

QUESTIONNAIRE IN PREPARATION OF THE SEMINAR ON PARENTAL RIGHTS IN  
EDUCATION  
DENMARK  
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How does the law, in light of constitutional principles, regulate the legal relationship between school authorities and parents on the following points in the European member states:

Fundamentally, the ratio is regulated in the Constitution of 1849.

§ 76 All children of school age entitled to free education in public schools. Parents or guardians who themselves ensure that children receive an education that is commensurate with what is generally required in primary schools are not obliged to let them teach in public schools.

Free elementary education is governed by the provisions of the Free School Act, and not according to "Folkeskoleloven" (the act for public schools).

Topic 1 primarily examines how the law regulates the legal relationship between school authorities and parents on school choice and admission?

- Can a school for primary or secondary education ask parents to pay fees?
- Can a school refuse parents to register their child? On what grounds?
- Can a child disagree with a parental decision on school choice and be heard to seek governmental review of a parental decision (right of the child to be heard)?
- Can denominational schools established by parents be legally enforced to teach "alternative worldviews"?
- Are parents prevented from homeschooling their children?

From the Free school Act, Chapter 1:

§ 1 Independent and private schools (independent schools) may, within the framework of this Act and otherwise in law teaching, which is consistent with the school's own beliefs, and organize the teaching in accordance with this belief. Schools will decide within the same framework freely which students they will have on schools

Can a child disagree with parental decision of school choice? The question is not currently. No school does want to take child against his / her wish...

About the "border of the right" to take "alternative worldviews":

From free school Act, Chapter 1:

Schools need for their intended purpose and in all their activities prepare students to live in a society like the Danish of freedom and democracy, and develop and strengthen students' knowledge of and respect for fundamental freedoms and human rights including gender equality

Topic 2 examines how the law regulates the legal relationship between school authorities and parents on the school project?

- What does the school's duty in loco parentis – to stand in the parent's place – essentially means? Is it interpreted that the rights of parents over their children end at the school door?

The school (head and teachers) has according to the law to show special attention to pupils with difficulties. If the schools is worrying about conditions in the home like kind of violence

or the child is being abused the school is by law ordered to report to local social authorities, even at independent schools.

Topic 3 examines how the law regulates the legal relationship between school authorities and parents on the exercise of fundamental rights within the school?

- What are the limitations on the freedom of expression in school, can pupils express worldviews of parents in schools?
- How is in educational environments the respect for the private life of parents regulated?

The respect of private life:

This issue is regulated in law for public management, which do not allow school to communicate information about parent's private life with other authorities before the parents are informed and do agree.

Expression of freedom: No special rules for schools. The freedom is the same kind of freedom you find outside the school-door.

Every school is developing its own, local atmosphere and educational environment. The independent school has to show these initiatives in this field on its web, to create transparency for present parents and for families who are choosing the school in the future. All defined in the law for pupil's environment.

Topic 4 examines how the law regulates the legal relationship between school authorities and parents on the application of disciplinary measures/ questioning of pupils?

- What rights do parents have in discipline procedures against their child? Is parental notification part of student discipline procedures?
- Can a child be interrogated by school officials and coerced to give a confession for noncriminal offenses without notification to the pupils and parents that an interrogation is taking place?

In any school, public or independent, disciplinary measures have to be approved by the schools board, where parents will stand behind.

The parents will be involved in both kind of schools, public as private.

Topic 5 examines how the law regulates the legal relationship between school authorities and parents on curriculum development?

- Can parents choose which religious instruction their child should follow in school? Or do parents only have the authority to give their children advice about religion?
- Can parents opt their children out of religious instruction?
- Can parents opt their children out of sex education?
- Do pupils have the right to reproductive health information and services, including abortions, without parental knowledge or consent?

When the parent chose an independent school they choose values for the children's education. The school has according to the law to work in a transparent way, which informs prospective parents about the most important questions.

Schools with religious profile can instruct in religious questions in special lectures.

Topic 6 examines how the law regulates the legal relationship between school authorities and parents on the quality of education?

- What legal procedures exist for the parents to submit a complaint for failure in provision of quality education to their child?
- What is the responsibility of the school towards parents in case of failure to provide quality education?

The basic supervision in independent school is performed from the parents themselves.

In the independent school the single school board decides which way parents can follow if they have any kind of complains.

The parents themselves elect special supervisors, who have to report on the schools web.

Topic 7 examines how the law regulates the legal relationship between school authorities and parents on the evaluation of educational performances?

- What legal procedures exist for parents to submit a complaint against the evaluation of educational performances of their child?

The school is by law obliged to inform about evaluation of its work. It is obliged to inform the parents about the Childs progress. At primary and secondary level there are no rules for Parents` complains about test results.