

# The Compulsory School Act

No. 91, 12 June 2008

## CHAPTER I

### Scope and Role of the Compulsory School, Compulsory Education

#### Article 1

##### *Scope*

This Act covers compulsory schools run by local authorities, private schools at compulsory level that have been accredited according to this Act and other recognised education at compulsory school level. Schools that offer studies at primary education level are called compulsory schools.

#### Article 2

##### *Objective*

The role of the compulsory school, in cooperation with the home, is to encourage pupils' general development and prepare them for active participation in a democratic society that is continuously developing. Compulsory school practice and methods shall be characterised by tolerance and affection, Christian heritage of Icelandic culture, equality, democratic cooperation, responsibility, concern, forgiveness and respect for human values. The compulsory school shall endeavour to organise its activities to correspond fully with the position and needs of their pupils and encourage the overall development, well-being and education of each individual.

The compulsory school shall encourage broadmindedness in its pupils, strengthen their skills in the Icelandic language and their understanding of Icelandic society, its history and characteristics, of people's living conditions and the individual's duties to the community, the environment and to the world. Pupils shall be provided with the opportunity to develop and use their creativity and to acquire knowledge and skills in their strive towards education and development. School activities shall lay the foundations for pupils' autonomy, initiative and independent thinking and train their cooperation skills.

The compulsory school shall encourage good cooperation between the school and the home, with the objective of ensuring successful school operation, general welfare and safety for pupils.

#### Article 3

##### *Compulsory education*

Compulsory education shall generally be of ten years in duration, but can be shorter, cf. Article 32. All children, in general between the ages of 6 and 16, are required to attend compulsory school.

Parents shall look out for the interests of their children at compulsory school age. According to this Act, parents are defined as those individuals that are responsible for the legal custody of children according to the definition of the Children's Act.

## CHAPTER II Compulsory School Administration

### Article 4

#### *Administration*

The Minister of Education, Science and Culture governs the affairs covered by this Act, issues the National Curriculum Guide for Compulsory Schools, provides compulsory schools with study material, monitors the quality of school activities, gathers, analyzes and distributes information, supports developmental work in compulsory schools and administers conflict resolution according to provisions of this Act. The Ministry of Education, Science and Culture shall ensure that local authorities fulfil their duties stipulated in this Act, regulations and rules issued thereof, and in the National Curriculum Guide for Compulsory Schools. The Minister of Education, Science and Culture reports to Althingi (the Icelandic Parliament) every three years on the implementation of compulsory education in Iceland, based amongst other things on reports from local authorities on school activities cf. Article 37.

### Article 5

#### *Local authorities*

All operations of general compulsory schools shall be at the responsibility and cost of local authorities. Local authorities are responsible for general organisation of school operations of compulsory schools in their respective municipalities, development of individual schools, housing and facilities of the compulsory school, special solutions on offer in the compulsory school, specialist services, evaluation and monitoring, information gathering and distribution and for implementation of school activities in the municipality. Local authorities shall formulate a general policy for school operations in the municipality and present it to its inhabitants. Local authorities shall establish cooperation between preschool and compulsory school on the one hand, and between compulsory school and upper secondary school on the other hand.

Local authorities are responsible for cooperation between the compulsory school and any third parties.

Local authorities shall ensure that children at compulsory school age cf. Article 3, who are legal residents of the municipality and children who have been placed in foster care with foster parents residing in the municipality, attend compulsory school according to further provisions of this Act. The same applies to local authorities' responsibilities if an individual who has legal custody over a child is legal resident in the municipality, since local authorities shall conclude an agreement among themselves regarding children's school attendance cf. paragraph 5.

If legal residency of the child has not been determined by the authorities, the local government shall decide on the child's compulsory schooling, when the child resides in the municipality and has requested to be enrolled in the school cf. Article 19. In the case of refusal

on behalf of the local government, it is possible to press charges according to provisions in Article 47. The Ministry of Education, Science and Culture can rule that the local authorities shall ensure the child compulsory education in the municipality.

A local government where a child resides can conclude an agreement with another municipality to admit the child into compulsory school, in which case the receiving municipality shall have the same duties towards the child's schooling as if it were a legal resident in the municipality.

## Article 6

### *School board*

Each municipality shall operate, on behalf of the local government, a School Board that takes care of compulsory school affairs according to law and regulations, and of affairs assigned to the School Board by the local government for one or more municipalities.

The main role of the School Board shall be:

- a. To ensure that all children at compulsory school age, who have the right to attend school, receive compulsory education according to law
- b. To confirm the annual operational schedule of the compulsory school and the school curriculum for each individual school
- c. To monitor the implementation of schooling and instruction in the municipality, the structure of school curriculum and to make proposals to the head teacher and/or local government regarding improvements to compulsory school operations
- d. To encourage and monitor that pupils and schools are ensured access to specialist services
- e. To ensure that appropriate housing for teaching and other facilities are available, including outdoor area and playground for pupils
- f. To control that provisions of law and regulations are fulfilled and make proposals to the local government regarding improvements thereof
- g. To encourage cooperation between preschool and compulsory school on the one hand and between compulsory school and upper secondary school on the other hand

The School Board shall be elected by the relevant local government at the outset of each elective term. Local government law and agreements of the municipality in question shall apply to School Board elections and operations. School board alternates shall be of the same number as main board members and shall be elected in the same way.

Head teachers, compulsory school teachers and parents of the municipality shall vote for their School Board representative and alternate to sit in School Board meetings with the right to speak and propose a motion.

When the School Board is presented with an appeal on the basis of provisions of this Act, procedures shall be as specified in the Administrative Procedures Act. As regards formal competences of board members and other representatives who have the right to attend board meetings, provisions of the Local Government Act shall apply.

