Translation from Finnish Legally binding only in Finnish and Swedish Ministry of Education and Culture, Finland

# Act on the Matriculation Examination (502/2019)

By decision of Parliament, the following is enacted:

## Section 1 Matriculation examination

A matriculation examination is completed at the end of upper secondary education referred to in the Act on General Upper Secondary Education (714/2018). Students who complete the examination have acquired the knowledge and skills specified under the curriculum for general upper secondary education and attained a level of maturity consistent with the objectives of general upper secondary education. For the purposes of this Act, those taking part in the matriculation examination are referred to as candidates.

The matriculation examination is taken in Finnish or Swedish in accordance with the school's language of instruction.

Successful completion of the matriculation examination provides general eligibility for further studies in institutions of higher education as laid down in the legislation on higher education institutions.

## Section 2 Matriculation Examination Board

The Matriculation Examination Board, an independent expert body appointed by the Ministry of Education and Culture for a period of three years at a time, is responsible for managing, organising and implementing the matriculation examination.

The Matriculation Examination Board develops the matriculation examination in cooperation with the Finnish National Agency for Education. The Matriculation Examination Board draws up a proposal for a four-year plan to develop and implement the matriculation examination, and the plan is endorsed by the Ministry of Education and Culture.

The Matriculation Examination Board has an Office dedicated to managing and developing the implementation of the examination and the Board's administration. The Secretary-General is the Head of the Office and is appointed by the Ministry of Education and Culture after consulting the

Board. Provisions on the role of the Office as a separate unit of the Finnish National Agency for Education are laid down in the Act on the Finnish National Agency for Education (564/2016).

Further provisions on the Matriculation Examination Board are issued by government decree.

### Section 3 Matriculation examination tests

The matriculation examination comprises tests in language and literature in the mother tongue, the second national language, foreign languages, mathematics, humanities and sciences.

The test consisting of language and literature in the mother tongue can only be taken in Finnish, Swedish or Saami. Aside from the Finnish and Swedish tests intended for those whose mother tongue is Finnish or Swedish, tests may be organised based on a language and literature syllabus for Finnish or Swedish as a second language.

Two-tier tests of different degrees of difficulty are organised in mathematics and one or the other of the two national languages. Two-tier tests may be held in foreign languages.

Provisions on the formulation and organisation of tests in humanities, sciences and foreign languages are issued by government decree. The Matriculation Examination Board determines in which foreign languages tests are organised as two-tier tests.

# Section 4 Organisation of tests

Educational institutions that provide general upper secondary education organise tests for the matriculation examination simultaneously twice a year.

Providers of general upper secondary education are also obliged to organise the tests for persons who have previously completed their matriculation examination in the general upper secondary school and who resit matriculation examination tests in accordance with section 16 or those who supplement their matriculation examination in accordance with section 17, and to persons who have previously studied in the general upper secondary school of the education provider and are taking a separate test in accordance with section 6. If the general upper secondary school of the education provider in which a person has completed his or her matriculation examination no longer organises general upper secondary education, the person has the right to complete the test in the general upper secondary school closest to his or her place of residence. Subject to the capability

conditions of the education provider, the tests for the matriculation examinations must also be organised for other persons.

The principal in charge of the activities referred to in subsection 1 of section 57 of the Act on General Upper Secondary Education is responsible for organising the matriculation examination and its tests.

The tests for the matriculation examination are written tests or tests in electronic form and may involve oral tasks. The Matriculation Examination Board issues further provisions on the organisation of the tests and the schedules and test arrangements associated with it. On very serious grounds related to the circumstances for organising the tests, the Matriculation Examination Board may decide that the tests of one educational institution are to be organised differently from those of other educational institutions.

#### Section 5

# Right of a person other than one completing a syllabus in general upper secondary education to take the matriculation examination

In addition to those completing the syllabus in general upper secondary education, the matriculation examination may be taken by a person who has previously completed:

- 1) the general upper secondary syllabus or equivalent foreign education;
- 2) been awarded an initial vocational qualification referred to in the Vocational Education and Training Act (531/2017), or a corresponding prior qualification;
- 3) a vocational qualification of a minimum scope of two years or equivalent studies based on a basic education syllabus other than that referred to in paragraph 2 or corresponding earlier studies, as well as additional studies prescribed by the Matriculation Examination Board.

