

**ACT NO. 24 OF 13 JUNE 1969 CONCERNING
PRIMARY AND LOWER SECONDARY EDUCATION
with subsequent amendments¹**

Chapter I. Purpose and Organisation

§ 1 Purpose

The purpose of primary and lower secondary education shall be, in agreement and cooperation with the home, to help to give pupils a Christian and moral upbringing, to develop their mental and physical abilities, and to give them good general knowledge so that they may become useful and independent human beings at home and in society.

The school shall promote intellectual freedom and tolerance, and strive to create good forms of cooperation between teachers and pupils and between school and home.

§ 2 School organisation

1. Compulsory education lasts for 9 years and there are two stages:

- a) the primary stage, comprising classes 1 - 6,
- b) the lower secondary stage, comprising classes 7 - 9.

A 10th year of voluntary education may be added at the lower secondary stage.

2. Normally schools should not be organised with more than 450 pupils.

A school with between 20 and 60 pupils in each year should normally have all 9 (or 10) classes. If it would otherwise mean long and difficult journeys for pupils, the school may have the lower secondary stage with fewer than 20 pupils in each year.

3. In connection with the provision of primary and lower secondary education voluntary education may be organised in nursery schools pursuant to § 8 subsection 6.

§ 3 Organisation of districts

1. The area which a school serves is a school district. A district may comprise different stages and years.

2. The municipal council lays down the organisation of districts, the district boundaries, and the location and names

¹ The Primary and Lower Secondary Education Act of 1969 has been revised and amended on various occasions. This is the Act as it stands since the amendments of 18 December 1987, and which was implemented on 1 January 1988.

of schools after the municipal education committee has made its recommendation.

Nevertheless the municipal council may on the recommendation of the education committee decide to do away with the district boundaries in the whole municipality or parts thereof.

3. If a change in district organisation will mean that a district is abolished or amalgamated with one or more other districts, the said district shall be allowed to express its views before the municipal council makes its decision, if the municipal council or the education committee so requires. The same applies to questions of new school locations in a district.

4. After the views of the home have been sought, the education committee may in special circumstances transfer pupils temporarily from one district to the neighbouring district.

5. Two or more municipalities may organise a school district together (an inter-municipal district). The provisions in subsections 2 and 3 apply correspondingly.

Children from one municipality may attend school in another municipality when this is more appropriate.

When parents² in a mixed-language area so demand, a separate district shall be organised for their children. Parents may not demand their own district for fewer than 10 pupils nor that the district shall be upheld with fewer than 6.

6. For special education the rules in this section apply insofar as they are appropriate.

§ 4 Transport and board and lodging

1. For pupils who have to travel more than 4 km from home to school or who must use a boat, the county municipality organises daily transport in cooperation with the municipalities. Each municipality covers the expenses for its own pupils in accordance with the current scale for the transport of persons. In special cases the municipality has an independent responsibility for organising transport even if the distance between home and school is shorter than 4 km.

The municipality is responsible for the supervision of pupils who have to wait for their transport and for ensuring that pupils who cannot travel alone are accompanied.

2. For disabled pupils the county municipality shall, if necessary, provide transport notwithstanding the distance between home and school.

3. For pupils who, because their homes are so situated or their journey is so long, cannot make use of the daily transport to school, the municipality shall ensure the provision of transport. The education committee ensures adequate supervision of pupils who are given board and lodging. Disabled pupils have a right to board and lodging without conditions.

4. For pupils in attendance at separate schools for special education who live in a pupils' hostel at the school,

² i.e. parents belonging to a minority group

the expenses connected with their travel, accommodation, etc. shall be borne by those running the school in accordance with the division of expenses laid down by law and in regulations.

§ 5. Organisation of classes

1. The number of pupils shall not exceed 12 in an undivided school, 30 in a school with two divisions, 50 in a school with three divisions and 84 in a school with four divisions. In a school with five divisions the number of pupils in each year shall not normally exceed 15.

Nevertheless the number of pupils in a class shall not under any circumstances exceed 12 when there are pupils from four or more different years in the class, 18 when there are pupils from three different years in the class, 24 when there are pupils from two different years in the class and 30 when there are pupils from the same year in the class.

2. Every year the education committee shall send the county director of schools a statement showing the number of classes and groups, the number of pupils therein and the number of hours.

§ 6. Teaching hours

1. The time allocated to teaching per year for pupils shall be not less than 37 weeks.

The total sum of the number of hours per week for pupils during the 6 years of the primary stage shall be not less than 138 hours.

