

## KNOWLEDGE OF THE LAW AND PROFESSIONAL ADVANCEMENT OF CATHOLIC RELIGIOUS EDUCATION TEACHERS IN POLAND

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**Abstract.** In the 2022/2023 school year, changes were made to the education law in Poland, which affected the rules for the professional advancement of teachers, including those teaching Catholic religion and other religious denominations. Therefore, the aim of the article is to examine (i) to what extent have Catholic religious education teachers familiarised themselves with the education law in previous professional advancement procedures, and (ii) what formal-legal obligations and pedagogical challenges may arise when planning their professional development in the new procedure. Recent research shows that Catholic religious education teachers in Poland have extensive knowledge of education and religious law. There is a clear link between teachers' career paths and their knowledge of the law. Many good practices have been developed in cooperation between pedagogical supervision units and individual dioceses.

**Keywords:** education law; professional advancement of teachers; catholic religion teacher

### INTRODUCTION

*Ignorantia iuris nocet* is not only a well-known legal maxim expressing one of the fundamental principles of law, derived from Roman law, but also a challenge for thousands of Catholic religious education teachers in Poland. They cannot claim ignorance of educational and religious law; instead, they must have a good understanding of it while working in schools. In the 2022/2023 school year, changes were made to the educational law in Poland, affecting the rules for the professional advancement of teachers, including those teaching Catholic religion and other religious denominations. The Chair of Catechetics and Contemporary Forms of Faith Communication at the Catholic University of Lublin (KUL) conducts research on the legal status of Catholic religious education in schools, building on the research conducted by Professor P. Stanisław from the Chair of Religious Law at KUL. The historical-legal perspective includes a detailed examination of the history of religious education in Poland [Kiciński 2005, 331-66], while the legal-pastoral perspective involves the study of contemporary

normative acts related to Catholic religious education [Goliszek 2020, 177-95]. A specific area of research at the intersection of law and catechetics focuses on the goals and implementation of professional advancement for religious education teachers, developed based on empirical research [Kiciński 2008; Gałań 2012]. The state of research on the professional advancement of teachers in Poland has been the subject of various thematic reports, including those from the Supreme Audit Office (NIK),<sup>1</sup> the Educational Research Institute [Federowicz et al. 2013], and individual researchers such as A. Wilkomirska [Wilkomirska 2011], R. Skawiński [Skawiński 2020], and W. Janiga who focused on the professional advancement of Catholic religion teachers [Janiga 2003].

The realization of the research aim required appropriate research methods, which are interdisciplinary in nature. Interdisciplinarity is seen as a necessity in research related to educational law and pastoral theology, particularly catechetics, which is responsible for acquiring qualifications for the profession of religious education teacher in school and the concept of their further professional development. It is important to consider that the research is influenced by a specific socio-cultural and ecclesiastical context [Chmielewski, Nowak, Stanisław, et al. 2022, 11-14]. In the field of educational law, a dogmatic method was applied, involving logical-linguistic analysis and the interpretation of legal texts [Izdebski 2021]. In the catechetical field, a critical analysis of sources, both primary sources related to the mentioned doctoral work, which used diagnostic survey as a research technique, and secondary sources from available literature, was initially employed. Finally, commonly used methods, such as analysis and synthesis, were applied.

The main research hypothesis aimed to ascertain that Catholic religious education teachers in Polish schools, in conjunction with their professional advancement, gain a good understanding of educational law [h-1]. Subsequent hypotheses concerned the belief that by completing training periods for successive advancement stages, they also become acquainted with in-school regulations [h-2], but new rules may pose challenges in planning their own professional development [h-3]. Therefore, the aim of the article is to answer the following questions: to what extent have Catholic religion teachers become familiar with educational law in previous advancement procedures, and what formal-legal obligations and educational challenges may arise in planning their professional development in the new procedure?

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<sup>1</sup> See Najwyższa Izba Kontroli, *Informacja o wynikach kontroli: System awansu zawodowego nauczycieli*, ref. no. KNO.430.005.2018, no. 113/2017/P/17/027/KNO, Warszawa 2018.

