



Guideline on organising education in religion or worldview subjects as well as joint festivities and religious events in general upper secondary school

This guideline describes how the provisions on freedom of religion and conscience in the Constitution of Finland (731/1999), the Act on General Upper Secondary Education (714/2018) and other legislation should be observed in the instruction of religion and worldview subjects as well as when organising common festivities and any religious events and ceremonies, and activities providing an alternative for them, in general upper secondary school. The interpretations and views of how the provisions should be applied contained in this guideline are based on the opinions presented in the preparatory documents for the provisions as well as statements of the parliamentary Constitutional Law Committee, the supreme overseers of legality and the Finnish National Agency for Education.

The purpose of the guideline is to ensure that the fundamental rights related to culture and freedom of religion are realised in the activities of general upper secondary schools, to promote equality, equity and appreciation of cultural diversity in education, and to guarantee that the instruction does not demand or lead to religious or philosophical commitment of the students. Education providers are responsible for the delivery of education and for the organisation of joint festivities and religious events and ceremonies as well as activities providing an alternative for such events as required under the provisions and regulations.

1. Education in religion and culture, worldview and ethics studies in general upper secondary school

1.1. Options for organising a student's studies of religion and culture, worldview and ethics

The education provider has an obligation to organise education in a religion compatible with the religious community referred to in the Act on the Freedom of Religion (453/2003) to which the majority of the students belong. Should they choose to do so, students who belong, or decline to belong, to other religious communities may also participate in this education, regardless of whether instruction of different syllabuses in religion or worldview studies is available or not. Religious communities include the Evangelical Lutheran Church, the Orthodox Church and religious communities registered in Finland as well as certain religious associations comparable to them (transitional provision in the Act amending section 9 of the Act on General Upper Secondary Education, 455/2003, and statement of the Education and Culture Committee 14/2002 vp).

The education provider also has an obligation to organise education in another religion or worldview studies as described below if at least three students in total participate in it at the education provider's institutions. In practice, the majority of the education provider's students belong to the Evangelical Lutheran Church as a rule, in which case the criterion of three students applies to students who belong to the Orthodox Church for the part of education in religion and to students who do not belong to any religious communities for the part of culture, worldview and ethics. Accordingly, education in the Orthodox religion is organised if there are at least three students belonging to the Orthodox Church [the Orthodox Church of Finland, see the Act on the Orthodox Church (985/2006)] who do not participate in the education of the



majority religion, and if there are at least three students who do not belong to any religious community and who do not participate in the education in the majority religion, education in culture, worldview and ethics is organised.

For students who belong to a religious community other than the Evangelical Lutheran Church or the Orthodox Church referred to in the Act on the Freedom of Religion and who do not participate in the education in the majority religion, education in their religion is organised if they request it and the cited criterion of at minimum three students is fulfilled. The students must be members of the religious community in question, or the religion to be taught must, in view of the students' upbringing and cultural background, be consistent with their religious views (section 16, subsection 6 of the Act on General Upper Secondary Education). If necessary, the general upper secondary school can ask the student to provide a reliable account of their membership in a religious community or the correspondence of the student's upbringing and cultural background with the religion to be taught.

At the student's request, education in worldview studies must be provided for a student belonging to a religious community for whom education in their religion is not provided and who does not participate in education in the majority religion.

Students who start general upper secondary education after their 18th birthday are free to choose education either in religion or worldview studies. The education provider can, at their discretion, decide on cases where the student is considered to start upper secondary school studies and where the student is, in fact, continuing such studies.

In the calculation of the minimum number of three students, all students in the education provider's general upper secondary school are taken into account. The number of students per provider is examined separately for education provided in Finnish and Swedish. For faiths other than the Evangelical Lutheran and Orthodox religion, students who have not asked for education to be provided are not taken into account when calculating the minimum number of students. The number of students who do not belong to a religious community registered in Finland is also not taken into account when examining the education provider's obligation to start providing education in a new religion or to continue providing education in a religion. Students who wish to participate in education in culture, worldview and ethics and who belong to religious communities are included in the minimum number of students creating an obligation to organise education in culture, worldview and ethics if education in their religion is not provided.

The education of those who have already started their studies will be completed even if the size of the teaching group drops to less than three. The education provider may, at their discretion, arrange instruction for a group smaller than three students also in other situations.