A student completing a qualification referred to in paragraph 2 of subsection 1 above may participate in the matriculation examination while still enrolled as a student in said basic studies leading to a qualification.

# Section 6 Taking separate tests

A person who has not completed the matriculation examination may take separate tests included in the matriculation examination. However, separate tests may not be taken by a person who has been admitted under subsection 2 of section 20 of the Act on General Upper Secondary Education

to complete the general upper secondary syllabus or under section 43 of the Act on Vocational Education and Training to complete the initial vocational qualification.

Separate tests do not form a matriculation examination qualification. If a person who has completed separate tests subsequently sits the matriculation examination, the separate tests that were successfully completed may be included in the matriculation examination over a period of three years from the pass date of the separate tests.

# Section 7 Preconditions for taking tests

Those completing the general upper secondary education syllabus may sit matriculation examination tests after studying the compulsory studies issued by the Government Decree referred to in section 11 of the Act on General Upper Secondary Education in the subject in which they wish to sit the test. Where there are no compulsory studies in a subject in a given humanities and sciences test, the candidate may take the test after having completed four general upper secondary credits in the subject. If a foreign language test is based on a syllabus with no compulsory studies, the general upper secondary student may take the test after having completed six credits in the subject.

Subject to a decision by the school principal, a general upper secondary student who has not completed the syllabus referred to in subsection 1 may, on special grounds, take part in a test provided that he or she is otherwise deemed to possess sufficient competencies to pass the test.

A student pursuing an initial vocational qualification may sit the tests of the matriculation examination after having reached a competence level equivalent to at least 90 competence points.

### Section 8 Registering for tests

Candidates shall register in writing for each matriculation examination round and for each test at the latest on the date specified by the Matriculation Examination Board at the general upper secondary school where they intend to take the test. The principal is in charge of ensuring that the candidates meet the conditions laid down in sections 5–7 for taking part in the matriculation examination and its tests. Where the right to participate is denied, a reasoned decision in writing shall be provided.

Where a candidate is taken ill or has another equally compelling reason, the Matriculation Examination Board may allow the candidate to register after the deadline has expired.

On application, the Matriculation Examination Board may, for compelling reasons such as illness, study or work abroad, or other comparable reasons, annul a candidate's registration for a test. On application, the Matriculation Examination Board may also accept a change to the information given when registering, if this is necessary for completing the matriculation examination or for some other equally compelling reason.

The Matriculation Examination Board issues further provisions on the procedures for registering.

## Section 9 Special arrangements for candidates

A candidate who, due to an illness, a disability, a special difficulty in reading and writing, being a foreign language speaker or other comparable reason, is prevented from sitting tests for the matriculation examination in the same way as other candidates, may take the tests in an alternative way.

On application, the Matriculation Examination Board decides on the use of the special arrangements referred to in subsection 1. In sudden and unforeseen situations, the use of special arrangements may also be decided by the school principal.

The Matriculation Examination Board issues further provisions on the application and use of special arrangements.

### Section 10 Matriculation examination tests

Candidates taking the matriculation examination shall sit five tests, which consist of a test in the candidate's mother tongue and literature and, on the basis of the candidate's choice, tests in at least three subjects from a group that includes mathematics, the second national language, a foreign language and a humanities or sciences subject.

The tests referred to in subsection 1 can include only one test in one subject. The candidate may also sit one or more additional tests.

At least one of the tests included in the matriculation examination shall consist of a more advanced test within the meaning of subsection 3 of section 3 or a test in the mother tongue and literature in lieu of a test in the second national language or of a foreign language test within the meaning of subsection 2 or 3 of section 11.

### Section 11

### Special provisions on mother tongue and literature test and language tests

Candidates may take the mother tongue and literature test in the form of a test based on the syllabus for Finnish or Swedish as a second language and literature if the candidate's mother tongue is not Finnish, Swedish or Saami and the candidate has studied according to said syllabus, which, under section 7, are a prerequisite for participating in the test for those following the syllabus for general upper secondary education, or if the candidate uses sign language as the mother tongue or first language. On application, the Matriculation Examination Board may, where there are very serious reasons, grant the right for a candidate other than the one referred to above to sit a test in the meaning of the one in this subsection.

Instead of a test in the second national language, a candidate may sit a test in the mother tongue and literature in said language designed for candidates who are either Swedish-speaking or Finnish-speaking.

