

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

Act on General Upper Secondary Education
(714/2018)

By decision of Parliament, the following is enacted:

Chapter 1
General provisions

Section 1
Scope of application

This Act lays down provisions on general upper secondary education and preparatory education for general upper secondary education for immigrants and non-natives.

At the end of general upper secondary education, students take a school-leaving examination known as the matriculation examination. Provisions on the matriculation examination are laid down separately in the Act on the Matriculation Examination ([502/2019](#)).

Section 2
Purpose of general upper secondary education

General upper secondary education gives students the competences to pursue tertiary education studies in a university or a university of applied sciences.

The purpose of general upper secondary education is to help students grow into decent, well-rounded and educated human beings and active members of society and also to provide them with the knowledge, skills and capabilities required for engaging in working life and recreational activities as well as to further their versatile personal development. The purpose of the education is also to provide students with the capabilities for lifelong learning and continuous personal development.

The aim of preparatory education for general upper secondary education for immigrants and non-natives is to provide them with the language skills and other capabilities necessary for entering general upper secondary education.

Chapter 2
Provision of education

Section 3
Education providers

The provision of the education referred to in this Act is subject to authorisation by the Ministry of Education and Culture to organise the education. The authorisation can be granted by application

to local authorities, joint municipal authorities, registered associations or foundations. Such an authorisation may also be granted for education to be provided abroad.

The education referred to in this Act may also be arranged in state-owned educational institutions. The Ministry of Education and Culture decides on the provision of education and cessation of activities at state-owned educational institutions in compliance with the provisions in sections 4–7.

Section 4

Granting authorisation to provide education

The authorisation to provide education may be granted on condition that a clear need for such education exists, taking into account the national or regional needs and opportunities available for the education, and that the applicant possesses the necessary professional and financial resources for proper provision of such education. Education shall not be provided for the purpose of financial gain.

The authorisation specifies which municipalities provide the education, the languages of instruction, any specific educational mission, the right of the education provider to organise boarding school-based education and other necessary conditions relating to providing the education. Education providers decide which general upper secondary schools provide the education, unless otherwise provided in the authorisation.

When making decisions on granting authorisations, the Ministry of Education and Culture shall ensure adequate national and regional access to general upper secondary education.

Further provisions on the procedures for applying for authorisation and the documents and reports to be appended to the application are issued by government decree.

Section 5

Amendment and revocation of the authorisation to provide education

On application by the education provider, the Ministry of Education and Culture decides on the amendment and revocation of the authorisation to provide education.

Without an application referred to in subsection 1, the Ministry of Education and Culture may amend or revoke an authorisation if the training is no longer organised, the training no longer fulfils the conditions for the granting of an authorisation as laid down in subsection 1 of section 4, or the education is essentially organised in violation of this Act or of the provisions or regulations issued under it.

The Ministry of Education and Culture shall give education providers the opportunity to remedy the shortcomings referred to in subsection 2 within a reasonable period of time before the authorisation is amended or revoked. When making a decision on revoking an authorisation, the Ministry of Education and Culture shall ensure that the revocation of the authorisation does not jeopardise adequate access to general upper secondary education.

Section 6

Specific educational mission

A specific educational mission refers to teaching that places a substantial emphasis on one or more subjects or sets of study units, and teaching aimed at the completion of an international examination corresponding to the matriculation examination referred to in section 25 of the Act on

the Matriculation Examination. A specific educational mission may include an obligation to carry out national development tasks related to the education in question.

As provided for in the authorisation referred to in section 3, teaching by virtue of a specific educational mission may derogate from the provisions of subsection 1 of section 11 on the content of teaching and from the provisions of a government decree issued under subsection 4 of section 11 and, where derogation from these provisions is warranted, from the core curriculum for general upper secondary education decided by the Finnish National Agency for Education under subsection 1 of section 12.

Besides the need for general upper secondary education, a specific educational mission is granted on condition there is the need to organise instruction in accordance with subsection 1 in order to deepen knowledge and diversify study opportunities. Another requirement is that the applicant has the professional and financial resources to provide education in accordance with the specific educational mission.

Further provisions may be issued by government decree on the conditions for the granting of a specific educational mission and any national development task included therein and on the content of the national development task.

Section 7

Monitoring the fulfilment of the prerequisites for a specific educational mission and revoking a specific educational mission

The Ministry of Education and Culture regularly monitors the fulfilment of the specific educational mission and the related prerequisites for the national development task.

The Ministry of Education and Culture may revoke a specific educational mission and the related national development task if the activities incorporated in the specific educational mission are no longer provided, the education no longer fulfils the conditions for the granting of the authorisation as laid down in subsection 3 of section 6, or the education is essentially provided in violation of this Act or of the provisions or regulations issued under it.

Section 8

Cooperation and procurement of education services

The education provider must cooperate with educational institutions in basic education, general upper secondary education, vocational education and training, and with other education providers, higher education institutions and business and industry operators.

The education provider may supplement the education it provides by procuring the education and other services referred to in this Act from another provider of general upper secondary education or other education provider, from a higher education institution, from another public body or from another private registered corporation or foundation. The education provider is responsible for ensuring that the instruction and services it procures are provided in accordance with this Act.

Section 9

Commissioned education

An education provider whose authorisation referred to in section 3 includes an authorisation to provide education leading to an International Baccalaureate qualification referred to in section 17 of the Act on the Organisation of the Matriculation Examination, may organise education leading to

said qualification for students entering Finland if the education is commissioned and financed by another state, an international organisation or a Finnish or foreign public corporation, foundation or private community (*commissioned education*).

Commissioned education may not be arranged for citizens of states belonging to the European Economic Area or for persons or their family members who are deemed comparable to European Union citizens under European Union treaties or under a treaty concluded by the European Union and its Member States with another contracting party. Nor may commissioned education be arranged for persons who, under the Aliens Act (301/2004), have a European Union Blue Card, a continuous or a permanent residence permit or a long-term resident's European Union residence permit issued to third-country nationals, nor for any family members of the above. The Aliens Act is applied in the definition of persons regarded as family members. Persons participating in commissioned education are not governed by subsection 2 of section 1, sections 10, 15, 16 and 19–22, subsection 3 of section 28, subsection 1 of section 32 nor subsection 2 of 34.

