National Education Councils – A Comparative Review

Submitted to the Education, Culture and Sports Committee

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A national education council is a state body comprising citizens (as experts, public representatives and representatives of organizations) which is involved in the formulation of policy and legislation in the field of education. A national education council operates, in some countries, within or alongside the Ministry of Education. The structure of the council, its functions, authorities and the level of its involvement and influence in the education system vary from country to country in accordance with the unique structure of each country's education system.

At the request of the Chairman of the Knesset Committee for Education, Culture and Sports MK Amram Mitzna and Education Minister MK Shai Piron, this paper reviews the subject of a national education council in Israel and in other countries which have councils of this type, among them the United States (at the state level), Belgium (a separate council for each community), Denmark, the Netherlands, Luxembourg, Spain, Finland, France and Canada (Quebec).

The key findings in the document:

- Professional state educational bodies comprising citizens, educators and public officials, sometimes alongside decision-makers exist in some countries. Their duties and authorities relate to pre-primary, primary and secondary education. These bodies are sometimes called the National education council and in other cases the National Education Board. The education council is a framework for the participation of citizens in decision-making processes. Among its primary goals: creating dialogue between different stakeholders in the education sector and providing a platform for a as wide a range as possible of positions and perspectives on the relevant issues, with the goal of reaching a broad consensus; mediating between different parties and government representatives with varying levels of involvement in the work of the education system; and establishing policies in the field of education based on as broad a perspective as possible, including applicable research and knowledge. The education councils have a range of roles and authorities, which vary according to the nature of each country and the structure of government and the education system within which it operates.

- The Israeli State Education Law, 1953 (henceforth: State Education Law), and its regulations call for the establishment of a number of advisory councils, whose members would be representatives of relevant parties and people active in the field of education, with their role being to advise the education minister regarding the exercise of his/her authorities with respect to the various sectors of the education system: the Board of Education, the Council for State-Religious Education, the Council for State-Integrated Education and the Advisory Council for Arab Education. Under the law, the education minister is obligated to consult the Board of Education before exercising his/her authorities under the State Education Law and the Compulsory Education Law, 1949 (henceforth: Compulsory Education Law); s/he is obligated to consult the Council for State-Religious Education before exercising his/her authorities under the State Education Law regarding religious education, and with the Council for State-Integrated Education – before exercising his/her authorities regarding integrated education. Since the beginning of the 2000s, a number of proposals have been made to change the status quo and to establish an Israeli national education council.

1 We are grateful to Attorney Merav Yisraeli, legal advisor to the Committee for Education, Culture and Sport, for her informative and useful comments.
In 15 countries we found that there are national education councils with authorities regarding compulsory education. In each country with this type of national education council, the council has a statutory status, and its existence is sometimes enshrined in the country's constitution. Below, we review the work of these councils in nine main countries which are of interest for the purposes of this discussion, in two major areas: the council's role and its composition. Each of the councils that were reviewed will be presented in detail in the main body of this document.

The role of the national education council – In the United States and in Finland, the education council has a very wide range of executive authorities. Education councils in the US are often involved in appointing the heads of state education departments, establishing the targets and vision for the education system, formulating curricula and determining requirements of students at the various stages of the education system, licensing teachers and educational institutions, assessment and evaluation and so on. The Finnish National Board of Education is an independent authority that works alongside the Ministry of Education, and has authorities primarily in planning and development (including the formulation of curricula) but also in assessment, evaluation and oversight and more.

In most countries in Europe and in the province of Quebec the education council is an advisory body, and its role is to provide recommendations to the education minister, the government or parliament on issues of education, at the request of the minister of education or of its own initiative. In certain countries, including France, Belgium and Spain, the minister or government are required to consult the council as part of the process of approving policy, government bills or regulations. Decision-makers are not obliged to accept the council's position, but because the council's opinions are usually detailed, reasoned and disseminated to the public or to members of parliament, they carry weight in public or parliamentary hearings on the issue. The national education councils in Quebec, Spain, Denmark and France fill, alongside their roles as advisory bodies, the role of an evaluation body, and publish periodical reports on the state of the education system and the problems that it faces. Sometimes this aspect of the council's work focuses on a particular area. In Denmark for instance, the evaluation focuses on the contribution of the education system to closing gaps between different population groups and in increasing equality and integration in the country.

Composition of the education council – In general, we can distinguish between councils whose members are representatives of organizations and bodies that are stakeholders in the education system (such as pupils, parents, teachers, school principals, local government officials, owners of educational institutions, institutions of higher learning, organizations that represent various religious and ethnic communities, social organizations) and education councils composed of experts and public representatives (people of public standing, not necessarily in the education sector). In most of the countries that we studied, most council members are representative of bodies and organizations. The status and strength of education councils of this kind are derived from the status of the organizations represented in them and their ability to express a broad consensus, and most of them have a large number of members. In a few countries, including Denmark and Spain, experts appointed by the education minister are represented. In the U.S. there are differences between the states as to the composition of the council, but in most of them there are members who are representatives of organizations alongside experts and public representatives appointed by the governor or elected directly by
the public. The Netherlands is the only country that has a council whose members are entirely made up of experts who do not represent organizations. In France there are two councils – a council of public representatives and experts (not necessarily in education) and a council where various educational organizations and bodies are represented.

- In 2010 The European Network of Education Councils published a comprehensive study which examined the functionality and impact of advisory education councils. The study offered operative recommendations to decision- and policy-makers in the education sector, which included setting the council’s status, duties and the manner of its involvement in decision-making processes clearly in law; providing suitable budgetary and administrative tools for fulfilling the council’s duties, including investing in evaluation and research; improving communication between the council and the government; and increasing the involvement of different groups and communities in the council’s work.

1. **Background: What is a national education council?**

The participation of citizens, as experts or representatives of interested parties, in the processes of decision-making and planning and formulating policy is one of the characteristics of a democratic government. This participation is carried out at different levels of government and through different means, such as hearings open to the public, committees for examining particular issues, seeking recommendations and reports from different people, appointing public representatives as members of committees that are active in different areas, public participation through electronic means etc. One of the most popular tools for the institutionalizing and regulating of citizen involvement in decision-making processes is the establishment of a public council whose members are experts in relevant fields, representatives of stakeholders and other parties, on the topic being discussed. Councils of this kind are customary in various fields: economics, health, environment, etc.²

The education sector is often decentralized, and many of the duties, authorities and roles contained within its framework are carried out by intermediate levels, down to the level of the individual school. For this reason various countries have established boards of education or education councils whose members are representatives of various stakeholders (different population groups, parents, teachers and sometimes students), experts in education, and government representatives. Bodies of this type operate at various levels of government (state, region, sector or ethnic community, local government, educational authority etc.) and they have a range of roles, suited to the structure of the local education system. In some cases these bodies have real executive authorities and duties, while in other cases they have an advisory status and they serve as a platform for public discussion on the topics at hand.

In this paper we will discuss education councils that operate on the state level, i.e. a National Education Council. Councils of this type, in the countries in which they exist, have the central role of mediating between the various stakeholders in the education sector and the different levels of government. They enable transparency on the various issues at hand by means of open discussions between relevant parties, presenting the opinions of experts and stakeholders on the these issues to the government, increasing cooperation and consensus between different communities and groups and thus

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influencing the planning and implementation of policy in education. The council's duties and authorities vary from country to country, but as we will see in the study, in most countries they have an advisory capacity without executive authorities.

2. The situation in Israel today: The Board of Education and other bodies

The State Education Law, 1953 (henceforth: State Education Law) and its regulations state that a number of advisory councils shall be established; their members shall be representatives of stakeholders and people active in the field of education, and their role shall be to advise the education minister on the exercise of his authorities in relation to the various sectors. These advisory councils are: the Board of Education, the Council for State-Religious education, the Council for State-Integrated Education and the Advisory Council for Arab Education.

In addition to the aforementioned advisory bodies, it is worth noting the Education Ministry's Pedagogical Secretariat. The Pedagogical Secretariat is an organization within the Education Ministry and it operates according to Section 4 of the State Education Regulations (oversight orders), 1956. The regulations grant the Pedagogical Secretariat, whose members are appointed by the education minister, broad authorities, including training and dealing with all pedagogical questions of the compulsory education system, overseeing the implementation of curricula, approving text books, encouraging pedagogical initiative and so on. The Pedagogical Secretariat is even authorized to appoint an advisory council, whose members are members of the Secretariat or people who are not members, as long as the director-general of the Ministry of Education approves that council’s composition.