Instead of a foreign language test, a candidate may sit a mother tongue and a literature test in the Saami language.

# Section 12 Completion of the matriculation examination

The matriculation examination is passed once the candidate has successfully completed the tests referred to in section 10 and the syllabus for general upper secondary education or other qualification or education referred to in section 5.

Notwithstanding a grade in a test as referred to in subsection 1 of section 10 being marked as a fail, the matriculation examination may be passed if the grades of the other tests taken by the candidate demonstrate the knowledge and skills referred to in subsection 1 of section 1 and sufficient maturity, and the candidate has not objected in writing to having the failed grade recorded in the certificate. However, the matriculation examination certificate may not be completed if a test is deemed to have been a fail under section 14 or 15.

The Matriculation Examination Board issues further provisions on the practical procedures for completing the matriculation examination and on the grounds for completing the matriculation examination regardless of a failed grade.

#### Section 13

Maximum time allowed for completing the matriculation examination

The matriculation examination shall be completed in the course of three successive examination rounds.

However, a candidate who has a failed grade in a test that is a prerequisite for completing the matriculation examination in accordance with subsection 1 of section 10 may endeavour to complete the matriculation examination by using the next three examination rounds subsequent to the round when the failed grade occurred to resit said test.

However, a candidate who has participated in at least one examination round and who, due to illness, full-time studies abroad or other equally serious reasons, has been prevented from participating in the tests of the examination round, may continue pursuing the matriculation examination for one examination round immediately after the expiry of the maximum period referred to in subsection 1. If, for the reasons referred to above, a candidate is unable to take the tests for two consecutive examination rounds, the candidate may continue pursuing the matriculation examination for two consecutive examination rounds immediately subsequent to the expiry of the maximum period referred to in subsection 1. The candidate referred to in this subsection retains the right to resit a test marked as a fail in such a way that the examination rounds lost are not included in the examination rounds referred to in subsection 2.

Where a candidate has not completed the matriculation examination within the period laid down in subsections 1–3, the matriculation examination is deemed to be a fail. In such cases, the entire matriculation examination may be retaken from the beginning. The candidate may incorporate tests that were a pass in the failed matriculation examination into a new matriculation examination for a period of three years from the time the earlier test was successfully passed.

On application, the Matriculation Examination Board may, where there are very serious reasons, decide that a candidate may retake the matriculation examination from the beginning even if the matriculation examination is still in progress.

# Section 14 Failure to attend a test event and discontinued test

If a candidate who has registered for a test fails to attend the test or to submit the test for grading, the candidate is deemed to have failed the test.

# Section 15 Sanctions for breaches of order and for cheating

If a candidate is disruptive during a test or otherwise breaches order during a test, and fails to desist despite warnings by the principal or a teacher, the candidate's test is deemed to be a fail. If the candidate's behaviour is recurring or has serious adverse effects on the performance of the tests of other candidates, all the tests taken by the candidate during that examination round are marked as a fail and the candidate loses the right to sit for subsequent tests being held during said examination round. If the behaviour is particularly serious and harmful, the candidate also loses the right to take part in the tests of the next examination round.

If a candidate is caught cheating or attempts to cheat or assists in cheating in a test, all the tests taken by the candidate during that examination round are deemed to be a fail and the candidate loses the right to take part in subsequent tests during said examination round. If the behaviour is recurring or otherwise particularly serious and harmful, the candidate also loses the right to take part in the tests of the next examination round.

Before imposing a sanction in the meaning of subsections 1 and 2, the procedure leading to the measure shall be specified, the candidate shall be heard and any other necessary reports shall be obtained.

The decision to impose a sanction is made by the principal of the general upper secondary school. However, the decision on a candidate losing the right to participate in the tests of the examination round subsequent to the ongoing examination round in the event of the procedure referred to in subsections 1 or 2 is made by a multi-member body of the education provider.

A candidate disrupting a test may be ordered to leave the test. If the candidate refuses to comply with the order to leave, the principal or teacher may remove the candidate as provided in section 43 of the Act on General Upper Secondary Education.

### Section 16 Resitting tests

There are no limitations to the number of times successfully completed tests can be retaken.