The provision of commissioned education may not undermine other general upper secondary education provided by the education provider under this Act.

The education provider must charge the commissioning party a fee for commissioned education covering at least the costs incurring from it. The fee shall also cover the costs incurred from social benefits offered to students referred to in section 35. The education provider shall allocate the proceeds from the commissioned to its own educational activities. The party who commissions the education is entitled to charge participating students fees in accordance with the legal provisions or other practices in the country of location. The Act on the Financing of Education and Culture (1705/2009) does not apply to the provision of commissioned education.

The education provider may admit those with sufficient capabilities to complete the studies referred to in subsection 1 as a student in commissioned education.

Chapter 3 Instruction

Section 10 Normative duration, scope and units of scope

The normative duration of the general upper secondary education syllabus is three years. General upper secondary education is provided separately in the form of curricula intended for young people for and for adults. The units of scope in the studies for the syllabus for young people are based on full-time studying and those for the syllabus for adults are based on part-time studying. The normative duration of the preparatory education for general upper secondary education is one year.

The units of scope for the syllabuses and the studies included in them are credits. Further provisions on the units of scope are issued by government decree.

The scope of the syllabus for general upper secondary education for young people is 150 credits and the scope of the syllabus for general upper secondary education for adults is 88 credits. The scope of preparatory education for general upper secondary education is 50 credits.

Section 11 Content of syllabus

The syllabus for general upper secondary education comprises studies in the mother tongue and literature, the second national language and foreign languages, mathematics and natural sciences, humanities and social studies, religion or worldview studies, arts and practical subjects, (*subject groups*) and guidance for studies. However, studies in arts and practical subjects are optional for students who complete general upper secondary education based on the syllabus intended for adults.

The syllabus for general upper secondary education may include thematic studies that develop broad-based competence. The syllabus for general upper secondary education may also include studies (*general upper secondary school diploma*) that provide evidence of special competence and hobbies in different subject groups or subjects.

The syllabus for preparatory education for general upper secondary education includes studies in Finnish or Swedish and, where appropriate, in other languages, as well as other studies that provide the skills required for upper secondary education and guidance for studies. The syllabus may also include studies included in the syllabus for general upper secondary education.

A government decree governs the general national objectives for the education referred to in this Act, the subjects belonging to subject groups, the structure of studies and the scope of studies referred to in subsections 1 to 3.

The syllabus for general upper secondary education and for preparatory education for general upper secondary education may also include studies other than those issued in the government decree that are suitable for general upper secondary school, as decided in the local curriculum of the education provider. The studies are optional for students.

Section 12 Curriculum

The Finnish National Agency for Education determines the objectives and core contents of the studies issued by the Government Decree referred to in subsection 4 of section 11, with the exception of thematic studies referred to in subsection 2 of section 11 (*core curriculum*). The core curriculum is drawn up separately for the syllabus of general upper secondary education intended for young people and that intended for adults, and for the syllabus for preparatory education for general upper secondary education.

The education provider shall draw up a curriculum that determines the implementation of teaching, guidance for studies and support for learning, the study units available to students and the completed study units required to participate in them, as well as the specific objectives and content of instruction. A separate curriculum is adopted for the syllabus of general upper secondary education for young people and for adults, and for the syllabus for preparatory education for general upper secondary education, and separately for instruction provided in Finnish, Swedish, Saami and, if necessary, in some other language.

With the permission of the Ministry of Education and Culture, a common curriculum may be drawn up for general upper secondary education and basic education referred to in the Basic Education Act (628/1998).

Section 13 Organisation of studies

Education providers make the decisions on the organisation and ways of organising the education referred to in this Act under the conditions laid down in the authorisation referred to in section 3.

Education providers shall organise instruction and guidance for studies based on the syllabus in such a way that it is possible to complete the general upper secondary education syllabus in three years and the syllabus for preparatory education for general upper secondary education in one year. When organising studies, the education providers shall ensure that the objectives set for the education are met and that the preconditions for students to complete the syllabus and the matriculation examination are not compromised.

Education and guidance for studies based on the syllabus shall be organised in such a way that it is possible for students to choose individual studies at their own educational institution and to make use of the education organised by other educational institutions belonging to the education provider, higher education institutions and other education providers. Some syllabus studies in general upper secondary education shall be organised in cooperation with one or more higher education institutions. Studies belonging to the syllabus shall be organised in such a way that it is possible for students to develop their international competence and skills for working life and entrepreneurship.

The education providers shall draw up a curriculum-based plan every year providing for the general organisation of teaching/instruction, lesson hours, working hours, cooperation between the education provider referred to in section 8 and the procurement of education, independent studies referred to in subsection 1 of section 25, and other necessary matters relating to the organisation of teaching.

Section 14

Language of instruction

The language of instruction in general upper secondary education is either Finnish or Swedish. The language of instruction may also be Saami, Romani or sign language or another language specified in the authorisation referred to in section 3.

Part of the instruction of the general upper secondary education syllabus may also be provided in a language other than the language of instruction referred to in subsection 1, provided that it does not jeopardise the student's ability to follow the instruction and complete the syllabus and the matriculation examination.

Section 15

Instruction in the mother tongue

The mother tongue is taught in Finnish or Swedish in accordance with the school's language of instruction or in Saami in accordance with the student's mother tongue.

The mother tongue can also be taught in Romani, sign language or some other language which is the student's mother tongue.

Further provisions on the teaching/instruction of the mother tongues are issued by government decree.

Section 16

Education in religion and worldview studies

The education provider shall organise education in religion according to the religion of the majority of the students. Religious education is thus provided according to the religious community to which the majority of the students belong. Students who are members of said religious community participate in the education of their own religion. Students who are not members of said religious community may participate in said religious education if they wish to do so.