Students who are members in more than one religious community may select which education in religion to participate in (section 16, subsection 4 of the Act on General Upper Secondary Education). Religious communities decide themselves if they allow simultaneous membership in other religious communities.

The procedures which students must follow to request provision of education in a religion or culture, worldview and ethics are decided by the education provider. The education provider must ensure that the students know when they are entitled to instruction of culture, worldview and ethics or education compatible with their religion. The school should emphasise to the students that when making choices about instruction of religion or worldview studies, as when selecting their other studies, their decision should be permanent. If a student changes religious



communities or no longer belongs to any religious community, however, they are entitled to change their choice.

An administrative decision pursuant to the Administrative Procedure Act must be made on the right to be provided education in religion and worldview studies. An administrative decision is made in cases where the student requests it. A request for an administrative review in respect of such decision can be filed with the Regional State Administrative Agency (section 49 of the Act on General Upper Secondary Education). Instructions for requesting an administrative review must be attached to the decision.

On certificates, grades for religion and culture, worldview and ethics are given as "religion/culture, worldview and ethics" without specifying which education the student participated in.

Neither is the syllabus in religion that the student took indicated on certificates.

If a student does not participate in education in the majority religion or potential worldview studies, and if the student's religion or culture, worldview and ethics are not taught in the education provider's general upper secondary school, the student may participate in instruction provided by their religious community. The general provisions on recognition of prior learning apply to instruction provided by a religious community. The education provider recognises competence acquired elsewhere insofar as it corresponds to the objectives and content of the curriculum. No grade is given for instruction provided by a religious community on the student's certificate.

Due to the small size of teaching groups formed for education in a religion other than the majority religion, it may in practice be necessary to provide the education in a general upper secondary school other than school which the student attends. The education provider may also provide the education together with another provider of general upper secondary education or acquire it from some other education provider. The education must be planned and organised ensuring that the student's right to instruction following the curriculum is realised and that the teaching arrangements are as equal as possible with the instruction of religion provided for the majority of the students. In this respect attention should, for example, be paid to the amount of contact instruction and independent completion of studies.

Some comprehensive schools have provided the instruction of different worldview subjects in a single group. In such arrangements, it should be noted that different worldview subjects have their separate objectives and learning contents defined in the National core curriculum. While they contain similar topics, the national core curricula for various syllabuses in religion and in culture, worldview and ethics are different. The student is entitled to education in accordance with the curriculum and following the syllabus for their religion and worldview subject.

A decision on a complaint that concerned providing education in a joint group in basic education was issued by the Parliamentary Ombudsman in September 2017 (EOAK/3469/2016) and the Regional State Administrative Agency in August 2017 (LSSAVI/4538/06.06.01/2016). These decisions stated that when forming teaching groups, it must be ensured that instruction of the syllabuses in each religion and culture, worldview and ethics fulfil the requirement of achieving the objectives of the curriculum laid down in section 30 of the Basic Education Act. The principle of equity and prohibition of discrimination also guide and restrict the education provider's discretion when making decisions on practical arrangements for instruction. Additionally, the National Non-Discrimination and Equality Tribunal stated in its decision in October 2020 (5.10.2020 360/2017) that providing all instruction of worldview subjects jointly in a single



group was indirect discrimination prohibited in the case handled by the Tribunal, as the right to education in the student's religion was not realised.

In practice, the statements contained in these decisions mean that the instruction of different syllabuses in religion and worldview studies can only be organised in a single teaching group to a limited extent. As stated in the Parliamentary Ombudsman's decision, the teacher must also be qualified as detailed below to teach the syllabuses in each religion and in culture, worldview and ethics taught in a single group. In other words, the qualification requirements apply to the instruction equally, regardless of whether it is provided separately or jointly (see EOAK/3469/2016). The policies outlined in these decisions can also be considered to apply to general upper secondary education.

