Basic Education Decree
852/1998

On the referral of the Ministry of Education be it enacted by virtue of the Basic Education Act (628/1998) of 21 August 1998 as follows:

Chapter 1
Teaching and working time
Section 1
Teaching arrangement

1. Basic education shall be organised as teaching given by class teachers, subject teaching given by teachers of different subjects, guidance counselling given by guidance counsellors and special-needs teaching given by special-needs teachers.

2. In year-classes 1-6, the teaching shall primarily be class teaching and in year-classes 7-9 primarily subject teaching unless otherwise provided in the curriculum.

Section 2
Formation of teaching groups

1. Teaching groups shall be formed by year-classes. Where appropriate teaching arrangements so demand, pupils of different year-classes, pupils in pre-primary and in voluntary additional basic education may be taught in the same teaching group or together with pupils of another school or educational institution. The formation of teaching groups in instruction preparing immigrants for basic education shall be determined by the education provider.

2. In education given to pupils admitted or transferred to special-needs education under Section 17(2) of the Basic Education Act (628/1998), the teaching group may consist of a maximum of ten pupils, with exceptions enacted below. The maximum size of a teaching group may be exceeded when justified in terms of the abilities of the pupils or the working method used in teaching and if the arrangement does not endanger the achievement of the objectives set for education. (Amendment 1194/1998)

3. In education given to pupils within prolonged compulsory schooling under Section 25(2) of the Basic Education Act (628/1998), the teaching group may consist of a maximum of eight pupils. However, the maximum size for a teaching group consisting of pupils with profound developmental disabilities shall be six pupils. If a pupil referred to in this subsection is taught together with pupils other than those referred to in this subsection or in subsection 2, the teaching group may consist of a maximum of 20 pupils. (Amendment 1194/1998)

Section 3
Annual and weekly amount of teaching

1. The number of weekly hours of basic education shall be 19 at a minimum in the first and second year-classes, 23 on average in the third and fourth year-classes, 24 on average in the fifth and sixth year-classes, and at least 30 on average in subsequent year-classes.

2. Pre-primary education shall be given for a minimum of 700 hours and additional voluntary basic education for a minimum of 1100 hours a year. Eligible for additional voluntary basic education shall be a young person who has obtained a

school-leaving certificate in the same or previous year.

3. The extent of instruction preparing immigrants for basic education shall be 450 hours at a minimum for pupils aged between 6 and 10 and a minimum of 500 hours for pupils older than this. A pupil participating in this education shall have the right to transfer to basic education before completing the number of hours referred to above if he or she is able to follow teaching in basic education.

4. The duration of teaching per one hour shall be 45 minutes at a minimum. The time allocated to teaching shall be divided into appropriate teaching periods.

5. Part of the working time may be used for familiarisation with the world of work and for the closing ceremony and other school functions.

Section 4
Daily work load

1. In pre-primary education and in the two first year-classes of basic education, the pupil's working day may comprise a maximum of five lesson hours and in other year-classes and in voluntary additional basic education a maximum of seven lesson hours.

2. Where appropriate teaching arrangements so require, the pupil's working day in the seventh, eight and ninth year-classes may temporarily exceed the extent decreed in subsection 1.

3. Foreign-language teaching referred to in Section 10(4) of the Basic Education Act and education organised abroad may deviate from the provisions of this Section as laid down in the authorisation to provide education.

Section 5
Arrangement of substituting education

1. A pupil who is not taught religious education or ethics under Section 13 of the Basic Education Act or who is otherwise exempted from studying a subject under Section 18 of the Basic Education Act other than temporarily shall be provided other instruction or guided activity in substitution.

2. A pupil who takes part in extracurricular religious education according to his or her own faith or who can otherwise be considered to have knowledge and skills corresponding to the basic education syllabus may be exempted from teaching or guided activity referred to in subsection 1. The extent of teaching given to the pupil may in this case be smaller than that enacted in Section 3. (Amendment 560/2003)

Section 6
Morning assembly

1. The school day shall start with a short morning assembly.

Section 7
End of school

1. The work of the school year shall terminate on the last weekday of week 22. If lost working days need to be replaced under Section 23 of the Basic Education Act, the school year shall end on the date determined by the education provider.

2. In education provided abroad and in education in which the mandatory number referred to in Section 23(1) of the Basic Education Act is exceeded on the basis of on the authorisation granted by the competent Ministry under said Section, the closing day shall be decided by the education provider.

Section 8
Education of persons other than those of compulsory school age

1. In basic education provided for persons other than those of compulsory school age, the teaching of different subjects shall be organised into courses of 28 hours on average. Free-choice courses may be shorter or longer than 28 hours. The minimum extent of the basic education syllabus shall be 44 courses. However, in education provided in prisons, the minimum extent of the syllabus shall be 30 courses.