We will now discuss the advisory councils, their composition and the authorities they are granted, with a focus on the Board of Education.

2.1. The Board of Education

The Board of Education was established according to Section 12 of the State Education Law, and it acts as an advisory body to the education minister in all matters relating to the exercise of his/her authorities under the State Education Law and the Compulsory Education Law. According to the State Education Law, the Board is appointed by the education minister with the approval of government, and it contains at least 15 members who are active in the field of education, Ministry of Education employees (their number is to be no greater than 25% of all board members) and also representatives of local authorities, institutions of higher learning and teachers’ organizations. The term of office for members of the Board was four years. In 2010 the law was amended in order to allow the education minister to extend the term of office of Board members by an additional year.

The Board of Education’s authorities are defined in Section 14 of the State Education Law, according to which the minister must consult the Board of Education before exercising certain authorities among the authorities granted to him/her by the State Education Law, which include setting curricula and regulations relating to private educational institutions, the length of the school week, registration of students, etc. Section 14 of the Compulsory Education Law adds to the Board of Education's duties and states that the education minister must consult the Board of Education before exercising the authorities granted to him/her by the law, except for exempted authorities, including setting parent payments. In practice, these sections are interpreted as requiring the minister of education to consult with the Board of Education before issuing regulations pertaining to the State Education Law or the Compulsory Education
Law (although as stated, the laws grant the minister additional authorities apart from issuing regulations.) It should be emphasized that the minister is not required to accept the opinions of the members of the Board of Education, but he/she must consider their position during the consultation procedure.

The Board of Education rules of conduct, 1974, determines the Board of Education's standing orders, including invitation to Board meetings, the Board's membership and so on. The rules provides for a mechanism for written consultation, which enables the director-general of the Ministry of Education to send each board member a written proposal on matters in which consultation with the Board is necessary. If within five days from the date of the proposal being sent, requests to convene the Board for a meeting have not been received from at least a third of board members, the proposal is considered to be adopted. It should be noted that the previous wording of the Board of Education's rules of conduct from 1953 was more detailed and comprehensive than the current wording. In the previous wording of the rules, the Board of Education's duties were defined (including hearing reports from the Education Ministry about its activities, advising the minister on Ministry budgetary matters and all matters that the education minister would bring), secondary committees were established (a permanent committee, a pedagogical committee and a committee for Arab education) and their duties were detailed. It was also determined that the board would meet no less than four times each year.

The current Board of Education was appointed in August 2009, after a period in which there was no Board of Education (against this backdrop, as mentioned, the law was amended in 2010, and today the minister can extend the board's term). The board has 15 members, among them two Ministry of Education employees, four people active in the field of education, five members from institutions of higher learning, two members from local authorities and two members from teachers' organizations. Some personnel changes in the makeup of the Board required the appointment of four new members. During the elections period it was not possible to appoint new members in place of members whose terms had expired.

According to information received from the Ministry of Education, the current Board of Education has convened five times to discuss the amendment or institution of the following regulations: Compulsory Education Regulations (Rules for Reporting Physical Violence), 2009, State Education Regulations (Recognized Institutions (amendment)), 2009, State Education Regulations (Recognized Institutions (amendment)), 2010, amendments to the Board of Education Constitution and the implementation of integrated education according to Section 13a of the State Education Law. Furthermore, written and telephone consultations took place with members of the Board in order to amend the Compulsory Education Order (Free Education Not at an Official Educational Institution), 1978. From studying the summaries of Board meetings on these matters, it becomes clear that in most instances the minister opted to institute the regulations with the wording presented in the meeting, although in a few instances changes were made to the regulations in accordance with suggestions from board members.

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3 Section 6 of the Board of Education Constitution, 1974 [in Hebrew].
6 Ibid.
7 See for instance: Summary of the Board of Education meeting from October 11th, 2009, details of the proposals accepted at the meeting according to section 6(g) of the Board of Education constitution, October 19th, 2011 [in Hebrew].
2.2. Additional Bodies under the State Education Law and its Regulations

Sections 13 and 13a of the State Education Law stipulate that alongside the Board of Education, two additional bodies shall be established: The Council for State-Religious Education and the Council for State-Integrated Education.

Section 13a, under which the Council for State-Integrated Education was established, was added to the State Education Law in a 2008 amendment. The amendment defined State-Integrated education as "state education that integrates increased Jewish studies into its curriculum, and places an emphasis on Jewish identity and on education according to the supplementary program of a State-Integrated educational institution."

According to the State Education Law, the Council for State-Religious Education shall have at least 15 members appointed by the education minister with government approval, including two representatives of the minister of education, six candidates from the minister of religious services, three representatives of religious teachers' organizations and two religious members of the Board of Education. The Council for State-Integrated Education should have at least 15 members appointed by the minister of education, including, among others, members active in the field of education, members with experience or knowledge in integrated education, Ministry of Education employees, representatives of local authorities and representatives of two education workers' organizations.

The Council for State-Integrated Education's duties are defined in Section 13a of the State Education Law and the Council for State-Religious Education's duties are defined in Section 15. In general, these councils are granted similar duties to those of the Board of Education, regarding subjects of State-Integrated education and State-Religious education, respectively. The Compulsory Education Law does not refer to either of these councils. Therefore, the Council for State-Religious Education and the Council for State-Integrated Education are given authorities that the Board of Education does not have: according to the State Education Law, the minister of education is required to consult the Council for State-Religious Education before executing all appointments in religious education, including appointing the director of the Religious Education Administration in the Education Ministry and supervisors, principals and teachers in religious education. The Council for State-Religious Education is also granted the authority to disqualify, for religious reasons only, the appointment or continued service of a principal, supervisor or teacher at a state-religious educational institution. Furthermore, the law requires the consent of the Council for State-Religious Education and the Council for State-Integrated Education before setting supplementary programs for schools in these sectors.

The Council for State-Religious Education was appointed in November 2009, and it comprises 14 members – two representatives of the minister of education, six candidates from the minister for religious services, three representatives of religious teachers' organizations and three of the religious members of the Board of Education. The Council is an active body, which publishes recommendations on various subjects relating to religious education and exercises from time to time its authority to dismiss

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8 Government decision number 910, SRE (State-Religious Education) Council appointment, November 18th, 2009 [in Hebrew].
9 For instance, the RSE Council recently published an opinion on the subject of gender segregation in primary State-Religious education. See:
or disqualify appointments of education professionals for religious reasons. The Council for State-Integrated Education was appointed in October 2011 and has 15 members of whom four are Ministry of Education employees, three are local government representatives, two are representatives of teachers’ organizations and five members are active in the field of education with knowledge and experience in the field of integrated education.

The State Education Regulations (Advisory Council for Arab Education), 1996, calls for the establishment of the Advisory Council for Arab Education which is be appointed by the minister of education. The council is to have at least 15 members including people active in the field of Arab education, education professionals from local government, institutions of higher learning, teacher training institutions and teachers’ organizations, and also Ministry of Education employees (their number is to be no greater than 25% of all council members). The council's authorities are defined in the regulations and include examining the state of Arab education and recommending to the minister of education "programs and courses of action for the advancement and full integration of Arab education in the state education system." The law states that the council shall advise the minister on subjects outlined in the regulations, including the formulation of educational and pedagogical policy for the various age groups at educational institutions that would guarantee the equal status of Arab-Israeli citizens, while giving consideration to their unique language, culture and heritage; the formulation of policy for developing curricula which will express the needs and culture of the Arab public, according to ministry policy; training teaching staff among the Arab intelligentsia to advance the Arab education system; issues of public importance in the field of Arab education; various educational and pedagogical subjects of which the minister is to seek the council's opinion from time to time. The Advisory Council for Arab Education was established in 1996. A short time afterward most of its members resigned following the rejection of its recommendations regarding the establishment of a separate Pedagogical Secretariat for Arab education by then Minister of Education Professor Amnon Rubinstein. It has not been reappointed since.

2.3. External Bodies to the Ministry of Education

We will add that alongside the bodies listed above, which directly subordinate to the minister of education, the Israel Academy of Sciences and Humanities also has an advisory role, including in the field of education. The Academy operates under the Israel Academy of Sciences and Humanities Law, 1961. Section 2 of the law outlines the Academy's aims and duties, including "to advise the government on issues of national importance in the fields of research and scientific planning, including the provision of national situation reports on the academy's initiative, and to present reports and studies, and also to advise and provide knowledge to government ministries upon request."


