

The Comprehensive Law on the Education System

Law No. 49/2005, of 30 August

Second amendment to the Basic Education System Act and first amendment to the Basic Higher Education Financing Act.

The Assembly of the Republic hereby decrees, pursuant to Article 161(c) of the Constitution, the following:

Article 1 Amendment to Law No. 46/86, of 14 October

Articles 11, 12, 13, 31 and 59 of Law No. 46/86, of 14 October (Comprehensive Law on the Education System), amended by Law No. 115/97, of 19 September, are replaced by the following:

«Article 11 [. . .]

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2 - The objectives of higher education are:

a) To stimulate cultural creation and the development of a scientific and entrepreneurial spirit, as well as reflective thinking;

b) To train graduates in the different areas of knowledge, qualified to enter professions and for participation in the development of society, and to collaborate in their continuing training;

c) To stimulate scientific research and investigation, aimed at the development of science and technology, of humanities and the arts, and the creation and diffusion of culture and, thus, to develop understanding of humankind and the environment;

d) To promote the dissemination of cultural, scientific and technical knowledge, which are a world heritage, and to communicate knowledge through education, publications or other forms of communication;

e) To arouse a permanent desire for further cultural and professional training and to provide conditions to fulfil this desire, integrating the knowledge that is being acquired into a systematised intellectual structure with the knowledge of each generation, in line with life-long education and to generational and intergenerational investment, with a view to achieving unity in the training process;

f) To stimulate knowledge of the problems of the world today, through a global perspective, in particular national, regional and European problems, to provide specialist services to the community and to establish a relationship of reciprocity with the community;

g)

h) To promote and value Portuguese language and culture;

i) To promote critical awareness and freedom of expression and of research.

3 - University education, oriented from a constant perspective of promotion of research and creation of knowledge, aims to ensure a solid academic and cultural preparation and to provide a technical training in preparation for the exercising of professional and cultural activities and in promotion of the development of the skills of design, innovation and of critical analysis.

4 - Polytechnic education, oriented from a constant perspective of applied research and of development, aimed at the understanding and solving of specific problems, aims to provide solid cultural and technical training at a high level, to develop the capacity for innovation and for critical analysis and to provide scientific knowledge of a theoretical and practical nature and its applications with a view to exercising professional activities.

Article 12 [. . .]

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5 - The following also have access to higher education, under conditions to be defined by the Government, by decree-law:

a) Those over 23 who, not holding qualifications for access to higher education, demonstrate their ability to pursue higher education by completing specially designed tests, conducted by higher education establishments;

b) The holders of appropriate post-secondary qualifications.

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7 - Working students will have special regimes for access, admission and attendance of higher education that guarantee the objectives of life-long learning and of flexibility and mobility of academic pathways.

Article 13

Organisation of education, recognition and mobility

1 - The organisation of the education provided by higher education establishments adopts the European credit system.

2 - Credits are the unit of measurement of a student's workload.

3 - The number of student working hours to be considered includes all forms of work envisaged, in particular contact hours and hours devoted to placements, projects, fieldwork, study and evaluation.

4 - The mobility of the students between national higher education establishments, from the same or from different subsystems, as well as between foreign and national higher education establishments, is ensured through the credit system, based on the principle of mutual recognition of the value of the education and skills acquired.

5 - Higher education establishments recognise, through the award of credits, the professional experience and the post-secondary training of those admitted through the special forms of access referred to in Paragraph 5 of Article 12.

6 - Higher education establishments may collaborate with other national or foreign higher education establishments to award the academic degrees and diplomas provided for in the following articles.

7 - No higher education establishments may operate under a franchise agreement.

Article 31

[. . .]

1 - Nursery teachers and primary and secondary school teachers acquire professional qualifications from higher education courses organised in accordance with professional performance requirements in the corresponding level of nursery and school education.

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6 - The professional qualifications of teachers of subjects of a professional, vocational or artistic nature in primary or secondary education may be acquired through higher education courses that ensure training in the area of the corresponding subject, complemented by appropriate pedagogical training.

7 - The professional qualifications of secondary education teachers may also be acquired through higher education courses that ensure academic training in the corresponding teaching area complemented by appropriate pedagogical training.

Article 59

[. . .]

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a)

b)

c)

d)

e)

f) Higher Education;

g) [Previously subparagraph f).]

h) [Previously subparagraph g).]

i) [Previously subparagraph h).]

j) [Previously subparagraph i).]

l) [Previously subparagraph j).]

m) [Previously subparagraph l).]

n) [Previously subparagraph m).]

o) [Previously subparagraph n).]

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Article 2
Additions to Law No. 46/86, of 14 October

Articles 13-A, 13-B, and 13-C are added to Law No. 46/86, of 14 October (Basic Education System Act), amended by Law No. 115/97, of 19 September, as follows:

«Article 13-A
Academic degrees

- 1 - Higher education awards the academic degrees of *bacharel*, *licenciado*, master's and doctoral degree.
- 2 - A *licenciado* degree is awarded in university and polytechnic education.
- 3 - A *licenciado* degree is awarded after a course of study with a number of credits that corresponds to a duration of between six and eight curriculum semesters of work.
- 4 - A master's degree is awarded in university and polytechnic education.
- 5 - The following have access to the course of study leading to a master's degree:
 - a) Holders of a *licenciado* degree;
 - b) Holders of a foreign higher education academic degree that is recognised as satisfying the objectives of the *licenciado* degree by the statutorily competent academic body of the higher education establishment where they intend to be admitted.
- 6 - A master's degree is awarded:
 - a) After a course of study with a number of credits that corresponds to a duration of between three and four curriculum semesters of work;
 - b) In exceptional cases, after a course of study with a number of credits that corresponds to two curriculum semesters of work.
- 7 - A master's degree may also be awarded after an integrated course of study with a number of credits that corresponds to a duration of between 10 and 12 curriculum semesters of work, in cases in which, to be entitled to exercise a particular profession, that duration:
 - a) Is established by European Union regulations;
 - b) Results from stable and consolidated practice in the European Union.
- 8 - The course of study referred to in the preceding paragraph may be organised in stages, and the education establishment may award a *licenciado* degree to those who have concluded a period of studies with a duration not less than six semesters.
- 9 - A doctoral degree is awarded in university education.
- 10 - The following have access to the course of study leading to a doctoral degree:
 - a) Holders of a master's degree;
 - b) Holders of a academic, scientific or professional curriculum that is recognised by the statutorily competent academic body of the higher education establishment where they intend to be admitted as attesting to their ability to complete this course of study.
- 11 - Only the higher education establishments that have their own teaching staff, qualified in this field, and other human and material resources that guarantee the level and quality of the education acquired may award an academic degree in a particular field.
- 12 - Only higher education establishments university which, in addition to the conditions referred to in the preceding paragraph, demonstrate that they have, in that field, the human and organisational resources necessary to conduct research and the accumulated experience in that domain subject to evaluation and materialised in relevant scientific and academic production, may award a doctoral degree in a particular area.