## Article 7

### *Head teacher*

The compulsory school shall have a head teacher who is the director of the compulsory school, takes care of its administration, provides professional leadership and is responsible for the

school's operations towards the local government. The head teacher encourages cooperation between all relevant players in the school community. The head teacher calls teacher meetings as often as required during the school's operational time. Teachers and other school specialists shall attend teacher meetings. The head teacher calls staff meetings as often as required.

The head teacher makes proposals to the local government regarding administrative arrangements in the compulsory school, taking into account the needs of the school in question. The head teacher determines the roles of other administrative staff, of which one shall serve as substitute for the head teacher.

If a compulsory school has less than 60 pupils and does not have other administrative staff, the head teacher decides at the beginning of each school year, which one of the school's permanent teachers shall assume the role of head teacher in case of his or her absence.

## Article 8

### *School council*

The compulsory school shall operate a School Council, which shall be a forum for cooperation between the head teacher and the school community regarding school operations and activities. The School Council participates in policy making for the school and in devising and developing the school culture. The School Council shall discuss the school curriculum guide, annual operational schedule, financial plan and other plans regarding school activities. The School Council shall have a saying regarding any plans for major changes to school operations and activities before a final decision is made thereof. The School Council shall monitor security, conditions and general well-being of pupils. The School Council, cf. Article 6, given the consent of the local government, can assign certain additional projects to the school council of individual schools.

The School Council shall be comprised of nine members for two years at a time: two teachers' representatives together with one representative of general personnel of the respective school, two pupils' representatives and two parents' representatives in addition to the head teacher who directs the School Council work and is responsible for its establishment. The School Council additionally selects either a representative of the close community to sit on the council or an additional representative from among parents. In addition, the head teacher shall once a year summon a common meeting of the School Council and the board of the pupils' association.

The Minister of Education, Science and Culture shall issue a Regulation regarding School Council operation in collaboration with the Association of Local Authorities, teachers and parents.

## Article 9

### *Parent council*

The compulsory school shall operate a parent council. The head teacher is responsible for its foundation and takes care that it is provided with all needed assistance. The role of the parent council is to support school activities, encourage pupils' welfare and promote the relations between school and home.

The parent council of each compulsory school shall set its own rules, e.g. regarding elections for its board and election of representatives for the School Council.

## Article 10

*Pupils' association*

The compulsory school shall operate a pupils' association and the head teacher is responsible for its foundation. The pupils' association shall e.g. address pupils' interests, social and welfare issues and the head teacher shall take care that it is provided with all needed assistance.

The pupils' association in each school shall set its own rules, e.g. regarding elections for its board and election of its representative for the School Council, cf. paragraph 2, Article 8.

### CHAPTER III Compulsory School Personnel

## Article 11

*Recruitment*

Upon recruitment of head teacher and compulsory school personnel, provisions of the Local Government Act shall apply as well as further provisions of the local government board agreement as applicable.

The requirements for recruitment of head teacher or compulsory school teachers are stipulated in relevant legislation. Individuals who have been convicted for violating provisions of Chapter XXII of the Criminal Act may not be hired for this purpose. Upon recruitment, the person's criminal record shall be available or the head teacher be authorised to obtain information from the official charge sheet.

## Article 12

*Personnel*

Compulsory school personnel shall carry out their work in a professional, attentive and conscientious manner. All personnel shall show politeness, consideration and subtlety in their demeanour towards children and parents as well as co-workers.

Compulsory school personnel is obliged to observe confidentiality in regard to the situation of children and parents of which they gain knowledge in their work and shall be regarded as confidential according to law, superiors' instruction or by nature of the matter. The obligation of confidentiality remains even after the staff member concerned leaves the job. The obligation of confidentiality of compulsory school personnel does not include matters which may be appealed according to law. The head-teacher shall emphasise these obligations to the personnel, especially the obligatory notification according to the Child Welfare Act

At the head teacher's initiative, each compulsory school formulates a plan of how to organise lifelong learning for its personnel, in keeping with the emphasis of the school, the local authorities and the National Curriculum Guide.

Compulsory school head teachers and teachers shall be offered to participate in lifelong learning on regular basis with the purpose of enhancing their professional competences. They shall also have the possibility of an educational leave.

### CHAPTER IV Pupils

Article 13  
*Pupils' rights*

The compulsory school is the pupils' workplace. All compulsory school pupils have the right to appropriate instruction within an encouraging study environment in suitable facilities which takes into account their needs and general well-being. A compulsory school shall endeavour to organise its activities in such a way that pupils feel safe and able to apply their talents to the fullest. Pupils have the right to enjoy their childhood in all activities organised by the school. Care should be taken that the workload is reasonable so that pupils get sufficient rest from organised activities within each school day and school year, such as with continuous Christmas and Easter vacations. Pupils have the right to express their opinion regarding their study environment, the organisation of studies and school activities, and other decisions that affect them. Their opinion shall be taken into account whenever possible.

Each pupil shall have a supervisory teacher. Supervisory teachers shall follow closely their pupils' studies and their personal development, their condition and general welfare, they shall guide their pupils in their studies and school work, provide assistance and advice regarding personal matters and thus strengthen the cooperation between school and home.

Pupils have the right to receive educational and career guidance and counselling within the compulsory school by appropriate specialists.

Article 14  
*Pupils' responsibilities*

Pupils are responsible for their own studies, their behaviour and communication with others, considering their age and level of maturity.

Pupils shall obey instructions from teachers and school staff in every way regarding school related matters and shall follow general rules of conduct and orderliness in their communication with school staff as well as with their fellow pupils.