11 Official Gazette 6316, November 9th, 2011 [in Hebrew].


13 For more reading on the subject of national institutes for education research, see: Professor Gad Yair, Yael Shalev, Smadar Shauat, Anna Biletzki, The National Institute for Education Research in Israel: International Study and Three Possible Models, work paper presented to Professor Sydney Strauss, Chief Scientist of the Ministry of Education, January 2008 [in Hebrew].
Section 4b regulates the academy's advisory duties, according to which "a government ministry is authorised to approach the Academy to receive advice and information on subjects in the realm of the Academy's aims and duties which require scientific knowledge or subjects relating to scientific development in Israel." In the framework of these duties the Academy has established a number of advisory and evaluation committees in various fields, including the Initiative for Applied Research in Education. The Initiative has been active since 2003, and since 2010, following an amendment to the law which added the aforementioned Section 4b, it has functioned as a unit in the Israel Academy of Sciences and Humanities. The Initiative's work is carried out through professional committees, which are established to deal with issues raised by decision-makers, and it is headed by the Steering Committee.

Another body worth noting in this context is the Van Leer Institute in Jerusalem. One of the active entities within the Van Leer Institute is the Center for Strategic Planning in Education. The Center works to focus public attention on, and shape thinking about, the interface between Israel's education system and the country's political and social systems. The Center convenes focus groups for various issues relating to education and the outcomes of its work are publicized. The Center also conducts conferences and seminars in the field of education.

### 2.4. Proposals to change the current situation

There has been a public debate since the beginning of the 2000s on the subject of replacing the existing Board of Education with a public education council. The background to this is the nature of the political system in Israel, in which there are frequent regime changes, while the education system needs long-term stability. Through this debate, public officials have voiced their opinions on the need for a national education council. For instance, Dr. Zvi Zameret, chairman of the Ministry of Education's Pedagogical Secretariat from 2010-2011, in an article published in November 2012 described the problems of the education system deriving in his view from the mixing of education and politics. He suggested replacing the Ministry of Education's Pedagogical Secretariat with a Central Education Council, which would be granted the Pedagogical Secretariat's existing authorities as well as additional authorities. The Central Education Council would be similar to the existing Council for Higher Education in structure and duties. It would be appointed once every six years and its members would include educators, school principals, teachers, public figures and representatives of various institutions, including institutions of higher learning, teacher training colleges, etc. The minister of education would head the council, and his/her deputy would be the chairperson of the Ministry of Education's Pedagogical Secretariat. The council would

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15 The committees of experts consult education professionals and other stakeholders, conduct study sessions with researchers, professionals and decision-makers and collect research information on the matter at hand. At the conclusion of each committee's work a publication is produced for the wider public. The subjects that the Initiative has dealt with include: "The Knowledge-base for Teaching Mathematics," "Arabic Instruction in the Israeli Hebrew-Language School System," "Diagnosis, Assessment and Evaluation in Early Childhood Education."

16 The Israeli Center for Advancing Human Culture Law, 1958, was passed in order to establish the Van Leer Institute. Under the law, the institute's goals are "to seek and embody through human values the achievements of philosophy, science, research, literature and art" and therefore the Center must serve as a "national and international meeting point for philosophers, scientists, researchers, authors and artists, for the fundamental investigation of the influence of philosophy, science, research, art and literature on humanity and society in our time" and to encourage "cooperation on a national and international scale between intellectuals in their various fields."
contain sub-committees on various subjects focusing on the various sectors. The council would have the sole authority to make principled decisions on education, such as what the education system should teach, how many hours should be spent learning at each age, the scope of matriculation exams, etc.  

Suggestions to establish a national education council have also been raised by public committees and legislators. 

The National Task Force for the Advancement of Education in Israel, known as the Dovrat Committee, included in its recommendations, which were presented to the government in January 2005, a recommendation to establish a national education council. The suggestion was part of a suggestion for comprehensive change in the education system, based on the belief that it is necessary to decentralize the education system and to grant greater authorities and autonomy to intermediate levels and to the educational institutions themselves. Against this backdrop, according to the Committee, the need arose for a central professional body, disconnected from the political fluctuation characteristic of the structure of government in Israel, which would enable the preservation of transparency, consistency and continuity in education policies – and all of that, the committee noted, without derogating from the authorities and responsibilities of the minister of education.

The committee recommended dissolving the Board of Education and establishing a national education council in its place, which would receive the Board's duties as they appear in the law. The Dovrat Committee gave the council new duties in its proposal: to advise the education system in the planning and formulation of long-term educational policies; to approve all significant changes in education policy (content, organization and budget), to approve the overall goals of the education system as they would be set by the Ministry of Education; to approve the definition of the compulsory core curriculum; to be a platform for national debate and ongoing public discourse concerning current educational questions as well as educational questions with long-term impact, as part of the democratization process of education; to publish an annual report on the state of the education system, which would be prepared by the National Authority for Measurement and Evaluation (another body established following the Dovrat Committee’s recommendations) and to carry out other duties, such as formulating recommendations or evaluations in a specific area, not contained within the council's primary written mandate, at the minister of education's request. 

According to the Dovrat Committee's recommendation, 20-30 members would be appointed to the National education council, among them top academics, scientists and intellectuals, heads of teachers' organizations, representatives of local government, industrialists and business and finance professionals, and public representatives from different communities. The chairperson of the Council would be the minister of education; its members would be appointed by the government for a period of six years on the minister of education's recommendation, and every two years a third of the Council's members would be replaced.  

The government accepted the Dovrat Committee's recommendations. Nevertheless, most of the recommendations have not been implemented due to resistance from

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17 Zvi Zameret, “Why is a Stronger Pedagogical Secretariat Necessary?”, New Directions (Kivunim Hadashim) 27 (November 2012) [in Hebrew].

18 The National Task Force for the Advancement of Education in Israel, Final Report, January 5th, 2005 [in Hebrew].

19 Government decision no. 3060 from January 16th, 2005 [in Hebrew].
various forces within the education system – including resistance to the recommendation for the establishment of a national education council.

Following the Dovrat Committee’s recommendations, several bills have been presented since the 17th Knesset which called for the establishment of a national education council. In February 2008 a group of Knesset members, including MKs Ronit Tirosh, Silvan Shalom, Michael Malchior and Dov Khenin, presented the National education council Bill, 2008. According to the bill, a national education council would be established, and it would serve as a coordinating, conceptual and supervisory body for the government in the education sector. Under the proposed law, the council’s composition and duties would be similar to those proposed by the Dovrat Committee. Furthermore, the bill proposed that every five years the education minister, with the council’s approval, would set the overall goals of the education system. These goals would express the minister of education’s priorities and education policies, and the education system would operate according to them, according to principles such as reducing educational gaps and increasing equal opportunities for every student, advancing academic achievements and developing the school environment. At the beginning of every school year, the minister, with the council’s approval, would update the goals. The bill also proposed that the council’s budget would be determined as a separate budget item in the Ministry of Education’s budget. The bill passed in a preliminary reading on May 28, 2008 and was brought to the Knesset’s Education Committee in preparation for a first reading. On the date of voting, MK Tirosh committed not to continue with the legislation process until consent was attained from all relevant government ministries regarding the council’s authorities. The bill was not advanced, not discussed in the Education Committee, and not raised to vote at further readings at the Knesset plenary. Members of the 18th and 19th Knesset proposed similar bills but they have not been raised to vote. The Education (National Infrastructure) Bill, 5769, 2009, presented by MK Zevulun Orlev in April 2009, included, among other things, the proposed establishment of a national education council. The bill outlines the council’s roles, which would include formulating a national education program for the short-, medium- and long-term and proposing methods of implementation to the government; advising the government on educational matters on the national agenda; tracking the performance of the education system; publishing an annual report on the state of education in Israel and establishing an education research institute, whose purpose would be to guarantee the constant updating of the nature of education with respect to the changing needs. According to the proposal, the council would have 31 representatives of various bodies active in education, including Arab Israelis and the parents’ organization; most members would be appointed by the government and the chairperson of the council would be appointed from among the members of the council based on the minister of education’s recommendation.