According to the general upper secondary school curricula introduced at the beginning of August 2021, the general upper secondary school can create joint study units consisting of modules in different subjects. In principle, modules of any subject or syllabus can be integrated into such study units. When creating the study units, however, it must be ensured that the offer of study units does not restrict the student's choices in a manner that is discriminatory from the perspective of freedom of religion: the student must have the opportunity to take studies in different subjects regardless of whether they study religion or culture, worldview and ethics as a compulsory subject. The different syllabuses in religion and culture, worldview and ethics can also be taught as a joint study unit combining several subjects. However, students can only study a single religion and worldview subject or its syllabus as a compulsory subject, and the instruction must be planned and delivered accordingly. For example, instruction can be differentiated regarding the various syllabuses in religion and culture, worldview and ethics within the study unit. The instruction provided for students taking different syllabuses in religion and culture, worldview and ethics studies must be delivered following a curriculum consistent with the National core curriculum.

1.2. Nature and content of education in religion and the teacher's qualification requirements

Education in religion does not constitute practice of religion within the meaning of section 11 of the Constitution of Finland (731/1999).

Instruction of religion is provided following the National core curriculum for general upper secondary schools and local curricula drawn up in compliance with it.

The Finnish National Agency for Education has approved curricula for education in the following religions: Evangelical Lutheran religion, Orthodox religion, Adventist religion, Bahá'í religion, Buddhism, Islam, Judaism, Catholic religion, Hare Krishna religion, and the religions of the Christian Community and the Church of Jesus Christ of Latter-day Saints. If necessary, the Finnish National Agency for Education will also draw up a national core curriculum for education in other religions.

The core curriculum for the instruction of religion was updated as part of the National core curriculum for general upper secondary schools introduced on 1 August 2021. The national core curriculum for the instruction of religion replaces the earlier curriculum for all syllabuses in religion regarding the following parts of the core curriculum common to all syllabuses in religion: the task of the subject, transversal competence in the subject, general objectives of instruction of religion, and assessment. The descriptions of the different syllabuses in religion specify the objectives and core contents of the instruction as required by the nature of each syllabus.



The National core curriculum for general upper secondary schools 2019 contains more detailed descriptions of five syllabuses in religion, or the syllabuses for the Evangelical Lutheran religion, Orthodox religion, Catholic religion, Islam and Judaism. In addition, the Finnish National Agency for Education issued more detailed descriptions of the following syllabuses in 2021: Bahá'í religion, Buddhism and Hare Krishna religion. In the syllabuses in religion for which no detailed descriptions have been issued based on the National core curriculum 2019, the provisions contained in this regulation, which apply to all syllabuses in religion, are complied with. Regarding the more detailed descriptions of specific syllabuses, previously prepared local curricula will still be followed where applicable.

Knowledge of the religion the syllabus focuses on, as well as of other religions and worldviews, is an essential part of education in religion. Familiarisation with a religion also includes getting to know the forms and customs of practising the religion in question. The parliamentary Constitutional Law Committee's report (10/2002 vp.) notes that familiarisation with prayers, hymns and religious ceremonies is part of education in religion. For example, a study visit related to the instruction, on which the students familiarise themselves with a church, mosque or similar religious building or watch a religious ceremony without participating in it, is part of the instruction rather than a religious event. All instruction and other activities must be pedagogically justified and based on the curriculum. Religious spaces can also be used as learning environments in other contexts besides education in religion and worldview studies, including from the perspectives of cultural heritage, art, architecture and history.

Provisions on the qualification requirements for teachers of religion and culture, worldview and ethics are laid down in the Decree on Qualification Requirements for Teaching Staff (986/1998). A subject teacher providing education in the Evangelical Lutheran or Orthodox religion must have not only obtained the general qualifications required of a subject teacher but also completed studies of the religion in question imparting command of the subject that fulfils the applicable requirements.

A person providing education in another faith besides the Evangelical Lutheran or Orthodox religion must, in addition to the qualifications required of a subject teacher, also have completed higher education studies of the religion in question or obtained sufficient knowledge of and familiarity with the religion in question by other means [section 21a of the Decree on Qualification Requirements for Teaching Staff (693/2003)].

A person who meets the qualification requirements for a subject teacher in general upper secondary school laid down in section 10 of the Decree on Qualification Requirements for Teaching Staff is qualified to provide culture, worldview and ethics instruction.

Instruction may be given temporarily for a maximum period of one year by a person with an adequate level of education and the skills required for the task. However, such a person may only be appointed to provide instruction for a period of more than six months if persons fulfilling the qualification requirements for this task are not available as the appointment is made, or for some other particular reason. (Section 23 of the Decree on Qualification Requirements for Teaching Staff.) Appointing formally qualified teachers must always be the basic premise.