Should the pupil show very inappropriate behaviour, the teacher should try to find out what causes it and try to improve the situation by speaking to the pupil himself/herself and his/her parents. If the situation does not improve, the teacher shall seek assistance from the head teacher and specialised counsellors within the school who then try to find ways to improve the situation, taking into account the role of official child welfare authorities as needed.

While a case cf. paragraph 3 remains unresolved, the head teacher may suspend the pupil from school temporarily or for good, and shall report that decision without delay, to the pupils' parents and the School Board. Provisions of the Administrative Procedures Act shall apply to such decisions. The School Board shall ensure, within reasonable time limits, that a pupil who has been suspended from school receives suitable instruction.

A decision cf. paragraph 4 may be subject to appeal according to provisions in Article 47. If the municipality does not ensure suitable instruction for the pupil, the Ministry of Education, Science and Culture may rule that the municipality shall ensure that the pupil gets suitable instruction within a certain time limit.

The Minister of Education, Science and Culture shall issue a Regulation stipulating in more detail the implementation of this Article.

Article 15  
*Compulsory education*

Pupils are obliged to attend compulsory school cf. Article 3. Compulsory education may be provided by compulsory schools run by the local authorities, by privately run schools at compulsory school level or through other recognised means according to this Act.

A child's compulsory education normally starts at the outset of the school year on the calendar year in which the child turns six years old. Parents can request or consent to their child starting school attendance before that time. A head teacher may authorise this, given the reference of a specialist.

The head teacher is authorised to exempt a pupil from compulsory education in particular subjects whenever there are valid arguments to support that.

If parents of a child at compulsory school age ask that their child be temporarily exempt from a particular subject or from school attendance in general, the head teacher may authorise such exemptions if he/she considers the arguments presented to be valid. Parents shall nonetheless take care that the pupil catches up on what he/she might lose out on while he/she is exempt from school attendance.

Provisions of the Administrative Procedures Act shall apply to decisions on providing or refusing an exemption, cf. paragraph 3 and 4. Such decision may be subject to appeal according to provisions of Article 47. The Minister of Education, Science and Culture may rule that an exemption be provided in part or in full, even though the local authorities have not approved such an appeal.

Guidelines regarding exemptions according to this Article shall be issued in the National Curriculum Guide for Compulsory Schools.

#### Article 16

##### *Reception plans and pupils whose mother tongue is not Icelandic*

Instruction in compulsory schools shall be conducted in Icelandic. Other languages than Icelandic may be used for instruction whenever entailed by the nature of the matter or by the National Curriculum Guide.

The compulsory school shall follow the school's or the municipality's reception plan when receiving pupils that are attending school for the first time, pupils that are changing school or starting school in Iceland. At that point, parents shall be provided with information concerning their child's education, school attendance and school activities in general, and parents that are not native speakers of the Icelandic language, as well as deaf parents, shall be given information regarding their rights for interpretation services.

Reception plans for pupils whose mother tongue is not Icelandic shall take into account pupil's background, language skills and skills in other fields of study. These pupils and their parents shall be ensured adequate counselling and access to information on compulsory school organisation and activities.

Pupils whose mother tongue is not Icelandic are entitled to instruction in Icelandic as second language. The instruction aims at encouraging the pupils to become actively bilingual, enabling them to study at compulsory school and thus becoming active participants in Icelandic society. Compulsory schools may accredit pupils' knowledge in their native language, in the case of pupils who are not native speakers of Icelandic, as part of their compulsory education, replacing compulsory education in another foreign language.

#### Article 17

##### *Pupils with special needs*

Pupils have the right to have their special needs met regarding studies in compulsory school, without discrimination and regardless of their physical or mental attainment.

Pupils, who have difficulties studying because of specialised study problems, emotional or social problems and/or disabilities, cf. Article 2 of the Act on Affairs of People with Disabilities, pupils with dyslexia, pupils suffering from long term illnesses and pupils with health related special needs, have the right to special study support, according to evaluation of their special needs.

Pupils that are deemed unable to attend school according to doctor's evaluation because of an accident or a long-term illness, have the right to special instruction because of their condition, either in their home or at a medical facility. Special instruction because of medical condition shall be the responsibility of the relevant municipality.

If a child's parents, head teachers, teachers or other specialists believe that the child is not receiving suitable instruction in the compulsory school, the parents can ask that their child be admitted to special treatment within general compulsory school or to a specialised school.

In the case of a disagreement concerning a pupil's schooling, provisions of the Administrative Procedures Act shall apply. Any decision thereof shall take into consideration a specialist opinion and the general welfare of the child. The decision is subject to appeal according to provisions in Article 47.

The Minister of Education, Science and Culture shall issue a Regulation stipulating further the implementation of this Article and about case procedure. When the Ministry of Education, Science and Culture rules in cases brought to its attention on the basis of this Article, it may make further provisions regarding the organisation of the pupil's education and the municipality's duties in that regard.

## CHAPTER V Parents

### Article 18

#### *Parents and treatment of information*

Parents shall look out for the interests of their children at compulsory school age. Parents have the right to choose a compulsory school for their children within their municipality according to the municipality's rules. They shall also have the right to information about school activities and their children's education.

Parents are obliged to provide the compulsory school with information regarding their child that is necessary for the school activities and the child's welfare. Personal information thus acquired or that has followed a child from preschool, requires strict confidentiality and case procedures according to current legislation on the protection of the person and the use of personal information. Parents shall be made aware of this information. Treatment of information shall be the responsibility of the head teacher or other specialists of the municipality according to further decision. The Minister of Education, Science and Culture shall issue a Regulation regarding the treatment, elimination and deliverance of information and the rights of parents to access information concerning their children.

Parents shall consult with the compulsory school regarding their children's schooling, follow and support their education and study process and make sure that the children come to school rested and obey school rules. Parents shall have the opportunity to participate in their child's education and in school activities in general.

