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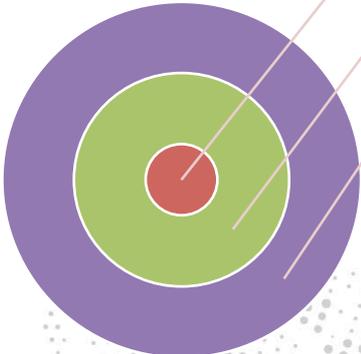


Professional Profile for Teachers in Russia: Legal Framework and Practice

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Law-terms



- Teachers
- School pedagogical employees
- Pedagogical employees

Pedagogical employees of public educational institutions are not civil servants.

2



Law-terms

PEDAGOGICAL EMPLOYEE is a natural person who consists in labor or official relations with an organization engaged in educational activities, and performs the duties of training, education of students and (or) organization of educational activities*.

*Art. 2.21 of Federal law of 29.12.2012 № 273-FZ "On education in the Russian Federation"

3



Requirements Imposed to Pedagogical Employees or Candidates

- to the level of education
- compliance with qualification requirements
- health status
- to the morals and to the absence of a criminal record

4

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Requirements to the Level of Education

- secondary professional education
- higher education



5

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Requirements to the Level of Education

Any of the three options is possible for teachers:

-  pedagogical higher education or secondary vocational pedagogical education;
-  secondary vocational or higher education on the profile of the taught subject;
-  any secondary vocational or higher education in the direction of activity at school.

6

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Requirements to the state of health

 Preliminary medical examinations at employment, and further annual medical examinations are compulsory.

 The specified medical examinations and psychiatric examinations are carried out at the expense of means of the employer (Art. 213 of the labor code).

7

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Requirements no criminal record

 According to article 331 of the labor code for teaching activities not allowed to persons having or had a criminal record for a number of crimes.

8

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Requirements to the moral image

In addition to the above requirements, the Russian legislation does not impose other requirements on candidates for pedagogical employee positions, including the absence of prior to hiring immoral behavior.



9

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Requirements to the moral image



Article 81.8 of the labor code provides as one of the grounds for termination of an employment contract on the initiative of the employer commission by an employee performing educational functions, immoral misconduct incompatible with the continuation of this work.

10

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Conditions for dismissal for immoral misconduct

- the employee must perform educational functions
- an immoral act must be committed
- committing this offense is incompatible with the continuation of this work

11

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Practice: Canadian case

The Supreme Court's decision in *Caldwell et al. v. Stuart et al.* (1984):

Margaret Caldwell had been employed by the Catholic Public Schools of Vancouver Archdiocese, but her contract was not renewed after she married a divorced man in a civil ceremony. The court ruled that this was allowable under the British Columbia Human Rights Code.

12

Practice: Russian case

Appeal decision of the Krasnoyarsk regional court in the case of 16.04.2012 No. 33-2225



Since the plaintiff, being first and foremost a teacher, that is, a person engaged in upbringing activities in respect of persons who are trained by her, regardless of their age, should be an example of decent behavior not only at work but also at home and in public places.

13

Practice: Russian case

Appeal determination of the Altai regional court of 27.08.2014 No. 33-6014/14



Since the plaintiff does not pose an absolute threat to the life, health and morals of juveniles (school students), the measure of influence applied to him in the form of dismissal does not meet the objectives of the state protection of the rights of minors, and is therefore disproportionate to the severity of the offense.

14