Where there are at least three students who are members of the Evangelical-Lutheran Church of Finland or the Orthodox Church of Finland and who do not participate in the religious education referred to in subsection 1, they shall be provided with education in their respective religion.

Where there are at least three students who are members of a religious community other than those referred to in subsection 2 and who do not participate in the religion education referred to in subsection 1, they shall be provided with education in their own religion if they so require.

Students who are a member of more than one religious community may select which education in religion to participate in.

Students who are not members of any religious community and who do not participate in the education in religion referred to in subsection 1 are provided with education in worldview studies. Students who are members of a religious community but who are not provided education in their own religion shall be provided with education in worldview studies at their request. The education provider shall provide education in worldview studies if there are three or more students entitled to such education.

Students who are not members of any religious community may also participate in such education in religion organised by the education provider that, in view of the students' upbringing and cultural background, is consistent with their religious views.

Students who start general upper secondary education after their 18th birthday are free to choose education either in religion or worldview studies.

Section 17

Openness of instruction

Instruction referred to in this Act is public. However, where there are reasonable grounds to do so, the opportunities for following instruction may be restricted.

Section 18

Educational trials

Experiments necessary for developing education or teaching that derogate from the structure and scope of studies laid down in the Government Decree issued under subsection 4 of section 11 and from the core curriculum referred to in subsection 1 of section 12, requires authorisation granted by the Ministry of Education and Culture. If the educational trial only involves a derogation from the national core curriculum, authorisation for the trial is issued by the Finnish National Agency for Education.

Authorisation for educational trials is issued by application filed by the education provider. Authorisation for an educational trial may be issued to an education provider equipped with the resources for carrying out the trial in a way that serves the purposes of the trial without compromising the rights of the students participating in instruction. When educational institutions operated by several different education providers take part in the same educational trial, the

selected educational institutions shall be as representative as possible in terms of regional distribution and language groups.

Students may be admitted to educational trial instruction in for a maximum of three consecutive years.

The Finnish National Agency for Education decides on the programme to be followed in educational trials.

Chapter 4

Applying to an educational institution and student admission

Section 19

Admissions to an educational institution and admissions procedures

Those applying for education referred to in this Act have the right to apply to an educational institution of their choice.

National application procedures may be used in the admission of students for the education referred to in this Act. Further provisions on the national admissions procedures are issued by government decree.

The education providers make the decisions on rolling admissions procedure and related admissions and procedures when available places that are not filled through national application procedures.

Section 20

Student admissions

The education providers make the decisions on student admissions to educational institutions.

Students are admitted to carry out:

- 1) the general upper secondary education syllabus intended for young people or for adults as well as the matriculation examination or, based on a specific educational mission, an international diploma referred to in section 6 that is of a level comparable to that of the matriculation examination;
- 2) studies in one or more subjects included in the general upper secondary education syllabus (*subject student*); or
- 3) the syllabus for preparatory education for general upper secondary education.

By way of derogation from Chapter 7 of the Administrative Procedure Act (434/2003), applicants may be notified in writing of non-selection the national application procedures referred to in subsection 2 of section 19 are used for student admissions. However, the education provider shall issue an administrative decision on student admissions if the applicant so requests in writing or orally within 30 days of receiving the notification referred to in this subsection of the outcome of the student admissions.

Section 21

Preconditions for student admissions

A person may be admitted to education under this Act if he or she has completed the basic education syllabus or an equivalent earlier syllabus or foreign education which in the country in question qualifies for studies equivalent to general upper secondary education. For a weighty reason, a person who the education provider otherwise deems to possess sufficient potential to successfully complete the studies may also be admitted as a student. By way of derogation from subsection 2 of section 45 of the Administrative Procedure Act, in such cases reasons shall be given for the student admissions decision.

In addition to the provisions of subsection 1, student admission to preparatory education for general upper secondary education is subject to the following conditions:

1) the applicant is an immigrant within the meaning of the Act on the Promotion of Immigrant Integration (1386/2010) or his or her mother tongue entered in the Population Information System is a language other than Finnish, Swedish or Saami within the meaning of the Act on the Population Information System and the Certificate Services of the Digital and Population Data Services Agency (661/2009);

Paragraph 1, amended by Act 1185/2019, enters into force on 1 January 2020. Previous form of wording:

1) the applicant is an immigrant within the meaning of the Act on the Promotion of Immigrant Integration (1386/2010) or his or her mother tongue entered in the Population Information System is a language other than Finnish, Swedish or Saami within the meaning of the Act on the Population Information System and the Certificate Services of the Population Register Centre (661/2009);

2) the applicant does not have sufficient language skills to study in general upper secondary education in Finnish or Swedish;

3) the applicant aims to go on to study the general upper secondary education syllabus following completion of the preparatory education; and

4) the applicant has not completed a higher education degree.

Section 22 Student admissions criteria

Equitable criteria shall be applied to student admissions.

The admissions criteria used for young people when applying to general upper secondary education consist of the applicant's earlier academic performance and the applicant's preferred options for application. Education providers decide whether they want to organise entrance exams or aptitude tests and any additional demonstration of competence. Further provisions on the admissions criteria and their weighting in student admissions are issued by a decree of the Ministry of Education and Culture.

Unless otherwise provided in the decree by the Ministry of Education and Culture referred to in subsection 2, education providers decide on the student admissions criteria when taking students to complete an international qualification corresponding to the level of the matriculation examination referred to in section 6 in accordance with the specific education task.

Education providers decide on the student admissions criteria for general upper secondary education intended for adults, studies of one or more subjects included in the general upper secondary education syllabus and preparatory education for general upper secondary education. An applicant under 18 years of age may be admitted to complete a syllabus in general upper secondary education intended for adults only on justifiable reasons relating to the applicant's state of health or personal life situation. The reasons must be specified in the student admissions decision.

