

**TITLE:**

Legal Analysis of the Process of Children's Nursery School Enrolment

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**ABSTRACT:**

The paper work deals with individual operations in the process of admitting children to the nursery schools, following primarily the Education Law and Civil Service Rules. The legal frame of administration authority actions such as contained in the Civil Service Rules is rational, however very extensive. A thorough knowledge of additional related legal regulations is necessary to observe legitimacy in the course of entire administrative procedure. The admission standards become significantly involved, according to which the ranking of applicants is determined. After passing the Law No.49/2009, which altered the Law No. 561/2004 of Statute Book on preschool, elementary, secondary, college and other education (Education Law), in reading of later regulations, discrepancies in legal provisions of Education Law in the decision-making field concerning also preschool education have happened, as the decision-making in admission to nursery schools was removed from the scope of the Civil Service Rules. Even the expectations concerning implementation of the principles for admission process to preschool education into the Education Law have not been fulfilled.

Law No. 472/2011 of Statute Book having revised the Law No. 561/2004 of Statute Book on preschool, elementary, secondary, college and other education (Education Law), in reading of later regulations coming into force since 1<sup>st</sup> January, 2012 rendered a rectification and the process of admitting children to the preschool education is definitely an exercise of Civil Service under the Law No.500/2004 of Statute Book, Civil Service Rules, in reading of later regulations.

Having performed an analysis of legal regulations applied in the process of admitting children to the preschool education and upon research carried out, I can declare that the existing legal status of admission belonging to the performance of civil service is for the nursery

schoolmasters both from the professional and administrative point of view very demanding. A bill of legislative changes can still be expected from the lawmakers aiming to a simplification of the whole process of admitting children to the preschool education. An admission procedure to the preschool education built in the Education Law was determined both by the first and second instance bodies as the most acceptable one.