## 1. RECEPTION OF PROFESSIONAL ADVANCEMENT ASSUMPTIONS BY CATHOLIC RELIGIOUS EDUCATION TEACHERS AFTER THE FIRST DECADE IN LIGHT OF EMPIRICAL RESEARCH

Professional advancement stages for teachers were introduced in Poland in 2000.<sup>2</sup> The primary objective of implementing these advancement stages was the professional development of teachers, which involved acquiring increasingly higher qualifications, as well as pedagogical and organizational competencies. After the return of religious education to schools in Poland in 1990, Catholic religious education teachers and instructors made significant organizational and formative efforts to adapt their teaching and educational activities to the new educational and pedagogical reality. From the outset of the introduction of professional advancement stages, they fully engaged in this process of professional improvement. During this time, the teaching departments of various Polish dioceses ensured, to the best of their abilities, that teachers of Catholic religion could familiarize themselves with educational law and receive support for the development of their competencies through the organization of scientific symposia, training, and direct involvement of their employees to harmoniously align educational law with the Church's mission in this area.

Ten years after the introduction of the professional advancement procedure, empirical research was conducted among Catholic religious education teachers. The primary goal of this research was to answer questions regarding the extent to which the assumptions presented by the Ministry of National Education in the Teacher's Charter Act and in various regulations concerning professional advancement had the intended effect and how they were practically implemented by the teachers of religious education. The research covered Catholic religion teachers from randomly selected Polish dioceses: Elbląg, Kielce, Lublin, Tarnów, Siedlce, Rzeszów, and Zielona Góra-Gorzów. Pilot studies involved 98 teachers, while the main research included 533 individuals who completed surveys. After verification, 500 complete surveys were included in the calculations. The largest group consisted of lay women (72.6%), followed by lay men (13.0%), then religious sisters (9.0%), and priests (5.4%). Most of the teachers worked in primary schools (66.4%), followed by middle schools (26.8%), secondary schools (18.6%), kindergartens (6.4%) and special schools (4.0%). Their professional advancement levels during the research were as follows: probationary (2.6%), contractual (16.4%), appointed (16.4%), and certified (40.4%). The group was representative and intellectually stimulating. This was due to the fact that some

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<sup>2</sup> Decree of the Minister of National Education of 3 August 2000 on the attainment of professional advancement stages for teachers, *Journal of Laws* No. 70, item 825.

of them received advancement by law and were able to observe the efforts of others from an external perspective. Additionally, the majority (74%) had over 10 years of work experience and had direct experience with the professional advancement procedure.

For this study, the opinion of Catholic religious education teachers regarding the impact of professional advancement on their knowledge of educational law was crucial, as expressed after the first decade of its implementation. In terms of their knowledge of educational law, they were asked to what extent their decision to pursue professional advancement deepened their understanding of these regulations. The answer to this question is presented in the following table:

Understanding of educational law	N	%
Definitely, as I did not know educational law before	69	13.8%
a lot, as I knew little about the law	166	33.2%
a little, despite a lack of knowledge of the law	41	8.2%
very much, even though I knew the legal regulations	30	6.0%
significantly, even though I knew the legal regulations	98	19.6%
not much, because I knew the law	29	5.8%
not at all	6	1.2%
not applicable	54	10.8%
no response	7	1.4%
total	500	100%

Firstly, in the opinion of 67.2% of the respondents, the professional advancement procedure significantly or definitely increased their knowledge of educational law. Secondly, even among those who declared prior knowledge of educational law (25.6%), professional advancement had an impact on deepening their understanding of the regulations. Thirdly, 47% of respondents delved deeper into educational law for the first time because either they did not know it at all or knew it only to a small extent. Fourthly, only 1.2% of those surveyed believed that pursuing professional advancement did not affect their knowledge of educational law, and 8.2% of teachers stated that the impact was very minimal.

The professional advancement procedure for Catholic religion teachers also had a significant impact on their knowledge of in-school regulations, especially for novice educators.