The education provider should primarily consider if the person meets the qualification requirements for a teacher of religion and worldview studies. A teacher of religion is not required to be a member of a religious community, and membership in some other religious community does not prevent the teacher from performing this task.



2. Joint festivities in general upper secondary school

Finnish general upper secondary schools have a number of traditional festivals, such as Christmas and Independence Day celebrations and end-of-year festivities. These festivities cannot be religious in nature, and no alternative events are organised for them. Decisions on the festivities and their content are made by education providers and educational institutions.

Joint festivities may also include some elements of religious nature. In the Constitutional Law Committee's view, such traditions are part of Finnish culture. The Committee states in its report that the singing of a single hymn that may be part of the festivities cannot, in the name of religious tolerance, be regarded as an event for practising religion. According to the Constitutional Law Committee, the school's long-standing festivities may also include other similar traditions of religious origin. (Constitutional Law Committee reports 10/2002 vp. and 2/2014 vp.)

The fundamental principle of general upper secondary education is respect for life and human rights. The objective of general upper secondary education is to support the students' balanced mental, physical, and social growth and to promote respect for life, human rights, sustainable development, the environment, and cultural diversity [section 1, subsection 1 of the Government Decree on General Upper Secondary education (810/2018)]. These objectives should also be the basic premise of fostering and developing the tradition of Finnish festivities associated with education.

In his decision issued in November 2019 (EOAK/2186/2018), the Deputy Parliamentary Ombudsman found that if the school's Christmas festival was held in a church and included singing of hymns, reading of the Christmas Gospel and a speech by the pastor of the parish, the festival contained religious elements to a significant extent and, when examined as a whole, must be considered an event for practising religion. The Deputy Ombudsman found that the school had acted unlawfully by organising the school's Christmas festivities as a religious event.

In addition, the Deputy Ombudsman stated in the cited decision that, from the perspective of the students' equity and freedom of religion as well as the neutrality and impartiality required of public authorities in terms of religions and beliefs, organising the school's end-of-term ceremony in a church was also problematic in principle. According to the Deputy Ombudsman, the church is a place specifically intended for organising religious services (a church building referred to in Chapter 14 of the Church Act) and thus conveys religious meanings in itself.

A Constitutional Law Committee report (16/2021) took a stand on the organisation of school festivities in a church. The Constitutional Law Committee stated that organising school festivities in a church does not make the event religious in itself, or mean that its contents constitute practice of religion. The Constitutional Law Committee noted that church buildings are habitually used for various non-religious events, including concerts and other performances. In the Committee's opinion, the use of a church building or other religious space for organising festivities cannot be considered unconstitutional as a basic premise. The Committee emphasises, however, that the use of a church building or any other obviously religious space as a venue for festivities creates tensions in terms of the freedom of religion, equity, and the neutrality of a public authority, which also affect judgements of, for example, what type of content can be considered acceptable when organising festivities that are part of the education in such venues. According to the Constitutional Law Committee, when using a church building or



other religious space for organising school festivities, it must be ensured overall that the students' freedom of religion and conscience is safeguarded equitably.

The statements of the Constitutional Law Committee and the Deputy Ombudsman can also be regarded as applicable to general upper secondary education. However, setting an exact limit for the permitted number of elements of religious nature in joint festivities in general upper secondary school is not possible, and the decision is made at the discretion of the education provider or general upper secondary school. In this consideration, the festivities as a whole and the role of religious elements in them should be accounted for. The Finnish National Agency for Education stresses the importance of careful consideration if the school is planning to organise festivities in religious buildings. The joint festivities of general upper secondary schools are intended for all students at the educational institution and their guardians and, consequently, the aim of the organisation of the festivities, including the selection of the venue, should be ensuring that the arrangements do not exclude anyone from the celebration for reasons related to their beliefs.

General upper secondary school festivities are part of the education and the school's activities in which students must participate. General upper secondary education for young people must be delivered in cooperation with homes. The general upper secondary school must inform the students and their guardians of the events organised at the school and their content. If necessary, individual arrangements should be made for a student if the student prefers not to participate in all parts of a celebration. Such arrangements, including moving the student to another room, must be carried out discreetly and drawing as little attention to them as possible. No substitute programme or activities need be organised for individual religious elements included in festivities.

