

Legal inconsistencies: Some win medals, still others get rewards



For several years now, our students have achieved excellent results and won medals at competitions around the world - they have managed to obtain their monetary reward, unlike the actual mentors who have been preparing them for international competitions

Author: Vesna Ivanovska-Ilievska

He teaches about 300 additional classes a year free of charge. His enthusiasm is not waning, although he says he is getting tired of illogical situations and uphill battles. Miha Bukleski, Ph.D., docent at the Institute of Chemistry at the Faculty of Natural Sciences and Mathematics in Skopje is one of several university professors who prepare talented high school students for international Olympic competitions each year. In his case, it is the International Chemistry Olympiad (IChO), one of world's most prestigious high school science competitions.



Miha Bukleski, Ph.D. / Photo: SCTM

For several consecutive years, he has been a mentor to medal-winning students, but due to a number of systemic obstacles, he has not been able to obtain the prize that follows. His fate is shared by mentors employed at Higher Education Institutions preparing students for 13 international competitions (Olympiads) accredited by the Ministry of Education and Science of Republic of North Macedonia (MOES). The mentors' frustration is aggravated by the fact that high school teachers who are not mentors to students receive monetary rewards. On the other hand, these teachers believe they are part of the



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daily education of young hopefuls in science, investing additional financial means in upgrading these students' knowledge and therefore deserve this monetary incentive.

THE LAW ALLOWS A REWARD, BUT FOR WHOM?

“Last year I won a medal at an international Olympiad. Then I applied for a monetary reward at the Ministry of Education and Science. I had to provide a lot of documents and certificates that I am a regular student. We applied together with my high school teacher,” says a student (whose identity is known to the editorial board). He is among a dozen high school students who have won a medal at one of the 13 accredited Olympiads. Intensive preparations for the Olympiads were being conducted at the Institute of Chemistry by professors employed at the institute. Having won a bronze medal, according to the provisions of the Law on Secondary Education (Article 24b, paragraph 3), he received a monthly monetary reward of 8,000 denars for a period of 12 months. The same reward can be given to high school teachers, but not to university mentors.

Член 24-б

(1) Министерството, за освоено прво, второ или трето место на меѓународен натпревар од областа на математиката и природните науки, на ученикот и на наставникот кој го подготвувал ученикот за натпреварот, поединечно им доделува парична награда во износ од 50% од просечната нето плата исплатена по работник во Републиката во последниот месец пред доделувањето на наградата за освоено прво место, 40% за освоено второ место и 30% за освоено трето место.

(2) Под меѓународен натпревар од ставот (1) на овој член се подразбира натпревар на кој учествуваат ученици од најмалку десет различни држави.

(3) Министерството за освоен златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad), на ученикот и на наставникот кој го подготвувал ученикот за олимпијадата, поединечно им доделува парична награда во износ од 12.000 денари месечно за освоен златен медал, 10.000 денари месечно за освоен сребрен медал и 8.000 денари месечно за освоен бронзен медал. Паричната награда се исплаќа за период од 12 месеци.

The MOES grants the accreditations to a relevant scientific association, which then organizes and prepares primary school or high school students for international competitions in the fields of natural sciences, mathematics or informatics. Most of the mentors are Doctors of Philosophy employed at the faculties, since the problems presented at international competitions are usually at a higher level than the high school curriculum.

Under Article 24-b, paragraph 3 of the Law on Secondary Education, MOES rewards the student and the teacher who prepared the student for the competition each 50% of the average net salary for first place, 40% for second place and 30% for third place. Namely, MOES awards them a monetary reward of 12,000 denars per month for a gold medal, 10,000 denars for a silver medal and 8,000 denars per month for a bronze medal. The reward is paid for a period of 12 months.

Based on this Article, the MOES announces a Public Call for medalists and their mentors to apply for their well-deserved monetary reward. This is where the problems for mentors begin. The real mentors, who work for three months to prepare students for top results, have been unable to receive the reward. High school teachers take advantage of this situation.



