

# HANDOUT 3: EUROPEAN SCHOOL STUDENTS' RIGHTS



## The Declaration

(Adopted in July 2006 by the General Assembly of OBESSU held in Ohrid, Macedonia)

### Article 1

The right to Association

- 1.1 The right to associate at any level of education must be guaranteed by legislation.
- 1.2 In every school there should be a legally recognized student council, which has been democratically elected by the school students. All students have the right to run for elections.
- 1.3 School students and school student associations should have the right to establish national school student organisations.
- 1.4 Finances, facilities and support should be provided by the school, as well as by the local and central authorities in question in order for school student associations and organisations to function properly. However, this shall never restrict the autonomy of the associations.
- 1.5 School student organisations at all levels of education should have the possibility to perform their activities during schooldays.
- 1.6 School students must have the right to assemble, strike, demonstrate and express their opinion both inside and outside the school. They must be able to do so freely and without sanctions.

### Article 2

The right to Participation

- 2.1 School students must be involved in the decision-making processes in all matters of concerning the school. This must be guaranteed by legislation.
- 2.2 The power of decision making must not be concentrated in the hands of single individuals; decision making bodies at all levels must be representative and democratic.
- 2.3 There must be an organ of collective decision making such as a school board when the decision making process of a school is concerned.

- 2.4 School students must have influence on the content of the lectures, the methods of teaching, the curricula and books.
- 2.5 Students should be guaranteed proper, transparent evaluation of their work. Students have the right to a global and continuous evaluation. Furthermore, school students should be given the opportunity to evaluate the teaching.
- 2.6 School students must have equal influence as teachers have in the school decision-making processes.
- 2.6 School students have to be guaranteed sufficient time for learning.

### Article 3

The right to Appeal

- 3.1 School students should have the right to appeal against unfair treatment and have the right to demand disciplinary actions in case of such violations. The appeal should be handled by an impartial structure.
- 3.2 Any appeal through internal or external channels should not cause any harm to the school student(s) appealing.

### Article 4

Civil Rights

- 4.1 Civil Rights must apply to all school students.
- 4.2 Education must be based upon mutual respect, understanding, democracy and tolerance and equality. School systems will promote the fight against discrimination in all forms, fascism and xenophobia. School students have the right to a safe learning environment.
- 4.3 Privacy of information concerning individual school students must be respected and use only with the student's explicit prior consent.
- 4.4 All school students must have access to an ombudsperson responsible for education.
- 4.5 School students must be protected from all kinds of exploitation.

## HANDOUT 3: EUROPEAN SCHOOL STUDENTS' RIGHTS (CONTINUED)

### Article 5

#### The right to Quality Education

- 5.1 School students must have the right to high quality impartial education.
- 5.2 There should be quality assessment at all levels of education.
- 5.3 There should be no fees of any kind. School students should get their public secondary education funded by the state.
- 5.4 Vocational training should enable students to find a job responding to their qualifications and interests. Social partners should be consulted in the decisionmaking process concerning vocational training. Vocational training should leave flexibility in the later choice of careers.
- 5.5 Secondary education in general should provide students with the practical skills and preparation in order to enable them to bring the theory that they learn into practice in their further education and future (working) lives.
- 5.6 Schools should provide the adequate materials and technologies necessary for the studies.
- 5.7 Every type of education at secondary level should contain general education.
- 5.8 Schools must provide special measures to compensate in any specific deficits due to shortcomings in the upbringing and previous education of school students. They should also be provided free of charge.
- 5.9 All parts of the secondary school systems are of equal importance and should have the same rights and the same status.
- 5.10 At the beginning of a school year the school board must give proof of validity that new books must be used in the classes. The use of books must not be changed for reasons of economy but for educational reasons.
- 5.11 School students must have adequate and flexible timetables and study schedules throughout their education.

### Article 6

#### Training

- 6.1 Vocational training should enable students to find a job responding to their qualifications and interests. Social partners should be consulted in the decisionmaking process concerning vocational training. Vocational training should leave flexibility in the later choice of careers.
- 6.2 The school is responsible for the periods of training in external companies and guarantees that they have a real formative objective. The students have the right to be informed at the beginning of the school year about the activities they are going to do and about the way in which they will be evaluated.
- 6.3 Students have the right to have a course regarding the legislation regulation the rights in the working environment and about safety on the working place.
- 6.4 Students doing practical work experience are not to be considered replacements for employed workers.

