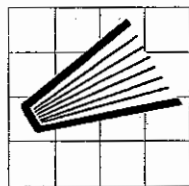


Finding the Right Balance
Freedom, Autonomy and Accountability in
Education

Prof. Dr. Charles Glenn & Prof. Dr. Jan de Groof
Boston University Collège d'Europe



LEMMA – Utrecht - 2002

CONTENTS

Contents	v
Detailed Contents	vii
Preface	xxi
Introduction	1
Australia	9
Austria	29
Belgium (Flemish Community)	43
Belgium (French Community)	93
Belgium (German Community)	113
Bulgaria	125
Canada	141
Denmark	185
England and Wales	205
Finland	235
France	245
Germany	277
Greece	299
Iceland	309
Ireland	315
Luxemburg	333
The Netherlands	349
New Zealand	377
Norway	401
Portugal	415
Russian Federation	429
Scotland	459
South Africa	475
Spain	495
Sweden	515
Switzerland	527
United States	539
Preliminary Conclusions	577
Provisional Charts	595

DETAILED CONTENTS

CONTENTS	v
DETAILED CONTENTS	vii
PREFACE	xxi
INTRODUCTION	1
Overview	1
The Structure of Schooling	2
The Legal Framework	2
Freedom to establish non-state schools	3
Home schooling	3
School choice not limited by family income	4
School distinctiveness protected by law and policy	4
Distinctive character	4
Decisions about admitting pupils	5
Decisions about staff	5
Accountability for school quality	6
Teaching of values	6
References	7
Endnotes	7
AUSTRALIA	9
Overview	9
The Structure of Schooling	11
The Legal Framework	13
Freedom to establish non-state schools	14
Home schooling	16
School choice not limited by family income	17
School distinctiveness protected by law and policy	21
Distinctive character	23
Decisions about admitting pupils	24
Decisions about staff	25
Accountability for school quality	25
Teaching of values	26

References	26
Endnotes	27
AUSTRIA	29
Overview	29
The Structure of Schooling	29
The Legal Framework	30
Freedom to establish non-state schools	33
Home schooling	33
School choice not limited by family income	34
School distinctiveness protected by law and policy	36
Distinctive character	37
Decisions about admitting pupils	37
Decisions about staff	38
Accountability for school quality	39
Teaching of values	40
References	41
Endnotes	41
BELGIUM (FLEMISH COMMUNITY)	43
Overview	43
The Structure of Schooling	46
The Legal Framework	49
Freedom to establish non-state schools	54
Home schooling	57
School choice not limited by family income	57
School distinctiveness protected by law and policy	60
Distinctive character	64
Decisions about admitting pupils	65
Decisions about staff	70
Accountability for school quality	73
‘DVO’	76
Inspectorate	76
Pedagogic supervisors services linked to the organizing authorities	78
‘Attainment targets’ and ‘Development aims’	80
Teaching of values	81
References	83
Endnotes	84

BELGIUM (FRENCH COMMUNITY)	93
Overview	93
The Structure of Schooling	94
The Legal Framework	96
Freedom to establish non-state schools	97
Home schooling	98
School choice not limited by family income	98
School distinctiveness protected by law and policy	100
Distinctive character	101
Decisions about admitting pupils	102
Decisions about staff	103
Accountability for school quality	103
Teaching of values	107
References	108
Endnotes	109
BELGIUM (GERMAN COMMUNITY)	113
Overview	113
The Structure of Schooling	114
The Legal Framework	116
Freedom to establish non-state schools	116
Home schooling	119
School choice not limited by income	119
School distinctiveness protected by law and policy	120
Distinctive character	120
Decisions about admitting pupils	121
Decisions about staff	121
Accountability for school quality	121
Teaching of values	123
References	124
Endnotes	124
BULGARIA	125
Overview	125
The Structure of Schooling	126
The Legal Framework	127
Freedom to establish non-state schools	128
Home schooling	129
School choice not limited by family income	129

School distinctiveness protected by law and policy	131
Distinctive character	131
Decisions about admitting pupils	135
Decisions about staff	135
Accountability for school quality	136
Teaching of values	137
References	138
Endnotes	138
CANADA	141
Overview	141
The Structure of Schooling	142
The Legal Framework	144
Freedom to establish non-state schools	151
Home schooling	151
School choice not limited by family income	153
School distinctiveness protected by law and policy	163
Distinctive character	165
Decisions about admitting pupils	171
Decisions about staff	172
Accountability for school quality	175
Teaching of values	177
References	179
Endnotes	180
DENMARK	185
Overview	185
The Structure of Schooling	185
The Legal Framework	187
Freedom to establish non-state schools	188
Home schooling	189
School choice not limited by family income	189
School distinctiveness protected by law and policy	192
Distinctive character	193
Decisions about admitting pupils	195
Decisions about staff	196
Accountability for school quality	197
Teaching of values	200