In the case of parents who are not native speakers of Icelandic or who communicate in sign language, the school shall strive to ensure interpretation for all information necessary for communication between parents and school, according to this Article.

#### Article 19

##### *Parents' responsibilities*

Parents are responsible for their children's studies and shall look after their study process in cooperation with them and their teachers. Parents of a child at compulsory school age are responsible for the child's enrolment in school and school attendance when the child reaches that age. If a child at compulsory school age fails to attend school without valid reasons such as illnesses preventing it, the head teacher shall seek solutions and decide on improvements. The head teacher shall report the case to the Child Welfare Authorities. The head teacher shall follow provisions of the Administrative Procedures Act in handling the case. A decision thereof may be subject to appeal cf. Article 47.

In a ruling on the case, the Ministry of Education, Science and Culture may require the municipality to ensure the pupil particular instructional solutions, such as providing the pupil with access to a particular school within the municipality.

### CHAPTER VI

#### **Compulsory School Buildings and Facilities**

#### Article 20

##### *School buildings*

The local authorities in consultation with the School Board and School Council shall make preparations for school building construction. The municipality in question shall finance the capital investment costs of compulsory schools. Municipalities are also responsible for looking after and financing the maintenance of school buildings, as well as the renewal and maintenance of equipment. Special provisions shall be made for allocation of space for specialist services for children with special needs and for staff facilities.

Compulsory school buildings and school premises shall fulfil requirements presented in this Act, the Act on Health and Safety at Workplaces and in the National Curriculum Guide for Compulsory Schools. Buildings and other facilities shall be aimed at ensuring safety and well being of pupils and personnel, with regard to convenient furnishing, sound setting, lighting and air-conditioning.

Municipalities shall consult with interested players in the school community and parties in the school close community when designing, building and renovating compulsory school buildings.

The Minister of Education, Science and Culture shall issue a Regulation regarding compulsory school buildings and equipment in cooperation with the Association of Local Authorities, which further stipulates requirements for compulsory school facilities, equipment and safety within the school buildings and on the school premises.

#### Article 21

##### *Supervision of school buildings*

The head teacher shall administer daily supervision of school buildings according to further decisions by the local authorities.

The local authorities may, in collaboration with the head teacher, allocate the school buildings in part or in full to other activities, as long as those activities do not interfere with legal use of the facilities.

#### Article 22

##### *School transportation*

Municipalities are responsible for organising and bearing the cost of school transportation where appropriate. The Minister of Education, Science and Culture issues further rules concerning school transportation in cooperation with the Association of Local Authorities. School transportation shall be free of charge for pupils.

#### Article 23

##### *School meals*

Pupils in compulsory school shall have the opportunity to have a meal during school hours according to official dietetic recommendations. Municipalities may charge for school meals on the basis of a special rate, which they shall issue.

Decisions on rates according to this Article may be subject to appeal according to provisions in Article 47.

### CHAPTER VII

#### **Study content, study organisation, study offers, study evaluation and working period**

#### Article 24

##### *National Curriculum Guide*

The Minister of Education, Science and Culture issues a National Curriculum Guide for Compulsory Schools, which shall be revised on regular basis. It shall stipulate e.g. the compulsory school's pedagogical role and general policy in teaching and instructional organisation according to the role of the compulsory school cf. Article 2. The National Curriculum Guide shall among other things emphasise the following:

1. Self consciousness, personal awareness, ethical consciousness, social awareness and pupils' awareness of their civil responsibilities and duties
2. Physical and mental well-being, healthy lifestyle and responsible approach towards living beings and the environment,
3. Training pupils in using the Icelandic language in all studies,
4. Dramatic and artistic expression
5. The ability of pupils to understand causal relationships and to draw logical conclusions
6. Understanding of vital and creative activities, innovation and entrepreneurial studies
7. Balance between academic and practical studies
8. Utilising children's' play as means of learning and development
9. Studies which will be of advantage to pupils in their daily life as well as in further studies and future employment
10. Preparing both sexes equally for active participation in society, family life and employment
11. A variety of means to acquire knowledge, through the use of technological media, information and communication technology, school resource centres and written sources

12. Education and career guidance and counselling, information about occupations and employment, available courses of study in preparing for future studies or employment

In devising the National Curriculum Guide, in the organisation of study and instruction and in producing and selecting study material, special effort shall be made to ensure that all pupils have equal study opportunities and a chance to select subjects and learning approaches in their own education.

The objectives and practice of study and instruction shall aim at preventing discrimination on the basis of origin, gender, sexual orientation, residence, social class, religion, health condition, handicap or situation in general.

All school activities shall encourage a healthy lifestyle and take into account the variation of personality, development, talent, abilities and interests of each individual pupil.

#### Article 25

##### *Objectives of study*

The National Curriculum Guide shall lay down the main objectives of study and instruction, the structure and organisation of study, as well as division of time between instruction in different subjects and subject areas in the compulsory school. Effort shall be made to ensure as much cohesion of studies as possible, but each compulsory school determines if particular subjects shall be taught in a separate or integrated way. The National Curriculum Guide shall define required learning outcomes within each subject area. Pupils shall have the possibility to fulfil the learning outcomes of particular subjects and subject areas in various ways. The National Curriculum Guide shall define learning outcomes and requirements for pupils to finish individual subjects or subject areas. It shall also define requirements for pupils that finish compulsory school in less than 10 years. The National Curriculum Guide shall outline the cooperation between compulsory school and preschool on the one hand and compulsory school and upper secondary school on the other hand and how to arrange efficient transfer and adaptation between school levels.

