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## **Recruitment in Romanian education – exploratory research of grading, transparency and GDPR**

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**Abstract.** The purpose of the article is to outline and analyse recruitment in the Romanian education system, its instruments of communication and follow-up, its legal frame and methodologies, its results and how are they disseminated in order to protect the human resource and the professional image of the teaching staff, find solutions for a better recruitment communication and provide ideas of improving the capability of the system in finding flaws and adapting to the educational and social needs. So, we have documented the communication site for the grades, from the users` end and correlated it with the methodology`s main aspects regarding the communication, then exported a database with the grades from the two main examinations of tenure from 2019 (inspection and theoretical examination) for 30.018 candidates to compare the actual grades with the public and mass-media perception of the grades. This article is important also for following the status quo of the nowadays recruitment and acknowledging the situation, the cause for the lack of centralised data, and the improvement that can be made to better the educational policies. Our research pointed out to great discrepancies between the inspection grades and the theoretical exam grades, some GDRP blind spots, a greater protection for students than for teachers even if that means publishing securitized data of the teachers obtained during their period as students, a lack of contextual communication that adversely affects the teachers image, impossibility to follow the candidates track up to occupying the position taken that makes recruitment in educational system unpredictable and uncorrectable.

**Keywords.** teachers; recruitment, education, tenure, examination

### **1. Introduction**

In Romania, to get a job as a teacher, we have a tenure exam, which is called "titularizare". A concept that appeared in Romania in 1898 with Spiru Haret's law, "titularizare" has its roots in the French "titularisation" because he (Spiru Haret) had obtained his doctorate at the Sorbonne and was familiar with the French education system. Even though the law did not use this term but that of "capacity examination" to replace the "contest" in Gh. Chițu "presented by V. A. Urechia in the Chamber of Deputies at the end of April 1877" [1], the term became of large use among the candidates and mass-media.

"Titularizarea" is currently defined in the Explanatory Dictionary of the Romanian Language as both "the action of tenure and its result[2], "to appoint someone as a permanent professor in a workplace (in which he or she was previously acting on a temporary basis)" [3]

but also "competition through which a teacher can become a permanent professor of a workplace in pre-university education" [3]. The Romanian reality is that, regardless of the candidate's previous status, depending on the studies completed, he/she can take the tenure exam to fill a tenure-track position or become a substitute teacher, the grade obtained giving the possibility to choose only if the position was not previously chosen by another candidate who obtained a higher grade. The grade that allows you to choose the job is, in fact, an average and, for most candidates and jobs advertised, this average is made up of 25% of the inspection mark and 75% of the mark in the theoretical examination [4].

All grades are publicly posted online and can be viewed for 5 years, next to the candidate's names, and other personal and professional data (baccalaureate examination grades that are secret in the time of the exam are now visible for all those interested, also university average grades or if the candidate has or not religious documents or handicap degree) and it is considered that participating to the exam means, by default, the candidate agrees to have his/her data published and operated so there is no GDPR form to be signed - apud. <http://titularizare.edu.ro/2020/> official site [5].

Because these grades are not put into a context usually mass media and general public sees it in black and white, as passing grades - over 7) or failure grades - under 7) [6] even if there can be a county where with a grade of 10 a candidate has no openings in order to become a tenured professor and also other county where he/she can occupy (determined) a tenure position with a 5 because there is nobody else interested in it.

## **2. Literature Review**

We chose to start with Herbert Simon's theory of bounded rationality which suggests that humans make decisions in a partly irrational way because of our cognitive, informational and time limitations. Recruitment decisions make no difference. Tenure exam is being held at national level, sometimes with more than 30.000 candidates all at once, on different subjects and in areas developed differently so where candidates have different professional options, some way better paid than the national established teacher salary. Some candidates are already in the system as substitute teachers, other have different professional background and others just finished studying, some have children, some do not and this impacts on how and how much they study, some depend exclusively on the job in the educational system, others have better paid offers, some had a bigger grade in last year tenure and can use that one in order to keep the job they have instead in starting from scrap in a newer place – all these contribute to the final grade and the job they will occupy and all there are variables not taken into consideration when evaluating the overall preparation of teachers. Our candidate's rationality is different because the employer's needs are different from region to region, albeit is the same system employing. Even the best rational decision could not fit all needs and specifics.

