

Compulsory School Act

2008 No 91 12 June

Entry into force 1 July 2008 Amended by Act No 34/2009 (entry into force 8 April 2009), Act No 35/2009 (entry into force 8 April 2009), Act No 38/2009 (entry into force 8 April 2009), Act No 91/2011 (entry into force 1 July 2011), Act No 126/2011 (entry into force 30 September 2011), Act No 180/2011 (entry into force 30 December 2011), Act No 56/2014 (entry into force 4 June 2014), Act No 72/2015 (entry into force 21 July 2015), Act No 91/2015 (entry into force 5 August 2015 with the exception of Article 1 and Articles 4 to 7: entry into force 1 July 2015), Act No 115/2015 (entry into force 16 December 2015), Act No 76/2016 (entry into force 29 June 2016; implemented pursuant to the provisions of Article 11), and Act No 78/2016 (entry into force 1 July 2016).

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

Section I Scope; role of compulsory schools; compulsory schooling

■ Article 1 *Scope*

This Act applies to municipal compulsory schools, to independent compulsory schools ...⁽¹⁾, and to accredited compulsory-level educational programmes. All schools offering education at the compulsory level are referred to as compulsory schools.

⁽¹⁾Act No 76/2016, Article 1.

■ Article 2 *Objectives*

The role of compulsory schools is to cooperate with homes in promoting the all-round development of all pupils and their participation in a democratic society in constant evolution. The manner of operation of compulsory schools must be characterised by tolerance and charity, guided by the Christian heritage of Icelandic culture, and marked by equality, democratic cooperation, responsibility, consideration, forgiveness and respect for human worth. Compulsory schools must also seek to organise their work in a way that corresponds as fully as possible with the circumstances and needs of pupils, and to promote the all-round development, well-being and education of each individual.

Compulsory schools must work to promote open-mindedness among pupils and strengthen their proficiency in the Icelandic language and their understanding of Icelandic society, its history and specificities, people’s living conditions, and of the individual’s duties to the community, the environment and the world. Pupils must be given the opportunity to show creativity and to acquire knowledge and skills in the constant pursuit of education and personal development. Schooling should provide the foundations necessary for pupils to demonstrate initiative and independent thinking, and enhance their cooperation skills.

Compulsory schools should promote close cooperation between the home and the school with a view to ensuring successful schooling and the general welfare and safety of pupils.

■ **Article 3** *Compulsory schooling*

□ The duration of compulsory schooling shall generally be ten years, but may be shortened in accordance with Article 32. School attendance is mandatory for all children, in general between the ages of 6 and 16.

□ Parents must safeguard the interests of their children of compulsory school age. For the purposes of this Act, a ‘parent’ is understood to be any individual who has custody of a child within the meaning of the Act in Respect of Children.

Section II Governance of compulsory schools

■ **Article 4** *General administration*

□ The [Minister]⁽¹⁾ has responsibility for the general administration of any matter governed by this Act; the issuing of the National Curriculum Guide for Compulsory Schools; the provision of learning materials to compulsory schools; the monitoring of quality assurance in schools; the collection, analysis and dissemination of information; support for developmental work in schools; and rulings on any disputes that may arise in accordance with the provisions of this Act. The [Ministry]⁽¹⁾ has responsibility for ensuring that local authorities meet their obligations pursuant to this Act, any regulations or rules issued on the basis thereof, or the National Curriculum Guide for Compulsory Schools. The Minister is to submit to the Althing every three years a report on the implementation of compulsory education in Iceland, based amongst other things on reports on the operation of schools submitted by local authorities pursuant to Article 37.

⁽¹⁾Act No 91/2011, Article 1.

■ **Article 5** *Local authorities*

□ Local authorities are responsible for the operation of regular compulsory schools and for the cost thereof. Local authorities have the responsibility for the general organisation of schooling in their compulsory schools; the development of individual schools; the premises and equipment provided to compulsory schools; special classes in compulsory schools; [school services];⁽¹⁾ evaluation and quality assurance measures; the collection and dissemination of information; and the implementation of compulsory schooling in the municipality. Local authorities must establish a general policy on the operation of compulsory schools and make it known to their inhabitants. The Municipal Council is to instigate cooperation between preschools and compulsory schools, as well as between compulsory schools and upper secondary schools.

□ Local authorities are responsible for all cooperation between a compulsory school and parties external to the school.

□ Local authorities have the obligation to ensure that children of compulsory school age, within the meaning of Article 3, who are legal residents of the municipality, as well as children who have been placed in the care of foster parents who are legal residents of the municipality, are able attend a compulsory school as further provided in this Act. [Prior to placing a child in foster care, the relevant child protection committee must investigate the circumstances of the case in consultation with the local school authorities and assess the potential of the compulsory school concerned to meet the needs of the child.]⁽²⁾

□ If the legal residence of a child has not been determined by the competent authority, the Municipal Council is to decide on the child’s compulsory schooling, provided that the child resides in the municipality and that a request for its admission to school has been submitted pursuant to Article 19. The refusal of the Municipal Council to admit a child is subject to appeal under Article 47. The [Ministry]⁽³⁾ may issue a ruling requiring a local authority to admit a child to a compulsory school in the municipality.

□ The Municipal Council of the municipality in which a child has legal residence may conclude an agreement with another local authority to admit the child to a compulsory school,

in which case the receiving municipality has the same obligations in relation to the child's schooling as if it had been a legal resident of that municipality.

[After having consulted with the Association of Local Authorities in Iceland, the Government Agency for Child Protection and other public authorities, the Minister is to issue a Regulation⁽⁴⁾ on the implementation of this Article, including provisions on the schooling of foster children, both on the professional and financial aspects thereof and on the cooperation of the parties concerned. Any disputes are to be resolved by a complaints board composed of representatives of the Ministry, the Association of Local Authorities and the Government Agency for Child Protection.]⁽²⁾

⁽¹⁾Act No 76/2016, Article 1. ⁽²⁾Act No 91/2011, Article 2. ⁽³⁾Act No 126/2011, Article 492. ⁽⁴⁾Regulation No 547/2012.

■ Article 6 School Boards

Each local authority must operate a School Board which, on its behalf, manages compulsory school affairs pursuant to applicable laws and regulations and as determined by the Municipal Council(s) concerned.

The main tasks of the School Board are:

a. To ensure that all children of compulsory school age who have the right to attend school in the municipality receive legally mandated compulsory education;

b. To approve each school's annual operating plan and school curriculum guide;

c. To oversee the implementation of education and teaching in the municipality and the development of school curriculum guides, and to make proposals to the headteacher and/or the Municipal Council regarding improvement in schooling;

d. To oversee and promote the access by pupils and schools to [school services];⁽¹⁾

e. To ensure at all times the existence of appropriate premises for teaching and that of other facilities, including an outdoor area and playground for pupils;

f. To monitor compliance with the provisions of laws and regulations and submit proposals to the Municipal Council on possible improvements;

g. To promote contacts and cooperation between preschools and compulsory schools, as well as between compulsory schools and upper secondary schools.

The School Board is to be elected by the relevant Municipal Council at the start of each elective term. Elections to the School Board and its manner of operation are governed by the provisions of the Local Government Act and by the ordinances of the municipality concerned. Alternate board members should be of the same number as principal members and elected in the same way.

Headteachers, compulsory school teachers and parents in a municipality each elect from among their number one principal and one alternate representative to attend School Board meetings, with the right to speak and propose motions.

...⁽²⁾

⁽¹⁾Act No 76/2016, Article 1. ⁽²⁾Act No 76/2016, Article 2.

■ Article 7 Headteachers

Every compulsory school must have a headteacher who has the direction of the school, provides professional leadership, and is responsible to the Municipal Council for the school's work. The headteacher is to promote cooperation between all members of the school community. Teachers' meetings are to be called by the headteacher as required during the compulsory school's academic year. Teachers' meetings should be attended by teachers and other staff with specialist training. Staff meetings are to be called by the headteacher as required.

The headteacher makes proposals to the Municipal Council regarding the administrative organisation of the compulsory school, taking into account the needs of the school in question. The headteacher decides on the tasks of the other administrators of the school, one of which should serve as deputy headteacher.

The headteacher of a compulsory school with fewer than 60 pupils and no other administrators should designate, at the beginning of each school year, one of the school's permanent teachers as substitute headteacher.

■ **Article 8 School Councils**

Each compulsory school must operate a School Council serving as a forum for consultation between the headteacher and the school community regarding the operation of the school. The School Council should participate in setting the school's strategic direction and in developing its specific character. The School Council is to discuss the school curriculum guide, the school's annual operating plan, its financial plan, and any other plans relating to the work of the school. The School Council must be invited to comment on any plans involving major changes to the operation and work of the school before a final decision is made. The School Council should have general oversight of the safety, welfare and general well-being of pupils. After having obtained the consent of the Municipal Council, the School Board established pursuant to Article 6 may assign specific additional tasks to individual School Councils.

[Each School Council is to be composed of nine members, appointed for a two-year term, including two teachers' representatives, one representative of other staff at the school concerned, two pupils' representatives and two parents' representatives, as well as the headteacher, who chairs the Council and is responsible for its establishment. In addition, the School Council should select as one of its members either a representative of the local community or an additional parent representative. Moreover, the headteacher is to summon once a year a joint meeting of the School Council and the board of the pupils' association. A temporary exemption from the provisions of this paragraph may be requested through an application addressed to the Ministry and accompanied by a reasoned statement. The Minister may delegate to the Directorate of Education the task of granting exemptions pursuant to this Article. The reasoned statement must make clear how the tasks of the School Council will be performed. Any exemption must be justified by objective reasons, such as a small pupil population or special circumstances.]⁽¹⁾

The Minister is to issue a Regulation⁽²⁾ on the operation of School Councils in consultation with the associations of local authorities, teachers and parents.

⁽¹⁾Act No 91/2015, Article 10. ⁽²⁾Regulation No 1157/2008.

■ **Article 9 Parents' associations**

Every compulsory school must have a parents' association. The headteacher is responsible for its establishment and for ensuring that it receives the necessary support. The role of a parents' association is to support the school's work, promote the welfare of pupils and strengthen the relations between the home and the school.

The parents' association of each school sets its own rules, including on elections to its board and the election of representatives to the School Council.

■ **Article 10 Pupils' associations**

Every compulsory school must have a pupils' association, the headteacher being responsible for its establishment. The role of a pupils' association includes promoting social, general-interest and welfare issues of concern to pupils, the headteacher being responsible for ensuring that the association receives the necessary support.

The pupils' association of each school sets its own rules, including on elections to its board and the election of representatives to the School Council pursuant to Article 8, second paragraph.

Section III Staff of compulsory schools

■ **Article 11 Recruitment**

The recruitment of headteachers and other staff of compulsory schools is governed by the provisions of the Local Government Act and, where applicable, by more detailed provisions contained in the relevant local government ordinance.

[Recruitment requirements for headteachers, teachers and educational and vocational guidance practitioners of compulsory schools are governed by relevant legislation.]⁽¹⁾

Persons having been convicted for violating the provisions of Section XXII of the General Penal Code must not be hired to a position at a compulsory school. Prospective employees must present a criminal record certificate or authorise the headteacher to obtain the relevant information from the penal register.

⁽¹⁾Act No 35/2009, Article 9.

■ Article 12 Staff

All staff of compulsory schools must exhibit professionalism, commitment and conscientiousness in their work. Staff must exercise courtesy, consideration and tact in their relations with children, their parents, and co-workers.

All staff of compulsory schools must observe utmost confidentiality with regard to information on the personal situation of children and their parents of which they gain knowledge in their work and which is covered by a secrecy requirement mandated by law, ordered by superiors, or deriving from the nature of the case. The obligation to maintain confidentiality continues to apply after the termination of employment. The obligation of confidentiality of compulsory school staff does not extend to information on incidents that are subject to statutory reporting requirements. The headteacher has the responsibility to remind staff of the existence of the above obligations, in particular the statutory reporting requirement of the Child Protection Act.

At the headteacher's initiative, each school is to elaborate a lifelong learning plan for its staff so as to achieve the best alignment with the priorities laid down by the school and the local authority, as well as in the National Curriculum Guide.

Headteachers and teachers of compulsory schools must be given the opportunity to engage regularly in lifelong learning in order to enhance their professional competence. This should include the possibility to take study leaves.

Section IV Pupils

■ Article 13 Pupils' rights

Compulsory schools are the workplace of pupils. All pupils in compulsory schools are entitled to receive suitable instruction within a stimulating study environment and in appropriate premises adapted to their needs and furthering their general well-being. Compulsory schools must in all respects organise their work so as to promote a sense of security in pupils and support the development of their potential. Pupils have the right to enjoy the benefit of their childhood in all school work. Care must be taken to maintain a reasonable workload so as to ensure that pupils get sufficient rest from organised activities within each school day and over the school year, including by organising continuous breaks over Christmas and Easter. Pupils have the right to express their views on the study environment, learning arrangements, the organisation of schooling, and any other decision concerning them. These views should be taken into account where possible.

Every pupil must have a class teacher. Class teachers must closely monitor the schooling of their pupils, their development, well-being and general welfare, guide them in their studies and school work, assist and advise them regarding personal matters, and work to strengthen the cooperation between the school and the home.

[Compulsory school pupils are entitled to receive educational and vocational guidance provided by persons meeting the requirements of the Act on educational and vocational guidance practitioners.]⁽¹⁾

⁽¹⁾Act No 35/2009, Article 9.

■ Article 14 Pupils' responsibilities

Pupils are responsible for their own learning, their behaviour and their social interactions, account being taken of their age and level of maturity.