The National Curriculum Guide shall stipulate the content and organisation of study in the following fields: Icelandic or Icelandic as second language or Icelandic sign language, mathematics, English, Danish or other Nordic languages, arts and crafts, natural sciences, physical education, social sciences, equal rights affairs, religious studies, life skills and information and communication technology.

#### Article 26

##### *Elective subjects*

From the beginning of their compulsory education, pupils shall have the possibility of choice regarding their studies, such as of topics, learning methods and subjects, according to the framework provided by the National Curriculum Guide for Compulsory Schools and the school curriculum. The objective is to encourage pupils to take responsibility for their studies and create flexibility in school activities. Distance education and web-based learning can account for part of pupils' schoolwork.

In 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> grade, elective subjects and subject areas chosen by pupils may account for around one third of study time.

Organised studies carried out outside of the compulsory school, such as in music schools, may be evaluated as part of compulsory education according to further implementation laid out in the National Curriculum Guide for Compulsory Schools. If a pupil engages in such studies, the local authorities in question are not obliged to bear the related cost, even though the studies are

accredited as part of compulsory education. Temporary participation in employment, social activities, sports or organised voluntary work can also be evaluated as part of compulsory education as long as it complies with school operation objectives.

Compulsory school pupils are entitled to enrol in particular subjects at upper secondary level while still in compulsory school, as long as they demonstrate the necessary competences. The compulsory school head teacher authorises the pupils' participation in such studies outside of school hours according to the framework laid down in the National Curriculum Guide. Provisions of the Administrative Procedures Act shall apply to head teacher's decisions cf. this Article.

Refusal to evaluate studies or to use the permission provided in this Article, may be subject to appeal cf. Article 47. The Ministry of Education, Science and Culture may rule that a head teacher of a compulsory school shall grant a pupil the permission to undertake studies at upper secondary level cf. paragraph 4.

### Article 27

#### *Study assessment*

Assessment of pupils' results and progress shall be a regular part of school activities. The purpose is to monitor whether pupils fulfil the objectives laid down in the National Curriculum Guide and if attain their study objectives, to encourage pupils to make progress and determine which pupils may need special support. Further provisions on study assessment shall be laid down in the National Curriculum Guide for Compulsory Schools.

Information regarding individual pupils' assessment may not be given to other than to pupils themselves or to their parents. However, this information may be provided when pupils transfer between schools and when they enrol in upper secondary school, provided that full confidentiality is ensured and that procedures take into account provisions of current legislation on personal protection and personal information.

Pupils and parents are entitled to information about test results, evaluation methods and evaluation techniques, including the right to examine evaluated projects and test results. They are also entitled to an oral explanation of the assessment and that the assessment results are revised within the compulsory school. Such revision is not equivalent to an administrative appeal according to the Administrative Procedures Act.

The Minister of Education, Science and Culture issues a Regulation with further provisions on the treatment of assessment results in compulsory schools and distribution of information on study evaluation with the purpose of transfer of pupils between compulsory schools and enrolment in upper secondary schools.

### Article 28

#### *School year*

The instructional year for pupils in compulsory school shall be at least nine months each school year. It shall include at least 180 days of school attendance. Division between days of instruction and other school days shall be the responsibility of the head teacher in consultation with the School Council and with the consent of the School Board.

The weekly instruction received by each compulsory school pupil shall be at least:

1200 minutes in grades 1 – 4

1400 minutes in grades 5 – 7

1480 minutes in grades 8 – 10

The head teacher shall determine the implementation of weekly instruction periods in consultation with the School Council. In determining daily and weekly working hours of compulsory school pupils, care shall be taken to ensure continuity and that the total does not exceed a reasonable workload considering the age and maturity of pupils.

Temporary deviations from the minimum weekly instruction period cf. paragraph 2 can be made, as long as pupils are ensured additional instruction within the same school year to make up for the deviation.

#### Article 29

##### *School curriculum guide and operational plan*

Each compulsory school shall annually issue a school curriculum guide and an operational plan. The head teacher is responsible for their implementation and shall devise them in consultation with teachers. The school curriculum guide is a more detailed version of the National Curriculum Guide for Compulsory Schools, as regards objectives, content and assessment of studies, operational methods and evaluation and quality control of school activities. The school curriculum guide shall take into consideration the compulsory school's culture, characteristics and circumstances and shall be revised regularly.

The annual operational plan shall provide information on the school calendar, including duration of Christmas vacation, Easter vacation and other winter vacation, pupils' study schedule, school rules, support services, extra-curricular and social activities as well as other aspects concerning school activities each year. The school's annual operational plan shall be submitted to the School Board for approval, which confirms its entry into force provided that it has been devised in accordance with law, regulations, National Curriculum Guide, collective bargaining agreements and local authorities' decisions regarding school activities.

The head teacher shall be responsible for the implementation of these provisions as well as for their discussion within the school and in the School Council and for presenting the operational plan results before the School Board. The operational plan and school curriculum guide shall be accessible for all parties within the school community.

#### Article 30

##### *School rules*

Each compulsory school shall have school rules. The school rules shall stipulate aspects such as general conduct, personal interaction and communication, punctuality, study dedication and healthy habits and lifestyle. The rules shall also imply how the school intends to react in the case of violation of the rules.

The head teacher shall be responsible for the making of school rules and their presentation, and they shall be devised in cooperation with the School Council and the pupils' representatives on the School Board.

#### Article 31

##### *Cost of compulsory school education*

Compulsory school instruction in public compulsory schools shall be provided to pupils without charge and neither pupils nor their parents may be charged any fee for instruction, service, instructional material or other material which pupils are required to use in their studies and comply with provisions of this Act and the National Curriculum Guide. The same applies to compulsory school pupils' participation in courses at upper secondary level, whenever the studies are defined as part of compulsory school studies. The public authorities are not required to provide pupils with material for personal use such as writing supplies and paper.