ЈАВЕН ПОВИК

за доделување на парична награда за освоен златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad), на ученикот и на наставникот кој го подготвувал ученикот за олимпијадата

1. Услов за учество

На Јавниот повик за доделување на парична награда за освоен златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad), може да се пријават:

- ученици – државјани на Република Северна Македонија, запишани во средно училиште на територијата на Република Северна Македонија,
- наставник - државјанин на Република Северна Македонија **вработен во средно училиште** на територијата на Република Северна Македонија, кој го подготвувал ученикот за олимпијадата,

а кои освоиле златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad), во учебната 2018/2019 година.

Bukleski is a member of the Society of Chemists and Technologists (SCTM), a MOES accredited association to prepare high school students for IChO. In 2015, SCTM started organizing the preparation of high school students who represent our country at prestigious competitions.

- It was a modest start, but as we gained experience, we improved in both choice of students and in the way they are prepared. We are still developing a system for more efficient preparation and testing, specialized and targeted to enable students to compete in international competitions. For the sixth time, we are beginning the cycle of preparation for the upcoming 2020 competitions. - says Bukleski.

Good results came before long - the first medal was won in 2017, only two years after SCTM started organizing the preparations.

- That year was difficult. We almost didn't go, we left one day later than expected, but we were determined to oppose all injustices and managed to secure the first IChO medal for our country – it is the most renowned chemistry competition in the world and one of the 12 worldwide recognized knowledge competitions (not projects!). In the following two years we won 4 more bronze medals or a total of 5 medals. - explains Bukleski.



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Miha Bukleski, Ph.D.(first from left to right) and prof. Marina Stefova, Ph.D. with the students / Photo: SCTM

ALL ASSOCIATIONS FACE THE SAME PROBLEM

In 2017, even though they won a medal, they did not know that there was a legal possibility for mentors to receive a monetary reward for a medal.

- We learned this in 2018 when we realized that both the 2017 and 2018 mentor rewardshadalready been awarded. And it was not us, the members of SCTM who got it. In 2018, we contacted the medalists for the opportunity to apply for a reward, one of whom informed us that they had already applied together with their high school teacher. Frankly, we were surprised and offended by the move. We applied together with the other student, but then the mentor was rejected for not meeting the requirements of the public call. - explains Bukleski.

Табеларен преглед на ученици и ментори кои ги исполниле условите за добивање парични средства за доделување на парична награда за освоен златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad)

Р.бр	Архивски број	Корисник	ученик/ професор	Износ во денари	освоен медал	Училиште	Дата на освоеното место / олимпијада
1	12-9845/1 од 20.08.2018		ученик	8.000	бронзен медал	Гимназија „Раде Јаневски Корчагин“ - Скопје	28-07-2018 година (50th International Chemistry Olympiad, Slovakia and the Czech Republic)
2	12-9906/1 од 22.08.2018		ученик	8.000	бронзен медал	Гимназија „Јосип Броз Тито“ - Битола	03-12 декември 2017 година (14th International Junior Science Olympiad)
3	12-10003/1 од 24.08.2018		ученик	8.000	бронзен медал	ГСУ „Јажа Кемал“ - Струга	28-07-2018 година (50th International Chemistry Olympiad)
4	12-10072/1 од 27.08.2018		ученик	8.000	бронзен медал	ГСУ „Јажа Кемал“ - Струга	08-17 август 2018 (62th International Earth Science Olympiad)
5	12-10308/1 од 31.09.2018		ученик	8.000	бронзен медал	ГСУ „Јажа Кемал“ - Скопје	21-29 јули, 2018 година (49th International Physics Olympiad, Lisbon)



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Табеларен преглед на ученици и ментори кои ги исполниле условите за добивање парични средства за доделување на парична награда за освоено златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad)