In 2021 Guthery and Bailes prove that in USA the type of tenure the principal has, impacts on the stability of the teachers [7]. In Romania you can get life tenure and, if you become a principal, it is place related and when a candidate loses the directorate, he/she becomes a teacher again, in the same school so how can this information be valuable for us? Can we extend the information and conclude that a stabile principal with a constructive managerial style is relevant not only for retention but for attracting new candidates when the principal has no official say in hiring, only the grade does? Both Andone [8] and Kiru [9] have analysis on the Romanian Tenure exam and while the first one compares the organizational rules and the obligations and benefits coming with the job in different European country, the second one mark the emotional and developmental importance of the exams and then corelates

the grades obtained by 147 subjects in the tenure exam with the later evolution in the system and level chosen to teach in. Spatarelu [10] has a similar view and appreciates that the educational system is one in which youths have direct access and proceeds to develop the situation in which a candidate can be after taking the exam. This research takes into consideration 1641 candidates and, this number is established after excluding all those who abandoned the exam and puts the grades in three categories: lower than 5,00, 5,00-7,00 and at least 7,00. The ones with at least 7,00 are mentioned as "obtained the right to have a permanent teaching position". Because this analysis is only on Pedagogy of Primary and Preschool Education Faculty graduates and pedagogical high school graduates, we can assume that there were enough jobs and all of them signed undetermined working contracts, but we must mention that there are many other types of teachers (teaching History, French, Geography, etc.) that are not as lucky even with grades over 9,00. Rural job attractiveness for young candidates is given by their membership to the community [11] so the better their original education was, the better are the teachers that now the community has. Amazing research on the teacher's status – that can influence the way we are doing or should be doing recruitment, has Patroc [12] in which he concludes that teachers are better because they are "indeed, more open to cultural diversity and more tolerant than the majority of the general population" [12]. Meanwhile there is research that shows that "teachers still dictate the content of their discipline, value mot-à-mot reproduction of content taught, accept learning without understanding" [13] and this "indoctrinated teaching and learning behaviors are highly rated by the participants" [13]. Another important finding links the results obtained by 7th graders in PISA evaluation to the grades obtained by the teachers in the tenure exam [14] while researching on the dropout rate of those enrolled (so, real dropout is higher because there are some who dropout before enrolling). But they do find the reasons for poor preparation in tenure exam:

1. "The hope of solving the candidates' problem is low, because the number of tenured positions put up for competition is very small compared to the replacement positions and the large number of competitors.
2. At the same time, the system of distribution on temporary positions severely prioritizes the choice but is very tolerant in case of need for positions not desired by those with high grades; the occupation of critical positions is not particularly stimulated" [14].

3.

### **3. Methodology**

Our aim is to lessen the damage made on the professional identity normalizing these grades by comparing, analysing, and putting it into context of recruitment and developmental cost-benefit strategies.

Our objectives are:

1. To present the steps and the communicational tool of the exam
2. To put into context the "alarming" numbers of absentees.
3. To show and analyse the distribution of grades.
4. To recommend some specific measures that could presumably benefit the entire system.

Our exploratory hypothesis are:

1. H1: The communicational tool of the exam and the methodology can encourage and explain the proportional number of absents.
2. H2: The grade distribution is close to normal.

Because this is exploratory research, we are trying just to see the tip of the iceberg and hope to find enough data to explore further on later research.

We will have two main methods:

1. Direct documentation and analysis of the database and GDPR regulations on the Examination Methodology and official tenure exam page [5].
2. Statistical evaluation of absence and grades, quantitative analyses.

As this research was started in February 2022, when we started collecting data, we will refer to the tenure exam held in 2019, this being the last year in which both the classroom inspection and the theory exam were held, absenteeism in both tests being relevant. By May 2022 the COVID-19 pandemic had stopped classroom inspections and candidates thus sat only the theory exam [15]. The data exported from the Tenure official website [5] – was moved, between the time of data collection and the time of writing this article, from the Siveco platform to that of the Ministry of Education with minor layout changes [16] so we do not claim to be exhaustive but rather we can say that we worked on a representative sample of 30.018 candidates with validated forms, for which we were able to collect data in a unitary format. On this sample we have applied formulas and filters to find out a series of relevant information in the recruitment process of teachers or which, as a rule, are the basis of misinformation in the national or local media.