References	201
Endnotes	202
ENGLAND AND WALES	205
Overview	205
The Structure of Schooling	206
The Legal Framework	209
Freedom to establish non-state schools	213
Home schooling	214
School choice not limited by family income	214
School distinctiveness protected by law and policy	216
Distinctive character	221
Decisions about admitting pupils	225
Decisions about staff	227
Accountability for school quality	229
Teaching of values	229
References	230
Endnotes	232
FINLAND	235
Overview	235
The Structure of Schooling	236
The Legal Framework	237
Freedom to establish non-state schools	238
Home schooling	238
School choice not limited by family income	239
School distinctiveness protected by law and policy	240
Distinctive character	240
Decisions about admitting pupils	241
Decisions about staff	241
The Right to Participate in the Management of the Educational Establishments	242
Accountability for school quality	242
Teaching of values	243
References	243
Endnotes	244
FRANCE	245
Overview	245

The Structure of Schooling	246
The Legal Framework	248
Freedom to establish non-state schools	250
Home schooling	252
School choice not limited by family income	252
School distinctiveness protected by law and policy	255
Distinctive character	258
Decisions about admitting pupils	261
Decisions about staff	262
Accountability for school quality	266
Teaching of values	269
Concluding Remarks	271
References	271
Endnotes	273
GERMANY	277
Overview	277
The Structure of Schooling	278
The Legal Framework	279
Freedom to establish non-state schools	281
Home Schooling	283
School choice not limited by family income	284
School distinctiveness protected by law and policy	286
Distinctive character	287
Decisions about admitting pupils	290
Decisions about staff	291
Accountability for school quality	291
Teaching of values	293
References	295
Endnotes	297
GREECE	299
Overview	299
The Structure of Schooling	299
The Legal Framework	300
Freedom to establish non-state schools	301
Home schooling	302
School choice not limited by family income	302
School distinctiveness protected by law and policy	303

Distinctive character	304
Decisions about staff	304
Accountability for school quality	304
Teaching of values	306
References	308
Endnotes	308
ICELAND	309
Overview	309
The Structure of Schooling	309
The Legal Framework	310
Freedom to establish non-state schools	310
Home schooling	310
School choice not limited by family income	311
School distinctiveness protected by law and policy	311
Distinctive character	311
Decisions about admitting pupils	312
Decisions about staff	312
Accountability for school quality	312
Teaching of values	313
References	313
Endnotes	313
IRELAND	315
Overview	315
The Structure of Schooling	315
The Legal Framework	319
Freedom to establish non-state schools	320
Home schooling	321
School choice not limited by family income	322
School distinctiveness protected by law and policy	324
Distinctive character	325
Decisions about admitting pupils	326
Decisions about staff	327
Accountability for school quality	329
Teaching of values	330
References	331
Endnotes	331

LUXEMBURG	333
Overview	333
The Structure of Schooling	335
The Legal Framework	337
School choice not limited by family income	338
Choice of school at pre-school and primary level	340
Choice of school at post-primary (secondary and post-secondary) level	341
School distinctiveness protected by law and policy	341
Decisions about staff	341
Accountability for school quality	342
Control and inspection in pre-school and primary education	344
Controls and inspections in post-primary (secondary and post-secondary) education	344
Language	345
Teaching of Values	345
References	346
Endnotes	347
THE NETHERLANDS	349
Overview	349
The Structure of Schooling	351
The Legal Framework	354
Freedom to establish non-state schools	356
Home schooling	357
School choice not limited by family income	357
Staffing costs	359
Operations	360
Facilities	360
Other	361
School distinctiveness protected by law and policy	361
Distinctive character	362
Decisions about admitting pupils	365
Decisions about staff	366
Accountability for school quality	367
Teaching of values	372
References	372
Endnotes	374