Article 13-B
Diplomas

- 1 - Higher education establishments may offer courses that do not award an academic degree the successful completion of which leads to the award of a diploma.
- 2 - The course of study leading to a *licenciado* degree or master's degree can be organised in stages, each stage corresponding to the award of a diploma.

Article 13-C
Post-secondary training

1 - Higher education establishments may also organise non-higher post-secondary education courses aimed at specialised vocational training.

2 - The holders of the courses referred to in the preceding paragraph are qualified to apply for admission to and to enter higher education, the higher education studies carried out in those courses being creditable within the framework of the course on which they are admitted.»

Article 3
Amendment to Law No. 37/2003, of 22 August

Article 16 of Law No. 37/2003, of 22 August (which establishes the stages of financing of higher education), is replaced by the following:

«Article 16
[. . .]

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2 - The value of the tuition fees is established depending on the nature of the courses and on their quality, with a minimum value corresponding to 1.3 of the national minimum wage in force and a maximum value that may not be greater than the value established in Article 1(2) of the table attached to Decree-Law No. 31 658, of 21 November 1941, updated, for the preceding calendar year, through the application of the consumer price index of the Instituto Nacional de Estatística.

3 - The value of the tuition fees for enrolment on the course of study leading at a master's degree organised under the terms of Article 13-A(7) of Law No. 46/86, of 14 October (Basic Education System Act), is established in accordance with the preceding subparagraph.

4 - The value of the tuition fees due for enrolment on the course of study leading at a master's degree in other cases is established by the bodies referred to in Article 17, under terms to be defined by the Government.

5 - The value of the tuition fees due for enrolment on the course of study leading at a doctoral degree is established by the bodies referred to in subparagraphs a) and c) of Article 17.

6 - The value of the tuition fees due for enrolment on other programmes of study is established by the bodies referred to in Article 17.

7 - (Previously 4.)

8 - When universities, polytechnic institutes and non-integrated higher education establishments and their organisational units with administrative and financial autonomy do not establish in a particular year the value of the tuition fees, their amount is updated under the terms of Paragraph 2.»

Article 4
Republication

Law No. 46/86, of 14 October, with the amendments introduced by Law No. 115/97, of 19 September, and with the amendments and additions introduced by this law, is republished and renumbered in its entirety in the appendix, which is an integral part hereof.

Approved on 28 July 2005.

The President of the Assembly of the Republic, Jaime Gama.
Enacted on 14 August 2005.

To be published.

The President of the Republic, Jorge Sampaio.

Countersigned on 18 August 2005.

The Prime Minister, José Sócrates Carvalho Pinto de Sousa.

ANNEX
Comprehensive Law on the Education System

CHAPTER I
Scope and principles

Article 1
Scope and definition

1 - This law sets out the general framework of the education system.

2 - The education system is the set the means whereby the right to education is achieved, expressed by the guarantee of permanent training designed to benefit the overall development of the personality, social progress and the democratisation of society.

3 - The education system is developed according to an organised set of diverse structures and actions, on the initiative and under the responsibility of different public, private and cooperative institutions and entities.

4 - The geographic scope of the education system is the entirety of the Portuguese territory - mainland and Autonomous Regions -, but it should be sufficiently flexible and diversified to cover most of the countries and locations where there are Portuguese communities or where there is strong interest in the development and dissemination of Portuguese culture.

5 - The coordination of the education system policy, regardless of the institutions of which it is composed, is the responsible of a ministry especially set up for this purpose.

Article 2
General principles

1 - All the Portuguese have the right to education and to culture, under the terms of the Constitution of the Republic.

2 - The State has a special responsibility in promoting the democratisation of education, guaranteeing the right to fair and effective equal opportunities for access to education and for success.

3 - In access to education and in its practice, all the Portuguese are guaranteed respect for the principle of freedom to learn and to teach, with tolerance for possible choices, taking into account, in particular, the following principles:

a) The State cannot give itself the right to programme education and culture according to any philosophical, aesthetic, political, ideological or religious guidelines;

b) Public education shall not be denominational;

c) The right to create private and cooperative schools is guaranteed.

4 - The education system responds to needs arising from social reality, contributing to the full and harmonious development of the personality of individuals, encouraging the formation of free, responsible, autonomous and supportive citizens and enhancing the human dimension of work.

5 - Education promotes the development of a democratic and pluralist spirit, which respects individuals and their ideas, is open to dialogue and to free exchange of opinions, which will form citizens able to judge their social environment with a critical and creative spirit and to be committed to its progressive transformation.