Provisions of the Upper Secondary School Act shall apply to studies at upper secondary level undertaken by compulsory school pupils.

Costs related to studies, which are considered part of compulsory school education and evaluated towards credit units in upper secondary school, shall be negotiated between the compulsory school and upper secondary school in question.

The Ministry of Education, Science and Culture shall provide compulsory schools with instructional material according to general framework of compulsory school education according to the National Curriculum Guide.

Fee may not be collected from pupils for travels that are considered as study trips or field trips or are part of pupils' compulsory education in any way. Fee can be collected for subsistence during study trips and field trips, in consultation with parents.

Decisions regarding fee collection cf. this Article may be subject to appeal cf. provisions in Article 47.

### Article 32

#### *Completion of compulsory school education*

Upon completion of compulsory school education, the pupil shall receive a certificate attesting to the completion of compulsory studies according to this Act. The certificate shall record the pupil's study assessment report for his/her final year of compulsory school education for the study undertaken.

The head teacher shall determine whether a pupil has concluded compulsory school education and is responsible for the pupil's graduation from compulsory school. A pupil may graduate from compulsory school before completing the 10-year compulsory education, provided that the pupil fulfils compulsory school requirements according to description of learning outcomes in the National Curriculum Guide. The National Curriculum Guide for Compulsory Schools shall stipulate in more detail the implementation of this Article. Provisions of the Administrative Procedures Act shall apply to the head teacher's decisions in this regard. A parent may make an appeal in the case of denial from compulsory school graduation cf. this Article and provisions laid down in Article 47.

### Article 33

#### *Extra-curricular activities and extended stay*

Pupils in all compulsory schools shall be provided with the opportunity to participate in extra-curricular and social activities. Extra-curricular and social activities may be organised as part of daily school activities or outside normal school hours. The local authorities may also offer compulsory school pupils with extended stay outside of daily teaching hours.

Municipalities may charge for extended stay outside of daily teaching hours as well as for extra-curricular activities based on their special rate.

Decisions regarding rates and costs according to this Article may be subject to appeal according to provisions in Article 47.

### Article 34

#### *Compulsory school venture fund*

A venture fund shall support development and innovation in school activities according to official policy and the National Curriculum Guide. Contributions shall be made to the fund according to the annual national budget. The Ministry of Education, Science and Culture

administers the fund and issues a regulation for allocation of grants. The fund shall be common for preschools, compulsory schools and upper secondary schools.

Supervision of the fund and its grants may be delegated to an institution under the auspices of the Ministry of Education, Science and Culture, or to other relevant parties.

## CHAPTER VIII Compulsory School Evaluation and Quality Control

### Article 35

#### *Objective*

The objectives of evaluation and quality control in compulsory schools are:

- a. To provide information about school activities, school achievements and development to educational authorities, compulsory school personnel, receiving schools, parents and pupils
- b. To ensure that school activities are according to law, regulations and the National Curriculum Guide for Compulsory Schools
- c. To increase the quality of education and school activities and encourage developmental work
- d. To ensure that pupils' rights are respected and that they get the service they are entitled to according to law

### Article 36

#### *Internal evaluation*

Each compulsory school systematically evaluates the achievements and quality of school activities cf. Article 35 with active participation from school personnel, pupils and parents as relevant.

The compulsory school issues publicly information on its internal evaluation, its connections with school curriculum guide and plans for improvement.

### Article 37

#### *External evaluation by municipalities*

Municipalities shall administer evaluation and quality control of school activities cf. Article 5 and 6 and provide the Ministry of Education, Science and Culture with information regarding implementation of school operations, internal evaluation of schools, external evaluation by municipalities, process of school policy and plan for improvement.

Municipalities shall follow up on internal and external evaluation, so that such evaluation may lead to improvements in school operations.

### Article 38

#### *External evaluation by the Ministry of Education, Science and Culture*

The Ministry of Education, Science and Culture administers the analysis and dissemination of information regarding compulsory school activities on the basis of information provided by the municipalities cf. Article 37 and on autonomous data collection.

The Ministry of Education, Science and Culture sets an agenda for three years at a time regarding surveys and assessments that aim at providing information on implementation of this Act, of the National Curriculum Guide and of any other school activities. The Ministry of Education, Science and Culture also organises participation in international educational research and comparison.

The Minister of Education, Science and Culture shall issue a Regulation regarding internal and external evaluation and regarding the municipalities' duty to provide information in consultation with the Association of Local Authorities.

#### Article 39

##### *National examinations*

The Ministry of Education, Science and Culture organises a coherent national assessment in compulsory schools, provides schools with national examinations for that purpose and carries out national assessments.

All pupils in the 4<sup>th</sup> and 7<sup>th</sup> grades of compulsory school shall undergo national examinations in Icelandic and mathematics. Pupils in the first semester of 10<sup>th</sup> grade shall undergo national examinations in Icelandic, mathematics and English. The Minister of Education, Science and Culture shall implement other examinations according to decision.

A head teacher may exempt pupils from undergoing national examinations in individual subjects in the 4<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup> grades, provided that valid arguments and parental consent support the decision of exempting pupils from undergoing national examinations in individual tested subjects in the 4<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup> grades.

The Study Assessment Institution or other relevant party selected by the Minister of Education, Science and Culture shall supervise the structure and implementation of a national study assessment and examinations cf. this Article. The Minister of Education, Science and Culture issues a Regulation with more detailed provisions regarding the arrangements and implementation of national assessments, examinations and research in compulsory schools and on pupils' exemptions from national assessments cf. this Article.