The total sum of the number of hours per week for pupils during the 3 years of the lower secondary stage shall be not less than 90 hours.

The Ministry may issue more detailed rules concerning the daily number of teaching hours.

2. The Ministry lays down recommended norms for the overall allocation of teaching hours for the individual municipality.

3. The education committee distributes the teaching hours among the schools within the allocation decided by the municipal council.

§ 7. Teaching

1. All pupils have the right to receive instruction in accordance with their abilities and aptitudes.

2. The curriculum shall normally include religious instruction, Norwegian, mathematics, foreign languages, physical education, the study of the home and society, nature study and aesthetic, practical and social training.

3. Some of the teaching time may be allocated to optional subjects or courses, to camp school teaching, and to instruction at other schools, or it may be organised in a place of work outside the school in accordance with rules laid down by the Ministry.

4. The Ministry shall lay down, after specialist councils have made their recommendations, Curriculum Guidelines which shall provide a more detailed statement of the aims set for the school, of syllabus plans and allocation of hours, and of teaching plans for all subjects and class levels for normal teaching and special education.

The aim of religious instruction shall be such that pupils shall have a knowledge of the main content of the Bible stories, of the major events in church history and of the basic Christian teaching in accordance with the Evangelical-Lutheran doctrine.

In connection with the teaching of social science subjects pupils shall be given a survey of other religions and philosophies and of the work for peace and understanding between nations.

5. The syllabus plans and the allocation of hours contained in the model curriculum are binding on all schools which do not provide teaching beyond the minimum number of hours laid down in accordance with § 6, but at the primary stage up to 5 weekly hours of the minimum number may be used to strengthen individual subjects if the education committee so decides. If a municipality has a higher number of weekly hours than the minimum, the education committee decides how the excess hours may be used.

The rules contained in the first paragraph apply to special education insofar as they are pedagogically appropriate.

6. In consultation with the county director of schools the municipalities shall be responsible for the development of the educational advisory service.

7. The Ministry shall be responsible for ensuring the production of textbooks and other teaching aids for special education and of aids for the advisory service.

8. In accordance with guidelines issued by the Ministry the county director of schools may agree that a teacher or school may deviate from the regulations in force concerning the combination of subjects, choice of material or the scope and objective of the teaching in the individual subjects provided that the standard of the teaching as a whole is not thereby lowered. Before the county director of schools makes a decision on such applications, the teachers' council, the coordinating committee and the education committee shall express their views.

9. If the King so decides, it shall be possible to make deviations of specified duration which go beyond the provisions of § 7 subsection 8, when such deviations are well founded and of interest for school development.

§ 8. Special education

1. For children and young persons who on the basis of assessment by experts need special help, special education shall be organised inside or outside school.

Such education may be given in the ordinary school or in separate schools or special classes or in medical and social institutions, etc.

2. Special education for pupils in the ordinary school who receive extra help in one or more subjects for a certain period of time shall be organised by the municipality on the basis of plans which the education committee prepares.

3. Special education in separate schools or in special classes attached to an ordinary school may be organised by one municipality alone, by several municipalities together, by a county municipality or by other bodies than municipalities and county. Special education in medical and social institutions shall nevertheless be organised and run by the host municipality unless otherwise provided by the Ministry.

4. The county director of schools may, in cooperation with the education, social welfare and health services, work out plans for the organisation of such special education as is mentioned in subsection 3 for one or more municipalities or for the whole county.

The county director of schools appoints a supervisory committee in each municipality with such teaching as is mentioned in subsection 3. The Ministry issues regulations for the supervisory committees.

5. The state may run such schools and institutions as are mentioned in subsections 3 and 6.

6. The municipality shall ensure that children under compulsory school age receive appropriate special educational assistance when on the basis of expert advice this is deemed to be necessary. Such assistance may be linked to schools, day institutions, medical and social institutions, etc. or be organised in the form of separate measures. Assistance may also be provided by the educational/psychological service or by another expert body and it should also include the counselling of parents.

7. The Ministry lays down more detailed regulations for the measures which are mentioned above.

§ 9. Educational/psychological service

1. An educational/psychological service shall be established in appropriate districts and may be organised on a municipal or inter-municipal basis. The county director of schools may put forward proposals concerning the division of the county into service districts.

District boundaries and office locations are determined by the municipal council on the advice of the education committee. Decisions require the approval of the county director of schools.

