

# **Act on European Schooling Helsinki 1463/2007**

Amendments up to 268/2011

## **Chapter 1 General provisions**

### Section 1

#### *Purpose of the Act*

(1) This Act provides for the establishment of European Schooling Helsinki, the education provided by the School and the administration and staff of the School.

### Section 2

#### *Establishment of the School*

(Amendment 908/2011)

(1) A state-run school called European Schooling Helsinki shall be established by this Act. The number of pupils and other necessary matters relating to the organisation of education shall be decided by the Ministry of Education and Culture.

### Section 3

#### *Educational mission*

(1) The purpose of the school is to offer education based on the European School curricula as laid down in this Act and statutes issued by virtue of it.

(2) The European Baccalaureate examination may be set at the end of the schooling. Provisions concerning the examination and its organisation shall be enacted separately.

## **Chapter 2 Teaching**

### Section 4

#### *General objectives of the education*

(1) The objective of the education provided by the School is to offer flexible study opportunities and an opportunity for varied growth and learning and for the development of healthy self-esteem.

(2) The instruction shall be provided in keeping with the age and capabilities of the pupils.

## Section 5

### *Structure of instruction*

(1) The instruction given in the School shall be divided into a two-year nursery cycle, a five-year primary cycle and a seven-year secondary cycle as determined in a decision of the Ministry of Education and Culture. (Amendment 908/2011)

(2) Instruction in the School shall be divided into language sections. Provisions concerning the number of language sections and languages of instruction shall be enacted by Government Decree.

(3) The teaching groups shall be formed by year classes. Instruction of different yearclasses may be provided in combined classes, where appropriate in terms of teaching arrangements. Provisions concerning the formation of teaching groups and the size of the teaching groups shall be enacted by Government Decree.

## Section 6

### *Educational content and curricula*

(1) With the exception of the nursery cycle, the subjects taught in the school are Mother Tongue, Foreign Languages, Mathematics, Chemistry, Physics, Biology, Discovery of the World, Integrated Science, History, Geography, Economics, Philosophy, Religious Education, Information Technology, Art, Music, and Physical Education. Other subjects and guidance counselling and the theme areas taught in the nursery cycle shall be determined in the curricula.

(2) The aims, principles and main content of the instruction of subjects and guidance counselling and the allocation of lesson hours between the subjects and the aims for the pupil welfare and intensified support to learning shall be determined in the curricula. The curricula shall be devised in accordance with the European School syllabuses, where appropriate. The curricula shall be devised and confirmed by the National Board of Education.

## Section 7

### *Annual teaching plan*

(1) Before the start of each school year, the Administrative Board shall devise a plan for the arrangement of teaching for the school year based on the curricula.

## Section 8

### *Public education*

(1) Education referred to in this Act shall be public. The Director of the School may limit the right to follow teaching for a well-founded reason.

## **Chapter 3**

### **Application and enrolment**

## Section 9

### *Starting age*

(1) A pupil to be enrolled in the nursery cycle must reach four years of age during the calendar year in which the school year starts. A pupil admitted to the primary cycle must reach six years of age during the calendar year in which the school year starts.

#### Section 10

##### *Application for enrolment*

(1) An application for enrolment in the School may be submitted at the earliest during the year when the child reaches three years of age.

(2) The applicant must apply for enrolment in the section of the child's native language or in the section whose language is the dominant language of the child.

(3) If the School does not have a language section in the child's native language, the place may be applied in a language section in whose language of instruction the child is able to study. Language proficiency is demonstrated in a language test set by the school, where necessary.

(4) When applying for admission to education above the first year, the applicant must present the latest school report or attendance certificate from previous schooling or nursery education. If the applicant cannot produce the certificate referred to above, he or she must take an entrance examination set by the School.

(5) The Administrative Board referred to in Section 31 below shall issue further regulations concerning the dates by which applications are submitted, the arrangement of the language tests and entrance examinations and other procedures relating to application for enrolment.

#### Section 11

##### *Admission*

(1) The School shall primarily admit children of European Union staff as provided in the Convention Defining the Statute of the European Schools (*Category I pupils*). The School shall admit other children as far as possible (*Category II pupils*), provided that this does not require the formation of a new teaching group. (Amendment 268/2011)

(2) A pupil admitted to education subsequent to the nursery cycle shall primarily be placed in the year class corresponding to his or her age or, should this not correspond to his or her knowledge and skills, to some other year. Further provisions concerning the placement of a pupil shall be enacted by Government Decree.

(3) The pupils to be admitted shall be subject to equal selection criteria. The selection criteria shall be determined by the Administrative Board. Information about the selection criteria shall be made available in advance.

(4) If a pupil has sat an entrance examination referred to in Section 10(4) his or her enrolment shall be conditional on the passing of the examination.