In the 17th, 18th and 19th Knessets, further bills were brought forward which sought to set the number of representatives from the Arab sector on the Board of Education such

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20 P/3367/17, proposed by MKs Ronit Tirosh, Silvan Shalom, Michael Malchior, Dov Khenin, Avishay Braverman, Eitan Cabel, Yitzhak Levy, Eliyahu Gabbai and Hana Sweid [in Hebrew].
21 Knesset report, 17th Knesset, Meeting no. 238, from May 28th, 2008 [in Hebrew].
23 Bill P599/18 proposed by MK Zevulun Orlev [in Hebrew].
that it would correspond to their proportion of the population. None of these bills came up for discussion.24

3. National education councils – Comparative Study

In some countries there are professional state educational bodies comprising citizens, educators and public officials, sometimes alongside decision-makers, with duties and authorities relating to pre-primary, primary and secondary education. This body is sometimes called the National education council and in other cases the National Education Board, etc.

This paper presents the work of national education councils of this kind, in the countries in which they operate: including the United States (at the state level), Belgium (a separate council for each community), Denmark, the Netherlands, Luxembourg, Spain, Finland, France and Canada (in the province of Quebec only). In order to gather information we contacted the countries via The European Center for Parliamentary Research and Documentation (ECPRD); we also made use of various search engines in the fields of education and research carried out for the European Network of Education Councils. In addition to the countries whose situations we have outlined at length, there are education councils that deal with primary and secondary education in Portugal, Greece, Cyprus, Estonia, Hungary and Lithuania.25 It is also worth noting that Italy, Sweden, Australia and the UK also had national education councils in the past but they were dissolved for various reasons.26

Analysis of the findings collected in the framework of this study shows that no education council is identical to another, but it is possible to categorize the education councils in the different countries according to a number of key parameters: composition, role and independence.

Composition – The makeup of the council, the procedure for selecting its members and their identity are of great importance for the council’s role and its status. The education council’s composition, number of members and the population groups that they represent varies from country to country. In most of the countries that we examined the

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24 The following bills: The State Education Bill (Amendment – Fair Representation on the Board of Education), 2008 P/3368/17, by MKs Ibrahim Sarsur, Taleb el-Sana, Mohammad Barakeh and Jamal Zahalka; State Education Bill (Amendment – Fair Representation on the Board of Education), 2009, P/769/18, proposed by MKs Ibrahim Sarsur, Masud Ganaim, Taleb el-Sana and Ahmad Tibi; State Education Bill (Amendment – Percentage of Arabs on the Board of Education), 2013, P/1266/19, of MKs Taleb Abu Arar and Masud Ganaim [all in Hebrew].

25 Hungary, Greece, Lithuania, Portugal and Cyprus have advisory education councils whose members are mostly representatives of stakeholder organizations in the education sector. In Estonia the education council (Haridusfoorum Eesti – Estonian Education Forum) is a legally-recognized non-profit organization, and membership in it is open to all organizations whose activities in the country’s education system are significant; the council discusses various subjects, mostly at the initiative of members and occasionally on request from the minister of education.

26 For further reading on the subject of education councils in Australia and Sweden, see: Ami Salant, National Education Councils in Selected Countries in the World – Summary of Findings from Database Searches, June 14th, 2010 [in Hebrew]. The National Council for Educational Excellence in the UK was established in 2007 and its membership was comprised of business people alongside representatives from academia and education professionals (National Council for Educational Excellence: Recommendations, 2008.) The council did not continue its activities after the change of government in 2010. The Education Council in Italy, which was established in 1974, was disbanded on December 31, 2012 (Francesco Marcelli, Italian Chamber of Deputies, ECPRD Response, May 15th, 2013).
education councils are **representative councils**: the council's members represent social organizations, different stakeholders in the education system (including educators, teaching staff, students, parents, bodies that operate schools) and various communities and populations groups (such as religious and ethnic groups, people with disabilities etc.) A few councils, in Spain and Belgium for instance, have more than a hundred members. Academic experts in education are not represented on this type of council, unless specific organizations choose to send experts as their representatives. In the Netherlands, in contrast, there is a **council of academic experts** only who are not representatives of organizations. Two councils operate in France: in one, members are representatives of organizations, and in the other – experts and public figures. In some countries, like Denmark, the education councils include experts alongside representatives of stakeholder organizations and groups. The status and powers of education councils whose members are representatives of organizations derives from the status of the organizations represented and from their ability to express a broad social consensus and agreement. In education councils made up of experts and public figures, great importance is placed on the individuals and the standing of the members of the council. In many cases education councils that are made up of representatives have a permanent pool of experts who they consult on various issues; on the other hand, councils of experts approach stakeholder organizations and groups to hear their positions on the issues that they examine.

**Role** – As we will see below, education councils have a range of authorities and duties. In general, it is possible to distinguish between education councils that have executive duties, authorities and obligations, and advisory councils. Councils of the first type exist in the U.S. and Finland and of the second type – throughout Europe and in Quebec. **Councils with executive authorities**, referred to as the National Education Board, play a central role in the functioning of the education system in the countries in which they exist. They have authorities in formulating and implementing policy, consolidating vision and long-term strategy for the education system, licensing teachers, setting learning content, measuring and evaluation and more. Councils of this type are typical in countries where low levels of government have broad authorities in the realm of education and where there is a tradition of public involvement in government processes. **Advisory councils** are bodies that advise the education minister or the parliament on issues relating to education, sometimes on request and other times on independent initiative. In some places, such as Spain and Quebec, the government is obligated to consult the council but it is not obligated to comply with its recommendations. In many of the countries that have advisory councils, the council evaluates the state of the education system and publishes a periodical report on the subject.

**Independence** – The level of independence of the education council is measured by a number of parameters, including the council’s budgetary independence, the organizational and administrative apparatus at its disposal, its ability to conduct independent research, government involvement in determining council membership, and the status of government representatives on the council. Even though the rationale behind the existence of such councils is that the council enables a separation between the political regime and the planning of education policy, none of the councils is entirely independent. The education council’s budget is largely determined by political officials (the Ministry of Education, government or parliament) even though the council has independent use of it. Certain education councils operate according to a work plan approved by the political leadership. Most councils that we examined have some or all members appointed by the government. A few councils have government representatives as members and in other councils the education minister him/herself or his/her representative sits as the council’s chairperson. Furthermore, in most cases the
council’s administrative staff is appointed by the Ministry of Education or is employed by it directly.

**In the European Union there is the European Network of Education Councils (EUNEC), and most of the national education councils in these countries are its members. In 2010 the network published a study which examined in depth the activities and functioning of a number of councils, focusing on education councils that operate as advisory bodies. On the basis of this study’s findings, researchers formulated the following recommendations for legislators and policy makers in the education sector, with the aim of increasing the efficacy of national education councils and improving their work and status:**

- To grant statutory role to the education council – a status which prevents its dysfunction and minimizes the risk of it being dissolved.
- To stipulate clearly in law the council's duties in accordance with the political structure and structure of the state’s education system.
- To stipulate clearly in law the points in the legislative, planning, and policymaking processes where the council's involvement is required. This would prevent the council from being ignored in these processes, and it would allow the council to plan and schedule its involvement and increase its influence.
- To guarantee the council sufficient funding and independence in its use, and to provide it and its members administrative and organizational tools to allow them to carry out their work.
- To increase the government’s commitment to the council and to improve the connection between it and the government by appointing senior public officers to the council’s administrative/organizational mechanism, and also to guarantee the terms of government representatives as full or observing members on the council.
- To enable the involvement of various groups and communities in the council’s work, by appointing their representatives council members and through the formulation of mechanisms of consultancy and dialogue with experts and organizations in civil society.
- To increase the number of government bodies that benefit from the council’s work, for instance by granting the option to Parliament to consult the council.
- Alongside the legal status to be given to the council, there should be room for flexibility, independent judgment and initiatives that come from the council.
- To allow the council to invest in measurement, oversight, evaluation and research in education. Thus increasing the knowledge base upon which it bases its recommendations.27

In the following overview of the world’s national education councils, we discuss separately councils with executive authorities and advisory education councils.