The educational/psychological service falls administratively under the education committee, or in the case of inter-municipal organisations under a steering committee which is appointed in accordance with the rules laid down in the inter-municipal agreement. It may also be agreed that the service shall be placed administratively under the education committee in the host municipality.

2. The Ministry lays down more detailed regulations for the measures mentioned above.

If the municipalities do not reach agreement on the way in which special education under § 8 subsection 3 shall be

organised, or on the division of the educational/psychological service into service districts, or on the terms of cooperation, the matter shall be placed before the county director of schools for decision.

§ 10. School rooms and equipment

1. The municipalities shall ensure the provision of suitable schools.

2. All schools shall have the necessary furniture and teaching aids. The Ministry issues guidelines.

The schools shall have a library and a person who is responsible for the library service. The school library shall have both a pedagogical and a general cultural function and must have permanently established cooperation with the public library in the municipality.

3. The municipalities shall provide pupils with textbooks and readers, equipment for writing and drawing, and other teaching material.

4. School premises should be used for cultural and social purposes outside school hours.

In accordance with guidelines issued by the Ministry the education committee, or a separate steering committee appointed by the education committee, lays down more detailed rules concerning letting and lending. These rules shall be formed in such a way that nobody is excluded on the grounds of religion or politics.

The cleaning of school premises is governed by the Municipal Health Service Act No. 66 of 19 November 1982 and regulations pursuant to that Act.

In schools and in combined premises for schools and other purposes alcohol must not be served nor may it be brought into such premises for consumption.

§ 11. Health supervision and dental care

Health supervision is governed by the provisions of the Municipal Health Service Act No. 66 of 19 November 1982.

Dental health supervision is governed by the provisions of the Dental Health Service Act.

The Ministry may issue more detailed rules concerning health supervision and medical aid for pupils in receipt of special education.

§ 12. Rules and instructions

1. The Ministry lays down:

- a) regulations and more detailed guidelines for the activities and arrangements for which this Act provides authority,
- b) standard instructions for posts which may be established in accordance with this Act.

2. The education committee may decide upon additions to the standard instructions for those posts which are mentioned in § 21 subsection 1.

The municipal council may, after the education committee has submitted its views, decide upon additions to the standard instructions for the chief municipal education officer and for any post pursuant to § 17 subsection 5.

Chapter II. Compulsory education, etc.

§ 13. The right and obligation to receive education

1. Children and young persons have the right and obligation to attend primary and lower secondary school unless they otherwise receive corresponding education. They shall be registered at the school which serves their district.

For children and young persons in hospital, etc. education shall be organised in conformity with that which is provided in the primary and lower secondary school.

2. Children shall normally attend school from the beginning of the school year in the calendar year in which they attain the age of 7 years. If the parents so request or consent thereto, the education committee may let a child start school one year later, or one year earlier when he or she has attained the age of 6 years by 1 July.

3. Compulsory education lasts until the pupil has completed the ninth year of schooling. In special cases a pupil may be allowed to leave school earlier, but in no case before he or she has attended school for eight years.

Children and young persons may nevertheless be exempted from the obligation to receive education if on the basis of expert assessment they are deemed to have such severe disabilities that the obligation to receive education seems unreasonable.

4. The right to special educational assistance applies also before compulsory school age when the individual is deemed on the basis of expert assessment to need such assistance.

5. The education committee shall maintain a register of all those in need of special educational assistance in accordance with regulations issued by the Ministry.

6. More detailed rules concerning admission, moving up, transfer to another school, annual and leaving examinations, marks and the awarding of marks, the issue of leaving certificates, and exemption from the obligation to receive education in accordance with subsection 3, are laid down by the Ministry.

7. (Repealed by Act No. 89 of 17 December 1982).

8. Pupils who belong to a religious community outside the Church of Norway have the right to be absent from school on those days their community holds to be holy.

9. Children of parents who do not belong to the Church of Norway shall be wholly or partly exempted from religious instruction when their parents so demand.

10. If a pupil is absent from the compulsory instruction, his or her parents or those who are in loco parentis may be liable to fines if they are responsible for

such absence. Public prosecution is not instituted unless the education committee so decides.

§ 14. Private schools

1. For the establishment of a private school the approval of the Ministry is required. The Ministry may revoke such approval if the conditions are not fulfilled.

2. The provisions of this Act concerning school hours, teaching hours, leaving examinations and leaving certificates also apply to private schools.

The teaching plans and teachers must be approved by the county director of schools.