Р.бр	Архивски број	Корисник	ученик/ професор	Износ во денари	освоено медал	Олимпијада	Дата на освоено место / олимпијада
1	12-9845/1 од 20.08.2018	[REDACTED]	наставник	8.000	бронзен медал	Гимназија „Раде Јовчевски Корчагин“ - Скопје	28-07-2018 година (50th International Chemistry Olympiad), Slovakia and the Czech Republic
2	12-9906/1 од 22.08.2018	[REDACTED]	наставник	8.000	бронзен медал	Гимназија „Јосип Броз Тито“ - Битола	03-12 декември 2017 година (14th International Junior Science Olympiad)
3	12-10072/1 од 27.08.2018	[REDACTED]	наставник	8.000	бронзен медал	ПСУ „Јахја Кемал“ - Струга	08-17 август 2018 (12th International Earth Science Olympiad)

We asked the MOES to list the teachers who applied and received the reward. According to their records, in the academic years, 2016/17 and 2017/18 four teachers and seven students received the reward.

Biljana Petreska, a Chemistry teacher at Rade Jovcevski-Korçagin High School in Skopje, is one of the teachers who applied twice and received the MOES reward. She thinks she is deserving of the medals that her students have won because she is part of their daily education.

- We, the teachers, have been with the students for four years. We are the main driving force behind their success. I appreciate the involvement of the professors in the faculties as well. Those are preparations at a higher level, which we cannot provide for our students because we lack the conditions to do so. However, we work with these children every day, we have extra classes. The MOES should also make it possible for faculty members to receive the reward. This is our joint success. - says Petreska.

Mentors preparing students for complex competitions say it is irrational that the [public call](#) for a reward requires statements from the school principal, student's parents, and teachers themselves, that they were the ones who prepared the student for the Olympiad.



50th IChO 2018
INTERNATIONAL CHEMISTRY OLYMPIAD
SLOVAKIA & CZECH REPUBLIC

50th International Chemistry Olympiad, Slovakia & Czech Republic, 19th to 29th July 2018

Miha Bukleski
Headmentor of Macedonia

Subject: Invitation to the participation in **50th International Chemistry Olympiad, Slovakia & Czech Republic**

Dear Miha Bukleski,

On behalf of the Organizing Committee of the 50th International Chemistry Olympiad (ICHO), we are pleased to invite you and the registered members of the delegation to attend the **50th International Chemistry Olympiad**, which will be held from **19th to 29th July 2018** at Comenius University in Bratislava, Slovakia and University of Chemistry and Technology, Prague, Czech Republic.



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- Why not just ask for a statement from the Olympiad where the names of the real mentors are listed, instead of statements that are not true? Probably because they do not have it. - says Bukleski.



Rade Jovcevski-Korcagin High School / Photo: Flickr.com

Dragan Arsovski, Head Teacher of Rade Jovcevski-Korcagin High School, says that when appointing student mentors, one cannot appoint someone who is not employed by the school.

- These teachers are mentors and prepare students for municipal, regional and state competitions. For me, that teacher is a mentor. I cannot appoint someone who is not from this school. In that case, they should be hired as external collaborators, paid for their work, etc. If the student represents Rade Jovcevski-Korcagin High School, the mentor must be from this school. - says Arsovski.

MOES: WE HAVE TO WAIT FOR CHANGES OF THE LAW

The accredited associations which prepare high school students for the Olympiads (SPRM, MBS, MGS, UMM, and CSM) have encountered similar problems. Mentors who prepare students for the Olympiads are most often employed by higher education institutions. Last year, the Presidents of SPRM, MBS, MGS, UMM and CSM sent an official letter to the Ministry of Education and Science requesting that the terms and requirements of the Public Call be changed. They have not received a reply from the MOES to this day.

The State Education Inspectorate was inquired whether they see a disputed situation in the manner of announcement and realization of the Public Call, to which they gave a short statement:

- You should look for an answer or interpretation from the authority that announces the public call.

The MOES explains that the Law on Secondary Education regulates the field of secondary education and refers to the rights, opportunities, and obligations of students and staff (teachers, expert associates, management) in secondary schools.