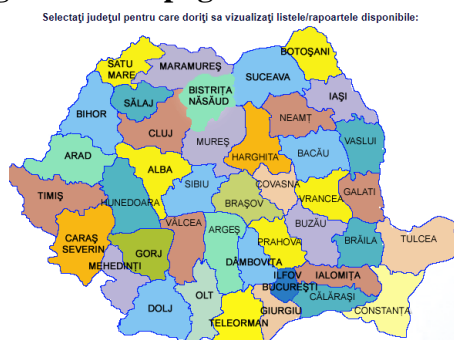
#### 4. Results and Discussions

##### 4.1. Exploratory review of the official tenure platform and GDPR regulations

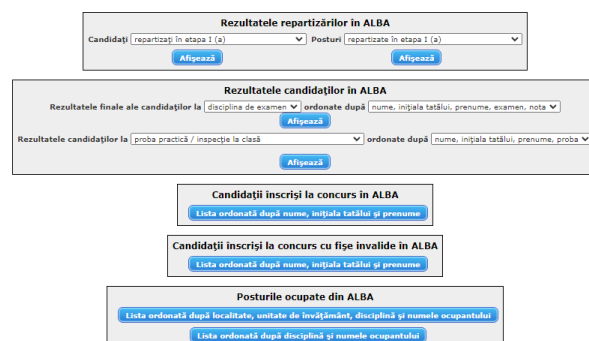
So, after entering on <http://titularizare.edu.ro/> [5] we notice that, although the initial map is promising along with the possibility of selecting the county, which confirms the decentralization efforts made in the system, the site itself leaves something to be desired in terms of efficiency. Intuitive for the average user, dividing the information base into 41 sub-categories (counties) decreases the chances of spotting errors that could help improve recruitment at the macro-level, whether they relate to the wording of subjects or the possibility of offering chairs in disadvantaged areas of other counties to interested candidates.

If, from the candidate's perspective this option is useful, as it facilitates the effort to identify competitors (from the same county, in the same subject) in order to assess as accurately as possible the possibility of obtaining the desired post or to know as accurately as possible the other possible options (for study, transport, accommodation possibilities, school facilities, etc.), from the perspective of the Human Resources analyst who is looking for solutions for the mobility of candidates from university counties to disadvantaged areas, this organisation may prove counterproductive. The purpose of the platform that centralizes the data of tens of thousands of candidates annually should be to serve the candidates but also the system to which it belongs.

**Figure 1: First page of the tenure site.**



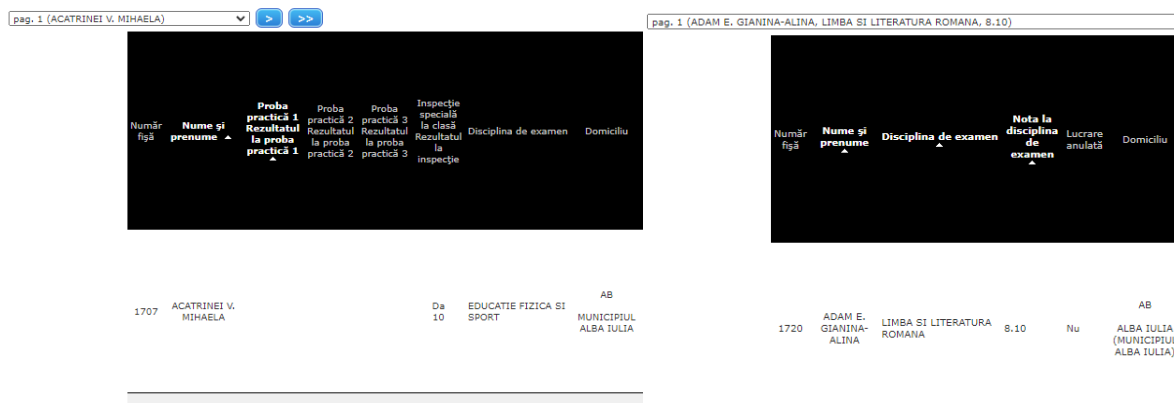
**Figure 2: Aspect of searching engine.**



Although it is obvious a high degree of transparency and the names of candidates and other professional data are unclassified (e.g. baccalaureate exam marks), the website <http://static.titularizare.edu.ro> is built in such a way that it is not possible to easily and uniformly follow the candidate's path (whether we are talking about searching by file number or by name) from registration to occupying the position (full tenure or substitute) or leaving the recruitment process. The structure aims at a refinement from the general to the specific, which is a strong point, but it does so by breaking up the information (taking it out of context and making it unrelated) complemented by a high degree of repetition of information related to the candidate's history (this is practically repeated in all sub-categories where new information/notes appear or information already published is reorganised according to other criteria).