Private schools established as alternatives in terms of pedagogical method/subject content which apply for grants in accordance with Act No. 73 of 14 June 1985 concerning grants to private primary and lower secondary schools providing upper secondary education, are approved in accordance with the said Act.

§ 15. The duties of employers

No employer must let a pupil work during school hours or so soon before school hours that the pupil cannot arrive at school punctually and fully refreshed. Nor must an employer put a pupil to work outside school hours in such a way that the pupil is unable to prepare for school. The employer must personally ensure that he or she knows the school hours of the pupil concerned. Any person who wilfully or negligently violates these provisions may be liable to a fine.

Otherwise Act No. 4 of 4 February 1977 concerning worker protection and the working environment, etc. and the regulations laid down pursuant to the said Act apply.

§ 16. The working environment and the rights and duties of pupils

Great importance shall be placed upon the creation of a pleasant working environment with good forms of cooperation between all who are connected with the school, whether as pupils, teachers or other staff.

Each school shall have a set of rules approved by the education committee. The rules may include regulations concerning the rights and duties of pupils, rules for conduct, the measures that may be used if pupils break the rules, and the procedure for dealing with such matters. Exclusion from school may not be imposed for a period exceeding 3 days.

The Ministry may issue more detailed regulations concerning the content of the set of rules.

Corporal punishment or any other humiliating treatment must not be used.

Chapter III. Teaching staff, etc.

§ 17. Teaching posts, etc.

1. Teaching in school shall normally be covered by full-time posts. When it is appropriate, part-time teaching posts may also be established.

Posts may be established with teaching partly in the primary and lower secondary school and partly in the upper secondary school.

Two thirds of the full-time posts shall be permanent and the rest terminable.

2. When necessary, temporarily appointed teachers and supply teachers may be used.

3. With the consent of the municipal council, the education committee may put a teacher in charge of teaching rooms, equipment and teaching aids.

4. In schools providing lower secondary education and in fully divided schools providing primary education there shall be a rektor. A school which comprises both the primary and lower secondary stages shall normally have one rektor responsible for the two stages.

There may also be a rektor in a school with few divisions at the primary stage, when the municipal council consents.

When not less than two thirds of the staff and of the parents at a school so desire, and provided the education committee consents, responsibilities and duties which otherwise come under the post of rektor may be assumed by teachers. The Ministry issues more detailed rules.

5. The Ministry decides what posts and what services shall be organised for other activities. For such posts the provisions laid down for teaching staff, etc. apply correspondingly unless otherwise stated or implied by the context.

6. For teaching posts in state schools the provisions of Act No. 65 of 10 June 1977 concerning civil servants apply.

§ 18. Training requirements, etc.

1. The provisions of the Teacher Training Act apply to the training requirements for teaching posts and to the requirements concerning training and experience for rektors.

2. The Ministry may lay down special requirements concerning training and experience for chief municipal education officers and school inspectors and for staff with special functions in the municipal school system.

3. Any person who is to give religious instruction must teach in accordance with the Evangelical-Lutheran doctrine.

A teacher who does not belong to the Church of Norway or the Evangelical-Lutheran Free Church shall not be under any obligation to teach the subject even if he or she is qualified to do so, cf. § 22 subsection 2.

§ 19. Salaries and teaching hours, etc.

1. For posts covered by the provisions of this Act salaries and working conditions are laid down in a collective pay agreement.

2. Teachers who leave their posts when the summer holiday begins receive their salaries until the end of July. Teachers who take up posts when the summer holiday ends receive their salaries from 1 August.

3. A teacher who teaches at more than one school shall receive a travel allowance in accordance with the provisions applying to public servants in respect of his or her journeys to other schools than the one that lies closest to his or her place of residence. This allowance can only be claimed for travel by boat or when the distance by land is not less than 3 km each way. The distance is calculated from the place of residence, except that it is calculated from the nearest school if this is shorter.

4. A teacher in a permanent or terminable post receives a removal allowance in accordance with the rules applying to civil servants.

5. During illness staff in posts covered by this Act receive salary in accordance with the rules applying to public servants.

6. The education committee may normally grant a teacher or any other employee of the municipal school system leave of absence from the whole or part of his or her post for up to one year at a time. In exceptional circumstances, in accordance with rules issued by the Ministry, the education committee may grant leave for up to four years. If such leave leads to any expense for the state, the decision requires the approval of the county director of schools. The Ministry issues more detailed rules concerning the treatment of applications for leave.

Rules concerning salary and seniority during periods of leave are laid down in the salary scales.