- High school students are taught by teachers from the same schools who implement the curriculum on a daily basis and prepare students by helping them acquire appropriate knowledge. Any additional engagement by people who are not employed by the school is an individual decision and will of the student and their family, and that is not subject to the current law – say the MOES Public Relations Office.



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МИНИСТЕРСТВО ЗА ОБРАЗОВАНИЕ И НАУКА



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СКОПЈЕ			
Примено:	Орг. Едини:	Број:	Примок:
14.08.2018			
			Вредност:
			Скопје, 13 август 2018

До Министерство за образование и наука
Сектор за основно и средно образование

ПРЕДМЕТ: Барање за дополнување на Јавниот повик за доделување на парична награда за освоен златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади, на ученикот и на наставникот кој го подготвувал ученикот за олимпијадата

Почитувани,

Сојузот на хемичарите и технолозите на Македонија (CXTM), Друштвото на физичарите на Македонија (ДФРМ), Сојузот на математичарите на Македонија (СММ) и Здружението на информатичарите на Македонија (ЗИМ) повеќе години наназад подготвуваат екипи и успешно ја претставуваат Република Македонија на најреномираните светски олимпијади: International Chemistry Olympiad, International Physics Olympiad, International Mathematical Olympiad, International Olympiad in Informatics, а од следната година и Македонското биолошко друштво (МБД) ќе учествува на International Biology Olympiad. ДФРМ, CXTM и МБД заеднички подготвуваат и македонски тим за учество на International Junior Science Olympiad до 16 год., а ЗИМ испраќа тим и на European Junior Olympiad in Informatics додека СММ учествува и на European Girls' Mathematical Olympiad, Asian Pacific Mathematics Olympiad, European Mathematical Cup, Mediterranean Mathematics Olympiad и други.

Овие здруженија се акредитирани од МОН за реализација на натпревари за учениците од основните и средните училишта по соодветните предмети и потоа, од најдобрите ученици на државните натпревари, членовите на овие здруженија реализираат:

- селекција на екипи за учество на овие највисоко рангирани светски натпревари за ученици
- интензивни подготовки со избраните ученици во тек на повеќе месеци
- организација и водство на македонските екипи на олимпијадите како ментори.

Имајќи ги предвид споменатите активности, сметаме дека „Јавниот повик за доделување на парична награда за освоен златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади (International Science Olympiad), на ученикот и на наставникот кој го подготвувал ученикот за олимпијадата“ треба да биде дополнет во делот кој ги опишува барањата за наставникот за да се овозможи тоа да може оиде не само наставник од средно училиште, туку и наставник на факултет, што е најчест случај со меѓународните олимпијади не само кај нас, туку и во големиот број држави.

Според тоа, молиме да се внесат следните дополнувања дадени со затемнет текст:

Дел 1. Услов за учество

– наставник - државјанин на Република Македонија, вработен во средно училиште или на факултет на територијата на Република Македонија, кој го подготвувал ученикот за олимпијадата.

Дел 2. Начин и рок на пријавување

- Потврда за наставникот дека е вработен во средно училиште или на факултет,
- Изјава потпишана од директорот на училиштето, деканот на факултетот или претседателот на здружението-координатор на македонскиот тим за соодветната олимпијада, дека тоа е наставникот кој го подготвувал ученикот за меѓународна научна олимпијада.

На овој начин ќе се овозможи да бидат наградени оние кои навистина биле вклучени во подготовките на учениците за олимпијадата.

Со почит и во очекување на позитивен одговор,

Претседател на CXTM,
Проф. д-р Зоран Здравковски



Претседател на СММ
Проф. д-р Алекса Малчевски



Претседател на ДФРМ,
Доц. д-р Бодје Митревски



Претседател на ЗИМ
Доц. д-р Миле Јованов



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When asked how mentors who prepare students (Doctors of Philosophy employed by state universities) can obtain their reward guaranteed by the law, the MOES explained that the problem will be overcome as it was done with the Law on Primary Education, where an amendment that regulates this matter was added.