2. In contact teaching, a minimum of 40 minutes of each lesson hour shall be dedicated to teaching.. The time allocated to teaching shall be divided into appropriate teaching periods.

3. Matters other than those enacted in this Chapter shall be decided by the education provider.

Section 9
Planning of teaching and teaching time

1. The education provider shall draw up a plan for each school year based on the curriculum which will set down overall teaching arrangements, lesson hours and other activities to be organised in conjunction with teaching, and working hours, extramural teaching and other necessary matters relating to teaching.

2. The education provider shall notify pupils and their parents/carers about pivotal matters referred to in subsection 1.

Chapter 2
Pupil assessment

Section 10
Continuous pupil assessment

1. Information about a pupil's progress in learning and his or her work and behaviour must be provided sufficiently often for the pupil and his or her parent/carer. The procedures for disseminating information shall be laid down in more detail in the curriculum.

2. At the end of each school year, the pupil shall have a report card indicating the pupil's study programme and an assessment, either by subjects or subject groups, of how the pupil has achieved the set objectives and an appraisal of the pupil's behaviour. The National Board of Education shall determine what subjects can be assessed as a group.

3. The assessment referred to in subsection 2 above shall be numerical or verbal. The scale of marking is 4–10. Grade 5 denotes poor, 6 fair, 7 average, 8 good, 9 very good and 10 excellent knowledge and skills. The grade for fail is 4. Verbal assessment may be used, unless otherwise ordained by the National Board of Education:
(1) in assessments in year-classes 1–7;
(2) in the assessment of optional subjects or subject groups;

(3) in the assessment of pupils within prolonged compulsory schooling referred to in Section 25(2) of the Basic Education Act;
(4) in the assessment of pupils whose mother tongue, barring Finnish and Swedish, is other than the language of instruction, except in the final assessment; and
(5) always in addition to numerical marking.

Section 11
Progress in studies and advancement

1. A pupil who has attained a grade indicating at least poor knowledge and skills or a corresponding verbal assessment in different subjects included in his or her syllabus shall be transferred to the next year-class at the end of the school year. A pupil whose performance has been rated as fail shall be given a chance to demonstrate that he or she has achieved passable knowledge and skills in the subject concerned without participating in teaching. Such an opportunity may also be given after the school year has ended.

2. A pupil can be made to repeat a year-class if he or she has not passed, during schoolwork or in a separate examination, different subjects referred to in subsection 1 or if the pupil's overall school attainment can be considered to warrant it. The National Board of Education may ordain the cases when a fail in some subject will not cause the repeating of a year-class. The attainments of the year-class which the student is made to repeat will become void.

3. In the curriculum it may be laid down that it is possible for a pupil to advance in different subjects in accordance with his or her own study plan instead of year-class syllabi. The curriculum shall determine the study modules which must be passed in order to progress in the subject concerned. After the work of a school year has ended the pupil goes on to the next year-class. In the ninth year-class the pupil is considered to be in that year-class until he or she is awarded the school-leaving certificate or resigns. The possibility of taking a separate examination to pass a study module precluding progress and the repeating of a year-class because of poor overall study attainment shall come under the provisions of subsections 1 and 2.

Section 12
Final assessment, certificate of resignation and studies in one or several subject syllabi

1. A pupil who has successfully completed the whole basic education syllabus shall be awarded a school-leaving certificate. A pupil who leaves school without completing the whole basic education syllabus shall be awarded a certificate of resignation. A person who has completed the syllabus of one or several subjects referred to in Section 46(2) of the Basic Education Act shall be awarded a certificate for the completion of a subject syllabus.

2. The school-leaving certificate, the certificate of resignation and the certificate referred to in Section 46(2) of the Basic Education Act shall come under the provisions of Section 10 above. No mark for the behaviour of the pupil shall not, however, be recorded.

Section 13
Assessor and notification of criteria

1. Pupil assessment shall be made by his or her teacher as regards each subject or study module, or if there are several teachers, by the teachers together. Behaviour is appraised by the pupil's teacher, or if there are several teachers, the teachers together. The repeating of a year-class shall be decided by the principal and the pupil's teachers together.

2. The pupil and his or her parent/carer are entitled to receive information about assessment criteria and their application to pupil assessment.

14 Section
Assessment in certain cases

1. In voluntary additional basic education, in teaching by the medium of a foreign language referred to in Section 10(4), in education provided abroad and in education provided for persons other than those of compulsory school age, assessment may deviate from the provisions of this Chapter as ordained by the National Board of Education.

2. Assessment in pre-primary education and in instruction preparing immigrants for basic education shall be set down in the curriculum.

Chapter 3
Pupil's legal rights

Sections 15-17
Sections 15-17 have been repealed by Act 560/2003.