§ 20. Advertising of posts

1. Vacant posts for employees mentioned in § 21 subsection 1 shall be advertised by the education committee. The advertisement shall state the conditions and the closing date for applications. The time limit shall be not less than 3 weeks after the publication of the advertisement.

2. Positions for adjunkts or lektors with teaching at primary and lower secondary levels, or only at lower secondary level, or in both compulsory and upper secondary education, shall be advertised in such a way that the subjects in which teaching qualifications are required are specifically mentioned.

3. The education committee must not require in the advertisement or in any other way that applicants shall give information concerning their views on political and cultural questions.

§ 21. Appointment

1. The right to appoint teachers, deputy heads or rektors in the municipal school system is vested in the education committee.

2. A minority of the education committee may before the close of the meeting appeal to have the decision on appointments referred to the county director of schools, who takes the final decision.

3. The provisions of subsection 2 also apply to temporary appointments or the appointment of substitutes, unless the appointment is for only 6 months or a shorter period. In such cases the county director of schools shall be informed whom the education committee has appointed.

4. If a teacher is to supervise trainee teachers, the principal of the college of education and/or postgraduate institute of education concerned has the right to give his or her recommendation. If the education committee and those concerned fail to reach agreement, the county director of schools shall make the decision.

5. The person who is appointed must within 8 days of receiving notification state in writing whether he or she accepts the post. The education committee may extend this time limit.

6. The education committee may give a teacher holding a terminable post a permanent appointment in the same post without advertising it again. If the county director of schools does not agree with the decision, he or she shall refer the matter to the Ministry for decision.

7. The Ministry issues regulations concerning appointments to posts in permanent camp schools, to inter-municipal posts and to posts with service in both compulsory education and upper secondary education.

§ 22. Duties of staff

1. The staff have a collective and several responsibility for ensuring that the school is run in accordance with the aims set for it. The staff shall help to create a good school community.

2. Teachers shall have a duty to teach at the stages and in the subjects for which they are qualified.

3. The staff, in return for the remuneration prescribed, have a duty to provide guidance for trainee teachers from colleges of education, postgraduate institutes of education or other training institutions, if such students are doing their teaching practice at the school.

4. Teaching staff shall in accordance with regulations laid down in the rules and instructions have a duty to attend meetings outside teaching hours for in-service training, planning, consultation, etc. cf. § 6.

5. The staff shall abide by the laws applying to the school and the provisions laid down in school plans, the set of rules, and instructions.

6. Teachers have a duty to inform the rektor of pupils they believe to be in need of special education.

§ 23. Notice of resignation, etc.

1. The holder of an appointment may give 3 months' notice of resignation unless otherwise agreed.

2. Any person who accepts a new appointment has a duty immediately to give notice of resignation from a post which he or she cannot continue to hold after taking up the new post. He or she also has a duty immediately to withdraw any applications for other vacant posts.

§ 24. Termination of employment, transfer to another school, etc.

1. The education committee may give an employee mentioned in § 21 subsection 1 who is not permanently appointed 3 months' notice of termination of employment, when a post ceases to exist as a result of the reorganisation of school districts, the abolition of classes or other compelling reasons.

In such cases the education committee shall likewise require that a teacher or rektor who holds a permanent or terminable appointment shall serve in another primary and lower secondary school in the municipality, provided his or her working conditions are approximately the same. A rektor, and a teacher with special functions, has nevertheless no claim to a corresponding post. The individual's salary must not be reduced.

Unless particular considerations apply, the total length of service shall be decisive in cases of termination, so that a person with shorter total length of service must accept termination of employment before a person with longer total length of service.

A minority of the education committee may before the close of the meeting appeal to have the decision on termination referred to the county director of schools, who takes the final decision.

2. A teacher or rektor in an inter-municipal post may in accordance with the same rules as are mentioned in subsection 1 be transferred to a post in only one of the municipalities in which he or she is employed.

3. If an employee in a post mentioned in § 21 subsection 1 shows incompetence or is for other reasons unfit for the post, the education committee may dismiss the person. The individual concerned shall have been given the opportunity to state his or her case. A minority of the education committee may before the close of the meeting appeal to have the decision on dismissal referred to the county director of schools, who takes the final decision.

If an employee is guilty of grave misconduct, the education committee may immediately suspend the person concerned until he or she can be dismissed or is removed from the post by the judgment of a court. During such period he or she shall continue to be paid salary in the normal way.