Chapter 5

Rights and obligations of students

Section 23

Right to study

The student's right to study begins at a time decided by the education provider.

The student shall have the right to complete the syllabus of upper secondary education in no more than four years and the syllabus of preparatory education in no more than one year, unless the education provider grants the student additional time to complete the studies due to illness, disability or other special reason.

Students have the right to put studies on hold their right to study for the period when in active service in accordance with the Conscription Act (1438/2007), the Non-Military Service Act (1446/2007) or the Women's Voluntary Military Service Act (194/1995); or is being paid a sickness allowance under the Health Insurance Act (1224/2004), or a maternity, paternity or parental allowance. At the student's request, the right to study may also be put on hold temporarily for other justifiable reasons.

Decisions on granting of an extension in studies and on putting on hold the right to study are made by the education providers on application by the student.

Section 24

Termination of the right to study

Students who fail to complete their studies in the time specified in subsection 2 of section 23 or within the extended period of time granted to them, as well as students who have not been granted an extension to complete their studies, forfeit their right to study. Students who fail to attend teaching without a valid reason and without notifying the school, and it is evident that they do not intend to continue their studies also forfeit their right to study.

Where a student personally informs the education provider in writing that he or she will discontinue his or her studies, the right to study terminates from the date on which the notification reaches the education provider or on a later date that the student has specified.

The education providers issue a separate decision on the termination of the right to study.

Section 25

Right to be given instruction and guidance for studies

Students have the right to be given instruction in accordance with the curriculum. Students may be required to study some of the studies included in the general upper secondary education syllabus independently if this does not jeopardise the attainment of the objectives set for education and the

student's ability to complete the syllabus and the matriculation examination. On similar terms, students may also be granted permission to complete studies independently upon application.

In addition to the guidance for studies referred to in subsection 1 of section 11, students studying a general upper secondary education syllabus have the right to receive, on a regular basis, personal and other guidance based on their needs for the studies and for applying for further studies.

Students whose right to study a general upper secondary education syllabus is about to terminate or who have notified that they are discontinuing their studies have the right to receive guidance in applying for other studies.

Those who have completed the general upper secondary education syllabus but have not secured a place in further studies for a qualification or degree, have the right to guidance related to applying for studies and for careers advice during the year following the year in which the syllabus was completed. The educational institution in which the syllabus was completed is responsible for providing the guidance.

Section 26

Personal study plan

To support progress in general upper secondary studies and the transition to further studies and working life, students studying a general upper secondary education syllabus draw up a personal study plan that consists of a study plan, a plan for the matriculation examination, a plan for further studies and a career plan.

The plan is drawn up with the support of the teaching staff of the educational institution when the students start their studies and is updated regularly as the studies progress.

Section 27

Identification and recognition of prior learning

When drawing up a student's personal study plan, the task of the education provider is to determine and identify the student's prior learning on the basis of information presented by the student.

Education providers shall recognise the studies referred to in section 11 completed in another educational institution providing education in accordance with this Act by accrediting them as part of the general upper secondary education syllabus. Education providers shall also recognise prior learning acquired elsewhere that corresponds to the objectives and content of the curriculum.

Any recognition of student prior learning is governed by the provisions on student assessment and related decision-making referred to in sections 37 and 38. If necessary, students may be required to demonstrate said prior learning in a manner determined by the education provider.

A decision on recognition of prior learning is made in response to a specific request before the commencement of the studies or studies to be credited.

Further provisions on the recognition and related procedure for recognising prior learning are issued by the Finnish National Agency for Education.

Section 28

Support for learning

Students who have difficulties in coping with their studies due to special linguistic difficulties or other learning difficulties have the right to be given special needs education and other support for learning based on their individual needs. The support measures are implemented in cooperation between teaching staff.

The need for support shall be assessed at the beginning of studies and at regular intervals as studies progress. At the student's request, the support measures are recorded in the student's personal study plan.

Provisions on the right of students to assistive services, special aids and other services required for studying are issued separately.

Section 29 Exceptional organisation of studies

By application or consent of the student, a student's studies may be partly organised in ways that derogate from the provisions in and under this Act, if:

- 1) the student is deemed to already possess the knowledge and skills specified in the syllabus for general upper secondary education in some respects;
- 2) completing the entire general upper secondary education syllabus would be unreasonable, in some respects, in view of the student's circumstances and previous studies;
- 3) this is warranted for reasons related to an illness, disability or other health condition of the student.

Section 30 Obligations of the students

Students are obliged to participate in teaching unless there are justifiable reasons for their absence. The education providers decide on the procedures for student absences.

Students shall complete their assignments diligently and observe appropriate conduct. Students shall conduct themselves without bullying or harassing others and avoid activities that may put at risk the safety or health of other students, the school community or the learning environment. Provisions on disciplinary action are laid down in Chapter 7.

Section 31 Cooperation between the home and school

When organising studies under the syllabus for general upper secondary education intended for young people, education providers shall cooperate with the parents or those who have custody of the students. The persons who have custody of the students shall be provided with sufficient information on the students' performance and study progress. Schools shall consult students and the persons who have custody of the students at regular intervals on their views regarding the activities of the school and the education provider.

The Finnish National Agency for Education determines the key principles for cooperation between the home and school in the core curriculum referred to in section 12.

Education providers decide on the implementation of the cooperation between the home and school in the core curriculum referred to in section 12.

Section 32 **Student welfare**

Provisions on student welfare are laid down in the Student Welfare Act (1287/2013).

In connection with the scope of the arrangement of education in the core curriculum referred to in section 12, the Finnish National Agency for Education determines the key principles and objectives for student welfare for general upper secondary education intended for young people. The Finnish National Agency for Education prepares the regulations on student welfare in cooperation with the Finnish Institute for Health and Welfare.

Education providers decide on the implementation of student welfare in the core curriculum referred to in section 12. The sections in the core curriculum that pertain to student welfare shall be drawn up in cooperation with the local authorities responsible for the implementation of health care and social welfare.

