

How the freedom of education is recognized in Norway and how the private (independent) school is financed by the public administration

A historical and contemporary overview of private (independent) schools in Norway

In Norway, private schools have always been permitted, but until 1970, none of these schools received public grants. At the same time, we are a young nation that until less than a hundred years ago was one of Europe's poorest nations. Private schools were perceived as something for a social and economic elite. As an independent nation from 1905, the establishment of a common public elementary school was a crucial element in our nation building and became an important part of Norwegian identity. Traditionally, private schools are perceived as something foreign.

Improved economy and, not at least, the impetus from the social changes that followed the Second World War and the international Declaration of Human Rights opened from the late 1960s to a debate for public subsidies for private schools in Norway. The first law on grants to private schools was introduced in 1970 with direct reference to ESC Article 13.3. The strongest proponents of the law were Christian groups, especially within Lutheran denominations, which run a number of Christian schools.

Today, there is a distinction between private schools (independent schools) that work without government grants and which have few binding rules in public schools. There are almost no such schools in Norway.

Most schools in Norway are private schools (private own, governmental granted) that receive public grants, but which must also comply with most public school regulations. About 4 percent of all elementary school students attend elementary schools, only 10 percent of whom attend Catholic schools.

Free schools will receive a grant that is intended to cover 85% of running costs. The subsidy is paid on the basis of costs in corresponding public schools as a subsidy per student (head tax). Investment grants are negligible. Overall, most of the elementary schools will receive a grant that corresponds to 60-70% of the total expenditure in a corresponding municipal school. The subsidy scheme is such that small free schools receive relatively better subsidies than large free schools. Almost all free schools have to implement their services with considerably more difficult finances than the municipal schools.

The free schools cooperate with the public school offices and receive grants for the education of students with specific needs (special education).

Excerpts from the Norwegian Act relating to independent schools

<https://lovdata.no/dokument/NLE/lov/2003-07-04-84>

In Norway the freedom of education is recognized through the *Act relating to independent schools (The Independent Schools Act)*. The objective of this Act is to help facilitate the establishment and operation of independent schools, so that parents and pupils may choose other schools than the government schools, cf. *Section 2 no. 2 of the (Norwegian) Human Rights Act*.

The Ministry can approve independent schools. A school will not be granted approval if its establishment would have a negative impact on the government schools on offer, or there are other specific reasons why the school should not be approved.

The schools must run their activity on the following basis: faith/life philosophy, a recognised pedagogical direction, international school, specially adapted upper secondary education combined with top-level sports, Norwegian primary education abroad, specially adapted education for the disabled, upper secondary education in small and protected crafts, upper secondary education in vocational education programmes, special profile or character.

Each school must run its activity according to curricula approved by the Ministry. The curriculum must show what assessment forms and documentation the school will use. The schools must either follow the curriculum in force for government schools, or curricula that in other ways ensure the pupils an equally good education.

The schools must have the entire country as their enrolment area. They must be open to everyone who meets the requirements for admission to the government schools. The schools may reserve a limited number of places for students who apply after the main admission phase.

Each school must have an adequate academic, educational and administrative management. The school must have a general manager. Teaching staff appointed to teaching positions in primary, lower secondary and upper secondary education must have relevant professional and educational qualifications. For teaching staff at schools approved with alternative curricula, the Ministry may also approve alternative qualification requirements. Each school must have a board as its top management body. The school board must be appointed in line with the legal basis pursuant to which the school is operated, and must ensure the school is operated in compliance with current laws and regulations.

Approved schools receive state support for approved instruction amounting to 85 percent of the support basis per student. The support basis represents the average operating expenses per student in government schools. The support basis will be adjusted for expenses which a government school will have, but which should not be included in the support basis. The support basis is calculated separately for the primary level, lower secondary level and the different education programmes in upper secondary education.

For primary/lower secondary schools, 100 percent of average expenses for pension contributions in government schools are included in the support basis. For upper secondary schools, 85 percent of average expenses for pension contributions in government schools are included in the support basis.

For primary/lower secondary schools, consideration must be given to the difference in expenses between small, medium-sized and large schools. The Ministry may issue regulations that for primary/lower secondary schools in Norway, consideration must be given to the difference in expenses between the municipality where the school is located, and expenses nationally.

Special schools for disabled students, however, will have all operating expenses covered by state support according to a standard rate per student per school year. The Ministry may issue regulations regarding the support scheme for special schools for the disabled.

Schools that receive state support, may charge school fees. The board determines the size of the school fees. School fees may amount to up to 15 percent of the support basis, in addition to an amount determined by the Ministry to cover rent/capital costs. The Ministry may in special cases make time-limited exceptions from this requirement. Schools that receive state support, may in

special cases be given a dispensation to charge school fees. Primary/lower secondary schools must not demand any kind of payment from pupils or parents apart from what follows from this provision.

Upper secondary schools must not demand any kind of payment for the instruction from students or parents apart from what follows from this provision. The school is responsible for providing the students with the necessary printed and digital teaching aids and digital equipment. The students must not be directed to pay any part of the expenses for this apart from what follows from regulations. The school may direct the students to acquire other individual equipment which normal instruction necessitates. The Ministry may issue more detailed instructions.

All state support and school fees must benefit the students. This entails inter alia that the school must not distribute proceeds or in some other way transfer profit to the owners or their close relatives, either while the school is in operation or if it is closed down. The schools must neither incur costs in the form of expenses to rent a property or premises that belong to the school owners or their close relatives or in some other way incur costs that might mean that not all state support or school fees benefit the students.

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