### CHAPTER IX

#### **Specialist Services and Support System in Compulsory Schools**

#### Article 40

##### *Organisation and implementation of specialist services*

Municipalities shall ensure that specialist services are provided in compulsory schools, determine the organisation of such services and conduce towards providing the services within the compulsory school itself. Specialist services include support for pupils and their families as well as support for compulsory school activities and its personnel.

The compulsory school shall organise preventive measures through screenings and surveys from the beginning of pupils' school attendance in order to ensure they get adequate instruction and study support. In addition, pupils with social or psychological difficulties that may affect their studies shall receive specialist analysis. All surveys and analyses regarding individual pupils that are carried out within the compulsory school shall be made in consultation and with the consent of parents and shall be free of charge. Results from such surveys and analyses shall be presented to parents.

Parents may request analyses on the basis of this Article, and the head teacher, teachers or school health care staff may request an analysis in consultation and with consent of parents. The Specialist Services shall ensure that surveys and analyses are carried out, provide recommendation to the head teacher regarding feasible action, follow-up on improvements and evaluate results.

The head teacher shall establish a Pupils' Welfare Council to coordinate issues concerning services provided to individual pupils such as specialist services, education and career guidance and counselling and primary health care within the school. Consultation shall also be encouraged with the municipality's social services and the children welfare authorities regarding individual pupils' issues as needed.

Municipalities that operate a compulsory school shall initiate cooperation between the municipality's social services, primary health care services and the school's specialist service unit concerning pupils with special needs or long-term illnesses. Municipalities shall also initiate cooperation between their specialist service unit, the children welfare authorities and others that organise special analyses and treatments for individual pupils on behalf of the state.

In implementing specialist services, municipalities shall emphasise positive cooperation between preschools, compulsory schools and upper secondary schools, with the objective of ensuring continuation in school activities.

The Minister of Education, Science and Culture shall issue a Regulation regarding specialist services and operation of a Pupils' Welfare Councils in consultation with the Association of Local Authorities.

Should parents be denied analysis cf. paragraph 3, the decision may be subject to appeal cf. provisions in Article 47. The Ministry of Education, Science and Culture may rule that a particular pupil shall be provided with analysis according to provisions of this Article.

#### Article 41

##### *Primary health care*

Organisation of primary health care in compulsory schools shall be according to current legislation on primary health care services. Compulsory school health care services shall cooperate with the School Board and head teacher on the organisation and arrangement of primary health care.

The head teacher is responsible for ensuring that pupils are provided with primary health care in their compulsory school in accordance with arrangements in paragraph 1.

Municipalities shall provide the capital cost of facilities for primary health care in compulsory schools and take care of operating those. The salary of primary health care personnel and specific costs incurred by these activities shall be paid as other costs in the operations of general primary health care at a local primary health care centre, and personnel shall be hired in the same manner.

#### Article 42

##### *Special solutions*

Municipalities may resort to special solutions in the compulsory school or establish a special school whenever general studies or teaching methods are inadequate to pupils' needs and interests. Such solutions shall provide pupils with specialised study environment for a shorter or longer period of time, and emphasis shall also be placed on providing personnel with support and pedagogical counselling.

### CHAPTER X

#### **Compulsory School Accreditation, Cooperative Operation and Home Tutoring**

#### Article 43

##### *Accreditation of compulsory schools that are not run by municipalities*

The Minister of Education, Science and Culture may provide accreditation to compulsory schools or parts thereof cf. Article 1, which are run by other parties than the municipalities, as non-profit organisations, as limited companies or as other recognised legal forms, given the consent of the municipality regarding the establishment of the school. The consent of the municipality may be subject to a certain maximum number of pupils. Same law and regulations shall apply to those compulsory schools as to compulsory schools cf. Article 1, as applicable. Provisions of the Administrative Procedures Act shall be applied by the relevant school in making decisions that are subject to right of appeal cf. Article 47. However, this does not apply to fee collection.

Compulsory schools that are accredited cf. paragraph 1 are entitled to receive contribution from municipality funds for their activities for pupils that are residents in the municipality in which the school operates. The contribution shall account for at least 75% of estimated average total operational cost of each pupil in all compulsory schools that are operated by municipalities in the country according to calculations by Statistics Iceland. This proportion shall apply to schools with up to 200 pupils, but the contribution shall be at least 70% per additional pupil. Calculations by Statistics Iceland for costs according to this Article shall take into account the change in price levels.

The Minister of Education, Science and Culture may issue a Regulation on the implementation of this Article in cooperation with the Association of Local Authorities. The Regulation shall e.g. stipulate in more detail the accreditation requirements, how it shall be carried out, information provision to the municipality and the Ministry, operational control and accreditation withdrawal.

#### Article 44

##### *Experimental schools*

The Minister of Education, Science and Culture may authorise municipalities and privately run compulsory schools to organise experimental and developmental schools or to carry out experiments in particular aspects of school activities by exempting them from provisions of this Act, Regulations issued thereof, and from the National Curriculum Guide for Compulsory Schools. Reasonable time limits shall always be stipulated for such experiments and provisions made for their evaluation upon conclusion of the experiment.

Financial support may be provided for experimental schools as well as for special innovations, to the extent permitted by the national budget at each time.

#### Article 45

##### *Cooperative operation*

Municipalities, two or more, may cooperate in operating a compulsory school, cf. Chapter VIII of the Local Authorities Act. An agreement shall be concluded between the municipalities stipulating the role of the board cf. Article 4, paragraph 2. Should the municipalities choose to run a compulsory school in the form of a municipal cooperative unit cf. Article 82 of the Local Authorities Act, the board of the municipal cooperative unit shall take on the role of School Board unless the municipal cooperative unit establishes a special committee to carry out that role. Provisions in the agreement for the municipal cooperative unit establishment shall stipulate such arrangements.