§ 25. (Repealed by Act No. 99 of 18 December 1987)

Chapter IV. Administrative organisation

§ 26. The education committee

1. In every municipality there shall be an education committee. The King may make exceptions.

2. Inter-municipal schools shall be governed according to the rules of the agreement. The Ministry may issue more detailed rules concerning their administrative organisation and may determine how the steering committee shall be composed and how it shall be elected.

3. The chairman of the municipal council, the chief municipal executive and the chief municipal education officer may take part in meetings of the education committee, but without the right to vote. Furthermore the following persons have the right to be present at meetings, to express their views and to have them recorded in the minute book:

- a) one or two representatives of the teachers decided by the education committee, and a representative of other staff in the schools managed by the municipality
- b) the rektor of the school the matter concerns
- c) the chairman of the coordinating committee of the school the matter concerns
- d) The vicar or a minister or a catechist appointed by the bishop
- e) the county director of schools

The education committee may determine that the two groups mentioned under b) and c) shall attend with only one representative each if the matter concerns many or all of the schools in the municipality.

§ 27. Functions of the education committee

1. The education committee is the steering committee for the schools managed by the municipality, and for the teaching provided at social and medical institutions, etc.

The municipal council may assign other tasks to the education committee.

2. The education committee ensures that the schools are managed in accordance with the laws and regulations and municipal decisions in force, and sees to it that the composition of the teaching staff is as appropriate as possible for the range of subjects taught, and that the schools are up to the requirements in force at any time.

The education committee shall cooperate in enabling teachers, heads of schools and staff with special functions in the municipal school system to maintain their knowledge and to keep up with developments in their subjects.

3. The education committee conducts inspection of the compulsory education of those who do not attend municipal schools, and shall, if there is reason for such action, summon them for special examination.

4. The Ministry may issue more detailed regulations for the activities of the education committee.

5. The education committee may appoint its own committees for special functions, either advisory committees or committees which make decisions in cases. On such committees the staff shall have representatives. The provisions of § 26 and § 28 apply correspondingly to such committees insofar as they are appropriate.

In cases in which the education committee has so decided, the coordinating committees, cf. § 32, may be given the power to make decisions. In other cases the power of decision may be given to the chief municipal education officer, cf. § 29.

For the delegation of tasks pursuant to subsection 1 second paragraph the education committee requires the consent of the municipal council.

§ 28. Procedure at meetings

1. Meetings of the education committee shall be open to the public. If a matter is to be dealt with in which there is an obligation of secrecy pursuant to § 42, the discussion shall be in camera. The education committee may also in other cases decide that a particular matter shall be dealt with in camera. When the chairman deems it necessary or the education committee so decides, the same shall apply to the discussion of whether a matter should be dealt with in camera.

2. A minute book shall be kept for all meetings of the education committee with a brief record. The chairman of the meeting and at least two other members of the education committee sign the minute book.

A copy of the minutes shall be sent to the county director of schools no later than the week following each meeting.

§ 29. The administration of the education committee

1. In each municipality there shall be a chief municipal education officer.

2. The chief municipal education officer comes under the education committee in questions of school policy, but under the chief municipal executive in matters concerning municipal administration.

§ 30. Parents' council

In every school there shall be a parents' council of which all parents, or guardians who come in loco parentis, who have children at the school, are members. The parents' council elects a working committee which itself elects 2 members with personal alternates to the coordinating committee, cf. § 32 subsection 3. The chairman of the working committee shall be one of the two members.

§ 31. Statements from the district

1. When a district is to make a statement in matters such as are mentioned in § 3 subsection 3 and in § 40 subsection 4, the chairman of the education committee shall in concurrence with the chairman of the parents' council determine a time and place for a district meeting and ensure that it is announced with at least 4 weeks' notice and in such manner as is customary locally. As far as possible the meeting shall be held at a time which is convenient for all those eligible to vote.

2. All who live in the district, cf. § 3 subsection 1, and satisfy the requirements of § 11 of the Representation of the People Act No. 3 of 1 March 1985 have the right to vote. Furthermore parents/guardians of children at the primary stage in the school have the right to vote on the form of the written language of instruction, notwithstanding residence or nationality.

3. The meeting may discuss the matter on which the district shall make a statement. Those present decide when the discussion shall cease and the voting commence.

Voting on matters pursuant to § 40 subsection 4 shall be in writing. The same applies to matters pursuant to § 3 subsection 3 if any person present at the meeting so demands.