(3) The School Director shall issue a written decision on the enrolment.

## **Chapter 4**

### **Rights and duties of the pupil**

#### Section 12

##### *Right to instruction*

- (1) The enrolled pupil is entitled to education conforming to this Act and support services according to the provisions of this Act.
  
- (2) A pupil studying in a language section corresponding to his or her native language has the right to get Mother Tongue instruction. If the School does not have a language section in the pupil's native language, the School shall arrange Mother Tongue instruction as far as possible, with the exception, however, that a category II pupil is given Mother Tongue instruction only if this does not require the formation of a new teaching group. The instruction may be arranged as distance teaching, where necessary.

#### Section 13

##### *Restrictions concerning the study of a subject in certain situations*

- (1) For the teaching of a single subject, the pupil may be placed or transferred to a teaching group other than one belonging to his or her language section, if this is justifiable for a reason relating to teaching arrangements. The decision on the placement or transferral shall be made by the Director.
  
- (2) The Director may substitute a chosen subject or syllabus with another if this is justifiable in terms of appropriate organisation of teaching. Before a subject or syllabus is changed, the education provider must reserve an opportunity for the child's parent or caretaker to be heard.

#### 14 Section

##### *Safe learning environment and School Rules*

- (1) The pupil is entitled to a safe learning environment.
  
- (2) The Administrative Board shall draw up a plan for protecting the pupils against violence, bullying and harassment, and execute the plan and monitor compliance to and implementation of the plan.
  
- (3) The Administrative Board shall adopt the School Rules. The School Rules may provide for practical arrangements and appropriate conduct necessary for the safety of the school community and for well-being at school. Further regulations may be issued concerning the handling of school property and staying and moving on the school premises and in the school area.

#### 15 Section

##### *Free tuition and fees charged to pupils*

- (1) Curricular education given in the School shall be free of charge for Category I pupils. Tuition fees shall be charged to Category II pupils. Free education does not include meals and school travel.

(3) Fees may be charged to the pupils for materials and meals. In addition, pupils may be charged fees for taking the European Baccalaureate and examinations included in it. (Amendment 908/2011)

(4) The fees referred to in subsections 1 and 2 above shall be set, where applicable, in accordance with the provisions of the Act on Criteria for Charges Payable to the State (150/1992) concerning fees charged for transactions under public law. Further provisions shall be laid down by Ministry of Education and Culture Decree, where needed. (Amendment 908/2011)

(5) Where a fee charged to a pupil under this Act has not been paid by the due date, an annual interest may be charged on overdue payments in accordance with the Interest Act (633/1982).

(6) The fee may be recovered without a court ruling or a decision in accordance with the provisions of the Act on the Collection of Taxes and Charges (706/2007).

16 Section  
*The pupil's duties*

(1) The pupil shall complete his or her assignments diligently and behave correctly.

(2) The pupil shall attend classes unless he or she has been temporarily excused for a special reason.

**Chapter 5**  
**Pupil assessment and progress in studies**

17 Section  
*Pupil assessment*

(1) The pupil and his or her parent or caretaker must be informed sufficiently often about the pupil's progress in studies and the pupil's work and conduct. Pupil assessment shall be geared to guide and encourage learning and to develop the pupil's capacity for self-assessment.

(2) The assessment of the pupil's study attainments, the information recorded in the school report and acceptable study attainments shall be determined in the curriculum in keeping with the regulations governing the European Schools, where appropriate.

(3) The assessment of the pupil and the pupil's school reports shall be given in the language of the pupil's language section.

Section 18  
*Promotion to the year above*

(1) A pupil who has completed the year acceptably shall be promoted to the year above at the end of the school year.

(2) A pupil who has not completed the year acceptably shall repeat the year. The pupil's study attainments from the year concerned shall be void. If the pupil does not complete acceptably the studies of the year he or she is repeating, he or she shall forfeit his or her right to study in the School referred to in this Act. The Administrative Board may, for a cogent reason, grant permission for the pupil to continue his or her studies.

#### Section 19

##### *Accreditation of prior learning*

(1) The pupil may count previous study attainments towards studies included in the curriculum followed by his or her year class. The decision on the equivalence of the studies shall be made by the Director.

(2) Application for accreditation of prior learning shall be submitted in writing to the Director. The application must be accompanied by certificates attesting to the prior study attainments. The Administrative Board shall issue the necessary regulations governing accreditation applications.

## **Chapter 6**

### **Support to learning**

#### Section 20

##### *Pupil welfare*

(1) Pupil welfare means the maintenance and promotion of the pupil's learning, physical and mental health and social well-being and activities conducive to these. Student welfare encompasses the student welfare described in the curriculum, the implementation of which shall be the responsibility of all those working in the school community.