Understanding of in-school regulations	probationary	contractual	appointed	certified	total
	N=13	N=82	N=203	N=202	N=500
definitely, as I did not know the regulations before	30.8%	29.3%	9.9%	8.9%	13.2%
a lot, as I knew little about the regulations	46.2%	37.8%	22.7%	23.3%	26.0%
a little, despite a lack of knowledge of the regulations	-	7.3%	5.9%	5.0%	5.6%
very much, even though I knew the regulations	7.7%	2.4%	6.4%	12.4%	8.2%
Significantly, even though I knew the regulations	7.7%	18.3%	16.3%	25.2%	20.0%
a little, because I knew the regulations	-	4.9%	10.3%	22.8%	14.2%
not at all	7.7%	-	0.5%	1.5%	1.0%
not applicable	-	-	26.1%	0.5%	10.8%
no response	-	-	2.0%	0.5%	1.0%
total	100.0%	100.0%	100.0%	100.0%	100.0%

In the opinion of 92.3% of probationary teachers, they acquired knowledge of in-school regulations through the professional advancement procedure. Contract teachers also claimed the influence of this procedure in 87.8% of cases. Appointed teachers, who have extensive experience in education, noted a significant or minor impact in 65.6% of cases, while certified teachers did so in 73%. These high results regarding the understanding of school regulations fully confirm the reception of the assumptions of professional advancement by teachers after the first decade, based on the research of Catholic religious education teachers.

## 2. CHANGES IN THE TEACHER'S PROFESSIONAL ADVANCEMENT PROCEDURE

On September 1, 2022, new regulations regarding the professional advancement of teachers came into effect. The Ministry of Education and Science had previously emphasized the government's intention to simplify and reduce bureaucracy in the professional advancement system, as well

as to ensure higher salaries for teachers starting their careers in schools.<sup>3</sup> The number of professional advancement stages for teachers was reduced, and the nomenclature related to teachers commencing work in schools was changed. Changes in the procedures for the professional advancement of teachers, presented in tabular form, were developed for the years 2004 and 2022. This allows for a schematic comparison of the fundamental differences.

2004	2022
First stage: Automatically <b>probationary teacher</b> – 9 months of training	A beginner teacher does not have any degree; it is a period of preparation for the teaching profession. 3 years and 9 months. Associated with job assessment (mandatory).
Second stage: <b>Contract teacher</b>	
Begins training for the appointed teacher level after working for at least 2 years	–
Third stage: <b>Appointed teacher</b> – 2 years and 9 months of training	<b>Appointed teacher</b> – 3 years and 9 months
The next stage at least after one year of work	The next stage after working in the school for at least 5 years and 9 months from the date of becoming appointed teacher
Fourth stage: <b>Certified teacher</b> – 2 years and 9 months of training	<b>Certified teacher</b>

In 2022, The Ministry of Education and Science reduced the number of professional advancement stages.<sup>4</sup> The first two stages, probationary teacher and contract teacher, were eliminated. The professional development path was streamlined to two stages: appointed teacher and certified teacher. A new period of teacher preparation was introduced, which lasts

<sup>3</sup> Chancellery of the Prime Minister, Announcement on the adoption by the Council of Ministers of a draft law amending the Teacher's Charter Act and certain other laws, <https://www.gov.pl/web/premier/projekt-ustawy-o-zmianie-ustawy---karta-nauczyciela-oraz-niektorych-innych-ustaw> [accessed: 19.07.2022]. Cf. Decree of the Minister of National Education of 23 August 2019 on the attainment of professional advancement stages for teachers, Journal of Laws, item 1650.

<sup>4</sup> Act of 28 July 2023 amending the Act – Teachers' Charter and certain other acts, Journal of Laws, item 1672. See also the related legal developments on teacher work evaluation: Decree of the Minister of Education and Science of 25 August 2022 on the evaluation of teachers' work, Journal of Laws, item 1822.

for a minimum of 4 years of work in a school. During this time, newly hired individuals are referred to as beginner teachers.