None of these lists covers the area of mystery and lack of correlation given by the workplaces taken by candidates using grades from previous years, for example, or others taken in continuity with previous marks but also other situations (justified and logical, but nevertheless particular and without clear traceability for outsiders, possibly for future candidates). The way this database is structured does not allow to follow a recruitment pathway that could improve the assessment situation at entry into teaching, could signal specific situations, reduce risks, better allocate the willing and available human resource rather than direct it towards a quick EXIT and professional reorientation/failure or at least could highlight that absenteeism is a strategy rather than a failure and does not imply abandonment of the teaching career. It would be useful to have a centralized list (organized by file number) that contains all the information centrally from the validation of the file with all the information in the file, going through all the grades taken (practical test, classroom inspection, written exam), average obtained, and position held.

### Figures 3&4: Differences between class inspection grade page and written exam grade page



Număr fișă	Nume și prenume	Proba practică 1 Rezultatul la proba practică 1	Proba practică 2 Rezultatul la proba practică 2	Proba practică 3 Rezultatul la proba practică 3	Inspecție specială la clasă Rezultatul la inspecție	Disciplina de examen	Domiciliu
1707	ACATRINEI V. MIHAELA					EDUCATIE FIZICA SI SPORT	AB MUNICIPUL ALBA IULIA
1720	ADAM E. GIANINA-ALINA					LIMBA SI LITERATURA ROMANA	AB ALBA IULIA (MUNICIPUL ALBA IULIA)

Given the way this centralisation is done - with individual relevance and, at best, offering the subjective possibility of evaluating a place in the tenure ranking against higher-scoring counter-candidates - it becomes justifiable for the way the media accesses and communicates truncated information [6] that does a disservice to the generation evaluated by tenure, whether they are already in the education system (qualified or unqualified substitutes, tenures who want a change of field or position) or come from outside (without previous status or employed in other fields of work ).

The lack of reports generated to the public, with assumed data and placed in context, in real time, is difficult to excuse in the post-pandemic period and in the context of the explosive

digitisation that has taken place. So, while it may be understandable in July 2019 (at the time of the last tenure exam with pre-pandemic inspection) it is no longer justifiable in November 2022 (date of writing) when the digital format remains (almost) the same. Hundreds of thousands of teachers have individually digitized their lessons, held almost 2 years of online lessons intermittently, adapted and grown while their evaluation is centralized and communicated in the same way.

All this information published as mentioned above, although it can be made public and is relevant for filling posts and creating a hierarchy/departmentalisation, should not be able to be associated with candidates' names publicly even if the "processing" is done for "the legitimate interests pursued by the controller" [17] because it is not only processing but also publication and current practice offers alternatives that do not affect transparency or the results pursued by the controller through publication but still protect the image of the candidate. We have examples both in the Baccalaureate exam, in the Bar Examination and even in POCU projects when awarding doctoral scholarships.

Now, (Nov 2022) the Tenure Methodology does not contain a GDPR form (although signing it in this case does not only concern the processing of personal data but also their publication, giving free access not only to other candidates but to the public, practically anyone).

According to the legislation in force, "the institution must offer the individual the possibility of not accepting the GDPR agreement without there being any negative consequences" [18], therefore, the candidate should have the possibility to refuse the conditions of publication of personal data, at least those related to the nominal mention because transparency really requires the publication of data influencing the filling of the post (as average or selection criteria) and still be able to register for the exam. As far as we can see on the website and also know from directly asking candidates, no non-nominal candidates appear and no GDPR agreement has been signed for any of those who appear with published data, treating the Methodology as a tool to inform about this condition.