During the course of the examination, candidates have the right to resit three times any tests that were a fail. A candidate who failed a test at a more advanced level referred to in subsection 3 of section 3 may, when resitting the test, change its level. A candidate who failed a test in the mother tongue and literature intended for those whose mother tongue is Finnish or Swedish may, when resitting the test, take it based on the syllabus for Finnish or Swedish as a second language and literature, provided the candidate has the right to take the said test under subsection 1 of

section 11. A candidate who, in the manner referred to in subsection 2 or subsection 3 of section 11, has passed a test in the mother tongue and literature instead of a test in the second national language or a foreign language and failed the test, may, when resitting the test, take the test in the form of the second national language or a foreign language.

There are no restrictions on the number of times a failed test can be retaken by those who have completed the matriculation examination.

# Section 17 Supplementing the matriculation examination

Those who have successfully completed the matriculation examination in accordance with section 12 may supplement the examination by taking tests in subjects that were not included in the examination taken by a candidate, and by taking tests in the same subjects at a different level to the ones completed by the candidate earlier.

# Section 18 Grading of tests

Separate grades are given for each test in the matriculation examination. Besides giving a grade for tests, they may also be marked in more detail.

The tests are first checked and marked by the subject teacher appointed by the educational institution providing general upper secondary education, and a final grade is given by the Matriculation Examination Board. Where the education provider is unable to provide a teacher to mark a test in a given subject, the initial grading is done by the Matriculation Examination Board.

Where a candidate's performance in a test has been hampered by an illness, disability or other equally serious grounds, and the special arrangements referred to in section 9 cannot be considered sufficient to ensure that the candidate is able to do the test on equitable terms with other candidates, the Matriculation Examination Board may take this into account in the grading.

The candidate and the parent or guardian of a candidate who is under the age of 18 have the right to obtain information on how the criteria for marking are applied to the candidate's performance of a test. Candidates must be given an opportunity to see the marking of their written or test performance recorded in other ways.

Further provisions on the grades are issued by government decree. The Matriculation Examination Board determines the principles to be followed in the grading of the tests.

### Section 19

### Examination certificate and certificates on the completion of tests

The Matriculation Examination Board issues a certificate to candidates who have successfully completed the matriculation examination in accordance with the procedure laid down in section 12.

A certificate on the completion of a test incorporated in the matriculation examination is issued to other persons who have successfully completed a test.

The certificates are issued on condition that the fees referred to in section 20 for participating in examination rounds and tests have been paid.

Further provisions on the grades included in the matriculation examination certificate are issued by government decree.

#### Section 20

### Fees charged for the matriculation examination

The Matriculation Examination Board may charge fees for the matriculation examination and for participating in the tests.

Provisions on the fees charged for participating in the matriculation examination and its tests are issued by a decree of the Ministry of Education and Culture as provided in the Act on Criteria for Charges Payable to the State (150/1992) regarding the rates for transactions rendered under public law. The Matriculation Examination Board determines the procedures relating to the collection of the fees.

If registration has been revoked under subsection 3 of section 8 and the candidate has not completed any part of the test, no fee is payable for the test and any fee already paid will be refunded, by an application submitted within a period of time determined by the Matriculation Examination Board.

### Section 21

# Request for a review of a decision by a principal and multi-member body of the education provider

An administrative review of a decision by a principal whereby, under subsection 1 of section 8, the right to participate in the matriculation examination or its test is denied, may be submitted as provided in the Administrative Procedure Act (434/2003). Requesting a judicial review by way of

appeal of a decision made by the Regional State Administrative Agency in the administrative review procedure is lodged with the Administrative Court.

A judicial review of a decision by which a principal or a multi-member body of the education provider has imposed a sanction referred to in subsection 1 or 2 of section 15 may be requested by way of appeal with the Administrative Court. However, despite an appeal, the decision is enforced unless an injunction is issued by the appellate authority.

Any appeal referring to the decision in subsection 1 and 2 of this section shall be lodged within 14 days of the date of service of the decision. Requests for a review are otherwise subject to the provisions of the Administrative Judicial Procedure Act (586/1996). All appeals shall be processed as a matter of urgency. A judicial review of a decision of an Administrative Court may be requested by way of appeal only if the Supreme Administrative Court grants leave to appeal.