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3.1. Education Councils with Executive Authorities

3.1.1. Finland

The Finnish National Board of Education (Opetushallitus) is an independent authority, which operates alongside the Finnish Ministry of Education and Culture and is subordinate to the minister of education. The Board assists the minister in the planning and development of education policy, and it has authorities and duties in pre-primary education, compulsory education (1st-9th grades), academic and vocational secondary education as well as adult education. The Finnish National Board of Education was established in 1991 as a merger between two existing bodies – the National Board of General Education and the National Board of Vocational Education. The Board's role, composition, authorities and manner of operation were reformulated in the National Board of Education Law from 2008.28

The Board’s spheres of responsibility lie primarily, but not only, in planning and development, while the Ministry of Education and local authorities are responsible in general for the ongoing operation of the education system and its budgeting. The Board of Education is managed by a Board of Directors, which is appointed by the government for a period of four years. The Board of Directors has 15 members including members of parliament, public figures, representatives from the education system and experts from the fields of education and economics. The board is led by a professional director, and it has five units: General Education, Vocational Education and Training, Services for the Education Sector, Administrative Services and Education in Swedish. Additionally, the Board of Education manages 11 educational institutions owned by the state. The Board has no authorities in the realm of higher education, but it assists universities and colleges in all matters relating to the selection process for students and deals with the evaluation of foreign academic degrees.

The Board has a wide range of authorities and tasks, some of which involve planning and development and some of which involve implementation. Among the Board’s authorities and tasks are:

**Strategic planning and development of education policy in Finland**, including setting long-term targets for the education system at its various levels, drafting curricula for pre-primary, compulsory and secondary education, training programs for vocational and adult education, and determining the requisite skills and qualifications for the awarding of certificates in vocational and adult education.

**Measurement, evaluation and oversight of the education system** – The Board is responsible for examining student achievements and those of the education system at its various levels and comparing them to the targets set in the various curricula, testing different indices in relation to the education system and conducting international comparisons in education. The Board conducts short and ongoing evaluations and audits on various subjects.

**Information services on the education system** – The Board maintains education databases, coordinates between them and uses them to generate data and statistics, in order to predict needs in education and to enable strategic planning. The board is also responsible for the financial system which regulates the transfer of education budgets.

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28 [Decree on the National Board of Education](805/2008)
Various support services to the education system – The Board operates in a variety of areas, including the development and distribution of learning materials, evaluating certificates from foreign educational institutions, organizing the Finnish language tests required to gain citizenship, organizing and financing teacher training courses, and maintaining a registry of students for the purposes of selection and registration at academic and vocational secondary schools, colleges and universities.  

3.1.2 The United States

In the discussion of state boards of education in the United States, it must be remembered that the education system in the US is very decentralized, and developed on a local basis. The federal government has few authorities (though in recent decades its involvement has been growing). Most of the authorities in the field of education are vested in the states, and some are even vested in lower levels of government. One of the unique characteristics of this system is the boards of education, which operate in many states at the local, county and state levels, as part of the education system. Citizens and stakeholders participate in the boards and they have a role in determining and implementing education policy.

The state boards of education are organized nationally into the National Association of State Boards of Education (NASBE), which collects comprehensive information about their roles and activities. According to the NASBE’s publications, there is a long tradition in the US of granting authority for education policy and governance to the state boards of education. The first board of education was established in Massachusetts in 1837 and today state boards of education operate in all the states except for two – Wisconsin and Minnesota. According to the NASBE, the existence of the boards of education and their activities express two central principles of US education policy: public involvement in determining education policy and separation between education policy and party politics. The state board of education is meant to serve as an independent body in the decision-making process and to focus on the bigger picture, on formulating a vision, and on the long-term needs of public education, and to determine policy based on the best interests of the public and students. The board of education has a central role in the state education system’s structure, and its tasks, derived from this role, are: to advance education policy – place education at the center of attention of the government and public representatives, define a vision and long-term goals for the education system and develop policy tools consistent with these goals; to mediate between different entities and different levels of government involved in the education system’s work, including the public, educators and others, and translating the issues raised by the public, public representatives and the non-profit sector into policy tools and transferring them to the education system, while studying the needs and problems of the education system and reporting on them to public representatives, government entities and the public; and to provide a forum for open dialogue and the opportunity to develop broad consensus between various persons and entities seeking to influence education policy.

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Despite these statements, the relationships between a state board of education and the political leadership of the states are complex and not always smooth. Researchers studying education policy in the US claim that in recent decades, the involvement of state governors in education has increased, following increasing demands of the federal government in this area, increasing interest by the public and growth in state education budgets. One of the means that state governors have used in concentrating influence into their hands is the state board of education, which is, in many cases, also responsible for appointing the head of the state’s department of education. Due to these processes, the governors, sometimes through changes in legislation, have increased their influence over the selection of members of the boards and have provided them with increased authorities – sometimes while limiting and even revoking the authorities of the head of the state’s department of education. In contrast, in other cases, the governors have preferred to limit the authorities of the state boards of education and to increase those of the head of the state department of education. For example, the Minnesota Board of Education, active from the early 20th century until 1999, was dissolved by a change in legislation following its attempt, which was not supported by the political leadership in the state, to advance changes in the state curriculum. Researchers who have studied this episode note that during the last decades of the Minnesota Board of Education’s existence, the political climate and the governing structures in Minnesota emptied the board of its authorities and influence, and it was perceived as an entity of marginal importance. Its efforts to implement controversial education policy led to its dissolution and the transfer of its tasks to the governor-appointed commissioner of the Minnesota Department of Children, Families, and Learning, all without any protest by the political system or the public.

According to the publications of the umbrella organization of the state boards of education, these boards have a wide variety of authorities, defined differently in each state. The board’s authorities are in the following areas:

- Appointing officeholders in the state education system, including the head of the state department of education in some states;
- Setting statewide curriculum standards, including approval of any cross-state common standards;
- Establishing high school graduation requirements;
- Establishing state testing and assessment programs;
- Accrediting teachers and education professionals;
- Creating the structure of teacher training courses;
- Setting standards for the accreditation of education institutions;
- Implementing federal legislation and policy, applying for government grants and distributing them;
- Determining legal provisions and regulations for managing state curricula.

The existence of the state boards of education is stipulated in the constitution or legislation in each state. They have between seven and 21 members who represent

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various stakeholders in the education system. The term of a board of education is from three to nine years. There are several models to determine the composition of a board of education: in 33 states, the governor appoints the board of education, in nine states the board of education is elected by the public, in two states the legislature appoints the board of education and in five states, the selection of the members of the board is split between governor, the public and the legislature. In 23 states, the state board of education appoints the head of the state’s department of education or recommends the appointee (this office has different titles in different states: secretary of education, commissioner of education, superintendent of public instruction); in other states, this person is appointed by the governor (15 states) or is elected by the public (12 states).35

Below we will describe the work of the state board of education in detail for three states: Arizona, in which the board of education is selected by the state governor and its composition is determined by law; Michigan, in which the board of education is elected directly by the public; and Washington State, in which the selection of the members of the board of education is split between different entities. The descriptions below indicate the variety of roles, authorities and compositions of state boards of education in the US.

**Arizona**

The Arizona State Board of Education was established in accordance with the state’s constitution, which places the board at the head of the entities charged with the management of the public education system in the state and its oversight. The state’s constitution also determines the Board’s composition.36 The Board has 11 members: the superintendent of public instruction (the title of the head of the Arizona State Department of Education who is elected directly by the public), the president of a state university or state college, four lay members, a president or chancellor of a community college district, a person who is an owner or administrator of a charter school, a superintendent of a high school district, a classroom teacher and a county school superintendent. The Board members serve a term of four years. The Board members, with the exception of the superintendent of public instruction, are appointed by the governor with the consent of the state senate. The role of the state superintendent of public instruction is to implement the policies and rules set by the board.37

Arizona law grants the Board of Education many authorities and tasks – some of which are very general and broad, and others specific, including:

1. Supervise and regulate the conduct of the public school system and adopt any rule or policy it deems necessary to accomplish this purpose;
2. Recommend to the legislature changes or additions to legislation pertaining to schools.
3. Prepare, publish and distribute reports concerning the state of the education system;
4. Aid in the enforcement of legislation pertaining to schools;
5. Determine the duration of compulsory education;
6. Determine the required level of skills and knowledge at the end of third grade, eighth grade and high school;

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36 Arizona State Constitution, Article 11, Sections 2-3

7. Supervise and manage the certification process for teachers and other education workers who do not engage in teaching directly;
8. Set rules governing testing;
9. Establish an assessment, information gathering and reporting system for pupil performance;
10. Develop a handbook for use by the schools on civic, moral, and ethical education;
11. Adopt guidelines for use by the schools for identifying gifted pupils and developing programs for them;
12. Receive federal grants which support the education system in meeting its goals, apportion them and supervise their use.