(2) The School shall have a pupil welfare group appointed by the Administrative Board referred to in Section 31. The duties of the pupil welfare group shall be laid down in the General Rules of the School referred to in Section 36.

#### Section 21

##### *Intensified support to learning*

(1) A pupil who needs intensified support in learning shall be given a learning plan. The learning plan shall determine the forms of support provided by the School for the pupil in achieving the objectives set in the curriculum. The learning plan shall be devised in collaboration between the pupil, his or her parent or caretaker, the teachers responsible for teaching the pupil and other necessary experts.

(2) If the pupil welfare group does not considered the learning support referred to in subsection 1 sufficient to support the pupil's learning, a decision must be issued concerning the provision of special supportive measures and the adoption of an individual learning plan. The pupil shall be provided special support within the scope of the School's resources.

(3) The decision referred to in subsection 2 shall be made by the school Director on the application of the pupil's parent or caretaker . The individual learning plan shall be prepared by the pupil welfare group. The decision shall be issued for a maximum of one year at a time.

## **Chapter 7**

### **Working time**

#### Section 22

*School working time*

(1) The school year consists of 180 working days. Provisions concerning working times during the school year shall be enacted by Government Decree.

(2) If it has not been possible to provide teaching on appointed working days owing to bank holidays that fall on week days or for a compelling reason and the curricular objectives cannot be otherwise achieved, the lost days must be replaced.

#### Section 23

*Pupil's workload*

(1) The pupil's workload may not be excessive, preventing him or her having sufficient time for rest, recreation and leisure activities over and above the time dedicated to school and homework.

(2) Provisions concerning the amount of daily and weekly instruction given to the pupil and the duration of classroom hours shall be enacted by Government Decree in keeping with the decisions of the Board of Governors of the European Schools, where applicable.

## **Chapter 8**

### **Discipline**

#### Section 24

*Disciplinary measures*

1. A pupil who disturbs classes or otherwise breaks order at school or acts deceptively may be given detention for a maximum of two hours or a written warning. If the offence is serious or if the pupil continues his or her inappropriate conduct after having been given detention or a written warning he or she may be excluded temporarily or expelled from the School.

(2) A pupil who has failed to do his or her homework may be ordered by his or her teacher or by the Director to complete the assignments under supervision for a maximum of one hour after school.

#### Section 25

*Disciplinary procedure*

(1) A written decision shall be issued on a written warning or the expulsion of a pupil. Other measures referred to in Section 24 shall be recorded.

(2) The decision on a written warning given to a pupil and the expulsion of a pupil shall be issued by the Administrative Board referred to in Section 31. The order concerning detention shall be issued by the pupil's teacher or the Director.

(3) Before an order or decision concerning a disciplinary measure referred to in Section 24(1) is issued, the act or dereliction leading to the measure must be specified, the pupil must be heard and any other necessary clarification sought. Before a written warning or a decision to expulse a pupil is issued, the pupil's parent or caregiver must be given an opportunity to be heard.

#### Section 26

##### *Implementation of a decision to expulse a pupil*

(1) A decision to expulse a pupil may be implemented without legal validity if the pupil has behaved so violently or threateningly that the safety of another pupil or a person working in the school or in another teaching facility has suffered or been gravely jeopardised and there is manifest danger that the violent or threatening behaviour will reoccur. The decision on the implementation of the decision without legal validity and the date on which the implementation begins has to be made concurrently with the expulsion decision.

(2) In addition to the provisions of subsection 1 above, the implementation of a decision to expulse a pupil is governed by the provisions of Section 31(1) and (2) and Section 32 of the Administrative Procedure Act (586/1996).

## **Chapter 9**

### **Evaluation and inspection**

#### Section 27

##### *Purpose of evaluation*

(1) The purpose of evaluation is to safeguard the implementation of this Act and to support the development of education and prerequisites for learning.

#### Section 28

##### *School's duties in evaluation*

(1) The School shall evaluate the education it provides and analyse its impact at regular intervals. The targets and dates of evaluation shall be determined by the National Board of Education. The salient findings of the evaluations shall be published in a manner determined by the Administrative Board referred to in Section 31.

#### Section 29

##### *Participation in evaluations and inspections*

(1) The School shall participate in external evaluations and inspections determined by the Ministry of Education and Culture. (Amendment 908/2011)

## **Chapter 10**

### **School administration**

#### Section 30

##### *Internal administrative organs*

(1) The internal administration of the School shall be managed by the Director and the Administrative Board in the manner laid down in the General Rules of the School referred to in Section 36.

#### Section 31

##### *Administrative Board*

(1) The Administrative Board of the School shall be appointed by the Ministry of Education for a maximum of four years at a time. The Administrative Board shall have a Chair, a Vice-Chair and a maximum of eight members. A personal substitute shall be appointed for each of them.