Section 33 **Safeguarding student empowerment and student bodies**

Education providers shall ensure that students are empowered to influence the activities and development of education providers referred to in this Act and to participate in the preparation of decisions concerning students and affecting the position of students.

All educational institutions that provide education within the meaning of this Act shall have a student association consisting of the students of that educational institution. The different educational institutions of an education provider may also have a joint student association. The mission of the student association is to promote cooperation between students, improve their potential for engagement and exercise of influence and develop cooperation between the students and the education provider. Additionally, student associations are to prepare students for active and critical citizenship. Education providers shall make sufficient resources available for the activities of the student association.

In addition to student association activities, education providers shall also otherwise ensure that it is possible for students to participate and influence the matters referred to in subsection 1. Education providers shall inform students of the means available for participation and empowerment.

The activities referred to in this section shall be planned as part of or in conjunction with the school-specific curriculum and other plans based on the curriculum.

Section 34 **Fees payable by students**

Tuition and guidance for the education referred to in this Act are free of charge for students, and entrance examinations or aptitude tests are free of charge for applicants, unless otherwise provided in this Act.

However, subject students referred to in paragraph 2 of subsection 2 of section 20 and separate examination tests referred to in subsection 2 of section 36 may be subject to a fee. In addition, reasonable fees may be charged for teaching abroad and for teaching in a language other than Finnish, Swedish, Saami, Romani or sign language provided by a private corporation or foundation on the basis of a specific educational mission assigned by the Ministry of Education and Culture.

Further provisions on the rates for educational transactions rendered under public law referred to in this Act are issued by a decree of the Ministry of Education and Culture, in compliance with the provisions of the Act on Criteria for Charges Payable to the State (150/1992) regarding the rates for transactions rendered under public law.

Any fees payable by the student under this Act that have not been paid by the due date, the outstanding payment is subject to an annual penalty interest from the due date onwards as laid down in the Interest Act (633/1982). The fees are directly enforceable and their collection as provided in the Act on the Enforcement of Taxes and Public Payments (706/2007).

Section 35

Social benefits for students

Young people pursuing full-time studies as students shall be entitled to a free meal free on those school days on which they are required, by the curriculum, to be present in the location designated by the education provider. Students participating in education that/ is provided in the form of a boarding school under subsection 2 of section 4 shall also be entitled to other sufficient daily meals.

Accommodation in a facility assigned by the education provider is free of charge for students.

Chapter 6

Completion of the syllabus and student assessment

Section 36

Completion of the syllabus

The general upper secondary education syllabus or the syllabus for preparatory education for general upper secondary education is completed once the studies included in the syllabus have been completed in accordance with the provisions of the Government Decree referred to in subsection 4 of section 11), while also taking into account any specific educational mission referred to in section 6 or the authorisation for an educational trial referred to in section 18.

A person who has not been admitted as a student under section 20 may complete the general upper secondary education syllabus or parts of it by means of tests that are implemented and assessed by the education provider referred to in this Act (*special examination*). Participants in the tests for the special examination must demonstrate that their knowledge and skills, regardless of how they are acquired, correspond to the knowledge and skills in different subjects of the adult upper secondary education syllabus.

Section 37

Student assessment criteria

Student performance, learning and progress in competences shall be assessed comprehensively. The purpose of student assessment is to provide guidance and motivation to study and to develop students' self-assessment capabilities. Students are entitled to be informed of the assessment

criteria and how they are applied. Students shall be given the opportunity for self-assessment during general upper secondary school studies.

The student's performance, learning and development of competences development shall be assessed over the course of the study unit based on the curriculum in relation to the objectives set for the study unit. Students shall be given feedback on their progress in their learning. The implementation of the assessment and the related feedback are determined in the curriculum.

Study units based on the curriculum are assessed once each unit has been completed. Students who have not successfully completed a study unit shall be reserved the opportunity to demonstrate that they have acquired the knowledge and skills required in the study unit. Once the studies included in the syllabus for general upper secondary education have been completed, a final grade is given for each subject as an assessment of learning of the syllabus. Students who have not been successful in a subject or who wish to raise their grades shall be provided with an opportunity to successfully pass the studies in the subject in an acceptable manner or to raise their grades. The support measures referred to in section 28 and the exceptional organisation of studies referred to in section 29 may be taken into account in the assessment of a study unit and in the assessment of learning.

In language instruction, students' oral language proficiency shall be assessed along with other aspects of language proficiency. Oral language proficiency can be assessed by means of a separate test.

The grading scales to be used for student assessment are issued by government decree. The Finnish National Agency for Education issues more detailed provisions in the core curriculum on the assessment of students and prescribes the use, content and assessment of the oral language proficiency test.

Section 38 Decisions on grading

Each study unit is assessed by the teacher of the student or, where there is more than one teacher, by the teachers together. Assessment of learning is determined by the principal in consultation with the student's teachers.

Section 39 Certificates

Students who have completed the general upper secondary education syllabus are issued with a general upper secondary education certificate. A certificate is issued on the completion of the syllabus for preparatory education for general upper secondary education.

A transcript of studies completed is issued to students whose right to study has terminated before the general upper secondary education or the preparatory education for general upper secondary education has been completed. Subject students and those studying for the special examination syllabus in general upper secondary education are issued a certificate of the completed studies belonging to the syllabus and of other studies completed.

The certificates referred to in subsections 1 and 2 are also accompanied by a separate certificate of completion of the general upper secondary school diploma and oral language proficiency test.

The Finnish National Agency for Education determines in the core curriculum the information to be included in the certificates, and appendices to the certificates other than those mentioned in subsection 3.

Chapter 7

Safe learning environment

Section 40

Right to a safe learning environment

Students have the right to a safe and secure learning environment. Education providers shall protect students from bullying, violence and harassment.