The law further stipulates that the state board of education determines its rules of conduct and the manner in which it employs workers based on the recommendations of the superintendent of public instruction, and presents the budget necessary for its operations to the legislature, which approves the budget.38

**Michigan**

Michigan's State Board of Education was founded in the early 20th century. The state's constitution, dating from 1963, rearranged its structure and status. According to section 3 of the constitution, "Leadership and general supervision over all public education [...] is vested in a state board of education." The Board is the entity charged with planning and coordinating the entire public education system and with advising the legislature regarding the needs and budgetary requirements of the education system.39

The activity and tasks of the Board are determined by the State Board of Education Act of 1964, according to which eight members serve on the Board and are elected by the public in accordance with the state school districts and they belong to political parties. The members are elected for a term of eight years, with two members replaced every two years. If a board member ends his/her term prior to the end of the term determined by law, the governor appoints a replacement. The Board of Education appoints the state’s superintendent of public instruction and determines his/her term of office. The superintendent of public instruction also serves as the chairperson of the Board and is responsible for implementation of its policies, but does not have the right to vote on the Board. The governor of Michigan is also a non-voting member of the Board. In order to carry out its role in the public education system, the board is permitted to enact regulations, rules and provisions regarding the education system and to conduct and publish studies. Meetings of the Board of Education take place at least once every month.40

**Washington State**

The Washington State Board of Education has been active since 1877. It has 16 members, including five members elected by the heads of the local boards of education, one representative of the private schools elected by them, the superintendent of public instruction, who is elected by the public, and seven members selected by the governor. Each one of the Board members, with the exception of the superintendent of public instruction, serves a term of four years and may serve two terms at most. The Board

38 Arizona Revised Statutes, articles 15-201–15-215
members appointed by the state governor must be individuals who have shown interest in public education, who support the improvement of education, and who have a positive history of service. They must be able to devote a significant amount of time to their positions as Board members. In appointing his/her representatives on the Board, the state governor must consider the variety of ethnic and religious communities in the state. The Washington State Senate approves the governor’s appointments. In addition, two high schools students are appointed to the board, elected by the Washington Association of Student Councils, but they do not have the right to vote on the Board. The Board’s chair is appointed by its members.41

The Board’s tasks are detailed in the state’s law. By law, the goal of the Board of Education is to provide advocacy and strategic oversight to public education, to implement a unified system of accountability based on standards to improve student achievement, to lead the creation of a system which grants personal education to each student and respects diverse cultures, skills and learning styles of the different students and advances the achievements of the education system and its targets as they are listed in the law. The law further lists the tasks of the Board, including setting goals and targets for improving the education system, creating and assessing a system for evaluating student achievement which ensures fairness, equal opportunity and accuracy, determining the skills and knowledge required of students at various stages of the education system including high school graduates, accreditation of private schools, and more. For these purposes, the Board of Education is required to meet regularly, to establish subcommittees and to consult with the public and with stakeholders.42

The website of the Washington State Board of Education displays the following tasks, among the areas of responsibility and activities of the board according to the law: The State Board of Education is responsible for implementing a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student achievement; assessing schools’ compliance with the basic rules and instructions for the education system (number of annual school days, number of instructional hours, etc.) and providing permissions to schools to deviate from these rules; private school accreditation; determining minimum requirements and skills required of high school graduates so that they meet the needs of secondary education and the development of professional careers.43

3.2 Advisory national education councils

3.2.1 Belgium – Flemish community/ Walloon community

In Belgium, there are separate national education councils for the Flemish community and the (French-speaking) Walloon community, and each one has its own education council.

Flemish Education Council

The Flemish Education Council (Vlaamse Onderwijsraad – Vlor) was established by law in 1990, unifying several advisory bodies which existed previously. In 2004, a new law was passed regulating the structure of the council and its activity.44 The Vlor is one of 12

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42 Revised Code of Washington, Chapter 28.305
44 Decreet betreffende participatie op school en de Vlaamse Onderwijsraad, from April 2nd, 2004.
strategic advisory bodies active in various fields within the Flemish community’s governing structure.

The Vlor has 151 permanent members who are representatives of various organizations and entities in the education system appointed by law, including entities which operate education institutions, teacher training institutions, teacher organizations and other education professionals, parents, students, economic-social organizations, culture and society organizations, school principals, experienced education experts, etc. A substitute is appointed for each member. There are no government representatives or academic experts on the council (unless they are appointed as representatives of organizations). The minister of education appoints the members according to the recommendations of the organizations, and some are elected directly by the group which they represent. The Vlor president is appointed by its members. The Vlor is appointed for a term of four years. The council is made up of a general council (with 39 members) and four sub-councils which handle various stages of education: the primary education council (24 members), the secondary education council (30 members), the higher education council (26 members) and the council for life-long learning (32 members). The composition of each sub-council is determined by law. Each sub-council has several permanent and ad-hoc committees with 15-20 members each, which handle various issues. The Vlor and its sub-councils meet approximately ten times each year.

The Vlor’s secretariat employs approximately 35 employees who handle administrative matters and assist the Vlor in accomplishing its tasks by collecting current studies and information on relevant issues and presenting them, handling the writing of its recommendations, etc. The Vlor's budget is part of the Ministry of Education's budget, but has autonomy in its administration. The Vlor is appointed for a term of four years and its tasks are defined in a contract of identical term, signed by the Vlor and the government. The contract lists the roles and responsibilities of the Vlor towards the government and the tasks of the government towards the Vlor, and also details the various interfaces between the Vlor and the government.

The Vlor has three roles according to law: consultation, meeting and research. The Vlor’s primary task is to make recommendations by request of the minister of education and Training, the Flemish Parliament or independently. In this capacity, the Vlor is involved in almost all decision-making processes in the Flemish education system. According to the law, the government is required to request a recommendation from the Vlor in the following instances: when submitting a government bill to parliament (excluding certain exceptions), prior to approving general policy papers and prior to approval of temporary projects in education.

When the Vlor receives a request to make recommendations, the issue is discussed in the relevant sub-council and its committees. The committee which discussed the issue meets several times, as needed, in order to write a recommendation. The final version of the recommendation is approved by the relevant sub-council. If the issue falls under the responsibility of several sub-councils, the general council is the one which approves the recommendation’s text. Because the recommendations are requested during the process of legislation and policy approval, the Vlor is given 30 days to submit its recommendation. In special cases, the procedure can be expedited and the Vlor can submit its recommendation within ten days. The Vlor’s recommendation is first submitted to the minister of education. In addition, it is attached to the bill or policy
paper being submitted for approval by parliament and is also published on the Vlor’s website and publicized by the media. The law determines that the government is not obligated to act in accordance with the Vlor’s recommendations, but if the government wishes to deviate from the Vlor’s recommendations, it is required to reply to them giving reasons for the deviation.

The second task of the Vlor is to serve as a framework for meetings and discussions between various stakeholders in the field of education in Flemish society who are members of the Vlor. As part of this responsibility, the Vlor and its sub-councils conduct hearings with representatives of relevant organizations in order to coordinate their implementation of the various policy tools in the education system. In addition, the Vlor holds seminars on various topics and issues on its agenda, at which member organizations and entities can learn about the attitudes and approaches of the other entities and discuss them.

Alongside these roles and as a foundation for them, the Vlor serves as an information center in the field of education. In this role, the Vlor examines, with the help of various experts from the academia and elsewhere, new developments and problems in education, even without the intention of providing immediate advice or recommendations on the issue. The Vlor also holds seminars with experts and member organizations, at which educational topics and issues are discussed. The Vlor has a website which includes comprehensive information on education, and also has an extensive library open to all.45

**Walloon Education Council**

The French-speaking Walloon community's education council – Conseil de l'éducation et de la formation en Communauté Française de Belgique (CEF) – was established by law in 1990, and its structure and tasks were regulated in detail in 2001.46

The CEF is the advisory body to the government on education and vocational training, with 100 members representing 28 organizations determined by law. The members are broken into two chambers, the teaching chamber (La Chambre de l’Enseignement) and the vocational training chamber (La Chambre de la Formation). The teaching chamber has 60 members, including representatives of the government, representatives of the entities which operate educational institutions and teachers, representatives of student and parent organizations, representatives of higher education, and more. The vocational training chamber has 40 members, including representatives of professional organizations, representatives of social organizations, representatives of employer organizations, and more. Some of the members are appointed by the minister of education on the recommendation of the organizations, and some are directly appointed by the organizations. A substitute is appointed for each member. The CEF serves a four-year term and a member can be appointed for only two terms of service. Members of each chamber appoint one of the members as the chamber chairperson, who serves in that role for four years. The chamber chairpersons rotate between them as CEF

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45 The Flemish Education Council – Improved policymaking through consultation, on Vlor website.

president. The secretariat of the CEF is appointed by the Walloon community government presidency and employs six project coordinators who handle various issues that the CEF engages in, as well as an administrative assistance staff.