3. Religious and alternative events in general upper secondary schools

The education provider can decide if religious events and ceremonies, such as church services, religious morning assemblies or other activities with religious content are organised in the general upper secondary school. Religious events and ceremonies must be organised separately from other activities.

Religious events and ceremonies involve practice of religion. Under Article 11, subsection 2 of the Constitution, freedom of religion and conscience entails the right to profess and practice a religion, the right to express one's convictions and the right to be a member of or decline to be a member of a religious community. No one is under the obligation, against his or her conscience, to participate in the practice of a religion. On this basis, a student cannot be obliged to participate in a religious service or morning assembly, or other religious event or celebration. The freedom not to participate in religious events and ceremonies does not depend on whether or not the student is a member of a religious community. This means that neither can members of a particular religious community be obliged to participate in religious events and ceremonies organised by the relevant religious community or the education provider. On the other hand, the intention of section 11, subsection 2 of the Constitution is not to prevent other people's positive freedom to practice a religion. Teachers have an official duty to supervise students, also at religious events organised by the general upper secondary school. However, it is not advisable to assign a teacher to these supervisory duties against their will.

Whenever possible, alternative and meaningful activities must be organised during religious events and ceremonies (Constitutional Law Committee 2/2014 vp). In the Finnish National Agency for Education's view, the basic premise should always be offering alternative activities.



Apart from the religious content, the nature and objectives of the alternative activities must be as similar as possible to those of the event that the activities replace. While the alternative event must not necessarily be organised at the same time as the religious event, the arrangements must be fair for the students.

General upper secondary schools must also ensure that participation, or declining to participate, in religious events does not lead to stigmatisation or other negative consequences for the student. It is essential that the student has a real and genuine freedom to choose whether or not to participate in events and ceremonies with religious content (Constitutional Law Committee 2/2014 vp). When communicating about the content of events, it is sufficient to describe in general what the event is about and where it will be organised. While there is no need to provide the exact details of the event's programme, any partners should be mentioned.

Religious events and ceremonies must be organised separately from other activities, and their names must also give students and guardians a clear idea of their religious nature. For example, a church service before Christmas holidays should not be called an end-of-term ceremony or the school's Christmas festivities. The education provider must ensure that the freedom not to participate in the practice of religion is also implemented at the practical level, for example by organising alternative events at a separate location. Especially when planning religious events and ceremonies that take place during the school's working day and alternative activities for them, the school must ensure that their practical arrangements can be made without jeopardising the students' equal treatment and ensuring that there is no stigmatisation. The general upper secondary school is responsible for the safety of all students participating in different activities.

In his decision EOAK/1417/2019, the Deputy Ombudsman stated that just because a morning assembly is organised by the parish, it does not necessarily mean that the assembly constitutes practice of religion. This view is based on the case-law of the European Court of Human Rights, under which the organiser's presumed or verified background motive cannot be the sole basis for assessing a specific act or event. If it has been agreed with the parish that the morning assemblies held by the parish have universal humanist content and are intended for all students, they cannot include practice of religion. (EOAK/1417/2019.) The education provider must ensure that external actors comply with the regulations and guidelines issued on education. In these cases, it is additionally important to inform students and guardians of the fact that the morning assemblies held by a religious community are of a humanist nature and do not involve practice of religion. Religious or other worldview-related themes can also be discussed in a humanist morning assembly, but they must not be approached in a way that demands or leads to religious or philosophical commitment of the students.

The education provider may also decide not to organise religious events or ceremonies during the working time specified in the general upper secondary school's work plan. This solution should also be opted for when, for example, the facilities or personnel resources of the general upper secondary school make it impossible in practice to organise religious events or ceremonies or activities that provide an alternative for them in compliance with laws and this guideline. A general upper secondary school may engage in cooperation with local parishes and religious communities. The general upper secondary school may agree to the students being informed of possibilities of participating in events organised by religious communities in their free time.

4. Notification of participation and processing of personal data



If this is necessary in order to organise instruction of religion and worldview studies lawfully, the upper secondary school can ask the student to provide a reliable account of their membership in a religious community or the correspondence of the student's upbringing and cultural background with the religion to be taught. Presenting the account to the general upper secondary school is sufficient, and it need not be archived.