No items or substances may be brought to school or be held in possession during the school day if the possession of such items and substances is prohibited under some other Act or if they may pose a risk to the safety of the individual personally or to others or are particularly suited for damaging property and if there is no valid reason for the possession of such items and substances.

Education providers shall, in conjunction with the preparation of the curriculum, prepare a plan and issue instructions for the use of disciplinary measures and the procedures to be followed in connection with them. The Finnish National Agency for Education shall issue regulations for the preparation of the plan in the national core curriculum.

Education providers shall adopt rules of procedure or issue other regulations to be followed in the educational institution that promote internal order, enable uninterrupted flow of studies and a safe and pleasant school environment.

The school ordinance and other regulations referred to in subsection 4 above may be used to issue specific rules concerning practical arrangements and proper conduct necessary for ensuring the safety and smooth operation of the school community as well as more specific instructions in respect of the items and substances referred to in subsection 2 including their use and safekeeping. Regulations may additionally be issued with regard to the handling of school property and to remaining on and moving about the school facilities and school grounds.

The provisions of subsection 3 do not apply to the national core curriculum for adult education nor related school curricula. Moreover, no rules of procedure or other similar regulations need be adopted in adult education.

Section 41

Discipline

A student who disrupts instruction or otherwise breaches order or cheats may be issued a written warning. If the breach is serious or if the student carries on with the inappropriate conduct after being issued a written warning, the student may be suspended from the school for a fixed period of time not exceeding one year and denied access to student accommodation for a fixed period of time or for the duration of his or her studies. Said proceedings are defined as disciplinary actions.

A student who disrupts instruction may be removed from the classroom or other place of instruction for the remainder of the class or be ordered to leave a school function.

A student may be banned from attending instruction for a maximum of three school days if there is a risk that the safety of a fellow-student or other person working in the premises in which

instruction is provided is endangered by the violent or aggressive behaviour of such a student or if he or she displays disruptive behaviour so as to inordinately complicate instruction and related activities.

If a student is under investigation for a criminal offence, he or she may be suspended for the duration of the investigation if warranted by the alleged offence or relevant circumstances.

Section 42

Disciplinary procedures and implementation of disciplinary measures

Before any decision pursuant to subsection 1 or 4 of section 41 is made, the act or omission, alleged offence or related circumstances shall be identified, the student interviewed or other necessary investigation carried out. Before a disciplinary action is taken, the person who has custody of the student shall be given an opportunity to be heard. Any other measures referred to in section 41 shall be reported to the person who has custody of the student and, if appropriate, any temporary ban preventing participation in instruction shall be reported to the authority responsible for the provision of social services in the host municipality. A formal decision is always required for the proceedings taken pursuant to subsection 1 and 4 of section 41, and the measures referred to in subsection 2 and 3 of section 41 shall be duly recorded.

A decision to suspend the student for a fixed period of time or to deny access to student accommodation may be enforced irrespective of any appeal, unless otherwise determined by the education provider or administrative court.

A decision regarding the enforcement of a decision not yet legally enforceable and the date of commencement of enforcement shall be made at the same time as the decision on suspension or denial of access to student accommodation.

A decision to suspend a student from school or deny access to student accommodation and to issue a written warning shall be made by the appropriate multi-member body of the education provider, or, where decided by the education provider, by the principal. The principal may be given the power to decide on suspending a student from an educational institution or student accommodation for a maximum period of three months.

Decisions referred to in subsection 2 of section 41 on ordering a student to leave the classroom for the remainder of a lesson and ordering a student to leave some other place of instruction are made by the teacher giving the instruction or other educational event. The decision on ordering a student referred to in said provision to leave a school function organised by the educational institution is made by the principal or the teacher. The decision on banning a student from attending instruction referred to in subsection 3 of said section is made by the principal.

Section 43

Removal of a disruptive and potentially dangerous student

The principal and teacher shall have the right to remove from the classroom or other teaching facility or school function a student who fails to comply with the order to leave referred to in subsection 2 of section 41. The principal and teachers shall also have the right to remove from the school grounds a student who fails to leave after having been served a notice of being banned from instruction under subsection 2 and 3 of section 41.

If the student to be removed resists the efforts to remove him or her, the principal and teachers shall have the right to remove the student using reasonable coercive measures deemed necessary

with due regard to the student's age and the imminence of the threat or the degree of resistance put up by the student based on an overall assessment of all relevant circumstances.

In the situations described in subsections 1 and 2, the principal and teacher may act together or separately. No implements of force may be used to remove a student. A teacher or a principal resorting to coercive measures shall submit a written report of the incident to the education provider.

Provisions on excessive use of coercive measures are laid down in Chapter 4, subsection 3 of section 6 and section 7 of the Criminal Code (39/1889)

Section 44 **Disciplinary action in relation to pending legal action and a court order**

During the period of time that legal action is pending against a student before a court of law, no disciplinary measures may be taken or pursued in respect of the student on the same grounds.

If a court of law acquits a student of the charge, no disciplinary measures may be taken or pursued in respect of the student on the same grounds except in case of acts that cannot be considered criminal offences but still warrant disciplinary action.

If a court of law sentences a student to a punishment, no disciplinary action may be taken against him or her on the same grounds. However, the student may be suspended or denied access to student accommodation if this is justified in view of the criminal offence committed by the student or related circumstances.

Section 45 **Right to confiscate items or substances**

The school principal or teacher may, during the school day and acting together or separately, confiscate from students items or substances banned under subsection 2 of section 40.

If the student in possession of a banned item or substance resists the efforts to confiscate it, the principal and teachers shall have the right to use such reasonable coercive measures as deemed necessary to confiscate the item or substance with due regard to the student's age and the imminence of the threat or the degree of resistance put up by the student based on an overall assessment of all relevant circumstances. The right to use coercive measures only applies in respect of items and substances that pose a risk to the student's own safety or that of others.

No implements of force may be used in the confiscation referred to in the foregoing subsections 1 and 2. Provisions on excessive use of coercive measures are set out in Chapter 4, subsection 3 of section 6 and section 7 of the Criminal Code.