Therefore, the GDPR legislation is not infringed because the participant is informed in a general document, and the processing/publication is justified by the purpose of the legitimate interests pursued by the operator. But this does not mean that this processing/publication could not be done with more care for the candidate and his/her interest/image. One may wonder to what extent the awareness of the publication of all the data in association with the name of the person represents a psychological barrier to his/her registration for the examination and is, indirectly, a violation of the right to work (since the Methodology of tenure does not allow participation in the examination for those who do not wish to see their data published by name), when there are solutions to respect the principle of transparency that coexist with the mentioned legislation. There would be no problem if all the data were public except for the candidate's name, and instead there was a code with a secret association. The existence of this code does not eliminate the file number, whether we are talking about a numeric or alpha-numeric code. Code-name matching can also be done by issuing QR codes (printed on any printer) to participants, which they can present at the public hearing, a technology already implemented in some hospitals.

In conclusion: the way the digital communication of the results of the tenure exam is done, although a step forward from the publication pasted on the notice board of the County School Inspectorate, shows characteristics of the transition area, more precisely disadvantages of both eras (pre-digitization and post-digitization). These can be resulted as follows:

1. lack of an overall vision to improve the recruitment system,
2. lack of effective communication of information put in context and interpreted correctly and transparently,
3. publication of data classified in previous examinations (e.g., Baccalaureate Examination grades) and direct association of the grade with the person's name,
4. lack of horizontal transparency and assessment of the recruitment route,
5. lack of inter-county cooperation, especially for the benefit of disadvantaged areas and candidates who are unemployed despite a good grade in highly competitive counties.

The non-unitary development of the system has failed to protect both essential resources at its disposal and decided to focus only on students, or such "modernization" should consider a mirror development for both students and former students, current teachers.

We would like to emphasise the importance of the barrier, or rather the psychological pressure, that arises from the realisation that everything will be public, and the candidate's future pupils will have access to this information, in a truncated, statistically uncorrelated, and qualitatively interpretable format. It is easy to judge the results of an exam as disastrous when you yourself have never taken it and have no clear (ideally visual) picture of where the candidate ranks among his or her counter-candidates, how difficult the exam is and what the exam assesses. And finally, the lack of protection given to the candidates encourages them to better become absentees than get a lower grade, lower meaning any value that is under the candidate's personal standards and evaluation and this is why candidates enter the exam, see the subjects, and then leave, choosing to be marked as absents – **our 1st hypothesis is confirmed** - the communicational tool of the exam and the methodology can encourage and explain the proportional number of absents. A better database, with online personal registration might have mini questionnaires helping us find out for sure but this will do for our exploratory study.

A digitised system characterised by a lack of automatic exportable reports, filled with relevant data, and correctly framed in context, is complicit with the journalist commercially disseminating correct data put into an (un)advantageous and unofficial context. Also, if we protect the student's identity in publishing their grades, we could do the same for our teachers, especially because the teachers are former students, and their grades and full history is now visible for anyone to interpret.

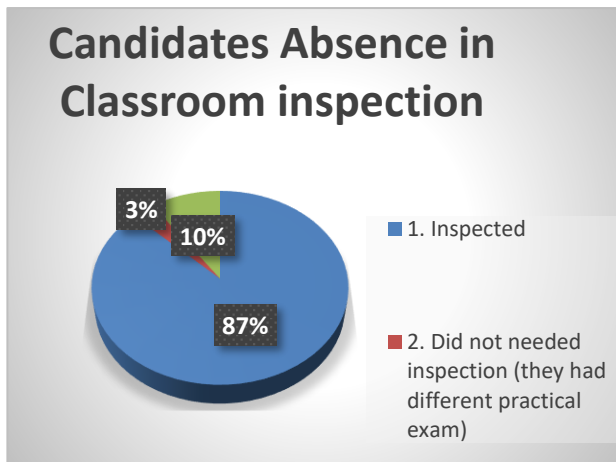
#### **4.2. Statistical evaluation of absence and grades, quantitative analyses.**

To export the data, we used specific data scrapping forms in Google Docs. Data extraction took 24 days with 8-10 hours of work per day. After the systematic extraction followed manual checks and manual correction of multiple errors caused by different/unstandardized "definition" of parameters. The errors led to the elimination of some candidates or to manual corrections were also caused by the non-standardised way of data layout: a column has between 1 and 12 internal rows, no visual separator, no internal symmetry (other than from candidate to candidate), for missing data sometimes N/A appears, sometimes only blank space or "-" without this different coding reflecting a different situation.

