

Finnish National Board of Education Decree (805/2008)

Section 1. Mandate

1. Education as referred to in section 1(2) in the Finnish National Board of Education Act (182/1991) comprises:
 - 1) pre-primary education, basic education (primary and lower secondary), voluntary additional basic education, instruction preparing immigrants for basic education, and for before- and after-school activities as referred to in the Basic Education Act (628/1998);
 - 2) general upper secondary education;
 - 3) vocational upper secondary education and training, rehabilitative instruction and guidance for the disabled and preparatory education for immigrants for vocational education and training;
 - 4) adult vocational education and training;
 - 5) liberal adult education; and
 - 6) basic education in the arts.
2. Other functions as referred to in section 1(2) of the National Board of Education Act involves administering a student admissions register as referred to in the Act on Student Admissions and Student Matriculations (1058/1998), language proficiency certificates as referred to in the Act on the Knowledge of Languages Required of Personnel in Public Bodies (424/2003), national language proficiency certificates as referred to in the Act on National Certificates of Language Proficiency (964/2004), authorised translators certificates as referred to in the Act on Authorised Translators (1231/2007) and recognition of professional qualifications as referred to in the Act on the Recognition of Professional Qualifications (1093/2007).
3. State educational institutions fall within the mandate of the National Board of Education subject to the provisions of other applicable statutes or provisions issued by the Ministry of Education and Culture.
4. The Ministry of Education and Culture shall promote lifelong learning, ensure that high-quality teaching and education are organised effectively and safeguard that the educational policy objectives for teaching and education set out by government and the Ministry of Education and Culture are met.

Section 2. Organisation

There are departments in the National Board of Education for general education, vocational education, information and evaluation services, services for the education sector and education in Swedish. There can be units under the departments.

Section 3. Appointment of a board of directors

1. The government appoints a board of directors for the National Board of Education for a fixed period and nominates a chairperson and a maximum of 13 members for it. The director general and one staff member elected by the staff of the National Board of Education are also members of the board of directors. The staff representative has a personal deputy. The board of directors selects a vice-chair amongst its members.

2. When appointing the board of directors, representatives of both official language groups shall be taken into account.
3. The National Board of Education endorses the remuneration of the board of directors.

Section 4. Functions of the board of directors

1. The board of directors participates in the National Board of Education's strategic planning and development of activities. It also monitors and evaluates general development needs for the core curricula and national qualifications requirements.
2. The board of directors:
 - 1) approves the National Board of Education's operating and financial plans, the framework for the budget proposal and any other essentially significant or far-reaching plans and guidelines for activities;
 - 2) resolves matters of major significance of far-reaching in nature under the mandate of the National Board of Education; and
 - 3) together with the director general, endorses and signs the National Board of Education's final accounts and related report on operations and pertinent documents.

Section 5. Decision-making in the board of directors

1. The board of directors is quorate when the chairperson and at least five other board members are present.
2. Where there is a difference in opinion, matters are resolved by simple majority voting. Where the vote is a tie, the chairperson of the meeting has the casting vote. However, where an election has been held and there is a tie, the vote is decided by lot.
3. The board of directors endorses more specific details on how to handle matters in the board.

Section 6. Duties of the director general

The director general has ultimate responsibility for the operation of the organisation and is accountable for reaching the performance targets set for the organisation and that the organisation operates efficiently and effectively. The director general is expected to keep abreast of developments in the field and to ensure that the operation of the organisation keeps developing and renewing itself.

Section 7. Duties of other managerial staff

All other staff members in a managerial position are in charge of ensuring that their department or unit meets its targets efficiently and effectively. They shall keep abreast of general developments in their field and introduce initiatives for salient reforms.

Section 8. Rules of procedure

The organisation's rules of procedure give provisions on the internal structure and functions of the organisation, on deputies for the director general and other staff members, on the duties of each staff member, on the organisation's internal board of directors which serves to assist the director general, and on other matters related to in-house administration.

Section 9. Decisions on matters

1. The director general resolves all matters under the mandate of the National Board of Education unless there are provisions specifying that they are to be resolved by the board of directors or another public official or the rules of procedure indicate that they are to be resolved by another official of the National Board of Education.
2. The director general:
 - 1) endorses the National Board of Education's rules of procedure and budget rule;
 - 2) having heard the board of directors, makes decisions on the core curricula and national qualification requirements;
 - 3) approves the budget proposal for the National Board of Education and the provisional proposal for performance targets to be presented to the Ministry of Education and Culture, and
 - 4) together with the board of directors, endorses and signs the final accounts and report on operations.
3. The National Board of Education shall draw up the decisions on core curricula and national qualification requirements in such a way that they are streamlined with the education policy objectives and decisions relating to the education system and instruction formulated by government and the Ministry of Education and Culture.
4. Matters are resolved by means of a presentation procedure by the National Board of Education. However, it is possible to enter in the rules of procedure that matters related to the Board's in-house administration, barring staff employment relationships and terms and conditions related to such relationships, may be resolved without presentation.
5. In individual cases, the director general, the directors of departments and the heads of units may resolve matters that their subordinates would normally be responsible for resolving.

Section 10. Qualification requirements

1. The qualification requirements are:
 - 1) for the director general, a Master's degree, versatile expertise required for the duties of the post as well as demonstrable leadership skills and experience;
 - 2) for the director of a department; a Master's degree, familiarity with the field concerned and demonstrable leadership skills;
 - 3) for the head of units and others in equivalent positions, a Master's degree, familiarity with the field concerned and demonstrable leadership skills;
 - 4) for senior ministerial advisers of education, chief technologists and chief architects, a Master's degree and familiarity with the field concerned, unless the provisions in paragraph 3 are applied due to the nature of the post;
 - 5) for lawyers, a Master's degree in law and familiarity with the field concerned, unless the provisions in paragraph 3 are applied due to the nature of the post;
 - 6) for senior advisers and those in similar posts, a degree from an institution of higher education.
2. Public officials in the department for education in Swedish shall have, besides statutory competence in Finnish, a level of competence in Swedish that meets to requirements laid down for public officials operating in Swedish-speaking areas.

Section 11. Staff appointment or employment

The government appoints the director general. Having heard the board of directors, the director general nominates the directors of departments. The director general appoints or employs the rest of the staff, unless otherwise provided in the rules of procedure.

Section 12. Leave of absence

1. The Ministry of Education and Culture grants leave of absence to the director general. However, any leave of absence that last more than two years and is not based on legislative provisions or a collective agreement for public servants is approved by the government.
2. On the other hand, a leave of absence for the director general that lasts at most one month and which is based on legislative provisions or a collective agreement for public servants is approved by the director general's deputy.
3. Leave of absence regulations for the rest of the staff are specified in the rules of procedure.

Section 13. Entry into force

This decree enters into force on 1 January 2009.