- A reward is given to the student, the teacher and the mentor. We expect the same provision to be reflected in the Law on Secondary Education, which will soon be drafted. For the first, second or third prize or the gold, silver or bronze medal in an international competition in the field of mathematics, informatics and natural sciences, the student, the teacher who teaches the subject in these areas, and the mentor who prepared the student for the competition, are each awarded 100% of the average net salary for first prize/gold medal, 80% for second prize/silver medal and 60% for third prize/bronze medal. - explain MOES.

WHY ARE COMPLEX PREPARATIONS NECESSARY?

Associations accredited for preparation of students for international Olympiads also have employees of different profiles. These associations are most often the organizers of regional and state competitions in a particular subject, and the winners and best-placed students are those who prepare for the Olympiads. Primary and secondary school teachers prepare students for regional and state-level competitions. According to the Law on Secondary Education (Article 24-a, paragraphs 12-16), financial rewards are provided for both student and teacher for achieving a big success in state competitions.



Students are practicing for IChO at the Institute of Chemistry /

Photo: SCTM

Asked why students are preparing and working with staff at the Institute of Chemistry for the International Chemistry Olympiad, Bukleski explains that it is primarily due to issues with practical preparations.

- Most high schools do not have the conditions to carry out the experimental preparations. In some schools there are no chemical laboratories, in others there are no laboratory kits and/or chemicals, and in vocational schools (chemistry, medical school) there are no specific kits and chemicals needed. The Institute of Chemistry also happens to be missing some of the needed materials, but through collaboration with industrial businesses, we manage to get them. In some situations, SCTM also meets these needs, but there is another problem. Theoretical preparation material covers topics at the level of first and second year of chemistry studies. Sometimes the competitions present problems in specialized areas of chemistry and



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problems that are studied at higher education levels. These are advanced topics and some high school teachers have stated that they are not able to present them to students. To master certain areas, for example, requires knowledge of advanced mathematics, for which we organize special preparations at the Institute of Chemistry - says Bukleski.

LAWYERS ARE UNANIMOUS: THE LAW IS CLEAR

In consultation with legal professionals, we have obtained an interpretation of the Law, the Public Call and the request made by scientific societies to not associate the term “teacher” exclusively with secondary education institutions.

Закони

Објавено: 31 јули 2014 Посети: 202850



Консолидирани закони во надлежност на на МОН

Закон_за_средното_образование_пречистен.pdf

Закон за ученичкиот стандард

Закон за основно образование

Закон за средно образование

Закон за високото образование (нов)

Закон за високо образование (стар)

Закон за отворени граѓански университети за доживотно учење



Арбер Адеми

Министер за образование и наука

Мисија и Визија

Политика за квалитет

- According to the Law on Secondary Education (Article 24b, paragraph 3), teachers and students receive rewards. The fact that the public call uses the word “employed” is not a problem because it should be interpreted that the teacher is employed in a secondary school on the territory of the Republic of North Macedonia - this alludes to the fact that teachers employed outside the country are not entitled to such compensation. If the person is not employed then they will not be a teacher either, so I think there is no possibility for a different interpretation in this section. In the reaction to the Ministry by university professors, the term teacher is misinterpreted. Teacher titles exist only in primary and secondary schools, there is no such thing as a teacher employed in a faculty. In accordance with the Law on Teachers and Associates in Primary and Secondary Schools Article 6, paragraph 1: “The curriculum is taught by primary or secondary school teachers.” - says the lawyer.

He adds that in accordance with Article 161 of the Law on Higher Education, “(1) A higher education activity can only be carried out by a person selected in a teaching-scientific, teaching-professional, teaching or associate title for a period for which they have been elected. (5) The titles of the teaching staff at a university are docent, associate professor and full-time professor. (6) At the faculties in the field of philology and other higher education institutions where language teaching is conducted, the titles are lector and senior lector.”