Article 3
Organisational principles

The education system is organised so as to:

a) Contribute to the defence of the national identity and to the strengthening of allegiance to Portugal's historic origins, through development of awareness of the cultural patrimony of the Portuguese people, in the framework of the European universalist tradition and the growing interdependence and necessary solidarity among all the people of the world;

b) Contribute to the fulfilment of learners, through full development of personality, character formation and citizenship, preparing them for conscious reflection on the spiritual, aesthetic, moral and civic values and providing with balanced physical development;

c) Ensure the civic and moral education of young people;

d) Ensure the right to difference, through respect for personalities and for individual projects of existence, as well as through consideration and enhancement of different forms of knowledge and different cultures;

e) Develop the capacity for work and provide, based on a solid general instruction, a specialised training to occupy a fair place in the labour market life which enables individuals to make a contribution to the progress of the society in keeping with their interests, abilities and vocation;

f) Contribute to personal fulfilment as individuals and members of a community, not only through instruction for the system of socially useful occupations but also through the practice and learning of creative use of free time;

g) Decentralise, devolve and diversify education structures and actions in order to ensure its correct adaptation to realities, a high sense of participation among populations, appropriate integration into the community and efficient decision-making levels;

h) Contribute to the correction of disparities in regional and local development, increasing in all regions of the Country equality of access to the benefits of education, culture and science;

i) Provide second chance education for those unable to who were unable to pursue education at the normal age, those who turn to the education system for professional reasons or for cultural promotion, due, in particular, to retraining or further training needs resulting from developments in academic and technological knowledge;

j) Ensure equal opportunities for both sexes, in particular through the practice of coeducation and academic and professional orientation, and raise awareness, for this purpose, among all those involved in the education process;

l) Contribute to the development of a democratic spirit and democratic practices, through the adoption of participative structures and processes in the definition of the education policy, in the administration and management of the school system and in daily teaching experience, which integrate all participants in the education process, in particular students, teaching staff and families.

CHAPTER II **Organisation of the education system**

Article 4 **General organisation of the education system**

1 - The education system covers pre-school education, school education and out of school education.

2 - Pre-school education, in its formative aspect, is complementary and/or supplementary to the family's educational role, with which close co-operation should be established.

3 - School education covers basic, secondary and higher education, including special forms of education and extra-curricular activities.

4 - Out of school education includes literacy and basic education, further cultural and scientific training, and initiation, retraining and further training, and takes place in an open framework of multiple initiatives of a formal and non-formal nature.

SECTION I **Pre-school education**

Article 5 **Pre-school education**

1 - The objectives of pre-school education are:

a) To stimulate the abilities of each child and to facilitate their instruction and the balanced development of all their potential;

b) To contribute to emotional stability and security of the child;

c) To encourage observation and understanding of the natural and human environment to improve the integration and participation of the child;

d) To develop the moral education of the child and a sense of responsibility, associated with a sense of freedom;

e) To encourage the integration of the child into different social groups, complementary to the family, with a view to the development of sociability;

f) To develop the child's expressive and communication skills, as well as creative imagination, and to encourage play activities;

g) To instil habits of hygiene and the preservation of personal and collective health;

h) To identify maladjustment, disabilities or precocious behaviour and to promote the best orientation and guidance of the child.

2 - The pursuit of the objectives listed shall comply with the appropriate contents, methods and techniques, taking into account the coordination with the family environment.

3 - Pre-school education is for children between the age of 3 and the age of entrance into basic education.

4 - The State is responsible for ensuring the existence of a pre-school education network.

5 - The pre-school education network comprises specific institution, on the initiative of central, regional or local authorities and other collective or individual entities, in particular parents and residents associations, civic and denominational organisations, labour and corporate organisations and social welfare institutions.

6 - The State should support pre-school education institutions integrated into the public network, subsidising at least part of their running costs.

7 - The ministry responsible for the coordination of education policies should define the general regulations for pre-school education, in particular in its pedagogical and technical aspects, and should support and supervise their enforcement and application.

8 - Attendance of pre-school education is optional in recognition of the fact that the family has an essential role in the pre-school education process.

SECTION II

School education

SUBSECTION I

Basic Education

Article 6

Universality

1 - Basic education is universal, compulsory and free and lasts for nine years.

2 - Children enter basic education if they have reached the age of 6 by 15 September of the year in question.

3 - Children who reach their 6th birthday between 16 September and 31 December may enter basic education at the request of their parent or guardian, on terms to be regulated.

4 - Compulsory attendance of basic education ends at the age of 15.

5 - The principle of free basic education covers tuition fees, charges and fees related to registration, attendance and certification, and may also include the provision of free books and school materials to students, as well as transport, food and accommodation, when necessary.

Article 7

Objectives

The objectives of basic education are:

a) To provide general instruction that will be the same for all Portuguese and that will ensure that their interests and skills, reasoning capacity, memory, critical awareness, creativity, moral sense and aesthetic taste will be detected and developed, promoting individual realisation in harmony with the values of social solidarity;

b) To ensure that the relationship between learning and learning to do, between theory and practice, and between school culture and everyday culture is well balanced in this instruction;

c) To provide room for physical and motor development, promoting manual activities and artistic education to make pupils aware of the different forms of static expression, detecting and encouraging skills in these fields;

d) To teach a first foreign language and begin a second;

e) To give pupils the basic knowledge that will allow them to pursue studies or join vocational training schemes, as well as helping pupils acquire and develop methods and instruments for individual and group work, promoting the human dimension of work;

f) To encourage a national awareness open to reality from a perspective of universal humanism, solidarity and international co-operation;

g) To develop understanding and an appreciation for the values of a Portuguese identity, language, history and culture;

h) To provide pupils with experiences that encourage civic maturity and social and emotional maturity, creating in them positive attitudes and habits in their relationships and in co-operation with others, whether within the family or in conscientious, responsible intervention in the reality surrounding them;

i) To help pupils acquire independent attitudes, with a view to forming citizens with a sense of their civic responsibilities and who intervene democratically in community life;

j) To respond to the special educational needs of children who suffer from physical or mental handicaps, providing them with conditions suitable for their development and for making full use of their skills;

- l) To encourage a taste for constantly learning more;
- m) To participate in the process of information and educational guidance in collaboration with families;
- n) To encourage, with freedom of conscience, the acquisition of ideas of civic and moral education;
- o) To create the conditions to encourage school and educational success for all pupils.

Article 8 Organisation

1 - Basic education has three sequential cycles, the 1st with four years, the 2nd with two years and the 3rd with three years, organised as follows:

- a) In the 1st cycle, the education provided is generalist and taught by a single teacher who may be assisted in specialist areas;
- b) In the 2nd cycle, the teaching is organised into interdisciplinary areas of basic level education, mostly with one teacher for each area;
- c) In the 3rd cycle, the teaching is organised around a unified curriculum, including a variety of vocational areas, and with one teacher for each subject or group of subjects.

