

Act on Basic Education in the Arts

633/1998

Section 1

Purpose of basic education in the arts

1. Basic education in the arts is goal-oriented education primarily given to children and young people which progresses from one level to another and which gives the pupil self-expression skills and enables him/her to apply for vocational and higher education in the art form concerned.
2. Other activities relating to art promotion may also be arranged in connection with basic education in the arts.

Section 2

Art education providers

1. Basic education in the arts may be provided by a local authority.
2. The competent ministry may authorise a municipal consortium, a registered society or a foundation to provide basic education in the arts.
3. According to a decision by the ministry, basic education in the arts may also be provided by a state educational institution.
4. Education referred to in this Act shall be arranged by a music institute or some other educational institution providing basic education in the arts.

Section 3

Authorisation

1. The precondition for an authorisation referred to in Section 2(2) is that the education is needed and that the applicant has the professional and economic prerequisites for arranging the education appropriately. The education may not be arranged in pursuit of financial gain.
2. The authorisation shall determine the municipalities in which the education is given, the language of instruction, the form of art and other conditions relating to teaching arrangements. Any change in the authorisation shall be decided by the competent ministry.
3. The ministry may revoke the authorisation to provide education if the education does not fulfil the conditions laid down in subsection 1 or if the education is otherwise provided contrary to this Act or regulations and orders issued pursuant to it.

4. The provision of education and discontinuation of activities in a state educational institution shall be decided by the ministry in compliance with the provisions of subsections 2 and 3.

Section 4

Cooperation and commissioning

1. The education provider may also provide the services referred to in this Act jointly with other providers or purchase them from a public or private organisation or foundation. The education provider shall be responsible for ensuring that the education purchased by it conforms to this Act.

Section 5

Curriculum

1. The National Board of Education shall determine the aims and core content of education in each art form (core curriculum). The core curriculum may contain syllabi of different extent.
2. The education provider shall adopt a curriculum for each form or art.

Section 6

Admission

1. Admission to education shall be decided by the education provider. Equal selection criteria must be applied to all students.
2. An education provider other than a state educational institution may enter into an agreement with one or several local authorities concerning the admission of pupils. Notwithstanding the provisions of subsection 1, priority may be given in admission to applicants fulfilling the knowledge and skill requirements, to those referred to in the agreement or, in education provided by a local authority, to pupils resident in that municipality. However, prioritised applicants referred to in the foregoing may constitute only half of the admitted pupils. (Amendment 518/2000)

Section 7

Evaluation of education

(Amendment 37/2003)

1. The purpose of the evaluation of education is to support development and improve conditions for learning.
2. The education provider shall evaluate the education it provides and its effectiveness and take part in external evaluations of its operations.
3. For the purpose of external evaluation, subordinate to the Ministry of Education is a separate Education Evaluation Council, which organises evaluation in a network with universities, the National Board of Education and other evaluation experts. Further provisions on the tasks and composition of the Education Evaluation

Council are laid down in a Government Decree. The ministry may also commission an evaluation from an organisation other than the Evaluation Council.

4. The salient findings of evaluations shall be published.
5. Further provisions concerning evaluation and its development shall be issued by Government Decree.

Section 8

Pupil assessment

1. The aim of pupil assessment is to guide and encourage learning and develop the pupil's capacity for self-assessment. The pupil's work shall be assessed by various means.
2. Pupil assessment and the information recorded in the report shall be decided by the National Board of Education.

Section 9

Personnel

1. Each institute which provides education referred to in this Act shall have a principal responsible for the activities.
2. The education provider shall have a sufficient number of teacher posts or other teachers under employment contract in view of the mode of provision. In addition, the education provider shall have hourly paid teachers and other personnel.
3. The required qualifications of the principal and teachers shall be laid down by decree. For a special reason, the competent ministry may grant exception to the principal's qualification requirements. A university may in single cases pronounce a person qualified to teach in accordance with provisions enacted by decree.

Section 10

Appeals

1. A decision concerning a tuition fee referred to in Section 12 shall be appealed against to the County Administrative Court in accordance with the provisions of the Administrative Judicial Procedure Act (586/1996).
2. A decision concerning admission shall be appealed against to the County Administrative Court in accordance with the provisions of the Administrative Judicial Procedure Act. The appeal must be lodged within 14 days of the date on which the decision has been communicated to the pupil or his or her parent or guardian. The appeal shall be processed as urgent.
3. Provisions concerning requests for rectification of pupil assessment shall be enacted by decree. A decision on a request for rectification may not be appealed against.

Section 11

Government transfers

1. An education provider may be granted government transfer for establishment and operational expenditure according to the provisions of this Section and the Act on the Financing of Education and Culture (635/1998).
2. A local authority which provides basic education in the arts shall receive government transfer according to the number of local residents.
3. An education provider referred to in Section 2(2) above shall be granted government transfer according to the number of lesson hours. In addition to the provisions of subsection 2, a local authority may be granted entitlement to government transfer according to the number of lesson hours. The entitlement shall be governed by the provisions of Section 3 concerning authorisation, where appropriate.

Section 12

Fees charged to pupils

1. Moderate fees may be charged to pupils. A local authority acting as an education provider may set a different fee for pupils who are resident in that municipality and for pupils coming from outside it. Further, if an education provider other than a state educational institution has concluded an agreement with one or several local authorities on the sharing of the cost of education provision, the tuition fee to be charged to pupils belonging to the district party to the agreement may be different from that charged to other pupils. (Amendment 518/2000)
2. If the fee referred to in subsection 1 has not been paid on the due date, an annual interest for late payment may be charged in accordance with the provisions of the Interest Act (633/1982).
3. The fee may be recovered without a court decision or order under the provisions of the Act on the recovery of taxes and fees by enforcement order (367/1961).

Section 13

Further provisions

1. Further provisions on the implementation of this Act shall be issued by decree.

Section 14

Coming into force

1. This Act shall come into force on the first of January 1999.
2. This Act shall repeal the following Acts with subsequent amendments:
 - 1) Act on Basic Education in the Arts of 15 May 1992 (424/1992); and
 - 2) Music Institutes Act of 7 April 1995 (516/1995).

3. Measures needed to implement this Act may be taken before this Act comes into force.

Section 15

Transitional provisions concerning authorisation and administrative bodies

1. Music institutes operating under the Music Institutes Act shall continue as education providers referred to in this Act, in the Vocational Education and Training Act (630/1998) and in the Act on Adult Vocational Education and Training (631/1998). The competent Ministry shall decide, where necessary, on the change of an authorisation into an authorisation referred to in Section 3(2), in Section 9(2) of the Vocational Education and Training Act and Section 5(2) of the Act on Adult Vocational Education and Training or into a decision on government transfer referred to in Section 11(3).
2. The bodies appointed under the Acts referred to in Section 14(2) above shall continue until the end of their terms, unless the education providers decide otherwise. The compositions of the bodies and the selection of the members shall be governed by statutes in force at the coming into force of this Act until the end of their terms.

Section 16

Transitional provisions concerning personnel and curricula

1. The holders of posts and positions and hourly paid teacher in music institutes operating under the Music Institutes Act shall continue in their positions after this Act comes into force.
2. The core curricula issued under the Acts referred to in Section 14(2) above shall be in effect until decisions concerning them are made under this Act.
3. Instruction may be given in accordance with the core curricula adopted under the Acts referred to in Section 14(2) until the education provider adopts a new curriculum under this Act.