18 Section
Principal's and teacher's decision power in certain situations
(Amendment 560/2003)

1. Detention referred to in Section 36(1) of the Basic Education Act, dismissal from the classroom or other teaching facility referred to in Section 36(2) and an order to complete assignments after school referred to in Section 36(4) shall be decided by the pupil's teacher. An order to leave a school function referred to in Section 36(2) shall be decided by the principal or a teacher. A decision to deny participation in education referred to in Section 36(3) shall be decided by the principal.

Section 19
Re-assessment and rectification of assessment
(Amendment 560/2003)

1. A request for to review a decision concerning advancement in studies or the repeating of a year-class or revision of a final assessment shall be submitted within two months of the receipt of the information. The reassessment shall be made by the principal and the pupil's teachers together.

2. Where a reassessment or a decision to deny the request is manifestly unsound, the provincial state office may, at the request of the pupil's parent/carer, instruct the teacher to make a reassessment or prescribe an appropriate grade for the pupil or order that the decision concerning progress in studies or the repeating of a year-class be reviewed.

Chapter 4
Miscellaneous provisions

Section 20
Authorisation to provide education

1. The authorisation to provide education referred to in Sections 5 and 7 of the Basic Education Act must be applied at least one year before the planned commencement of education. The competent Ministry may also accept to process an application submitted later than the said time, if necessary. The application shall be submitted to the provincial state office.

2. The application for authorisation shall include an account of the need for the education and the fulfilment of the other conditions for authorisation.

Section 21
Full board relating to accommodation

1. The full board provided in accommodation includes free food and cleaning.

Section 2
Student teachers

1. Basic education may also be given by teacher trainees under the supervision of a teacher.

Section 23
Separate examinations

1. A separate examination referred to in Section 38 of the Basic Education Act may be set by an education provider authorised to provide basic education.

2. A person taking a separate examination must demonstrate that his or her knowledge and skills correspond to the knowledge and skills required for different subjects in the basic education syllabus. In order to complete the whole basic education syllabus, a pupil of compulsory school age must take an examination in all the subjects referred to in Section 11(1) of the Basic Education Act and students other than those of compulsory school age must take examinations in mother tongue and literature, the second domestic language, a foreign language, history, civics, mathematics, physics, chemistry, biology and geography.

3. A person who has successfully passed a separate examination shall be awarded a certificate of the completion of the basic education syllabus in full or in part.

4. The assessment of a separate examination and appeals against assessment shall come under Sections 10, 11 and 19, where applicable.

Section 23 a
Application to pre-primary education
(Amendment 326/2000)

1. Application to pre-primary education shall be submitted as determined by the education provider. The education provider shall notify in advance where the education is provided, when the education starts and ends and how to apply for pre-primary education provided or purchased by it.

2. It is also possible to apply for pre-primary education in a place providing pre-primary education other than the one assigned by the local authority by virtue of Section 6(2) of the Basic Education Act. Equal selection criteria shall be

applied in the admission of these pupils. The local authority may, however, decide to admit primarily children residing in the municipality to pre-primary education arranged or purchased by it.

3. When the child's place of residence or the work or study situation of the parent/carer changes, or for some other corresponding special reason, it is possible to submit the application to pre-primary education later than stipulated by the education provider under subsection 1.

Chapter 5
Coming into force and transitional provisions

Section 24
Coming into force

1. This Decree shall come into force on the first of January 1999.

2. Measures necessary for the implementation of this Act may be undertaken before its entry into force.

Section 25
Transitional provisions on the number of lesson hours in pre-primary education and voluntary additional basic education and the arrangement of substituting education

1. The provisions in Section 3(2) concerning the minimum number of lesson hours in pre-primary education and in voluntary additional basic education shall be applied as from the beginning of the school year 1999–2000. Until then they shall come under the provisions in force at the coming into force of this Decree.

2. If a pupil has been exempted from some subject other than temporarily before this Decree comes into force, the arrangement of substituting education shall come under the provisions in force at the coming into force of this Decree instead of Section 5.

Section 26
Transitional provision concerning pupil assessment

1. The provisions of Sections 10-12 concerning pupil assessment shall be applied as from the beginning of school year 1999–2000. Until then pupil assessment shall come under the provisions in force at the coming into force of this Decree and regulations and decisions issued by virtue thereof.

2. In report cards given in the school year 1998–1999, designations effective at the coming into force of this Decree may be used for mother tongue and literature, crafts, and art.

Section 27
Transitional provision concerning retirement age in certain civil service posts

1. The retirement age of the principal, deputy principal, the director of the pupil residence and a teacher at a school for persons with auditory and visual impairments, and the director, deputy director and teacher of a reform school, whose pension entitlement comes under the provisions of Section 2 of the Civil Service Pensions Act (611/1966), shall be determined in accordance with the said provision as long as he or she works in a corresponding post in a state educational

institution referred to in the Basic Education Act.