2 - Co-ordination between the cycles follows a progressive sequence, so that each cycle is responsible for completing, developing and extending the previous cycle with a view to the global unity of basic education.

3 - The specific objectives of each cycle are included in the general objectives of basic education, under the terms of the preceding paragraphs and in accordance with the corresponding age of the pupils, taking into account the following particular characteristics:

- a) For the 1st cycle, the development of oral language and the introduction to and progressive command of reading and writing, of essential elements of arithmetic and calculation, of the physical and social environment and of artistic, dramatic, musical and physical expression;
- b) For the 2nd cycle, humanistic, artistic, physical and sports, scientific and technological instruction and moral and civic education, to enable pupils to assimilate and critically and creatively interpret information, to provide conditions for the acquisition of work methods and instruments and of knowledge that enables them to pursue their education, with a view to the development of active and conscious attitudes towards the community and its most important problems;
- c) For the 3rd cycle, the systematic and differentiated acquisition of modern culture, in its humanistic, literary, artistic, physical, sports and technological aspects, all of which are essential for entering the labour force and for continuing studies, as well as educational and vocational guidance, to facilitate the choice between further education or entering the labour force, respecting individual achievement.

4 - At specialised basic education schools, artistic training or physical education and sports components can be increased, without prejudice to basic instruction.

5 - The successful completion of basic education grants the right to the award of a diploma, and an attendance certificate can also be issued for any successfully completed year or cycle, when requested.

SUBSECTION II Secondary education

Article 9 Objectives

The objectives of secondary education are:

- a) To ensure the development of reasoning, reflection and scientific curiosity and the strengthening of the fundamental elements of a humanistic, artistic, scientific and technical culture, which will provide the cognitive and methodological tools appropriate either for further education or for entering the labour force;
- b) Provide young people with the knowledge necessary to understand aesthetic and cultural expression and to provide conditions for the improvement of their artistic expression;
- c) To encourage the acquisition and application of increasingly detailed knowledge in detail based on study, critical reflection, observation and experimentation;
- d) To form young people interested in the solution of the country's problems and aware of the problems of the international community, based on the reality of regional and national life and on the values of society in general and of Portuguese culture in particular;
- e) To provide contact with and experience of the labour world, by reinforcing links between schools, working life and the community and by mobilising the innovative and intervening function of the school;

- f) To encourage the vocational guidance and training of young people, through technical and technological preparation, with a view to their entering the labour force;
- g) To raise working habits, individually and in group, and to favour the development of attitudes of methodical reflection, of open-mindedness, of sensitivity and capacity to adapt to change.

Article 10 Organisation

- 1 - Access to any secondary education course is open to those who have successfully completed basic education.
- 2 - The secondary education courses last three years.
- 3 - Secondary education is organised in differentiated ways that make provision for the existence of courses geared primarily for entering the labour market and for further studies, all containing technical, technological and vocational elements, as well as Portuguese language and culture suited to the nature of each course.
- 4 - Pupils are guaranteed the chance of crossing between courses primarily geared for entering the labour market and courses primarily geared for further studies.
- 5 - The successful completion of secondary education grants the right to be awarded a diploma, which will certify the instruction acquired and, in the case of the courses primarily geared for entering the labour market, the qualification obtained to exercise a particular profession.
- 6 - In secondary education each teacher is responsible, in principle, for just one subject.
- 7 - Specialist establishments can be created for technical and technological courses or for artistic training.

SUBSECTION III Higher education

Article 11 Scope and objectives

- 1 - Higher education includes university education and polytechnic education.
- 2 - The objectives of higher education are:
 - a) To stimulate cultural creation and the development of a scientific and entrepreneurial spirit, as well as reflective thinking;
 - b) To train graduates in the different areas of knowledge, qualified to enter professions and for participation in the development of society, and to collaborate in their continuing training;
 - c) To stimulate scientific research and investigation, aimed at the development of science and technology, of humanities and the arts, and the creation and diffusion of culture and, thus, to develop understanding of humankind and the environment;
 - d) To promote the dissemination of cultural, scientific and technical knowledge, which are a world heritage, and to communicate knowledge through education, publications or other forms of communication;
 - e) To arouse a permanent desire for further cultural and professional training and to provide conditions to fulfil this desire, integrating the knowledge that is being acquired into a systematised intellectual structure with the knowledge of each generation, in line with life-long education and to generational and intergenerational investment, with a view to achieving unity in the training process;
 - f) To stimulate knowledge of the problems of the world today, through a global perspective, in particular national, regional and European problems, to provide specialist services to the community and to establish a relationship of reciprocity with the community;
 - g) To continue the cultural and professional education of citizens by promoting appropriate forms of cultural extension;
 - h) To promote and value Portuguese language and culture;
 - i) To promote critical awareness and freedom of expression and of research.
- 3 - University education, oriented from a constant perspective of promotion of research and creation of knowledge, aims to ensure a solid academic and cultural preparation and to provide a technical training in preparation for the exercising of professional and cultural activities and in promotion of the development of the skills of design, innovation and of critical analysis.
- 4 - Polytechnic education, oriented from a constant perspective of applied research and of development, aimed at the understanding and solving of specific problems, aims to provide solid cultural and technical training at a high level, to develop the capacity for innovation and for critical analysis and to provide scientific knowledge of a theoretical and practical nature and its applications with a view to exercising professional activities.

Article 12

Access

1 - Those holding a secondary school diploma or an equivalent qualification who pass an entrance ability test have access to higher education.

2 - The Government defines, by decree-law, the systems of access and admission to higher education, in accordance with the following principles:

- a) Democracy, fairness and equal opportunities;
- b) Objectivity of the criteria used for the selection and classification of candidates;
- c) Universality of rules for each of the subsystems of higher education;
- d) Valuation of the educational pathway of the candidate in secondary education, taking into account both continuous evaluation and national examinations, reflecting the importance for access to higher education of the system of national certification of secondary education;
- e) Mandatory use of the final grade of secondary education in the classification procedure;
- f) Coordination of higher education establishments for conducting the evaluation, selection and classification in order to avoid a proliferation of tests to which the candidates may be subject;
- g) National nature of the process from application to registration and enrolment in public higher education establishments, without prejudice to the holding, in duly reasoned cases, of competitive tests of a local nature;
- h) Organisation of application operations by the services of the central and regional education administration.