The main goal of this reform is to simplify the professional advancement path and reduce bureaucracy. Notably, the nomenclature of educational law now omits the terms “training” and “development plans,” as well as reporting on their execution. The Ministry of Education and Science places a significant emphasis on acquiring practical teaching skills and ensuring the even development of teachers throughout the entire professional advancement path, rather than just during the probationary period. Formally, the process for attaining the stages of appointed teacher and certified teacher remains unchanged, conducted through administrative proceedings. The relevant authorities responsible for granting these stages also remain the same.

A novelty in the reform is the preparation of beginner teachers as a requirement for achieving the appointed teacher stage. Instead of a probation supervisor, the role of mentor is introduced to support beginner teachers in their professional development process. Mentors are selected by the school principal from appointed or certified teachers. The mentor’s role typically lasts for 3 years and 9 months and includes a functional allowance. The mentor provides support during the preparation for the teaching profession, shares their knowledge and experience, allows the beginner teacher to observe their classes, discusses their own and others’ classes, and helps in choosing appropriate forms of professional development. The mentor also plays a significant role in assessing the beginner teacher’s work. The mentor will be present during the first assessment, conducted by the school principal, who seeks the opinions of the parents’ council and may consult the student council. Upon the beginner teacher’s request or by one’s own initiative, the principal may request opinion from the mentor or methodological advisor. Failure to provide a written opinion within 14 days by the parents’ council or mentor does not hinder the assessment process. Procedures for appealing a negative evaluation by the teacher are established. A teacher who receives a negative evaluation in the second year of their preparation for the teaching profession cannot be rehired at the same school until they attain the appointed teacher stage. Only a positive evaluation by a committee appointed by the school principal enables the teacher to proceed to the examination process for the appointed teacher stage.

New regulations also define the conditions for teachers applying for the certified teacher stage. A teacher must work in a school for at least 5 years and 9 months from the date of receiving the appointed teacher stage. The teacher does not undergo training, but in the last year before applying for the qualification procedure, they request an evaluation of their work from the school principal. Detailed criteria for this evaluation are prepared, covering the last 3 years of work. These criteria currently focus on improving

teaching techniques, knowledge-sharing abilities, the utilization of active teaching methods, and multimedia tools that facilitate the learning process. Teachers are expected to complete at least one of five tasks: mentoring, supervising pedagogical practices, or other tasks aimed at improving the school's quality, particularly for children and youth with special educational needs; developing and implementing teaching, educational, or instructional innovations; authoring a textbook or publishing an original article in a professional journal; conducting periodic training sessions; and conducting and analyzing educational research. Notably, the Minister of Education and Science's regulation concerning the assessment of teachers' work reintroduces the criteria set at the regulation level. However, it introduces a division into mandatory and additional criteria. The evaluation of teachers' work must consider all mandatory criteria and two additional criteria, one selected by the assessed teacher and one by the evaluating school principal.

The school principal determines the level of meeting all the criteria for work evaluation, which includes, for example, a score of 0 to 30 points for the substantive and methodological correctness of conducted teaching, educational, and care activities. What's essential in the end is the percentage, which reflects the rating:

distinction	from 90%
very good	75-89.99 %
good	55-74.99 %
negative	below 55%

One of the four conditions for granting a teacher the title of certified teacher is to achieve at least a very good rating for work performance in the last year before applying for the qualification process. Other conditions include meeting qualification requirements and working in a school for the required period. The fourth condition is obtaining the approval of the qualification committee, which, based on an analysis of the teacher's professional achievements and a conducted interview, assesses the teacher's compliance with the requirements regarding the implementation of educational tasks or actions for the benefit of education and their effects.

Other novelties are related to new criteria for assessing the work of school principals, professional advancement system for teachers in schools abroad, a reduction in training time for teachers with at least 10 years of experience, and an increase in teacher salaries. However, these aspects are not covered in this study but could certainly serve as a scientific basis for further research on the knowledge and understanding of educational law in the planning



of teacher advancement procedures, in which Catholic religious education teachers in Poland are actively involved.