The CEF serves as an advisory body to the government and a forum for deliberations between various stakeholders in education and vocational training. As defined in law, the tasks of the CEF are: To provide recommendations on education and vocational training; to make proposals on the connection between education, vocational training, employment and the needs of society based on consultation and discussions with various entities in the field; and to submit recommendations on all the major reforms in education and vocational training.

Most of the recommendations written by the CEF are at its own initiative, and each member can propose an issue to be clarified in a recommendation. Government ministers can contact the CEF to request a recommendation on various issues on the public agenda. Each year, the CEF makes a work plan defining the topics that it will discuss that year. Most of the issues which the CEF writes about are strategic and establish long-term targets for the education system. For each topic, a project coordinator – a professional expert in education employed by the secretariat – is appointed, who collects the relevant information and research on the topic and takes part in CEF meetings. The final text of the recommendation is approved by the plenum of the CEF and sometimes includes a minority opinion. The recommendation is distributed to government ministries and is published on the CEF website.

3.2.2 Canada - Quebec

Canada's education system is the responsibility of the various provinces. Only in the province of Quebec does a national education council operate.

Quebec's Supreme Council on Education - Conseil supérieur de l'éducation (CSE) – was established in 1964 as part of an extensive reform in the province's education system during this period. The council was established by a law passed by the Canadian Parliament, which includes the composition, authorities and role of the council. According to the law, the council is a think tank with the goal of developing an all-encompassing vision for the education system. The council has 22 members who are appointed by the government after consultation with organizations and entities which represent students, parents, teachers, school committees and various social and economic groups, at the recommendation of the minister of education, recreation and sports of Quebec. A member's term is four years, and the term cannot be lengthened. The deputy minister of education is a non-voting observer on the council. The council’s president is appointed from among the council members by the government.

The council’s task is to advise the minister on all education matters, including:

- submitting reports to the minister of education at least once every two years on the state of education and its needs – which is presented by the minister presents to the National Assembly of Quebec;
- providing opinions on all bills proposed by the minister of education;

47 Conseil de l'éducation et de la formation en Communauté Française de Belgique website, accessed May 19th, 2013.
• providing recommendations and opinions on all education issues, at the request of the minister of education or at the council's own initiative.

In order to fulfill its mission, the council may consult with any persons or entities who are involved in education, and may conduct and order studies that it requires in order to handle the various issues.\(^49\)

The council operates through external committees, which advise the committee and submit reports and proposals to it. There are six permanent committees on the council: Committee for the Report on the State and Needs of Education, Commission on Preschool and Primary Education, Commission on Secondary Education, Commission on College Education, Commission on University Education and Research, and Commission on Adult Education and Continuing Education. Each committee has 9-15 members, including experts in their fields (both academic and non-academic), and representatives of various stakeholders, appointed by the council. Each committee is headed by a council member. The committee may also appoint ad-hoc committees to handle specific issues.\(^50\)

A 1999 amendment to the law appointed the Advisory Committee on Financial Accessibility of Education (ACFAE) alongside the CSE. The ACFAE operates separately from the CSE and advises the minister of education on issues connected to financial assistance to students, tuition payments, registration, etc.\(^51\)

### 3.2.3 Denmark

In Denmark there are five councils, each one specializing in a different stage or field of education: the council for compulsory education (one pre-primary year and ten years of primary and middle school education), the council for secondary education, the council for vocational training, the council for higher education and the council for adult education. We will focus on the council for compulsory education, whose official name is Radet for Evaluering og kvalitetsudvikling af Folkeskolen – the Council for Evaluation and Development of Quality in Compulsory Education.

The council, in its current format, was established in 2006 with an amendment to the Folkeskole (Public Education) Act and the addition of chapter 11, which defines the council's role and practices.\(^52\) The council had existed in a different format since 1993.

The council has two bodies: the board of directors, with three to five education experts appointed by the minister of education, with one serving as the council's president; and the council plenum, with 21 members appointed by the minister in accordance with the recommendations of organizations including local governments, parent and student organizations, teacher and school principal organizations, employee organizations, non-profit organizations, organizations of persons with disabilities and others. Council members are elected to terms of three years (excluding students, who serve one year terms). The council meets at least twice each year, and also convenes at the request of the board of directors or three council members. The council’s secretariat has four employees. The council has an independent budget dedicated to research.


\(^{50}\) [The Conseil supérieur de l'éducation (CSE) website](https://www.lcec.qc.ca), accessed May 23rd, 2013.


\(^{52}\) [Bekendtgørelse af lov om folkeskolen](https://www.lovdata.dk/lov/? LovId=l200607260059&Lovertype=lov)
The duties of the council, as defined by law, are to evaluate the education system and to make recommendations and advice on its pedagogical quality and student achievement in compulsory education. The council is specifically expected to assess schools’ contributions towards decreasing inequality between various populations in society, increase equality and integration, and grapple with negative phenomena which stem from the underprivileged backgrounds of students from various populations. The law also stipulates that the government may consult with the council on topics and issues on its agenda. The council has the right to submit recommendations at its own initiative on various topics connected to the quality of primary education.

The council conducts hearings and seminars several times each year, enabling dialogue between council members and examination of issues relating to the quality of education. The council's board of directors submits an annual evaluative report on the quality of the education system to the minister of education. The report deals at length with different topics every year. It is discussed at the council's plenum and members' comments are added to it. Furthermore, the board of directors submits reports and recommendations about the quality of primary schools. These recommendations are also discussed at the council plenum and council members add their comments. The reports submitted to the minister are published on the council's website, alongside the council's quarterly newsletters and booklets which summarize its evaluations and findings, intended for the general public.53

3.2.4 France

In France, there are several councils responsible for various areas of education. We will cover two of them: Haut Conseil de l'Education – which is a council of experts – and Conseil Superier de l'Education – a council composed of representatives in education. Each council has a different composition, status and role:

The Haut Conseil de l'Education (HCE) – the High Council on Education – was established by section 14 of the Framework and Programme Law for the Future of the School of 2005.54 Nine public figures appointed for a term of six years serve as council members. Three of the members are appointed by the president of France, two are appointed by the National Assembly, two by the president of the Senate and two by the Economic and Social Council. The council's president is appointed by the president of France from among the council members.

The tasks of the council:

1. To submit to the president of France and the French Parliament an annual report on the achievements of the education system;
2. To publish professional opinions and recommendations, at the request of the minister of education, on issues related to education, curricula, student evaluation, the structure of the education system, etc. The council's opinions and recommendations are made public on the council's website.

The High Council on Education is assisted in its work by an advisory committee, whose members are various stakeholders in education (worker organizations, parents, students, etc.), experts and representatives of the non-profit sector. Among other subjects, the council published recommendations on the knowledge and skills required of students at the end of compulsory education, and recommendations regarding the content and structure of teacher training.55

The Conseil Superier de l'Education (CSE) – the Supreme Council on Education – was established by law in 1989 and its role and structure were determined by 1990 regulations.56 According to the law and the regulations, the council advises on the following topics: the goals of public education and its functioning, regulations and laws connected to curricula, tests, assessment, provision of certifications and education in general, administrative topics connected to private primary, secondary and vocational education, all national issues connected to education regardless of the government ministry responsible for the matter and any topic referred to it by the Ministry of Education. The Ministry of Education is required by law to consult with the committee prior to authorizing regulations.

The minister of education or his/her representative heads the council, which has 97 members: 48 representatives of teaching staff (from all the various stages and types of education), 12 representatives of education “customers” (parents and students), and 30 representatives of local governments, non-profit organizations and social, cultural and economic organizations. The council is appointed for a term of three years (excluding the students, who serve for two years). 49 council members are members of the permanent plenum. The council operates through three permanent sub-committees: primary, secondary and post-secondary education, each one headed by the staff person responsible for that area from the Ministry of Education. The council can form additional sub-committees to handle various issues. The council plenum meets at least twice each year.