3 - Within the limits defined by the preceding paragraph, the process of entrance ability evaluation, as well as the process of selection and classification of candidates for admission to each course and higher education establishment is the responsibility of the higher education establishments.

4 - The State should progressively ensure the elimination of overall quantitative restrictions in access to higher education (*numerus clausus*) and create conditions for existing courses and courses to be created to correspond globally to the needs for qualified personnel, individual aspirations and the raising of the educational, cultural and academic level of the Country and for the quality of the education provided to be guaranteed.

5 - The following also have access to higher education, under conditions to be defined by the Government, by decree-law:

- a) Those over 23 who, not holding qualifications for access to higher education, demonstrate their ability to pursue higher education by completing specially designed tests, conducted by higher education establishments;
- b) The holders of appropriate post-secondary qualifications.

6 - The State should create conditions to guarantee citizens the possibility of attending higher education, in order to prevent the discriminatory effects of economic and regional inequality or of prior social disadvantages.

7 - Working students will have special regimes for access, admission and attendance of higher education that guarantee the objectives of life-long learning and of flexibility and mobility of academic pathways.

Article 13

Organisation of education, recognition and mobility

1 - The organisation of the education provided by higher education establishments adopts the European credit system.

2 - Credits are the unit of measurement of a student's workload.

3 - The number of student working hours to be considered includes all forms of work envisaged, in particular contact hours and hours devoted to placements, projects, fieldwork, study and evaluation.

4 - The mobility of the students between national higher education establishments, from the same or from different subsystems, as well as between foreign and national higher education establishments, is ensured through the credit system, based on the principle of mutual recognition of the value of the education and skills acquired.

5 - Higher education establishments recognise, through the award of credits, the professional experience and the post-secondary training of those admitted through the special forms of access referred to in Paragraph 5 of Article 12.

6 - Higher education establishments may collaborate with other national or foreign higher education establishments to award the academic degrees and diplomas provided for in the following articles.

7 - No higher education establishments may operate under a franchise agreement.

Article 14

Academic degrees

1 - Higher education awards the academic degrees of *bacharel*, *licenciado*, master's and doctoral degree.

2 - A *licenciado* degree is awarded in university and polytechnic education.

3 - A *licenciado* degree is awarded after a course of study with a number of credits that corresponds to a duration of between six and eight curriculum semesters of work.

4 - A master's degree is awarded in university and polytechnic education.

5 - The following have access to the course of study leading to a master's degree:

a) Holders of a *licenciado* degree;

b) Holders of a foreign higher education academic degree that is recognised as satisfying the objectives of the *licenciado* degree by the statutorily competent academic body of the higher education establishment where they intend to be admitted.

6 - A master's degree is awarded:

a) After a course of study with a number of credits that corresponds to a duration of between three and four curriculum semesters of work;

b) In exceptional cases, after a course of study with a number of credits that corresponds to two curriculum semesters of work.

7 - A master's degree may also be awarded after an integrated course of study with a number of credits that corresponds to a duration of between 10 and 12 curriculum semesters of work, in cases in which, to be entitled to exercise a particular profession, that duration:

a) Is established by European Union regulations;

b) Results from stable and consolidated practice in the European Union.

8 - The course of study referred to in the preceding paragraph may be organised in stages, and the education establishment may award a *licenciado* degree to those who have concluded a period of studies with a duration not less than six semesters.

9 - A doctoral degree is awarded in university education.

10 - The following have access to the course of study leading to a doctoral degree:

a) Holders of a master's degree;

b) Holders of a academic, scientific or professional curriculum that is recognised by the statutorily competent academic body of the higher education establishment where they intend to be admitted as attesting to their ability to complete this course of study.

11 - Only the higher education establishments that have their own teaching staff, qualified in this field, and other human and material resources that guarantee the level and quality of the education acquired may award an academic degree in a particular field.

12 - Only higher education establishments university which, in addition to the conditions referred to in the preceding paragraph, demonstrate that they have, in that field, the human and organisational resources necessary to conduct research and the accumulated experience in that domain subject to evaluation and materialised in relevant scientific and academic production, may award a doctoral degree in a particular area.

Article 15

Diplomas

1 - Higher education establishments may offer courses that do not award an academic degree the successful completion of which leads to the award of a diploma.

2 - The course of study leading to a *licenciado* degree or master's degree can be organised in stages, each stage corresponding to the award of a diploma.

Article 16

Post-secondary training

1 - Higher education establishments may also organise non-higher post-secondary education courses aimed at specialised vocational training.

2 - The holders of the courses referred to in the preceding paragraph are qualified to apply for admission to and to enter higher education, the higher education studies carried out in those courses being creditable within the framework of the course on which they are admitted.

Article 17

Establishments

1 - University education is provided in universities and in non-integrated university schools.

2 - Polytechnic education is provided in schools of higher education specialised in the fields of technology, the arts and education, among others.

3 - Universities can be comprised of separate schools, institutes or faculties and/or of departments or other units, and may also include polytechnic schools of higher education.

4 - Polytechnic schools of higher education can be associated in broader units, with various designations, according to criteria of regional interest and/or the nature of the schools.

Article 18 **Scientific research**

1 - The State should guarantee material and cultural conditions for scientific creation and research.

2 - Conditions will be created at the higher education institutions for the promotion of scientific research and for conducting research and development activities.

3 - Scientific research in higher education should take into account the primary objectives of the institution where it is carried out, without prejudice to its relevance to the progress, knowledge and solving of problems raised by the social, economic and cultural development of the Country.

4 - Condition should be guaranteed for the publication of the scientific work and facilitate the dissemination of new knowledge and perspectives of scientific thinking, of technological advances and of cultural creation.

5 - It is for the State to encourage collaboration between public, private and cooperative entities in order to encourage the development of science, of technology and of culture, particularly with a view to the interests of the collectivity.