(2) The Administrative Board shall have the representation of at least pupils, teachers and other School staff and the pupils' parents/carers. The member elected from amongst the pupils must have reached 15 years of age and his or her term may deviate from that of the other members of the Administrative Board. (Amendment 268/2011)

(3) Further provisions concerning the composition and appointment of the Administrative Board and the processing of matters shall be enacted by Government Decree.

#### Section 32

##### *Responsibilities of the Administrative Board*

(1) In addition to the tasks assigned in this Act, the Administrative Board shall be responsible for the arrangement and development of teaching. Further provisions concerning the responsibilities of the Administrative Board shall be laid down in the General Rules of the School referred to in Section 36.

#### Section 33

##### *Principal*

(1) The School shall have a Director appointed by the National Board of Education. Provisions concerning the qualifications of the Director shall be enacted by Government Decree.

#### Section 34

##### *Responsibilities of the Director*

(1) The Director shall manage the School and ensure that the duties assigned to the School are performed effectively and well and execute other tasks assigned to him or her in this Act. Further provisions concerning the responsibilities of the Director shall be laid down in the General Rules of the School referred to in Section 36.

Section 35  
*Student body*

(1) The School shall have a student body composed of the pupils of the School. The task of the student body is to promote cooperation amongst the pupils and school work.

Section 36  
*General rules of the School*

(1) Further provisions concerning the general guidelines for teaching arrangements, administration, the responsibilities and powers of the administrative bodies, the activities of the student body and other necessary matters shall be laid down in the General Rules of the School. The General Rules of the School shall be approved by the National Board of Education.

## **Chapter 11** **School staff**

Section 37  
*Personnel*

(1) The School has teachers and other personnel necessary to run the school. The School staff are in an employment relation with the government.

(2) The Director shall appoint or hire the teachers and other personnel of the School. However, a teacher hired provisionally or for a minimum of one year shall be appointed by the Administrative Board.

Section 38  
*Qualifications of teaching staff*

(1) Provisions concerning the required qualifications of the teaching staff shall be enacted by Government Decree.

## **Chapter 12** **Miscellaneous provisions**

Section 39  
*Correspondence with compulsory schooling*

(1) A child in compulsory school age under Finnish law shall be considered to undergo his or her compulsory schooling when studying in the School referred to in this Act. Compulsory schooling shall be considered completed when the pupil has been awarded the certificate issued at the end of the fourth year of the secondary cycle.

(2) If the School admits a child or young person subject to compulsory schooling in Finland, the School Director shall notify the local authority of the municipality in which the child or young person resides.

Section 40  
*Subsidies and donations*

(1) The School may accept subsidies and donations towards the organisation of its operation.

Section 41  
*Confidentiality*

(1) The members of organs responsible for the organisation of instruction, the Director, the teaching and other staff of the School and teacher trainees may not convey to outsiders without authorisation what they have learned about the personal circumstances and economic situation of the pupils or staff referred to in this Act or the members of their families.

(2) Notwithstanding the provisions on confidentiality in subsection 1 above or other applicable statutes, the persons referred to in subsection 1 above and the persons responsible for pupil welfare may provide one another and education authorities with information necessary for appropriate provision of education.

**Chapter 13**  
**Appeals**

Section 42  
*Claim for rectification*

(1) A decision concerning a child issued under this Act may not be appealed against. A person dissatisfied with a decision may lodge a claim for rectification with the Administrative Board of the School.

(2) The claim for rectification shall be submitted in writing within 14 days of the receipt of the notification of the decision. The processing of a claim for rectification shall come under the provisions of the Administrative Procedure Act (434/2003).

Section 43  
*Appeal*

(1) A person dissatisfied with the decision given by the Administrative Board on a claim for rectification may lodge an appeal against it with the Administrative Court in the manner laid down in the Administrative Procedure Act.

**Chapter 14**  
**Coming into force**

Section 44  
*Coming into force*

(1) This Act shall come into force on the first of January 2008.

(1) Measures needed to implement this Act may be taken before its coming into force.

(2) The first Administrative Board and the first Director shall be appointed by the Ministry of Education.

Section 45  
*Transitional provisions*

(1) Category II pupils may be enrolled in the School from the beginning of the school year starting in 2010 at the earliest.

**Coming into force and application of the Act Amending the Act on European Schooling Helsinki (268/2011)**

This Act shall come into force on the first of April 2011.

Measures needed to implement this Act may be taken before its coming into force. The children of the personnel of European Schooling Helsinki who have been admitted as Category I pupils before this Act comes into force may continue to study in European Schooling Helsinki without being charged the tuition fees referred to in Section 15(1) of the Act on European Schooling Helsinki. (Amendment 268/2011)