### Article 7

#### The right to Access to Education

- 7.1 There should be no technical, financial or sociocultural barriers to secondary education.
- 7.2 Entry to any type of higher education should be available to all who have completed secondary education. Higher education entrance criteria should be flexible and be aimed at encouraging access.
- 7.3 School students should not be required to specialize before they are fully aware of the importance and impact of their choice.
- 7.4 Facilities must be provided for disabled people enabling them to receive education on an equal basis with non-disabled students.
- 7.5 Any break during a study career must be allowed without loss of any achieved study credits and without loss of the right to continue education.

## HANDOUT 3: EUROPEAN SCHOOL STUDENTS' RIGHTS (CONTINUED)

### Article 8

The right to maintain Cultural and Personal Identity

- 8.1** Every one should have the right to maintain their cultural heritage. School students speaking a minority language should be offered lessons in the language in question. Optional courses on minority language and culture should also be offered to students representing the majority population.
- 8.2** The school must respect the individuality of school students. Equality in education shall not mean uniformity: students have to be allowed to develop their personal abilities and identities towards the direction they want to.

### Article 9

The right to gender Equality

- 9.1** Discrepancy in skills between school students because of a gender specific socialization should be compensated by means of education. Schools will actively work for gender equality in society.
- 9.2** In order to achieve education promoting gender equality, sexes must not be presented in stereotypes in the educational process.
- 9.3** The staff at secondary schools must be hired due to competence and ability, with no regard to gender, religion, origin, sexual orientation and so on. In order to offer school students a representative vision of our diverse societies.

### Article 10

The right to a flexible school

- 10.1** The authorities in question should give the school a flexible framework still defining general guidelines and minimum requirements.
- 10.2** Education and learning should not be regarded as occurring only during the years in school. The school system should adapt itself to serve the principle of continuous education. Students must be taught abilities and given facilities to actively seek information themselves and not only to receive knowledge passively through the teaching process.

- 10.3** School students must have the right to receive education in the required form when they are absent from school due to illness or any other legitimate reasons.

### Article 11

The right to a proper school environment

- 11.1** School students should have the right to be educated in an adequate (learning) environment. Legislation securing a good work environment should be applied to schools too.
- 11.2** The social function of the schools should be taken into account and cared for.
- 11.3** School students must have the right to a free insurance during school time and activities done within the educational programme. They must also have the right to free medical assistance when they get involved into an accident during school activities, this including practical work as a part of the education curriculum.

### Article 12

The right to Information and Guidance

- 12.1** School students have the right to be adequately informed about their rights and possibilities as well as about the educational and participatory structures.
- 12.2** All school students must be provided with proper guidance and orientation in all matters of their own concern. Social and psychological help should be provided within the schools.
- 12.3** School students should be informed about everything that is of relevance for their education and its procedures. Plans for each subject in the curriculum should be presented to the school students before the beginning of each term.
- 12.4** School students have the right to access all kinds of information and knowledge without censorship or other limitations.

## HANDOUT 3: EUROPEAN SCHOOL STUDENTS' RIGHTS (CONTINUED)

### Article 13

#### Internal regulations

- 13.1** In every school there shall be a set of internal regulations. The school board or the school community will decide upon the content of these rules. In unclear cases, the school board, not the headmaster or teachers, shall do the interpretation of the regulations.
- 13.2** At the start of each school year, a written copy of these regulations will be distributed among all the students. Any changes made by the school board or the school community during the year will be handed out in the same way.

### Article 14

#### The right to Global and Society Education

- 14.1** School students have the right to receive education in areas that are of importance for understanding the world we live in, such as:
- Intercultural education
  - Sex education
  - Education promoting democratic participation in society
  - Environmental education
  - Tolerance and solidarity
  - Social skills
  - Diversity of gender and sexuality

#### SAFEGUARD AND SUPERVISION

To safeguard that once adopted the contents of this charter are properly used and that the legislation concerning the school student rights is being followed, it is of the greatest importance that there are supervising authorities at every level that are competent to take disciplinary actions against the party which is in violation.