SUBSECTION IV **Special forms of school education**

Article 19 **Forms**

1 - Special forms of school education are:

- a) Special education;
- b) Vocational training;
- c) Recurrent adult education;
- d) Distance learning;
- e) Portuguese language teaching abroad.

2 - Each of these forms is integral part of school education, but governed by special provisions.

Article 20 **Scope and objectives of special education**

1 - The aim of special education is the socio-educational rehabilitation and integration of individuals with specific educational needs, due to physical and mental handicaps.

2 - Special education includes activities geared to learners and actions geared to families, teachers and communities.

3 - Within the scope of the objectives of the educational system, the following are particularly important in special education:

- a) The development of physical and intellectual potential;
- b) Assistance in acquiring emotional stability;
- c) The development of communication possibilities;
- d) Reducing limitations caused by disabilities;
- e) Support for family, school and social insertion of disabled children and young people;
- f) The development of independence at all levels;
- g) Preparation for appropriate vocational training and integration into the work force.

Article 21 **Organisation of special education**

1 - Special education is organised according to various models of integration into mainstream education establishments, taking into account any specific attention requirements, and with support from specialised teachers.

2 - Special education can also be provided in specific institutions when demonstrably justified by the type and degree of disability of the learner.

3 - Forms of special education are also organised with a view to the professional integration of the disabled.

4 - Basic education for disabled children and young people should have curricula and plans of study duly adapted to the characteristics of each type and degree of disability and also methods of evaluation adapted to the specific difficulties.

5 - The State is responsible for promoting and supporting special education for the disabled.

6 - Special education initiatives may be organised by central, regional or local authorities or other collective organisations, particularly parents and residents associations, civic and denominational organisations, trade unions and corporate organisations and social welfare institutions.

7 - The ministry responsible for the coordination of education policies should define the general regulations for special education, in particular in its pedagogical and technical aspects, and should support and supervise their enforcement and application.

8 - At national level, the State is responsible for promoting action geared to the explanation, prevention and early treatment of disabilities.

Article 22

Vocational training

1 - As a complement to the process of preparation for working life which began in basic education, vocational training is offered in order to introduce students to the world of work by equipping them with vocational knowledge and skills, as a response to national needs for development and technological change.

2 - The following have access to vocational training:

- a) Those who have completed compulsory education;
- b) Those who have not completed compulsory education by its upper age limit;
- c) Workers seeking further training or vocational retraining.

3 - Vocational training is structured according to an institutional and pedagogical model that has sufficiently flexibility to integrate pupils with different characteristics and levels of education.

4 - Vocational training is structured to develop to provide:

- a) Vocational preparation;
- b) Vocational qualification;
- c) Further training;
- d) Vocational retraining.

5 - The organisation of vocational training courses should be adapted to current national and regional employment needs and may include modules of varying length which can be combined so as to obtain increasingly higher professional levels.

6 - The courses and modules can be run according to various different institutional forms, in particular:

- a) Use of basic and secondary education schools;
- b) Agreements with companies and local authorities;
- c) Support for state and non-state institutions and initiatives;
- d) Organisation of community actions and services to the community;
- e) Creation of specific institutions.

7 - The successful completion of a vocational training module or course grants the right to be awarded a certificate.

8 - Processes will be established that encourage continuation and progression within the school education system of those who complete vocational training courses.

Article 23

Recurrent adult education

1 - Recurrent education is organised for people over the normal age for attending basic and secondary education.

2 - This education is also designed for people who did not have the chance to join the school education system at the normal age, and is particularly geared to eliminating illiteracy.

3 - The following are eligible for this form of education:

- a) Those over 15 years of age for basic education;
- b) Those over 18 years of age for secondary education.

4 - This education awards the same diplomas and certificates as normal education, although forms of access and programmes of study and teaching methods are organised differently, taking into account the age groups concerned, their experience of life and the level of knowledge shown.

5 - The vocational training referred to in the preceding article can also be organised in the form of recurrent education.

Article 24
Distance learning

1 - Distance learning using multimedia and new information technologies represents a way of complementing mainstream education and also an alternative form of school education.

2 - Distance learning will have particular interest for recurrent education and the continuing training of teachers.

3 - The *universidade aberta* (open university) operates as a form of distance learning.

Article 25
Portuguese language teaching abroad

1 - The State will promote the dissemination and study of Portuguese language and culture abroad by way of varied actions and means aimed in particular at its inclusion in the school curriculum in other countries and the creation and maintenance Portuguese language assistantships, with Portuguese teachers, at foreign universities.

2 - Support shall be given to initiatives to set up Portuguese schools in other Portuguese-speaking countries and for Portuguese expatriate communities.

3 - The teaching of Portuguese language and culture to emigrant workers and their children will be provided through courses and activities promoted in the immigration countries, within their school systems or as additional courses.

4 - The State shall encourage and support initiatives taken by Portuguese associations and foreign organisations, both state and private, which seek to disseminate and teach Portuguese language and culture.

SECTION III
Out of school education

Article 26
Out of school education

1 - The aim of out of school education is to enable all individual citizens to develop their knowledge and potential, in a way which complements their school education or fills any gaps in their education.

2 - Out of school education is provided from a lifelong learning perspective and aims to promote continuity and an all-round education.

3 - Fundamental aspects of out of school education are:

a) To eliminate literal and functional illiteracy;

b) To contribute to real equality of educational and professional opportunities for those who did not attend regular education or who left the system early, in particular through literacy programmes and basic adult education;

c) To encourage attitudes of social solidarity and participation in community life;

d) To prepare adults whose qualifications or vocational training have become insufficient as a result of technological development for employment by way of retraining and further training;

e) To develop technological skills and technical know-how to enable adults to adapt to contemporary life;

f) To provide creative extra-curricular activities for young people and adults of a cultural nature.

4 - Out of school education activities can be run in cultural extension programmes in the school system, or in open systems, making use of the media and appropriate education technology.

5 - It is for the State to promote out of school activities and to support those run on the initiative of local authorities, cultural and recreational associations, parents associations, student associations and youth organisations, centres for popular education, unions and workers committees, civic and denominational organisations and others.