#### 4.2.1. Absenteeism

##### A. Class inspection:

**Figure 5: Visual representation on presence in classroom inspection**



**Table 1: Presence in classroom inspection**

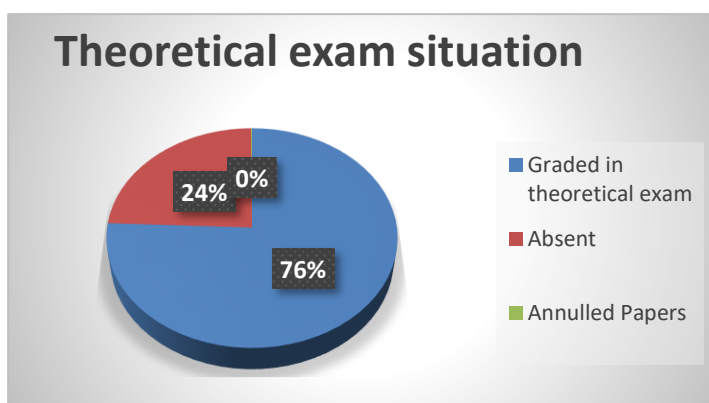
Category	No
<b>1. Inspected</b>	26185
<b>2. Did not needed inspection (they had different practical exam)</b>	935
<b>3. Absentees</b>	2898

##### B. Theoretical exam

In the theoretical exam there is a large number of absentees if we only read the number and do not analyse it in context. More precisely, out of the 30018 candidates in the database, there are 9535 people registered and validated who do not have a mark in this test. But 2898 also missed the inspection so even if they wanted to, they could not have taken this theoretical exam.

Secondly, as the methodology tells us: "candidates who do not obtain a minimum mark of 5 (five) in the special classroom inspection or in the practical test cannot take part in the written test" [4] so we identify another group that is not entitled to take part in this examination without the lack of a mark being equated with an absentee/failure. 84 candidates scored below 5 in inspection, in 2019.

**Figure 6: Visual representation on presence in theoretical exam**



**Table 2 Presence in theoretical exam**

<b>With wright to participate</b>	27036
<b>Graded in theoretical exam</b>	20451
<b>Absent</b>	6553
<b>Annulled Papers</b>	32

Specifically, out of 30018 candidates registered and validated, only 27036 are entitled to attend the inspection so the number of real absents decreases from 9535 to 6553 and the group situation is as in Fig. 5 and Table 2. Still 24% is a great number of absentees if we don't take into consideration that they are candidates for a job with professional background and other options:

1. For substitute teachers: staying in the system by prolonging the contract signed last year, with that grade [4], according to the provisions of teacher mobility.
2. For tenure teachers: keeping the current in-system job.
3. For employed in different domain: keeping the current outside-the-system job,
4. For all of them: getting a different, better paid job offer in the 2-3 months time duration of system recruitment.

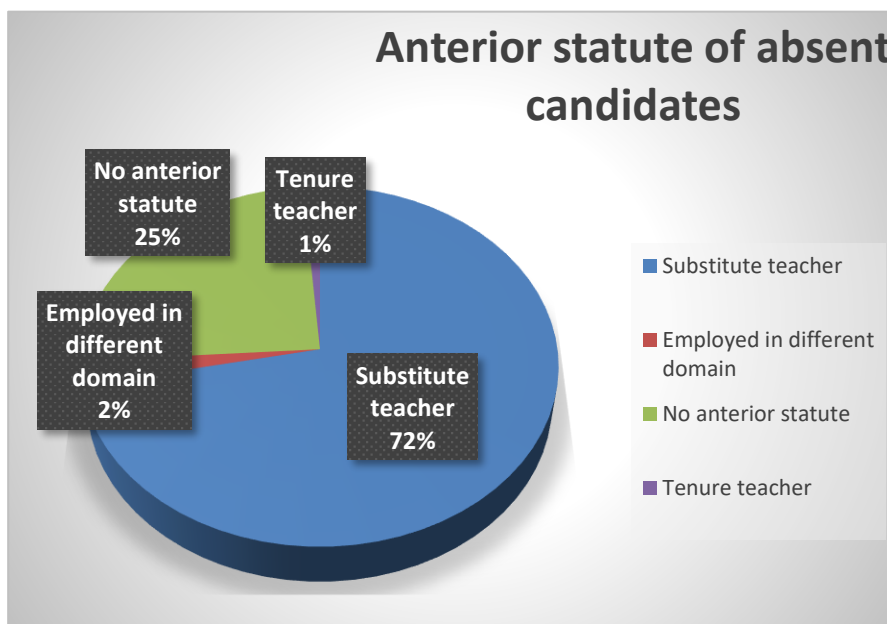
Absence does not mean failure, it can also mean different options, and to evaluate those, let's look at the previous status of absentees. We already shown that out of 9535 noted absents, 2898 are common for both inspection and exam (because one cannot participate inspection without exam) and are counted twice (one absence on inspection, one in theoretical exam) when reported, so, after eliminating this error, we will evaluate a total number of 6637 out of 30018 candidates from our database and the data looks like this:

**Table 3: Anterior statute of absent candidates**

Anterior statute of candidate	Inspection nr. of absentee	Theoretical exam no. absentee excluding the inspection absentee	Total absentee on each category
Substitute teacher	2083	4763	6846
Employed in different domain	64	143	207
No anterior statute	719	1643	2362
Tenure teacher	32	88	120
<b>TOTAL</b>	<b>2898</b>	<b>6637*</b>	<b>9535</b>

\*Out of which we must subtract 84 – the number of those with under 5 grades at inspection and we get the 6653 real number of absents

**Figure 7: Anterior statute of absent candidates**



As we can see, 73% of candidates are already in the system and the odds are that their recruitment is not a failure, but they decided what was best to retreat, taking into consideration the jobs currently available and the perceived difficulty of the subjects and their own current preparation.

A special attention we must pay to the annulled papers. This situation appears

only when there is suspicion of fraud. Even if the number of annulled papers is fairly small

compared with the total number of candidates examined it always raises ethical and moral biased philosophical discussions. We will only mention that there are suspects of fraud as follows:

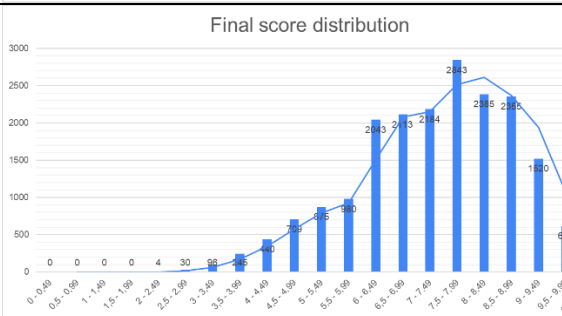
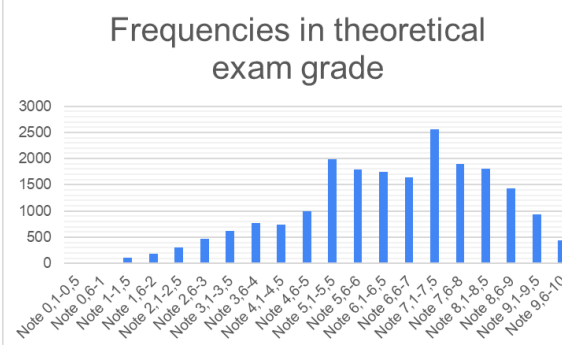
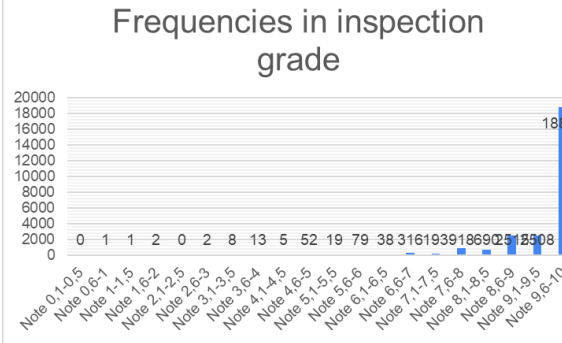
1. 6 – each for English Language and Literature and Romanian Language and Literature
2. 3 – for Biology
3. 2 – each for Medical Assistance, Mechanical, French Language and Literature
4. 1 – each for Visual Arts (Art Education / Visual Education), Civic Culture and Social Education, Physical Education and Sport, Philosophy and Logic, Argumentation and Communication, Geography, History, Latin Language, Romanian Language and Literature - elements of school pedagogy and elements of general didactics applied to primary school subjects, Environmental Protection, Special Education and Orthodox Religion.
- 5.