The rights and obligations set out in this subsection shall also apply for as long as the student participates in the education or activities foreseen in the curriculum or any other education or activities based on a plan pursuant to this Act adopted by the education provider.

Section 46 **Right to inspect items in students' possession**

The school principal and teacher shall have the right, during the school day, to inspect items in the student's possession and any lockers assigned to the student as well as carry out a visual external

inspection of his or her clothing in order to confiscate a banned item or substance referred to in subsection 2 of section 40 that may pose a risk to the student's own safety or that of others if it is obvious that the student is in possession of such an item and substance but refuses to surrender it despite a request to do so or fails to reliably demonstrate that he or she is not in possession of such items or substances.

Before any inspection, the student shall be informed of the reason for it.

The person performing the inspection shall be of the same gender as the student subjected to the inspection. In addition to the person performing the inspection, it shall be attended by another school staff member of age. At the student's request, the inspection shall be attended by a member of the school staff selected by the student if said person is available.

However, a derogation may be made from the procedure stipulated in subsection 3 in urgent cases if this is absolutely necessary for security reasons.

The rights and obligations set out in this subsection shall also apply for as long as the student participates in the education or activities foreseen in the curriculum or any other education or activities based on a plan pursuant to this Act adopted by the education provider.

Section 47

General guidelines for confiscation and inspection

The measures referred to in sections 45 and 46 shall be carried out as safely as possible. The measures may not interfere with the student's personal integrity and privacy to a greater extent than necessary in order to ensure a disruption-free school environment and safety. Any confiscation of items and substances and inspections shall be carried out with due discretion considering the circumstances. The educational institution shall prepare plans and guidelines in view of such measures.

A teacher or principal resorting to coercive measures pursuant to section 45 shall submit a written report of the incident to the education provider. Records shall be made of any inspections and confiscation of items and substances. Those who have custody of a student who is underage shall be notified of any confiscation or inspection as soon as possible.

Section 48

Return and disposal of confiscated items and substances

An item or substance confiscated by a teacher or principal under section 45 shall be returned to the person who has custody of the student or the student's legal representative or, if the student is of age, to the student himself or herself. However, the items and substances shall be turned over to the police or other statutory authority if the student, the person who has custody of him or her or the student's legal representative is not authorised to hold them in their possession.

The items and substances shall be held in safekeeping before they are returned. The return of items and substances shall be arranged as soon as possible after confiscation. Any confiscated drugs, firearms, weapon components, cartridges, rounds and gas sprays and explosives shall be turned over to the police immediately. Items and substances to be returned to the student himself or herself shall be returned at the end of the school day.

If the person who has custody of the student fails to retrieve an item or substance within three months of the service of the notice of confiscation, the item and substance may be disposed of in a documented manner. Records shall be made of the disposal and return of items and substances.

Chapter 8

Request for review

Section 49

Request for an administrative review

A request for a revised decision... may be filed in respect of a decision made pursuant to this Act as provided in the Administrative Procedure Act (434/2003) unless otherwise provided by law, if said decision concerns:

- 1) student admissions;
- 2) the granting of an extension referred to in subsection 2 of section 23 or the termination of the right to study referred to in section 24;
- 3) recognition of successfully completed studies;
- 4) special arrangements in studies;
- 5) the right to be given instruction in religion or worldview studies.

Section 50

Request for review in an administrative court

Any request for review challenging a decision pursuant to this Act regarding a written caution issued to a student, suspension of a student for a fixed term, denial of access to student accommodation for a fixed term or for the remainder of the student's studies, suspension of a student for the duration of a criminal investigation, or any right or benefit provided under section 34 or 35, shall be filed with the relevant administrative court as provided in the Administrative Judicial Procedure Act (586/1996) unless otherwise provided herein.

A request for a judicial review of the decision on the request for administrative review referred to in section 49 may be lodged with the administrative court as provided in the Administrative Judicial Procedure Act unless otherwise provided elsewhere by law.

Section 51

Time allowed for appeal

Any request for a judicial review regarding a written warning issued to a student, suspension for a fixed term, denial of access to student accommodation for a fixed period of time or permanently, denial of access to instruction for the duration of a criminal investigation, a matter referred to in subsection 2 of section 50, or a request for review in a matter referred to in section 49, shall be filed within 14 days of the date of service on the decision on the student. All matters referred to in this section shall be processed as a matter of urgency.

Section 52

Leave to appeal

Unless otherwise provided in this Act, the decisions of administrative court may only be appealed to the Supreme Administrative Court if it gives leave to appeal.

Section 53

Request for review regarding assessment of student performance

A decision on student assessment referred to in section 37 and 38 is not subject to review by way of appeal. The student may file a request with the principal for a review of a decision regarding the progress of studies or final assessment within two months of service of the decision. The decision on any new assessment is made by the principal in consultation with the student's teachers.

A student may request a review of the assessment or a decision by which the request has been denied by filing a request to this effect within 14 days with the regional state administrative agency as provided in the Administrative Procedure Act. After taking the request for review under advisement, the regional state administrative agency may amend or reverse the administrative decision, deny the request for an administrative review or return the matter to the principal for reconsideration.

Section 54

Prohibition of appeal

Decisions other than those regarding a written warning, suspension for a fixed term, denial of access to student accommodation or withholding the right to study made under section 41 are not subject to appeal.

A decision of the administrative court by which an appeal in a matter referred to in section 49 is resolved, and a decision of the regional state administrative agency by which a request for an administrative review in a matter referred to in section 53 is resolved is not subject to appeal.

Section 55

Competent administrative court and regional state administrative agency

When education is provided abroad, the competent administrative court is the Helsinki Administrative Court and the competent regional state administrative agency the Regional State Administrative Agency of Southern Finland.

Chapter 9

Miscellaneous provisions

Section 56

Evaluation of education and quality management

Education providers are responsible for the quality of the education they provide and for continuously developing quality management. Education providers shall evaluate the education they provide and its impact and engage in external evaluations of their operations and quality management systems. Education providers shall publish the key results of the evaluations they organise.

