framework for the country’s education system.

In this manner, the General Education Law (LGE, *Ley General de Educación*) of 2009 defines the principles which inspire the national education system based on a decentralized school management system, and the rights and duties of the State and the educational community. This law points out features such as the requirements for schools’ official accreditation by the State, and the admission process, as well as the definition of the curricular cycles and the future quality control system.ⁱ

Likewise, we should mention the recent approval, in January 2011, of the Law on Quality and Equity of Education presented by the current government, which was also agreed among the different political sectors. This law modifies the Teachers Statute by increasing the

incentives within the municipal school system, with the aim of improving school management and giving more competences and responsibilities to the principals and teachers.ⁱⁱ Furthermore, there is the future reform of municipal education, a project which should be presented to the Congress this year.

The Quality Assurance Act stipulates the quality control system of this new education institutional framework. To this end, two institutions with very specific roles are created: the Quality Agency and the Superintendency of Education.

Education Quality Agency

This organization will be composed by an Executive Secretariat and a Council integrated by 5 members with outstanding experience in education. Their main function is to evaluate and guide the education system in order to improve its quality. Thus, all schools receiving a State subsidy shall comply with certain learning standards defined by the Ministry of Education (MINEDUC) and approved by the National Education Council (CNED, *Consejo Nacional de Educación*). This Agency shall perform activities such as:

A) To carry out performance evaluations in the educational institutions and to their supporters on the basis of education standards.

B) To classify the institutions in terms of their outcomes or performance levels (high, medium, medium-low, insufficient), verify their progresses through improvement plans in the schools which do not fulfill the standards, and to inform parents; to develop this task, the support of independent bodies or the Ministry itself will be available. The Agency shall take charge of the SIMCE test and other evaluation mechanisms.

C) To make evaluation visits to the schools, more frequently to the low performance ones, in order to identify education failures. Improvement plans shall be established on the base of this latter. In case of recurrent insufficient performance, the agency shall communicate it to the parents, and deliver information of other nearby institutions with better results and/or transport provision to relocate students. If no progress has been verified after 4 years, the Agency may recommend the Superintendency of Education to close the institution, which can start a process to cancel the State's accreditation of this institution.

Superintendency of Education

It is the system's regulatory agency and it shall perform the following main functions:

A) To monitor schools in order to verify that they comply with the basic operating standards and that those receiving public funds use them according to the purposes stipulated in the Law.

B) To control the supporters who receive regular State contributions, and who shall render public account of the use of these resources.

C) To establish the sanctions stipulated by the Law and to respond to reportings and complaints. The sanctions shall be applied according to the importance of the detected fault (serious, less serious and slight), including from admonitions, fees of 1 to 1,000 UTMⁱⁱⁱ, to discontinuance of the subsidy payment and disqualification to be a supporter and the closing of the school.

D) It shall have the authority to name a provisional school administrator if he/she has shown an inadequate performance for 4 years, if the continuity of the education service is impaired, or if the supporter does not fulfill his/her labor duties.

E) It shall have the authority to monitor the private schools, only if there is a report or complaint against it.

Main Contributions

This project consolidates the education institutional framework agreed by large sectors of the society during the discussion of the General Education Law. It embraces the existence of four institutions: Ministry of Education, National Education Council, Superintendency of Education, and Quality Agency, each one with specific functions. The new Law creates the two missing organizations whose objectives are: to watch over quality improvement, in the case of the Agency; and to monitor the good use of public resources, in the case of the Superintendency of Education. Furthermore, it professionalizes and modernizes critical functions of the Ministry such as learning evaluation, support, and supervision of the institutions. It creates an institutional framework which gives priority to quality and demands institutions to comply with certain standards, with consequences for those whose students are not

learning. At the same time, a certain improvement culture is promoted, since schools will receive incentives for upgrading.

Among its explicit functions, the Quality Agency shall watch over the information delivery to the parents and families, so that the education system is more transparent and the community has a greater knowledge in education, regulation and financial matters.

Challenges

This Law has a great challenge ahead and its complete execution will probably take some time. Certain apprehensions arise regarding some points which should be taken into account when establishing the guidelines and regulations to put the provisions of the Law into practice, and which can make the difference in terms of results and operation of the education system.