#### **4.2.2. Grade distribution**

It is seen below that these grades show that the final score distribution is normal, and the gauss bell has not its middle around 5, but around 7, with most of the grades over five. The theoretical exam grade shows a bimodal distribution which coincide with the most frequent grade-thresholds used in defining the recruitment as a success or not. And finally, the inspection grade, even if is only 25% of the finals score, shows that it evaluates totally different aspects than the theoretical knowledge and, maybe, one can be an amazing teacher in front of the children without knowing the specifics demanded in theoretical exam? Hard to tell what this huge difference between the practical/inspection grades and the theoretical exam grades shows us and it is not to be explored further in this study. It is visually confirmed that not only the grade distribution is close to normal, but the grades are in the upper side of the distribution (the grades are good grades, unlike promoted in the media), so the **1<sup>st</sup> hypothesis is confirmed**, as seen below:

**Table 4: Centralization of grade distribution in Tenure exam - 2019**

Grade interval	Inspection grades – 25% of the final score		Theoretical exam grade – 75% of the final score	
	No.	%	No.	%
1-1,5	1	0,00381898	113	0,5525402
1,6-2	2	0,007637961	190	0,9290499
2,1-2,5	0	0	311	1,520708
2,6-3	2	0,007637961	478	2,337294
3,1-3,5	8	0,030551843	617	3,0169674
3,6-4	13	0,049646744	774	3,784656
4,1-4,5	5	0,019094902	742	3,6281844
4,6-5	52	0,198586977	998	4,879957
5,1-5,5	19	0,072560626	1986	9,7110166
5,6-6	79	0,301699446	1793	8,7672974
6,1-6,5	38	0,145121253	1743	8,5228106
6,6-7	316	1,206797785	1641	8,0240575
7,1-7,5	193	0,737063204	2557	12,503056
7,6-8	918	3,505823945	1902	9,3002787
8,1-8,5	690	2,635096429	1801	8,8064153
8,6-9	2515	9,604735536	1428	6,9825436
9,1-9,5	2508	9,578002673	940	4,5963523
9,6-10	18825	71,89230475	437	2,1368148



## 5. Conclusions

Failure in recruitment is when a job remains open or unoccupied putting pressure on others (in this case teaching colleagues, students, parents), from one point of view and also, when somebody does not occupy the wanted position, from another point of view – but this might be the case even for those who got tenure but lost better options that were taken in the open meeting by candidates with better grades. It is possible in some county, with lower economic level and on specific subjects, a candidate can obtain 10 at tenure exam but still have no available tenure position or even supply position. In other county a tenure position is occupied (for a determined period but with possibility to expand contract) by a candidate with a grade in theoretical exam lower than 3 because nobody is interested in going in that specific socio-geographical area. So, success in Romanian Education Recruitment is not given by a grade inside a specific grade interval but rather by other subjective factors between getting the wanted tenure job, getting tenure in one's commute possibilities or getting any job within the system.

For a better recruitment in the system, we recommend respecting candidates at least as much as students mainly because they are all former students, and mostly good ones. And this

would mean protecting their identity, offering the advantage of self-individual accounts in which documents and papers could be uploaded, minimising the effort in providing documents the system already has because the candidates are demanded documents issued by the same Ministry (electronical confirmation with the archives), transparency of the grades without nominal association, transparency of the whole recruitment process in seeing clearly what nameless code associated candidate obtained what type of job with what grades/score, digital distribution of jobs with an generous options form (including intercounty marginalised and disadvantaged areas in the pool of options for those available to relocate), the possibility to file an appeal electronically on the association between a candidate and the job obtained finalised with report of counter candidates options and whole process of selection for that specific job, exchange possibility, mini questionnaires for improving the system and finding out reasons and profile candidates and finally but really important, report exports with real time objective and correct data on the national recruitment situation addressed for the general population and mass-media.

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