6 - The State, besides taking into account the educational dimension of television and radio programmes in general, ensures the existence and running of educational radio and television, in order to ensure a diversity of programmes, with sufficiently extensive and varied daily broadcasting times.

CHAPTER III

Supplementary educational support

Article 27

Promotion of scholastic success

- 1 - Supplementary education support activities and measures are established to contribute to equal opportunities for access and scholastic success.
- 2 - Supplementary educational support is given priority during compulsory education.

Article 28

Support for pupils with specific needs

Basic education establishments ensure the provision of teaching support and supplementary activities, through positive discrimination, to pupils with specific needs.

Article 29

Psychological support and academic and professional guidance

Support for the psychological development of pupils and their academic and professional guidance, as well as psychopedagogical support for educational activities and for the relationship system of the school community, are provided by psychology services and professional academic guidance under regional academic structures.

Article 30

Student support services

- 1 - Student support services achieved through the application of positive discrimination criteria aimed at social and educational compensation of pupils economically more disadvantaged need are developed, in the framework of pre-school education and of school education.
- 2 - The student support services take the form of a variety of actions, including subsidies for meals, refectory services, transport, accommodation, text books and school materials, and also study grants.

Article 31

School health support

The healthy growth and development of pupils will be monitored, in principle by specialist services from community health centres in coordination with the school structures.

Article 32

Support for working students

Working students will enjoy a special regime of studies that takes into consideration their situation as workers and students and enables them to acquire knowledge, progress within the education system and create opportunities for vocational training in line with their individual valuation.

CHAPTER IV

Human Resources

Article 33

General principles of teacher training

- 1 - The teacher training is based on the following principles:
 - a) Initial higher education training, providing teachers of all levels of nursery and school education with basic information, methods and scientific and teaching techniques, as well as the individual and social training appropriate to carrying out their functions;
 - b) Continuing training that complements and updates initial training from a lifelong learning perspective;
 - c) Flexible training that permits retraining and mobility of teachers at the different levels of nursery and school education, in particular the necessary vocational training complement;

- d) Integrated training both on the level of scientific and pedagogical preparation and on the level of theoretical-practical articulation;
 - e) Training based on methodological practice similar to those that the teacher will use in teaching practice;
 - f) Training which, with reference question to social reality, stimulates a simultaneously critical and active attitude;
 - g) Training that encourages and stimulates innovation and research, particularly in relation to teaching activities;
 - h) Participative training that leads to reflective and ongoing practices of self-information and self-learning.
- 2 - The guidance and educational activities in pre-school education are guaranteed through nursery teachers, teaching at all levels and cycles of education provided by teachers holding diplomas that specific certify vocational training are therefore duly qualified for this purpose.

Article 34

Initial training of nursery teachers and of primary and secondary school teachers

- 1 - Nursery teachers and primary and secondary school teachers acquire professional qualifications from higher education courses organised in accordance with professional performance requirements in the corresponding level of nursery and school education.
- 2 - The Government shall define, by decree-law, the competency and training profiles of nursery teachers and primary and secondary school teachers to join the teaching profession.
- 3 - The training of nursery teachers and of teachers in the 1st, 2nd and 3rd cycles of primary education takes place in teacher training colleges (*escolas superiores de educação*) and university education establishments.
- 4 - The Government defines, by decree-law, the requirements to be met by teacher training colleges in order to be able to provide initial training courses for teachers in the 3rd cycle of primary education, namely with reference to, human and material resources, to guarantee the academic level of the training acquired.
- 5 - The training of the secondary education teachers takes place at university education establishments.
- 6 - The professional qualifications of teachers of subjects of a professional, vocational or artistic nature in primary or secondary education may be acquired through *licenciatura* degree courses that ensure training in the area of the corresponding subject, complemented by appropriate pedagogical training.
- 7 - The professional qualifications of secondary education teachers may also be acquired through *licenciatura* degree courses that ensure academic training in the corresponding teaching area complemented by appropriate pedagogical training.

Article 35

Qualification as higher education teacher

- 1 - Teaching at in higher education is open to person having doctoral and master's degrees, as well as to *licenciados* who have passed tests of their teaching aptitude and scientific/academic capacity, and also individuals who are recognisably qualified.
- 2 - Persons qualified with a *licenciado* degree or equivalent can assist teaching in higher education.

Article 36

Qualification for other educational duties

- 1 - Nursery teachers and basic and secondary education teachers with experience of education or regular or special teaching acquire qualifications for teaching in special education from successful attendance of courses especially designed for this purpose conducted at higher education establishments that have specific resources in this field.
- 2 - The training establishments referred to in Paragraphs 3 and 5 of Article 34 can also provide specialist courses in school administration and inspection, sociocultural activities, basic adult education and other areas necessary for the development of the education system.

Article 37

Non-teaching assistants

Non-teaching assistants should have the minimum qualification of basic education or equivalent, and should be provided appropriate complementary training.

Article 38
Continuing training

- 1 - All nursery teachers, teachers and others education professionals have a recognised right to continuing training.
- 2 - Continuing training should be sufficiently diversified to complement, deepen and expand knowledge and professional skills, as well as to provide conditions for mobility and career progression.
- 3 - Continuing training is provided primarily by the corresponding initial training institutions, in close cooperation with the establishments where the teachers work.
- 4 - Teaching staff entitle to leave for continuing training, which may take the form of sabbatical years.

Article 39
General principles of the careers of teaching staff and of other education professionals

- 1 - The nursery teachers, teachers and other education professionals have the right to payment and a career compatible with their qualifications and professional, social and cultural responsibilities.
- 2 - Career progression should be linked to evaluation of all their activities, both individual and group, at the education institution, on the level of education and teaching and of the provision of other services to the community, as well as to their professional, pedagogical and academic qualifications.
- 3 - Nursery teachers, teachers and other education professionals have the right to appeal against the evaluation decisions referred to in the preceding paragraph.

CHAPTER V
Material resources

Article 40
School network

- 1 - It is for the State to create a network of public nursery and school education that covers the needs of the whole population.
- 2 - The planning of the network of school establishments should contribute to the elimination of local and regional inequalities and disparities, in order to provide children and young people with equal opportunities for nursery and school education.