The sub-committees prepare recommendations and submit them for the approval of the plenum with a majority vote. Non-voting experts may be invited to participate in the hearings of the sub-committees or the plenum. The council’s decisions are submitted to the minister of education or other relevant government ministries and made public as part of the official government publications.57

The differences between the two councils are expressed in several areas: the Supreme Council on Education (CSE) is an entity which represents agreement through voting between different stakeholders in education, at which the government can present reforms, policy and legislation in education to as wide a range of stakeholders as possible, to hear their opinions and to consult with them. The High Council on Education (HCE) provides the Parliament and the minister of education with detailed and reasoned opinions of experts in various fields who are independent of stakeholders or vested interests.58

55 According to the website of the Haut Conseil de l'Education
58 Senat France, Commission des lois, 4 Octobre 2010.
3.2.5 Luxembourg

The higher council for education in Luxembourg (le Conseil supérieur de l’Éducation nationale) operates according to the 2002 law for its establishment. The council has 36 members representing four kinds of organizations and bodies: parent and student organizations of the various stages of education, teacher organizations of the various stages and sectors of education, bodies which operate education institutions (including representatives of government, local government, religious institutions, school principals, supervision of schools, etc) and societal, culture and education organizations (including education experts). Each category has nine representatives appointed by the minister of education, some by recommendation of different organizations. Council members are elected for a term of four years (excluding the student representatives, who serve for two years). The council chairperson is chosen by its members. The council's board of directors includes a representative of each of the categories. The council's secretariat has permanent staff employed by the Ministry of Education. The council meets approximately five times each year.

By law, the council is an advisory body. Its tasks include writing recommendations at its own initiative or at the request of the minister of education, on all issues connected to education, especially those which influence general education policy, and to recommend education reform.

3.2.6 Spain

Spain’s education council, Consejo Escolar del Estato, was established in 1985 by a section of the 1978 Spanish constitution which stipulates that the government must ensure public participation in the activities of the education system and its structure. The existence of the council was legislated in 1985. Its structure and practices are arranged by legislation and regulations. Alongside the education council, which is responsible for primary and secondary education, additional national councils are responsible for vocational training, arts education and higher education.

The council has 105 members. All the members, with the exception of the president, represent different organizations and entities determined by law: teachers, parents, students, school principals, owners of private schools, professional organizations, business organizations, the Ministry of Education, local authorities and women’s organizations. Of the council members, 17 are the presidents of the education councils which operate in each of the country’s autonomous communities. Twelve of the council members are education professionals or education experts selected by the minister of education and appointed by royal decree. The council president is a person of stature in the field of education, chosen by the minister of education and appointed by royal decree.

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63 Organic Law 8/1985, of July 3 regulating the Right to Education (art 29.33); Royal Decree 694/2007, of June 1, regulating the Spanish National Education Council; Order ESD/3669/2008, of December 9, approving the Regulation on the functioning of the Spanish National Education Council.
decree. The vice-president of the council is elected from among council members and by the council members at the president's recommendation. The council members and president are appointed for a four-year term. In addition to the council there is a secretariat headed by the council secretary, who is a senior government official appointed by the minister of education at the recommendation of the council president. The secretary is a non-voting council member. In addition, the secretariat employs 18 workers who provide administrative, legal and research assistance to the council members.

The organizational structure of council includes a plenum in which all the council members participate and which convenes at least once a year. There is also a managing council with representatives from one quarter of the member organizations represented on the council plenum for a total of 28 members, including the council president and general secretary. The managing council operates two permanent committees, each with 7-10 members: the committee of studies and the committee of reports. Each committee plays a central role in the council's work, as detailed below. Also active on the council is the Autonomous Communities Participation Committee (Junta de Participación de los Consejos Escolares Autonómicos), with all presidents of all the regional educational councils, headed by the president of the national council.

The council has two primary tasks defined by law: submitting recommendations regarding bills and regulations proposed by the Ministry of Education and publishing an annual report on the state of the education system. The law requires the council to write recommendations on all bills and regulations proposed by the Ministry of Education – including the basic programs of the education system, goals of the education system and basic requirements of students and schools, regulations and instructions regarding equal opportunity in education – and on any other issue at the request of the minister of education. The council is required to prepare the recommendations within one month of the date it received the request, though occasionally the council is also informally involved in the bill or regulation's preparatory stages. The recommendations committee of the managing council is the main body responsible for writing the council's recommendations on bills, and it may consult experts in various education issues as needed. The council prepares the recommendation and submits it for the approval of the managing council. In some cases, when the issues in question are especially important, the recommendation is submitted for the approval of the council plenum. After approval, the recommendation is presented to the minister of education and attached to the bill being brought to the parliament. The government has no legal obligation to accept the recommendations of the education council.

The second permanent committee of the council – the research council – is responsible for the writing of the annual report on the state of the education system. The report is submitted each year to the minister of education and the parliament chairperson and covers the state of the education system and presents long-term recommendations and goals. The report is discussed at the managing council and the council plenum, and approved by both. Thousands of copies are distributed throughout the education system.

Alongside these tasks, the council also holds discussions, distributes information and examines various issues in education during seminars and discussion groups held on different topics. These events are open to experts and educators from the public.
The Autonomous Communities Participation Committee, which as mentioned above has 17 members who are the presidents of the autonomous communities' education councils, was added to the council in 2006 as part of education reform which granted greater autonomy and authorities to the regions. The committee serves as a forum for coordination, mediation and participation between the entities at different levels of the local and national education system, and its tasks include reporting on the state of the education system in the various autonomous communities and on legislation's influence on the education system.64

3.2.7 The Netherlands

The Netherlands's education council (De Onderwijsraad) is an independent governmental advisory body which advises the minister of education, parliament and local authorities on educational matters. The council has existed since 1919, but in 1997 the structure of the council and its authorities were rearranged with the Education Council Act.65 The law defines the council's three tasks:

1. Provision of advice - whether solicited or unsolicited - to government ministers and to both chambers of parliament on education, policy and legislation. The ministers may request advice and recommendations on policy issues or important legislation. The council also operates as a think tank that provides analyses of current issues and formulates solutions to help develop new policy.

2. Recommendations on the application of laws, general administrative orders and ministerial regulations on education. The minister may request advice when s/he has to make a decision on implementing ministry regulations in individual cases.

3. Local authorities may ask the council to develop recommendations on certain aspects of local education policy, or regarding disputes between different levels of government on implementation of education policy.

The council's recommendations are not binding for the concerned parties.

The council comprises no more than 12 members who are nominated by the government and appointed by royal decree. The members are independent experts and do not represent specific interest groups. Six of the members are selected on the basis of academic expertise (not necessarily in education) and six are selected on the basis of professional expertise or experience. They must be representative the diverse population groups, social statuses and religious groups in Dutch society. Since 2008, council members have been appointed for two-year terms. The council's secretariat has twenty permanent employees, including 12 professional researchers and eight administrative employees.

Maria Estraviz, Congreso de los Diputados, ECPRD Response, May 14th, 2013.
Each year, the council handles 10-15 issues. The council's recommendations are prepared in subcommittees established to handle the various issues. The subcommittees are made up of the council chairperson, two or three council members, council employees and additional external experts. Each sub-committee operates for six to eight months and holds meetings as needed in order to prepare the recommendations. Over the course of its work, the subcommittee gathers testimony, consults with experts and receives information from stakeholders. The final text of the recommendations, including the operative recommendations for implementation, is brought to the council plenum, which meets twice each month, for amendment and approval. The final recommendations of the council are submitted to the minister of education, and two weeks later to the parliament. They are also published on the council's website. The council also generally publishes its recommendations in press releases. Because the government is not obligated to take action in accordance with the council's recommendations, the council devotes particular attention to publication and distribution of its recommendations in order to increase its influence as much as possible. In a study conducted by the European Network of Education Councils, council members noted that via their recommendations, they directly impact 15-20% of decisions in education policy passed each year by the government. In addition, the council has indirect influence.

The council is assisted in its work by the services of external experts on different topics related to education, who are included in the council's permanent database of education experts. The council also has a budget for independent research which may be used to conduct studies on topics necessary to prepare recommendations on various issues. The council works according to an annual work plan determined by the minister of education, science and culture and approved by both houses of parliament. Changes are made to the work plan during the course of the year, as needed. Each of the houses may, if it wishes, add topics to the work plan. In 2013, the topics which the council engaged in included the following: the status of the teacher, the existence of small schools and recruitment of quality teachers.66

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