4. The chairman of the education committee leads the meeting and is responsible for the voting. He or she shall ensure that a list is made of those who have the right to vote pursuant to subsection 2 but whose names do not appear on the electoral roll, and that on this list and on the electoral roll the names of those who have voted are clearly marked.

5. The Ministry may issue more detailed regulations concerning procedure at meetings and voting.

§ 32. Teachers' council, council for other staff and coordinating committee

1. In every school with several teachers there shall be a teacher's council of which the rektor and all teachers in not less than half-time posts are members.

The teachers' council itself elects two members with personal alternates to the coordinating committee, cf. subsection 3.

2. In a school there may be, when the circumstances are conducive thereto, a council for other staff than those who are mentioned under subsection 1. The chairman of the council is a member of the coordinating committee, cf. subsection 3.

If the school does not have such a council, other staff than those who are mentioned under subsection 1 may elect 1 representative with an alternate to the coordinating committee. The rektor summons and leads such an election meeting.

3. In every school there shall be a coordinating committee with 2 representatives from the teachers' council, 1 representative for other staff, the rektor, 2 representatives from the pupils' council, 2 representatives from the parents'

council and 1 representative elected by the education committee.

4. All elections pursuant to § 30 and § 32 shall be conducted in writing when any person so demands and shall normally be valid for one year.

The Ministry may issue more detailed guidelines for councils and committees pursuant to § 30, § 32 and § 33, make exceptions to the requirement that every school shall have all such governing bodies, and may on application from the education committee lay down alternatives.

§ 33. Pupils' council and class council

1. In every school for the lower secondary stage there shall be a pupils' council. Normally each class elects its representative to the council. The pupils' council elects its chairman, vice-chairman and secretary. The chairman and vice-chairman of the pupils' council shall have seats in the coordinating committee, cf. § 32 subsection 3. The pupils' council elects two personal alternates for these. Elections shall be conducted in writing and are valid for up to one year at a time.

2. In every school for the primary stage there may be a pupils' council. For elections the same rules otherwise apply as under subsection 1. The chairman and vice-chairman may attend meetings of the coordinating committee but only when the pupils' council has put forward the matter under discussion or made a statement, or when the coordinating committee wishes them to attend.

3. A teacher shall assist the pupils' council in its work.

4. For each class there may be a class council of which all the pupils are members. The class council itself elects its chairman and vice-chairman for up to one year at a time.

§ 34. County director of schools

1. In each county there shall be a director of schools appointed by the King. Oslo and the county of Akershus have a joint director of schools.

2. The county director of schools shall in cooperation with the education committee, the municipal council, the county education committee and other bodies in the county ensure that the primary and lower secondary schools meet the needs of the times and that there is otherwise suitable instruction for children and young persons who are subject to the provisions in force concerning compulsory education. He or she ensures that all school regulations are obeyed.

3. The county director of schools shall ensure that plans are prepared for special educational measures, educational development work and in-service training, and assist in putting such plans into operation.

4. The county director of schools has the right to be present and to express an opinion on school matters at

district meetings and at meetings of the education committee, the municipal council and the county education committee.

5. The Ministry issues more detailed regulations concerning the functions of the county director of schools.

§ 35. The Council for Primary and Lower Secondary Education and the Parents' Committee

To assist the Ministry the King appoints a Council for Primary and Lower Secondary Education. The council shall have a chairman, vice-chairman and 7 other members. Their term of office is 4 years and coincides with the term of office of members of the Storting.

The Ministry appoints the Parents' Committee for primary and lower secondary education. The committee shall have a chairman, vice-chairman and 5 other members. Their term of office is 4 years.

More detailed provisions concerning functions, schemes of work, use of advisers, etc. are laid down by the Ministry.

§ 36. State schools

1. The Ministry is responsible for the administration of those schools which are run by the state.

2. For each school the Ministry may appoint a steering committee. The Ministry issues more detailed regulations concerning the composition and duties of the steering committee.

3. In each school there shall be a rektor who is responsible for the daily management of the school.

4. The Ministry shall issue regulations about which matters may be decided by the school, the steering committee for the school and the county director of schools.

Chapter V. Expenditure on schools

§ 37. Duties of the municipality

1. Each municipality is responsible for ensuring that all children and all young persons receive appropriate instruction, and has a duty to ensure that primary and lower secondary schools are organised and managed in accordance with this Act.

2. The municipality bears the expenses of primary and lower secondary education in accordance with the provisions of this Act.

3. The municipality in which the pupil has his or her home pays for the teaching inside or outside the municipality. The Ministry issues more detailed rules.