NEW ZEALAND	377
Overview	377
The Structure of Schooling	378
The Legal Framework	380
Freedom to establish non-state schools	381
Home schooling	381
School choice not limited by family income	382
‘Regular’ state schools	382
Kura kaupapa Māori	384
‘Integrated’ schools	384
Subsidized private schools	385
Unsubsidized private schools	386
School distinctiveness protected by law and policy	386
Distinctive character	389
Decisions about admitting pupils	390
Decisions about staff	393
Accountability for school quality	394
Teaching of values	397
References	398
Endnotes	399
NORWAY	401
Overview	401
The Structure of Schooling	402
The Legal Framework	403
Freedom to establish non-state schools	404
Home schooling	405
School choice not limited by family income	406
School distinctiveness protected by law and policy	407
Distinctive character	408
Decisions about admitting pupils	408
Decisions about staff	409
Accountability for school quality	410
Teaching of values	410
References	413
Endnotes	413

PORTUGAL	415
Overview	415
The Structure of Schooling	416
The Legal Framework	417
Freedom to establish non-state schools	419
Home schooling	420
School choice not limited by family income	421
School distinctiveness protected by law and policy	421
Distinctive character	422
Decisions about admitting pupils	423
Decisions about staff	423
Accountability for school quality	424
Teaching of values	425
References	426
Endnotes	427
RUSSIAN FEDERATION	429
Overview	429
The Structure of Schooling	432
The Legal Framework	433
Freedom to establish non-state schools	435
Home schooling	439
School choice not limited by family income	440
State education	440
Non-state education	440
School distinctiveness protected by law and policy	442
Distinctive character	448
Decisions about admitting pupils	450
Decisions about staff	451
Accountability for school quality	451
Teaching of values	452
References	453
Endnotes	455
SCOTLAND	459
Overview	459
The Structure of Schooling	461
The Legal Framework	463
Freedom to establish non-state schools	464

Home schooling	464
School choice not limited by family income	464
School distinctiveness protected by law and policy	466
Distinctive character	468
Decisions about admitting pupils	469
Decisions about staff	470
Accountability for school quality	471
References	472
Endnotes	472
SOUTH AFRICA	475
Overview	475
The Structure of Schooling	476
The Legal Framework	477
Freedom to establish non-state schools	480
Home schooling	481
School choice not limited by family income	481
School distinctiveness protected by law and policy	484
Distinctive character	486
Decisions about admitting pupils	488
Decisions about staff	488
Accountability for school quality	489
Teaching of values	490
References	492
Endnotes	492
SPAIN	495
Overview	495
The Structure of Schooling	495
The Legal Framework	498
Freedom to establish non-state schools	499
Home schooling	500
School choice not limited by family income	501
School distinctiveness protected by law and policy	502
Distinctive character	503
Decisions about admitting pupils	504
Decisions about staff	506
Accountability for school quality	509
Teaching of values	511

References	512
Endnotes	513
SWEDEN	515
Overview	515
The Structure of Schooling	515
The Legal Framework	518
Freedom to establish non-state schools	519
Home schooling	519
School choice not limited by family income	520
School distinctiveness protected by law and policy	521
Distinctive character	521
Decisions about admitting pupils	522
Decisions about staff	522
Accountability for school quality	523
Teaching of values	524
References	525
Endnotes	526
SWITZERLAND	527
Overview	527
The Structure of Schooling	527
The Legal Framework	529
Freedom to establish non-state schools	530
Home schooling	531
School choice not limited by family income	532
School distinctiveness protected by law and policy	533
Distinctive character	533
Decisions about admitting pupils	533
Decisions about staff	533
Accountability for school quality	534
Teaching of values	535
References	536
Endnotes	537
UNITED STATES	539
Overview	539
The Structure of Schooling	540
The Legal Framework	542

Freedom to establish non-state schools	544
Home schooling	545
School choice not limited by family income	548
School distinctiveness protected by law and policy	556
Distinctive character	558
Decisions about admitting pupils	560
Decisions about staff	562
Accountability for school quality	566
Teaching of values	571
References	572
Endnotes	574
PRELIMINARY CONCLUSIONS	577
Legitimate Concerns ... and Some Answers	580
Dividing Society through Teaching Dangerous Doctrines	582
New Injustices — Unequal Access	584
Choosing Inferior Schools — Undermining Standards	587
‘Unfair Competition’ with Public Schools	589
Threatening the Status and Rights of Teachers	590
Threatening the Distinctiveness of Nonpublic Schools	591
Summary	594
Endnotes	594
PROVISIONAL CHARTS	595
Freedom	596
Equal treatment	597
Autonomy	598
Freedom of Foundation	599
Autonomy and Equal Treatment	600