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Врз основа на Член 24-б став 3 од Закон за средното образование („Службен весник на Република Македонија“ бр. 44/95, 24/96, 34/96, 35/97, 82/99, 29/02, 40/03, 42/03, 67/04, 55/05, 113/05, 35/06, 30/07, 49/07, 81/08, 92/08, 33/10, 116/10, 156/10, 18/11, 42/11, 51/11, 6/12, 100/12, 24/13, 41/14, 116/14, 135/14, 10/15, 98/15, 145/15, 30/16, 127/16 и 67/2017 и 64/18, постапувајќи по Барањето на ученикот [REDACTED] и наставникот Миха Буклески за доделување на парична награда за освоено златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади, го донесе следното:

РЕШЕНИЕ

1. Барањето, на ученикот [REDACTED] со бр. 12-10003/1 од 24.08.2018 година, доставено по објавениот Јавен повик за доделување на парична награда за освоено златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади, на ученикот и на наставникот кој го подготвувал ученикот за натпреварот од средното образование за учебната 2017/2018 година, со бр.12-7468/1 од 19.06.2018 година, **СЕ УВАЖУВА.**

2. Барањето на наставникот Миха Буклески со бр. 12-10003/1 од 24.08.2018 година, кој го подготвувал ученикот за натпреварот од средното образование, доставено по објавениот Јавен повик за доделување на парична награда за освоено златен, сребрен или бронзен медал на една од 13 меѓународни научни олимпијади, на ученикот и на наставникот кој го подготвувал ученикот за натпреварот од средното образование за учебната 2017/2018 година, со бр.12-7468/1 од 19.06.2018 година, **СЕ ОДБИВА** поради несполнување на условите од Јавниот повик.

3. На ученикот [REDACTED] Министерството за образование и наука му доделува парична награда во износ од 8.000,00 денари месечно, за период од 12 месеци за освоено бронзен медал.

за учебната 2017/2018 година, со бр.20-10158/2 од 04.02.2019 година, утврди дека ученикот [REDACTED] ги исполнува бараните услови во Јавниот повик, додека наставникот Миха Буклески, кој го подготвувал ученикот за натпреварот од средното образование **не ги исполнува** условите од Јавниот повик поради тоа што **не е наставник од системот на средното образование.**

Согласно наведеното се одлучи како во диспозитивот на ова решение.

Уставно за правно средство: Против ова решение, може да се поведе управен спор со поднесување на тужба до Управен суд во рок од 30 дена од денот на приемот.



- Hence, the term teacher, as a secondary teacher and a faculty teacher, is mistakenly equated. It is about different titles and different teaching staff that are regulated by different laws. The law is clear, and, in my opinion, the term “employed” in the public call implies that the teacher is a citizen of the country, so the public call does not apply to teachers from other countries. - says the lawyer.

In the meantime, the Institute of Chemistry is already preparing for IChO 2020. Bukleski will also be teaching extra classes this year without any compensation for his efforts or the mentorship reward that follows along with all the other mentors in this position. When asked about how he is affected by this whole process of disregard from the highest educational and scientific institution in the country, he says:



Prof. Marina Stefova and Miha Bukleski

international Olympiads, we are "wasting it all" in the search for justice and finances to help us organize all following participations in the Olympiads. Great success is not a result of the efforts of one individual (the competitor). Behind them is a team of experts (professors), support (family and friends) organizations (teacher unions and associations), institutions (faculties, institutes, schools), and opposite them all stands the Ministry of Education and Science.

- The enthusiasm, the desire for success, the need to show that we also have quality students, qualified staff and are capable of achieving great results are some of the things that help us persist and give us hope that the education in our country will be built on a strong and healthy foundation. Unfortunately, the one who should be our strongest ally in this fight for winning medals, acquiring knowledge and achieving success, seems to be our biggest enemy. The MOES with its politics and inconsiderate attitude towards us became the embodiment of injustice and the silent killer of our enthusiasm. Instead of directing our strength, skills, and will for success towards preparing students for

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