Provisions on the Finnish Education Evaluation Centre are laid down in the Act on the Finnish Education Evaluation Centre.

Further provisions on evaluation and its development are issued by government decree.

Section 57

Staff

Each school providing education within the meaning of this Act shall have a principal responsible for the activities.

The education provider shall establish a sufficient number of either permanent or contractual teaching positions. Additionally, the education provider may employ hourly-paid teachers and other personnel.

Provisions on the qualifications required of the principal and teachers are issued by government decree. On special grounds, the Regional State Administrative Agency may grant an exemption from the qualification requirements.

Section 58

Right to disclose information in matters concerning a student

Notwithstanding secrecy provisions, the holder of information shall have the right to provide information on a student's state of health and functional capacity necessary for the performance of the recipient's duties:

the principal of an educational institution and those responsible for the security of the educational institution for the purpose of ensuring the safety to pursue studies;

a person responsible for guidance for studies for the purpose of guiding the student to other studies or support services;

a person responsible for student healthcare for the purpose of ensuring the student's health and safety and to guide the student support services where necessary;

the police and a representative of the education provider who is primarily responsible for investigating threats to security for the purpose of assessing if there is an imminent threat to safety or if, in a health assessment, the student's state of health is deemed to pose a danger to the safety of others.

Notwithstanding the provisions on confidentiality, those responsible for executing the duties in this Act have the right to inform the police of essential details for the purpose of assessing an immediate threat to life or health and to prevent a threatening act, if they, in performing their duties, have obtained information about circumstances that leads them to believe that someone may be in danger of becoming the target of violence.

The disclosure of the information referred to in this section in the situation referred to in paragraph 2 of subsection 1 also requires the student's consent.

Section 59

Right to obtain information

In the discharge of their duties, education providers shall have access to such statistics and similar information held by central and local government authorities as may be necessary for the planning and provision of education.

Education providers shall, upon request, provide the state education authorities with the information necessary for the evaluation, development and monitoring of the education provided and for the compilation of statistics. Provisions on the submission of financial information by municipalities and joint municipal authorities are also laid down in section 121a of the Local Government Act (410/2015).

Section 60

Data transfer over a technical interface

Information contained in the registers referred to in this Act may be disclosed to those legally entitled to such information over a technical user interface. Before a technical interface is connected, the party disclosing the information shall ensure that adequate steps are taken to guarantee data security.

Section 61

Funding

Provisions on the funding for the activities referred to in this Act are laid down in the Act on the Financing of Education and Culture.

Discretionary government transfers may also be granted for investment projects as provided in the Act on Discretionary Government Transfers (688/2001). The government grant authority for the purpose of investment projects is the regional state administrative agency.

Chapter 10

Entry into force

Section 62

Entry into force

This Act enters into force on 1 August 2019.

This Act repeals the Act on General Upper Secondary Education (629/1998), hereinafter the *repealed act*.

Chapter 4 of this Act applies already before the entry into force of the Act when students are admitted to education commencing after the entry into force of this Act.

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

Section 63

Transitional provisions

The authorisations to provide education under the repealed Act shall remain in force upon the entry into force of this Act and the education providers referred to in the repealed Act may continue their activities as education providers within the meaning of this Act. Without the application referred to in subsection 1 of section 5, the Ministry of Education and Culture may

amend the regulations on a specific educational mission issued under the repealed Act to comply with this Act and the provisions adopted under it.

Sections 7, 10-11, 17, 17a, 22-23 and 27 of the repealed Act, sections 1-4 and 6-8 of the Upper Secondary Education Decree (810/1998) and the Government Decree on the general national objectives referred to in the General Upper Secondary Education Act and the Government Decree on the Distribution of Lesson Hours (942/2014) shall apply and the curriculum drawn up in accordance with the repealed Act and the provisions adopted under it shall be complied with until the Finnish Agency for Education decides, in accordance with subsection 1 of section 12, on the adoption of the core curricula and the curricula drawn up in accordance with them. The Finnish National Agency for Education shall approve the core curriculum in accordance with section 12 so that the curricula drawn up in accordance with the core curriculum are introduced by 1 August 2021 at the latest.

After the entry into force of this Act and before the adoption of the core curricula and curricula drawn up in accordance with the core curricula, education providers shall enrol a student to complete the syllabus for general upper secondary education or preparatory education for general upper secondary education in accordance with the curricula drawn up on the basis of the core curricula set out in the repealed Act.

Decisions on the commencement of educational trials were taken under the repealed Act before the entry into force of this Act shall be completed in accordance with the authorisation for the educational trial already granted.

Regulations issued by the Matriculation Examination Board under the repealed Act shall remain in force until such time when the Matriculation Examination Board otherwise decides.

Section 64

Decrees remaining in force

The following decrees shall remain in force also insofar as they have been adopted under the repealed Act:

- 1) Decree on Qualification Requirements for Teaching Staff (986/1998);
- 2) Government Decree on the Matriculation Examination (915/2005);
- 3) Government Decree on the Evaluation of Education (1061/2009);
- 4) Government Decree on the procedure for applying for vocational education, general upper secondary education and preparatory education after basic education (294/2014);

Decree of the Ministry of Education on the Criteria for Certain Fees Charged from Students (1323/2001)

- 6) Ministry of Education and Culture Decree on the Criteria for Student Admissions to General Upper Secondary Education (856/2006);

- 7) Decree by the Ministry of Education of Culture on Charges Payable for Matriculation Examination Board Performances (908/2010).

The Act on the Matriculation Examination 915/2005 was repealed by the Act on the Matriculation Examination 502/2019. The Decree by the Ministry of Education of Culture on Charges Payable for Matriculation Examination Board Performances 908/2010 was repealed by the Decree on Charges Payable for Performances by the Finnish National Agency for Education 1136/2018.