The education provider must plan the instruction and other activities related to religion and worldview studies and other religious events at the upper secondary school ensuring that the students, guardians, staff and potential partners are clear about the nature of these activities. When communicating about events, attention should be paid to making sure that the students and guardians understand what the events involve: instruction of religion and worldview studies, a religious event, or something else (see EOAK/3017/2019).

As, pursuant to section 11, subsection 2 of the Constitution, the student has the right to decline to participate in practice of religion by notifying the school of this, any notices sent to the students must contain information about any religious events and ceremonies organised in connection with the instruction, as well as the alternative activities. The information about the content of religious and alternative events must be accurate enough so that the student has a de facto possibility of registering their participation in each case. The general upper secondary school must also ensure that information about religious events and ceremonies in the school and the activities providing an alternative for them reaches the students early enough (see EOAK/2186/2018).

The student notifies the school of whether they wish to attend religious events and ceremonies or participate in the alternative activities. This notification can be given until further notice regarding all religious events, for example when registering with the general upper secondary school or, should the student so wish, on a case-by-case basis. The student can later change their notification. The form of the notification is decided by the education provider. After receiving the notification, the education provider ensures that the student participates in the religious event or ceremony, or the alternative activities, according to their wishes.

When processing the notifications, the education provider must comply with the provisions of the EU's General Data Protection Regulation (2016/679) and the national Data Protection Act that supplements it (1050/2018) concerning the processing of personal data. Under a decision issued by the Parliamentary Ombudsman before the General Data Protection Regulation entered into force and while the national Personal Data Act was valid (EOAK/1825/2016), the education provider can be regarded as having the right to process information related to registration for events. The processing of personal data must be planned in advance and the purpose of the processing must be specified. The education provider must process personal data carefully and follow good data processing practices.

5. Responsibility of the education provider and general upper secondary schools for compliance with this guideline

The education provider must ensure that the instruction referred to in this guideline and the school's joint festivities as well as religious events and ceremonies are planned and organised in compliance with the legislation. For example, the education provider's body responsible for organising instruction may adopt some policies specific to the education provider on joint festivities as well as religious events and ceremonies that must be complied with in its general upper secondary schools. The education provider must also oversee general upper secondary schools' compliance with legislation and policies specific to the education provider.



In general upper secondary schools, the principal bears the overall responsibility for the school's operation and, as part of it, for organising the instruction and other activities at the school in compliance with legislation, the curriculum and the decisions and policies of individual education providers. The principal must familiarise the teachers at their general upper secondary school with this guideline and ensure that the teachers comply with the provisions, regulations and local decisions. Principals, teachers and other employees exercising public authority are subject to liability for acts in office, which underlines their obligation to comply with legislation and the curriculum.

6. Conclusion

Joint events and festivities in general upper secondary schools promote togetherness between the students and staff and strengthen a communal school culture. As the Constitutional Law Committee stated in its report, no requirement to remove all content that has religious elements from the school's activities can be derived from the Constitution or the case-law of the European Court of Human Rights. In the Committee's opinion, exaggerated efforts to avoid traditions of a religious origin do not contribute to religious tolerance. According to the Committee it is, however, important to take into account the key principles evident in the European Court of Human Rights' case-law in the activities of educational institutions and their steering, including the prohibition of indoctrination, the requirement of neutrality of public authorities, and religious tolerance and pluralism. (Constitutional Law Committee report 2/2014 vp.)

The National core curriculum for general upper secondary schools states that participation, agency, and togetherness are emphasised in all general upper secondary school activities. The school culture must promote each student's possibilities for participating in developing the school's learning environment and communal operating culture. Equal treatment comprises not only safeguarding everybody's fundamental rights and opportunities for participation but also addressing and appreciating individual needs. The underlying values of general upper secondary education include seeing human and cultural diversity as a resource. The activities of general upper secondary schools, including lessons and festivities as well as cooperation within and outside the school strengthen the students' ability to work with a wide range of people. The activities of the general upper secondary school must be organised ensuring that, as referred to in the Act on General Upper Secondary Education, they help students grow into decent, well-rounded and educated human beings and active members of society.

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This regulation has been approved electronically in the Finnish National Agency for Education's case management system.