### 3. DISCUSSION AND CONCLUSIONS

The reception of the assumptions of professional advancement system among teachers, as seen in the studies of Catholic religious education teachers and subject literature, has shown a significant increase in the knowledge of Catholic religious education teachers in Poland regarding educational law. It has also had an impact on the quality of professional development among teachers, particularly in the areas of teaching, education and care. Empirical research confirmed the first two research hypotheses (h-1, h-2) concerning the connection between knowledge of the law and the professional advancement of Catholic religious education teachers in Poland. In the initial years of implementing the system, Catholic religious education teachers declared that they had gained knowledge of educational law significantly (13.8%), a lot (33.2%), and substantially (19.6%), and only a few (1.2%) claimed that they did not acquire it. The second hypothesis also proved valid, confirming the logical assumption that most Catholic religious education teachers would become acquainted with internal school regulations during their probationary periods. Only a few teachers declared that they did not become familiar with school regulations during these periods: probationary teachers (7.7%), contract teachers (0%), appointed teachers (0.5%) and certified teachers (1.5%). The assumptions and implementation of professional advancement among Catholic religious education teachers greatly contributed to their understanding of educational law. It undoubtedly enabled a deep understanding of the organization, tasks, and principles of school functioning to achieve professional development and fulfill the teaching mission effectively in the school.

The third research hypothesis (h-3) concerning the new rules of professional advancement and the potential problems in planning one's professional development arises from the analysis of current practice and the use of a dogmatic method related to logical-linguistic analysis and the interpretation of legal texts. The assumed and desirable debureaucratization of the professional advancement path in education entails the abandonment of training period, development plans and reports. This can create difficulties for school principals and mentors. If a novice teacher does not plan something specific or plans and changes their decision, it will be challenging to later assess, for example, what teaching methods, work forms and required individualization of teaching they implemented, and where they may have improvised dangerously. The lack of any documentation could pose a problem for members of future evaluation committees. The regulation

states that, in the case of Catholic religious education teachers, they are legally guaranteed not to be evaluated on the merits of the teaching content, which falls under the competence of the designated Church authorities, and these authorities have trained personnel to verify the correctness of theological teaching and its alignment with the program for Catholic religious education.

With the departure from formalized but precisely defined sets of documents, the committee will need to focus mainly on evaluating at least 1 hour of observed classes. The director or secretary of the committee will then need to document that, during the teacher's preparation for the profession, the person being evaluated gained an understanding of the school's organization, tasks, and operating principles. Someone must prepare documented proof of the candidate's participation in activities related to the school's statutory teaching, educational and other tasks resulting from the school's needs and the local environment. The analysis of previous and current legal documents clearly shows that there is a shift from collecting documents confirming a teacher's development to a clear emphasis on the practical skills of teachers. From a formal-legal perspective, neither a development plan nor reports are necessary, but some best practices in this regard will undoubtedly be established. What is still highly anticipated is a document related to standardized external practical and theoretical examinations after the introduction to the profession. It is likely that ministry experts will be trained in this regard to focus on the required individualization of teaching and a teacher's skills, especially in adapting to changing situations during classes or the complex situation of non-verbal communication as understood by students. A full committee session in the last year of preparation for the teaching profession will be quite complex because after observation, there will be a discussion of classes, especially regarding the methods and forms of work applied, as well as individualization of teaching. Subsequently, the committee must review the mentor's opinion and the parents' council, conduct an interview with the candidate, and describe the fulfillment of all mandatory and selected additional criteria. All of this is time-consuming, and there is the possibility of appealing a negative evaluation by applying to the principle for a committee review, which may contribute to avoiding such an evaluation.