4. Instruction in primary and lower secondary schools is free for all who live in the municipality and pursuant to § 13 have the right to attend school.

§ 38. Grants from the state

The state provides annual grants:

1. To cover in part the expenditure incurred by the municipalities in respect of primary and lower secondary education pursuant to this Act. The grant is part of the overall block grant to primary and lower secondary education in the municipalities.

The grant is divided among the municipalities in accordance with rules issued by the King.

2. For particular educational provision in accordance with more detailed rules laid down by the Ministry.

3. To the Norwegian Public Service Pension Fund in the form of a sum corresponding to the pension contributions.

Chapter VI. Miscellaneous provisions

§ 39. Textbooks

1. Textbooks which are used in the schools must be approved by the Ministry.

Textbooks in other subjects than Norwegian must be available at the same time and at the same price in Bokmål and Nynorsk. The Ministry may make exceptions to this rule.

2. In accordance with rules issued by the education committee the coordinating committee at the individual school shall choose between textbooks which have been approved in accordance with subsection 1.

Except where textbooks for the teaching of the mother tongue are concerned, the parents of each individual pupil may choose whether he or she shall use the Nynorsk or the Bokmål edition.

§ 40. The form of the language in school

The language of instruction shall be Norwegian in accordance with the following rules:

1. When receiving oral instruction pupils may use the form of the language they speak in the home, and the teacher shall in vocabulary and means of expression take account of the spoken form of the pupils' language.

2. Pupils shall learn to read both Nynorsk and Bokmål. For this reason reading books shall include sufficient material in both forms of the language.

3. The education committee lays down for each school whether Nynorsk or Bokmål shall be used for written work.

4. If there is to be any change in the written form of the language of instruction, the question shall be put to the vote in the district or the area which the school otherwise serves.

A ballot on the written form of the language of instruction shall be held when a majority of the education

committee or at least 1/4 of those eligible to vote in the district so demand.

The result of the ballot is determined by simple majority, and shall be advisory for the education committee.

A new decision on the form of the language of instruction may not be made until at least 5 years have elapsed.

When districts with different forms of the language of instruction are merged, a new ballot shall always be held.

5. During the final two years of compulsory education pupils shall receive instruction in both forms of the language. The Ministry lays down the more detailed regulations for this teaching. From the seventh class level the pupils themselves decide which form of the language they shall use.

6. Parents of no fewer than 10 pupils at one of the stages from classes 1 to 6 who wish that their children shall be allowed to use another written form of the language of instruction than that which has been decided for the school, may demand that the class be divided provided that there will be no fewer than 10 pupils in each class.

If such pupils as are mentioned in the first paragraph are spread over several schools in the municipality, the parents may by simple majority choose a school for the class.

A class which is established after division may continue at the primary stage provided that the number of pupils does not fall below 6.

If the district organisation causes pupils after the 3rd class to be transferred to a school with another form of the language of instruction and this applies to fewer than 10 pupils at this class level, the parents may demand that the pupils concerned continue with the same written form of the language of instruction and that they shall receive instruction in a separate group in Norwegian lessons.

7. Children in Sami areas have the right to receive instruction in or through the medium of Sami at primary level. The Ministry may make exceptions.

From and including the seventh class level the pupils themselves decide whether they wish to have Sami as a subject. They may also choose Sami as their main language. In both cases they are exempted from instruction in one of the forms of Norwegian in classes 8 and 9.

Instruction in Sami may also be provided for pupils with a Sami background outside Sami areas when conditions are conducive thereto.

The Ministry lays down rules concerning the number of pupils and decides what may be deemed a Sami area.

8. The provisions of this section apply to special education insofar as they are appropriate.

§ 41. Religious instruction

The bishop and the vicar or a minister or a catechist designated by the bishop have the right to listen to the teaching of religion and to give advice in matters connected with this instruction.

§ 42. Obligation of secrecy

Any person performing any service or work pursuant to this Act has an obligation to observe secrecy in accordance with the provisions of § 13 to § 13 e of the Public Administration Act.

Chapter VII. Transitional provisions

§ 43. Implementation of the Act

This Act comes into force from the date determined by the King. From the same date the Elementary Education Act of 10 April 1959 is repealed.

The King may determine that the provisions of § 25 subsection 2, paragraphs a and b of the Elementary Education Act of 10 April 1959 shall provisionally remain in force.

From the date on which the Primary and Lower Secondary Education Act is implemented, the following Acts will be amended as follows: