



EDUCATION ACT



23rd July 2002 Act

SECTION ONE
ON THE PURPOSE OF EDUCATION AND
THE
FUNCTIONS OF SCHOOLS

Chapter One
On the Purpose of Education

Article 1

Education is an absolute national priority, and school is compulsory for all children from the age of six to sixteen. Education is a fundamental right guaranteed to all Tunisians regardless of gender, social origin, skin colour or religion. Education is incumbent upon the citizens and the community.

Article 2

Students are central to the teaching process.

Article 3

Education aims at cultivating in students fidelity and loyalty to Tunisia and fostering a sense of patriotism and pride. Education also aims at strengthening students' sense of national identity and cultural belonging, in its national, Maghrebi, Arab, Islamic, African and Mediterranean dimensions, widening their outlook onto human civilization.

Education also aims at securing the values and principles Tunisians support, which are based on the prizing of knowledge, hard work, solidarity, tolerance and moderation, because these values and principles guarantee a society founded on an authentic cultural personality, opening onto

the modern world and inspired by the lofty ideals of mankind and the universal principles of liberty, democracy, social justice and human rights.

Article 4

The State provides free education to all those who are of school age, and gives all students an equal chance of enjoying this right, provided that schooling is normally pursued according to current regulations and procedures.

It is incumbent on the State to provide the conditions that will enable pupils with special needs to exercise their right to education.

Article 5

The teaching staff and education personnel generally are entrusted with implementing national educational goals. It is their responsibility to educate the younger generation jointly with other members of the education community, working positively with parents and the environment

Article 6

Schools are the essential unit in the educational network, being self-sustained pedagogic structures. Schools also represent a repository for our educational memory and the locus of its revival and dissemination among our young people.

Chapter Two The Functions of Schools

Article 7

Schools are entrusted with the duties of educating, instructing and training.

Article 8

As part of their educational function, working in cooperation with parents, and alongside the family with its nurturing role, schools aim to teach the younger generation noble principles, good conduct, a sense of responsibility, and the spirit of initiative. They have to:

- cultivate in the students a sense of civic and communitarian values, inculcate in them a consciousness of freedom and accountability, and prepare them to help strengthen the foundations of a society that is united and based on justice, equity, and equal rights and duties
- nurture the individual personality in all its moral, existential, intellectual and physical dimensions, refine pupils' innate gifts and abilities, facilitate the construction of the individual personality by developing a critical spirit and an active will so that growth goes hand in hand with acumen, self-confidence and a spirit of enterprise and creativity
- inculcate in the younger generation a commitment to action, hard work, conscientiousness and moral judgment, which are the active principles that lie behind individual growth, identity building and the pursuit of excellence
- teach students respect for community values and the foundations of social life.

Article 9

In the pursuit of their teaching goals, schools will endeavour to provide an excellent education for all learners. Instruction will include general knowledge as well as theoretical and practical learning. The aim of school teaching is to develop pupils' gifts and skills, increase their capacity for self-education and prepare them for access to an educated community.

Schools must in particular:

- enable students to acquire the Arabic language, given that it is the national language
- enable students to acquire at least two foreign languages
- develop the manifold forms of intellectual, aesthetic and scientific intelligence
- develop communication skills and utilize all forms of expressions- linguistic, artistic, symbolic and corporal
- teach students to acquire the skills to use communication and information technology and applying them in various fields
- prepare young people to face the future, to accept change and to participate positively in it.

Article 10

In the pursuit of their training function, schools aim to develop school-leavers' abilities and skills according to their age and level of instruction. Professional training and higher education institutions will further develop these abilities and skills. In this respect, schools are called on to empower learners to:

- utilize their acquired knowledge and skills to find unusual

solutions and options to the issues they confront

- adapt to changes
- develop a spirit of initiative and creativity
- cultivate group work
- adhere to lifelong learning.

SECTION TWO
STUDENTS' RIGHTS AND DUTIES

Article 11

Students are entitled to comprehensive, impartial information on everything pertaining to school and university orientation so they can choose their field of study or professional training in full cognisance of the facts, certain of what they are doing.

Article 12

In the course of their professional duties, the education staff will respect the principles of fairness and equal opportunity for all. They shall also build relationships with students based on equity, objectivity and regard for their rights and personalities.

Article 13

Students must respect their teachers and the other members of the education community and are bound to observe the school's inviolability. They are also required to attend regularly and carry out all the assignments and duties they are given. Students are also required to observe the rules of communal living and the regulations that order school life. Failure to observe these duties and obligations will be met with disciplinary action.

Students shall not be kept out of school for more than three

days without appearing before the education council and using their right to speak in their own defence.

Article 14

The schedules and procedures of school life are fixed by decree and the disciplinary order in the schools is determined by a decision from the Minister of Education.

SECTION THREE SCHOOL ORGANIZATION

Article 15

Schooling comprises basic schooling and secondary education. The State, given the existing means and the specific nature of the school environment, will encourage the promotion of the preschool sector, in a spirit of complementarity between the State schools and local group, association and private sector initiatives.

Chapter One Preschool Education

Article 16

Preschool education is provided in special institutions and spaces for children between the age of three and six. Preschool educates and prepares these children for school instruction. The final year of preschool, when the child is between five and six, must prepare the child for primary level.

Preschool education should:

- develop the ability to communicate orally

- develop sensory experience, psychological and physical abilities, and a healthy awareness of the body
- develop the ability to live as part of a group.

Article 17

The State provides a preparatory year education to all children aged from five to six with a view to complementarity between State instruction and local group, association and private sector initiatives.

Article 18

The preparatory year is a constituent element of basic schooling, and the rules set out in Article 4, Paragraph 1, and Article 20, Paragraph 1 do not apply to it.

Chapter Two Basic Schooling

Article 19

Basic schooling is an autonomous school cycle. It aims to develop children's personal abilities and to bring them up to a level of instructions that will allow them to carry on their studies in the following cycle of education, integrate a vocational training centre or begin professional life.

Article 20

Basic schooling is compulsory, provided students are able to pursue their studies normally and in a way that is consistent with current regulations and requirements. Schools, operating in cooperation with parents, see to it that any interruption before the elementary cycle is completed should be exceptional.

No student shall be definitively expelled from all State

schools before the age of sixteen, unless a decision to this effect has been made by the Minister of Education, after the offending student has appeared before the education council in which his/her right to defend him/herself in person or through an advocate has been exercised.

Article 21

Any parent or tutor who prevents his ward from attending basic school or interrupts his ward's education before the age of sixteen while the ward is able to pursue his studies normally in accordance with the established regulations, shall be fined from 20 to 200 dinars, and this sum shall be increased to 400 dinars if there is recurrence.

Article 22

Basic schooling lasts nine years and is provided in two complementary cycles:

- a primary cycle, lasting six years, which aims to teach pupils the instruments of cognition and the basics in oral and written expression, as well as reading and reckoning. It also aims at helping pupils develop their minds, their scientific intelligence, their aesthetic sensitivity, their physical and manual abilities and a civic spirit and the ability to get on with other people.

- a preparatory cycle, lasting three years, which aims to give pupils communicative skills in their national language and two foreign languages, as well as the necessary knowledge and skills in mathematics, science, technology, the arts and social science, in order to go on to further study at the next level, get on a professional training programme or enter social life.

Article 23

Preparatory cycle students may if necessary obtain alternative training at a vocational training centre and in economic

institutions, in partnership between the Ministry of Education and the Ministry of Professional Training.

Article 24

All the subjects, social, scientific and technological, in the two cycles of basic schooling are taught in the Arabic language.

A decree fixes the organization of basic schooling, its curricula and its teaching hours, and a Ministry of Education decision establishes its procedures of assessing and grading.

Chapter Three Secondary Education

Article 25

Secondary education is provided to all students who have satisfied the requirements for passing from the ninth grade of basic schooling according to continuous assessment procedures, and to pupils with a basic schooling certificate.

Article 26

As well as providing a sound general education, secondary education aims to give students advanced training in one field of knowledge, or specialized tutoring in one branch, the purpose of which is to enable students to go on to further study at university level, get on a vocational training programme, or begin professional life.

Article 27

When necessary, it is possible that students receive alternative training in vocational training centres and economic institutions in partnership between the Ministry of Education and Training.

Likewise, students from vocational training centres may enrol in secondary schools and attend courses that prepare them for the baccalaureate exam.

Article 28

A decree fixes the organization of secondary education, its curricula and its teaching hours. The decree also fixes the orientation and enrolment mentioned in the last paragraph of Article 27. A decision from the Minister of Education fixes the secondary school procedures of assessing and grading.

<p>SECTION FOUR EDUCATIONAL INSTITUTIONS</p>

Article 29

Teaching takes place in the following State and private schools:

- Institutions and spaces devoted to preschool education
- Primary schools
- Preparatory schools
- Secondary schools
- Pioneer schools
- Virtual schools

Chapter One Educational Institutions

Article 30

Pre-schooling shall be provided in institutions and facilities created for that purpose.

The first stage of basic schooling shall be provided in primary schools; the second stage in preparatory schools.

Secondary education shall be provided in secondary and pioneer schools.

The system of education in pioneer schools shall be determined by a decree issued by the Minister of Education.

Special education institutions with special curricula and educational systems may also be created by decree.

Article 31

Primary, preparatory, secondary, pioneer and virtual schools shall be supervised by the Ministry of Education and run each by a director, supported by the school council and the teachers' pedagogic council.

Article 32

School councils in primary, preparatory, secondary, pioneer and virtual schools shall design the school project, which aims at developing its working methods, improving its culture and enhancing the quality of its services within the framework of national educational objectives and those set by the school. To design the school project, councils shall consult all members concerned from the teaching staff, parents, student representatives and related organizations.

Schools shall take their social environment and the special needs of their students into account when designing their school project.

The school project shall then be submitted to the supervising authority for approval.

Within the framework of the school project, schools may benefit from the flexibility granted them to organize school timetables, continuous assessment and curriculum design in conformity with national standards.

The constitution, organization and working methods of school councils shall be defined by a decree issued by the Minister of Education.

Article 33

Teachers' pedagogic councils in primary, preparatory, secondary, pioneer and virtual schools shall help the school administration deal with issues related to organizing lessons, continuous assessment and timetabling and give all kinds of support to students within the framework of national standards and the specific features of the school.

The constitution, organization and working methods of teachers' pedagogical councils shall be determined by a decree issued by the Minister of Education.

Article 34

The State shall be responsible for building State schools and supporting them from the national budget. Local associations, economic and social and related organizations may contribute to the effort in accordance with the existing regulations.

Article 35

Preparatory, secondary, pioneer and virtual schools shall be considered as public institutions with an administrative function and civil status. They shall be financially independent and their budget shall be dependent upon the State budget.

Article 36

The financial resources of the preparatory, secondary, pioneer and virtual schools shall come out of the equipment and management grants offered by the Government and from grants provided by private individuals and institutions or other organizations, from endowments and wills and incomes derived from services and property and from the enrolment fees that students whose parents can afford it may be asked to pay in addition to the insurance and library taxes.

Article 37

When building educational institutions, particular consideration will be given to the special features of their environment and their architecture will serve pedagogical and educational goals, helping to develop students' aesthetic awareness and a feeling of belonging and pride.

Chapter Two Private Educational Institutions

Article 38

Private individuals and institutions may create and sponsor private educational institutions after getting permission from the Ministry of Education. The conditions under which this permission is given shall be defined by a decree

issued by the Ministry.

The owner and the actual director of the private school must have Tunisian nationality. Other nationals must get special permission from the Minister of Education.

The institution's director must belong to the teaching or the pedagogic staff .

People coming under this category must not have a criminal record.

Article 39

Private schools must recruit part of their teaching staff as full-time teachers. The ratio of full-time teachers to others shall be determined by a decree issued by the Minister of Education, thus ensuring that the schools have a regular educational staff .

People with criminal records shall not be recruited to work or teach in private schools.

Article 40

Private schools are required to teach the official programs taught in State schools, except for the special institutions referred to in the last paragraph of Article 30.

Special private schools with special programs and organization, or those preparing students for foreign exams, may be created after permission has been granted by the Minister of Education.

Article 41

Students in private schools may continue their education in the State schools, according to the existing regulations, and have the right to sit for national exams, according to the

existing regulations.

Article 42

Private schools are subject to pedagogic, administrative and health supervision by the authorized staff in the various ministries to ensure that the requirements mentioned in this Law, and the related decrees and decisions, are being respected.

Article 43

Failure to comply with the duties mentioned in this section, or failure regarding moral standards or health and security requirements inside the school will mean that the owner of the private school may lose the license mentioned in Article 38 of this Law, irrespective of the legal penalty he/she may pay under the laws in force.

Article 44

If the license mentioned in Article 43 is withdrawn, and if the children or students so need, the supervisory authority may ask the judge handling the case to appoint a manager from among the teaching staff recommended by the supervising authority to run the school for a period of time that must not go beyond the end of the following school year.

<p>SECTION FIVE EDUCATIONAL AND ADMINISTRATIVE STAFF</p>

Article 45

The educational staff shall be made up of the administrative staff, teaching staff, inspectors, supervisory

administrative staff , school and university information and orientation counsellors, pedagogic counsellors and the administrative and technical personnel.

Article 46

All members of the educational staff shall receive on-going in-service training during their careers, this being deemed a necessity required by epistemological and social change and professional development.

Training of trainers and in-service training of members of the educational staff shall be organized as developments in teaching context and methods and the best interests of students, school and career promotion require.

Article 47

The educational body shall, in cooperation and in complementarity with parents, carry out its duties as part of the school's basic responsibility mentioned in Section 2, Article 1

The educational community shall be made up of the teaching staff , administrative and pedagogic supervisory staff , information and school and university orientation staff , educational counsellors and supervisors.

The educational corps shall include the parents, students and related organizations via their representatives on the school councils.

SECTION SIX
CROSS-CURRICULUM COMPETENCY

Chapter One
Fields of Study

Article 48

Schools shall provide students with sound, balanced, multi-dimensional training and help them acquire the knowledge and skills that will enable them to play an active role in social, economic and cultural life, maintain a life-long ability to learn, and make a contribution to establishing a free, democratic society that can keep abreast of development, modernity and progress.

Article 49

School life and school activities shall represent a natural extension to learning and a context fostering the growth of students' personalities and gifts, as well as community life.

Article 50

Programs shall focus on skills related to languages, science, technology, the humanities, social studies and the arts. Educational programs shall include physical education and sport.

Article 51

Arabic shall be taught at every level to ensure that students master it sufficiently well to use it as a means of communication, culture and production and as an end in itself in the various fields of knowledge.

Foreign languages shall be taught in primary schools, being seen as a means of communication and a way of being acquainted with the discoveries of the thinking world in the fields of technology, scientific theory and cultural standards; students can thus keep abreast of developments in these fields and make contributions that will enrich the national culture and promote its interaction with universal human culture.

Article 52

Mathematics and Science shall be taught to enable students to master all forms of scientific thinking and train them in the use of argument, and to teach them the skills needed for problem-solving and interpreting human and natural phenomena.

Technology shall be taught to enable students to understand the technological environment in which they live and to realize how important technology is for social and economic activity. Particular stress shall be laid on the programs training students in multimedia studies, these being ways of searching for knowledge and achieving self-directed learning.

Article 53

Teaching the humanities and social studies will enable students to acquire the knowledge needed for critical thinking and help them understand how societies are organized and how their economic, political and cultural development is achieved.

Article 54

Teaching the arts will help students develop their intelligence and refine their aesthetic sense by taking part in various artistic activities and becoming familiar with the works of artists throughout history.

Article 55

Sport shall form an important part of the educational enterprise. They will help students learn endurance, perseverance and self-discipline and strive for success, develop their self-confidence, and achieve balanced and healthy lives.

Chapter Two Cross-Curriculum Competency

Article 56

Schools shall be responsible for providing students with the knowledge and strategies required at work, in problem-solving, and civic education during the various stages of their education and in all courses, throughout their social lives and the parallel activities offered. Schools shall also foster the acquisition of those general competencies and abilities which will serve as a sound foundation for learning and training as well as working potential.

Article 57

These general skills and abilities shall consist of:

- practical skills, acquired through practice and experimentation within a problem-solving approach. All courses shall help towards the acquiring of these skills, particularly Science, Mathematics, Computer Science and Technological Science

- strategic skills, meaning the ability to look for the correct information, organize and analyse information, and understand how elements relate to each other, using this to devise alternative solutions

- initiative skills: developing a spirit of creativity in students and enabling them to devise projects and plan how to implement and assess them, using aims-related criteria. These skills shall be acquired through individual and group activities in all courses as well as in parallel school activities

- behavioural skills: developing a sense of responsibility, self-reliance and cooperation as well as the ability to accept criticism and difference of opinion.

SECTION SEVEN
EVALUATION

Article 58

All components of school education shall be subject to regular, systematic evaluation.

This evaluation aims at making an objective assessment of the effectiveness of education in the schools and related institutions, as well as the quality of the work of the people who work there and of student performance, in order to introduce the necessary changes and remedies needed for the targeted aims.

Chapter One
Evaluation of Student Performance

Article 59

Student performance shall be assessed continuously at every stage of education. This assessment shall interact with and complement the learning process. It shall have a

formative and diagnostic function during the learning period, and be summative at the end of it. Teachers shall be responsible for this assessment, designing and correcting tests and making use of the information thus collected.

Article 60

National evaluations shall be regularly done on student samples from various levels of education. These will be used to decide how far targeted objectives have been attained in terms of the quality of learning acquired.

Article 61

At the end of their preparatory education, all students who wish to do so may sit for a national exam to get the certificate awarded at the end of basic schooling according to the regulations determined by a decree issued by the Minister of Education.

Article 62

At the end of their secondary education, all students in all fields of study shall sit for a national exam, the baccalaureate.

The different diplomas awarded for the baccalaureate shall be determined by decree and the exam procedure by a decision issued by the Minister of Education.

Chapter Two:

Evaluation of Performance of the Educational Staff

Article 63

The various members of the teaching body shall be assessed according to their various job descriptions and on the basis of quality performance indicators.

Pedagogical, administrative and financial supervisors from the Ministry of Education shall be responsible for conducting this evaluation.

Chapter Three Evaluation of Educational Institutions

Article 64

Schools shall be internally and externally assessed according to the quality and quantity indicators defined by the Ministry of Education and regularly revised in the light of the objectives targeted at the national level and at the level of the school itself .

Evaluation and its regulations criteria shall be determined by a decree issued by the Minister of Education.

Chapter Four Evaluation of School Educators

Article 65

The effectiveness of school education shall be assessed on a regular basis in the light of the above-mentioned assessment, and on the basis of the quality and quantity indicators and criteria issued at international level.

The criteria and regulations of such an assessment shall be determined by a decree issued by the Minister of Education.

SECTION EIGHT
RESEARCH AND INNOVATION
IN EDUCATION

Article 66

Educational research shall be a fundamental factor for enhancing the quality of education and for upgrading the efficiency of , and continuously developing, school performance to achieve the targeted objectives according to international criteria in the field.

Article 67

Educational research shall be done in pedagogy, curricula, teaching materials, teacher performance, school culture and the environment, and the evaluation system. In addition, it shall address comparative study and be on the lookout for changes in the field of education.

Educational research shall also attempt to identify and disseminate innovative ideas and experiences in the field. It shall be used to make teachers familiar with, and take advantage of , novel ideas in the field internationally and to promote the use of modern technology in education.

Article 68

Educational research shall be conducted in specialized institutions working jointly with scientific research centres and specialized universities whenever necessary.

SECTION NINE
PROVISIONAL RULINGS

Article 69

The decisions mentioned in Articles 26 and 27 of this Law shall be put into effect as of the beginning of the 2003-2004 school year.

Article 70

Under the current Law, all previous regulations which run counter to this Law shall be repealed, as shall be annulled Act Number 65 of 1991, dated July 29th 1991, concerning the educational system, and all those amendments which completed or amended parts of that Law.