Concerning the Agency, while determining the standards it will simultaneously define the contents and subjects that the students should learn, and additionally, the institutions shall be sanctioned if they do not comply with these standards. Although it is accepted that minimum learning targets (for example, in first grade the children should learn to read), or certain class hour requirements for a specific subject are necessary, the definition of the standards must not end up being so demanding as to oppose to the schools' definition of their own education projects, with contents and subjects that may be somewhat different to those established in the official curricula, thereby respecting the teaching freedom established in the LGE.

Neither should there be an excessive number of indicators to evaluate schools, since the Agency may establish other quality indicators different from the SIMCE test. Although these indicators have certain counterbalances (they must be ratified by the CNED), it must not be forgotten that the supporters and municipalities, in a decentralized education system, should develop their own evaluation systems and it is more important that they do so. On the other hand, it should be avoided that the support task of the MINEDUC aimed at bad performing schools turns into a permanent artificial respirator, but rather promoting that they may survive by themselves and, if this is not possible, to close them and relocate its students.

With regard to the Superintendency of Education, it is also important that the guidelines are established with prudence, avoiding an

excessive number of regulations or overregulation. Schools should not spend more financial and human resources to comply with the rendering of accounts and formalities than before the Law's approval. Schools can be considered as small businesses: an average school may have 300 students, and approximately 2,000 have less than 20 students. These institutions will not easily have tools available to face excessive administrative requirements (see Table 1).

The reforms which are being implemented in education aim at empowering principals and giving more responsibilities to the teachers, in the scope of school management improvement focused on schools. An agency which exercises excessive control may be detrimental to schools. It should not occur that the principals end up using most of their time to interact with too many external organizations, such as the Municipality, Corporations, Labor Inspection, etc., and pay attention to different special programs of the Ministry. The new Law adds the Superintendency of Education, the Quality Agency and the ministerial auditors in certain cases.

Table 1

NUMBER OF SCHOOLS BY ENROLMENT SEGMENTS
AND TYPE OF INSTITUTION

Total Enrolment	Municipal		Private Subsidized	
	School Nr	School %	School Nr	School %
0-20	1,626	27.9%	486	8.8%
21-50	651	11.2%	745	13.5%
51-100	525	9.0%	1,007	18.2%
101-300	1,219	20.9%	1,395	25.2%
301-500	687	11.8%	703	12.7%
501-1000	847	14.5%	794	14.3%
More than 1000	274	4.7%	406	7.3%
Total	5,829	100.0%	5,536	100.0%

Source: Self- elaboration based on 2009 MINEDUC data.

Finally, it is important to avoid a tendency to establish more bureaucracy; the execution of this Law will demand more spending from the MINEDUC, and its staff, in net terms, will grow in approximately 200 people with both institutions.^{iv}

Conclusions

The Quality Assurance Act ends the process started with the General Education Law (LGE), shaping the new institutions which were created by this law. It is a key factor that the new competences of the Ministry of Education and the demands to the schools are made judiciously, and that they do not turn into requirements that end up unfulfilled, thus discouraging the initiative which is proper of schools, in a decentralized scheme where freedom of teaching and management autonomy should prevail.

ⁱ Law Nr 20,370 of September 12th, 2009. We should also mention the Preferential School Subsidy Act (*Ley de Subvención Escolar Preferencial*), aimed at supporting the most vulnerable students with greater public resources, and at defining support mechanisms for the worst performing schools, so that may progress (Law 20,248 of February 1st, 2008).

ⁱⁱ Law Nr 20,501 of February 26th, 2011. This reform is complemented by the bill which creates the Teachers Professional Excellency Test (*Examen de Excelencia Profesional Docente*) and the Initial Teaching Excellency Allowance (*Asignación de Excelencia Pedagógica Inicial*), whose purpose is to foster the training of better teachers.

ⁱⁱⁱ Unit of account used in Chile whose value for June 2011 is CLP\$38,288.

^{iv} The annual budget of the Quality Agency is approximately CLP\$18,000 billions and that of the Superintendency of Education, CLP\$13,000 approximately.