If the decision referred to subsection 2 is reversed, registration for the tests that the person did not participate in after the principal's decision will be become void without separate application and the fees for the individual tests refunded. Upon acceptance of an appeal, the Administrative Court or Supreme Administrative Court may decide that the candidate may retake the examination from the beginning.

### Section 22

### Administrative review procedure for the grading of a test performance

An administrative review of a decision by the Matriculation Examination Board, whereby a test performance has been graded, may be requested as provided in the Administrative Procedure Act.

The request for an administrative review shall be submitted to the Matriculation Examination Board within 14 days of the date on which the candidate entitled to make the request had the chance to be informed of the result of the grading and of how the criteria were applied to the test performance of the candidate. The Matriculation Examination Board assigns reviewers to carry out the review; none of whom may have been involved in marking the test answer subject to review.

Further provisions are issued by government decree on issuing a matriculation examination certificate and other certificates referred to in section 19 in cases when an administrative review of the grading of a test performance is requested and the notification of a decision is to be issued under the administrative review procedure.

### Section 23

### Requesting a review of a decision made by the Matriculation Examination Board

A judicial review of a decision by the Matriculation Examination Board other than the review of a test performance is requested by way of appeal with the Administrative Court of Helsinki as provided in the Administrative Judicial Procedure Act, unless otherwise provided elsewhere by law. A judicial review of a decision made by the Administrative Court may be requested by way of appeal only if the Supreme Administrative Court grants leave to appeal.

A decision made based on the administrative review procedure referred to in section 22 may not be appealed.

### Section 24 Right to obtain information

Upon request, education providers shall provide the Matriculation Examination Board with the information necessary for organising and executing the matriculation examination.

Notwithstanding confidentiality provisions, education providers shall have the right to be informed of the decisions of the Matriculation Examination Board concerning the use of the special arrangements referred to in section 9 and the extension of the period of completion of the matriculation examination referred to in subsection 3 of section 13 concerning a candidate who has registered for a matriculation examination test, insofar as this is necessary for organising the tests.

# Section 25 Certain examinations of a standard equivalent to the matriculation examination

The International Baccalaureate, Reifeprüfung or Deutsche Internationale Abitur, as well as the European Baccalaureate of the European Schools, diplomas completed at the end of the education referred to in the Act on General Upper Secondary Education, confer the same rights as the successful completion of the matriculation examination referred to in this Act.

### Section 26 Entry into force

This Act enters into force on 1 August 2019.

This Act repeals the Act on the Organisation of the Matriculation Examination (672/2005), from now on the *repealed Act*, and the Government Decree on the Matriculation Examination (915/2005), from now on the *repealed Decree*.

Any reference elsewhere in legislation to the repealed Act shall mean a reference to this Act after entry into force of this Act.

### Section 27 Transitional provisions

Candidates who have started to complete a matriculation examination while the repealed Act is in force will continue to complete the examination under this Act. However, sections 6, 8 and 10, subsection 3 of section 11, section 13 and subsection 1 of section 21 of the Act shall apply to candidates who start completing the matriculation examination in or after the examination round of spring 2022. Section 5, subsections 1 and 2 of section 6, section 7, subsection 2 of section 9, subsections 1 and 3 of section 15, of the repealed Act, and subsection 2 of section 18 of the repealed Act on General Upper Secondary Education (629/1998), and sections 5 and 16 of the repealed Decree shall apply to those who start the matriculation examination before the above time. For these candidates, section 12 of this Act refers to tests referred to in subsection 2 of section 18 of the Act on General Upper Secondary Education repealed by the tests referred to in section 10.

The provisions in force prior to the entry into force of this Act on the prerequisites for participation in tests shall apply to candidates completing a syllabus in general upper secondary education, who have been admitted to complete a syllabus in accordance with the correcurriculum drawn up in accordance with the curriculum of the repealed Act on General Upper Secondary Education. Section 1 of the repealed Decree shall apply to the preparation of matriculation examinations for the candidates referred to in this subsection.

Section 16 of this Act shall apply to those registering for matriculation examinations to be held in autumn 2019 prior to the entry into force of this Act.

The Matriculation Examination Board established under section 18b of the repealed Act on General Upper Secondary Education will continue until the end of its term of office, unless otherwise decided by the Ministry of Education and Culture.

The plan for the development and implementation of the matriculation examination drawn up under section 10a of the repealed Decree prior to the entry into force of this Act remains in force for the period for which it has been approved.