Should municipalities cooperate in operating a school at compulsory school level, with children from a particular municipality attending school operated by another municipality, agreements between municipalities cf. Article 5 shall apply. If a number of children from one

municipality attends school in another municipality on these grounds, the municipalities in question may conclude in their agreement with the local authorities, that a representative elected by the local authorities of the municipality where the children have their legal residence, sit on the School Board of the receiving municipality, with the right to speak and propose a motion.

Municipalities may cooperate in operating a compulsory school, preschool and music school managed by one head teacher, given the consent of the relevant School Boards. The director of such an institution shall be certified to work as teacher at preschool or compulsory school level. Local authorities may decide that a parent council cf. Article 8 and a school council cf. Article 11 of the Pre-School Act shall operate jointly as one council. This provision shall apply also for schools operated cf. paragraph 1. The cooperative school shall be operated in all other respects according to legislation for the relevant school levels.

#### Article 46

##### *Exemptions*

The Minister of Education, Science and Culture may authorise accreditation of compulsory schools or study programmes within general compulsory schools which are operated according to recognised foreign or international curriculum guide and study organisation.

Parents who wish for an exemption from Article 3 in order to teach their children at home, in part or totally, shall apply for such exemption from their municipality. A head teacher may provide an exemption in consultation with the School Board and specialist services. Children that receive instruction at home are exempt from compulsory schooling cf. Article 3 but shall comply with regular evaluation and monitoring and shall undergo evaluation tests according to this Act.

A municipality may authorise parents, who so wish, to be exempt from Article 3 in order to each their children at home, in part or totally. Parents shall apply for permission to the compulsory school in question, which may provide an exemption in consultation with the School Board and specialist services. Pupils that receive instruction at home are exempt from compulsory schooling cf. Article 3 but shall comply with regular evaluation and monitoring and shall undergo evaluation tests according to this Act.

Decision made by the local authorities cf. paragraph 2 may be subject to appeal on the basis of Article 47. The Ministry of Education, Science and Culture may rule that the municipality provide the parents of a child authorisation according to paragraph 2.

The Minister of Education, Science and Culture shall issue a Regulation on the requirements for home schooling at compulsory school level. Municipalities shall report to the Ministry of Education, Science and Culture on authorisations provided on the basis of this Article.

## CHAPTER XI

### **Conflict resolution**

#### Article 47

##### *Right of appeal*

Decisions on rights and duties of individual pupils which are made on the basis of Article 5 paragraph 4; Article 14 paragraph 4; Article 15 paragraph 3 and 4; Article 17 paragraph 5; Art 19 paragraph 1; Article 23; Article 26 paragraph 4; Article 31 paragraph 4; Article 32 paragraph 2; Article 33 paragraph 3; Article 40 paragraph 3; and Article 46 paragraph 2, may be referred to the

Minister of Education, Science and Culture. In the case of appeal, procedure shall be as specified in the Administrative Procedure Act.

The local authorities may conclude in an agreement on the municipality's administration that an appeal shall first be referred to the School Board or other particular party within the municipality administrative body before a decision can be appealed according to paragraph 1. Should this authorisation be applied, the local authorities shall determine whether this right of appeal applies to part of the decisions cf. paragraph 1 or to all of them, and they shall also provide an agreement as to whether such decisions, made by privately run compulsory schools in the municipality cf. Article 43, may be subject to appeal in the same manner. In the case of appeal at municipality level, provisions of the Administrative Procedure Act shall apply.

## CHAPTER XII Entry into Force

### Article 48 *Entry into force*

This Act shall enter into force on 1 July 2008. At the same time, the Compulsory School Act no. 66/1995 shall be repealed.

## Temporary Provisions

### I

Compulsory schools that already operate on the basis of Article 43 are entitled to a financial contribution from the municipality budget cf. this Act without special Minister accreditation. The municipality may, however, limit the contribution from its funds to a maximum number of pupils.

State ownership of compulsory school buildings that were owned by the state, totally or in part, shall be written off in 15 equal phases during the years 1996-2010 and capitalised under the municipalities that are responsible for school operation and maintenance of school facilities. Should facilities formerly used for school activities no longer be used for that purpose, the state ownership part shall remain undiminished.

### II

Local authorities shall pay an amount equal to 1,3% of their teachers and head teachers' normal day salary into a special fund which is administered and kept by the Association of Local Authorities. This fund shall finance the salary of compulsory school teachers and head teachers during their educational leave for up to one year. The fund also manages state contribution to lifelong learning schemes for teachers and head teachers. The Association of Local Authorities appoints five members for the board of the fund, two nominated by the Icelandic Teachers' Union and three by the Association of Local Authorities. The board shall devise and issue its operational rules.

Notwithstanding provisions of paragraph 1, decision may be made so that financial contribution for educational leave of teachers and head teachers is reverted into a special fund negotiated for that purpose in general wage agreements between municipalities and their contracting parties. Financial contribution from the national budget assigned to lifelong learning of teachers and head teachers may be allocated in the same manner.

In the case of the municipalities and their contracting parties having establish a fund cf. paragraph 2, the Minister of Education, Science and Culture shall issue an advertisement in the B-section of the Law and Ministerial Gazette stating that it replaces a fund cf. paragraph 1.

### **III**

Regulations, advertisements and other provisions issued according to Act no. 66/1995 with later amendments shall remain valid as long as they do not conflict with this Act, until new regulations, advertisements or other legislation has come into effect.

### **IV**

School boards that were elected according to Compulsory School Act no. 66 from 1995 shall keep their mandate.

### **V**

National examinations cf. Article 39 shall be carried out for the first time in spring 2009.