The problem of documenting the course of teacher evaluations is a recurring issue. The analysis of the new professional advancement path for teachers partly indicates that it is also a response to the findings of the Supreme Audit Office (NIK), which stated that the previous examination and qualification procedures for granting the professional advancement title of certified teacher were not conducted entirely fairly. Two reasons were identified. First, there was no guarantee that the committee included an expert who

taught the same subject or conducted the same type of classes as the teacher seeking advancement (18% of the cases studied). Second, the course of committee work was improperly documented (40.2% of the cases studied).<sup>5</sup>

During the research on Catholic religious education teachers, no objections were noted regarding the first issue, and only one Polish-language publication raised the issue of expert selection. W. Janiga noted that in individual cases, committees did not have experts of the same type and the same school as the teacher. He suggests that the advancement regulation should include a provision to ensure the involvement of experts in religious education appointed by the diocesan bishop. This would include supervisors or other representatives of religious education supervision units, as well as lecturers from higher seminaries [Janiga 2004, 151]. The main purpose of these proposals was later implemented, as the 2018 *Professional Advancement Regulation* introduced a provision stating that the authority appointing the examination committee or qualification committee for a teacher seeking advancement to the position of appointed teacher or certified teacher ensures the involvement of experts with qualifications for teaching in a school of the same type as the one where the teacher is employed, with at least one of them, as far as possible, teaching the same subject.<sup>6</sup> The current regulation mentions two experts from the ministry's list, and finding a solution for potential involvement of education supervisors from the Catholic Church or lecturers from higher seminaries will be necessary. The individuals who meet the conditions specified in the Teacher's Charter should apply to the Ministry of Education and Science. A person may be added to the list of experts if they hold a higher education degree and have been a certified teacher for at least 3 years. They must also successfully complete expert training. On the one hand, Catholic religious education teachers do not have any privileges to become experts, as they must go through the regular formal-legal procedure. On the other hand, it is necessary to monitor and report situations where an expert from another subject might want to challenge the content of Catholic religious education, as outlined in the Core Curriculum for Catholic Religious Education approved by the Education Commission of the Polish Episcopal Conference. It is important to note that "the evaluation of a teacher's work and that of the school director must not be influenced by the teacher's religious beliefs, political views, or refusal to carry out a work-related order when the refusal results from a legitimate belief that the order was contrary to the well-being of the student or the public interest" (Teacher's Charter Art. 6a.1g).<sup>7</sup> However, no docu-

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<sup>5</sup> See Najwyższa Izba Kontroli, *Informacja o wynikach kontroli...*, p. 5.

<sup>6</sup> Decree of the Minister of National Education of 26 July 2018 on the attainment of professional promotion grades by teachers, Journal of Laws, item 1574.

<sup>7</sup> Act of 26 January 1982, the Teacher's Charter No. 3, item 19. Compiled on based on: Journal

ments are available to indicate non-compliance with this law in Poland in recent years.

It is worth noting that, in addition to the obvious benefits of increased salaries, Catholic religious education teachers were motivated by the appropriate church authorities to fully engage in the life of the school and students in the spirit of service to God and the homeland. In the opinions of Catholic religious education teachers, a religious motivation prevails in the mission they perform, and, of course, criticism of the previous bureaucratized professional advancement path. Therefore, it can be inferred that they are more inclined toward the current project, which emphasizes teaching practice.

## CONCLUSIONS

Contemporary research shows that Catholic religious education teachers in Poland have extensive knowledge of educational and religious law. There is a clear connection between teachers' career paths and their knowledge of the law. Many good practices have been developed in cooperation between pedagogical supervision units and individual dioceses.

The significant majority of Catholic religious education teachers have advanced in their careers and hold the titles of appointed teacher and certified teacher, which has prepared them legally to serve as mentors to junior teachers. Many dioceses conducted so-called peer lessons, where each teacher learned how to discuss classes and improve the methods and forms of work used. The theological faculties in Poland, not only at the master's level, fully implement the legal requirements for pedagogical training. Additionally, through doctoral studies and academic conferences, they continuously prepare new personnel to understand and apply educational and religious law, ensuring that every Catholic religious education teacher has support for their professional development in every school or institution where they carry out the mission of the Catholic Church in Poland and abroad.

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