Article 41
Regionalisation

The planning and reorganisation of the school network, as well as the construction and maintenance of school buildings and their facilities, should be based on a policy of effective regionalisation, with clear definition of the Powers of those involved, who should have the necessary resources for this purpose.

Article 42
School buildings

- 1 - School buildings should be planned as integrated facilities with sufficient flexibility to permit, whenever possible, their use for different activities by the community and their adaptation to changes in the different teaching levels, curricula and teaching methods.
- 2 - The structure of school buildings should take into account, in addition to school activities, the development of extra-curricular activities and the involvement of the school in out of school activities.
- 3 - The density of the network and the dimensions of the school buildings should be in keeping with regional characteristics and needs and with its capacity to house a balanced number of pupils, in order to guarantee conditions for good teaching practice and the implementation of a true school community.
- 4 - The design of the buildings and the selection of facilities should take into account the special needs of people with disabilities.
- 5 - The management of spaces should follow the imperative of contributing by these means also to the educational and academic success of pupils.

Article 43

Nurseries and education establishments

1 - Pre-school education takes place in different units or included in school units where the 1st cycle of basic education is also taught or even in buildings where other social activities take place, in particular out of school education activities.

2 - Basic education takes place in establishments of various types that include the entirety or part of the cycles of basic education and, due to a need to optimise resources, secondary education may also take place in these establishments.

3 - Secondary education takes place in multi-curriculum secondary schools, without prejudice to the possibility of, with respect to certain subject areas, making use of premises belonging to private entities or to other public entities not responsible for the public education network with respect to the organisation of classes or other education and training actions.

4 - The secondary education school network should be organised so that each region is guaranteed the greatest possible diversity of courses, taking into account local or regional interests.

5 - Secondary education should primarily take place in separate establishments, but these may, with a view to rationalisation of resources, also house cycles of basic education, in particular the 3rd cycle.

6 - The various units that make up the same institution of higher education can be geographically dispersed depending on their suitability to the development needs of their region.

7 - The flexible use of buildings provided for in this article may not in any event come into conflict with Paragraph 3 of the preceding article.

Article 44

Education resources

1 - Education resources are all the material resources used for proper performance of educational activities.

2 - Priority education resources, requiring special attention are:

- a) Textbooks;
- b) School libraries and media libraries;
- c) Laboratory and workshop equipment;
- d) Physical education and sports equipment;
- e) Equipment for music and art education;
- f) The regional education resource centres.

3 - As a support and complement to the education resources existing in schools and also with the aim of rationalising the use of resources available, encouragement shall be given to the creation of regional centres that have appropriate resources and means that enable other to be created, in compliance with education innovation needs.

Article 45

Financing of education

1 - Education shall be considered, when drafting the State Plan and Budget, as a national priority.

2 - The funds intended for education should be distributed depending on the strategic development priorities of the education system.

CHAPTER VI

Administration of the education system

Article 46

General principles

1 - The administration and management of the education system should ensure full respect for the rules of democracy and of participation aimed at achieving pedagogical and educational objectives, in particular in the field of social and civic instruction.

2 - The education system should be invested with administrative structures of national, autonomous region, regional and local scope, which ensure its interconnection with the community by way of appropriate levels of participation of teachers, pupils, families, local authorities, entities representing social, economic and cultural activities, and also institutions of a scientific nature.

3 - For the purpose of the preceding paragraph, organisations and forms of decentralisation and devolution of services will be adopted, the State being responsible, through the ministry responsible for coordination of the education policy, for guaranteeing the necessary efficiency and unity of the action.

Article 47 **Administration levels**

1 - Special laws will regulate the delimitation and coordination of powers between the different administration levels, taking into account that the following functions in particular will be the responsibility of the Central Administration:

- a) Design, planning and normative definition of the education system, with a view to ensuring its sense of unity and relevance to the objectives of a national scope;
- b) Overall coordination and evaluation of the implementation of education policy measures to be developed through decentralisation or devolution;
- c) Inspection and control, in general, with a view in particular to guaranteeing the necessary quality of education;
- d) Definition of general criteria for setting up the school network, the types of schools and their equipment, as well as the pedagogical standards with which the construction of school buildings should comply;
- e) Guarantee of the pedagogical and technical quality of the various teaching resources, including textbooks.

2 - On a regional level, and with the objective of integrating, coordinating and monitoring educational activity, a regional education department shall be created in each region, on terms to be regulated by decree-law.

Article 48 **Administration and management of nurseries and education establishments**

1 - The running of nurseries and education establishments, at the various different levels, is oriented from a perspective of integration into the community, for which reason the local teaching staff are encouraged to reside locally.

2 - The administration and management of each nursery and education establishment or group of establishments is guided by principles of democracy and of participation by all in the education process, taking into account the specific characteristics of each level of nursery and school education.

3 - In the administration and management of nurseries and education establishments, pedagogical and scientific criteria should prevail over criteria of an administrative nature.

4 - The administration of each establishment or group of establishments of basic and secondary education is conducted by specific bodies, for which the representatives of educators, pupils and non-teaching staff are democratically elected, and supported by consultative bodies and by specialised services, in both cases in accordance with forms to be regulated for each level of education.

5 - The participation of pupils in the bodies referred to in the preceding paragraph is restricted to secondary education.

6 - The administration of all higher education establishments is guided by principles of democracy and representativity and of community participation.

7 - Higher education establishments enjoy academic, pedagogical and administrative autonomy.

8 - Universities also enjoy financial autonomy, without prejudice to the supervisory role of the State.

9 - The autonomy of higher education establishments shall be made compatible with their integration into the development of the region and of the Country.

Article 49 **Conselho Nacional de Educação**

The *Conselho Nacional de Educação* (National Council for Education) is set up, with consultative duties and without prejudice to the specific powers of sovereign bodies, for the purpose of participation by different social, cultural and economic forces in the search for broad consensus on education policy, on terms to be regulated by law.

CHAPTER VII
Development and evaluation of the education system

Article 50
Curriculum development

1 - The curriculum organisation of school education will take into account the promotion of a balanced harmony, both horizontal and vertical, between levels of physical and motor, cognitive, emotional, aesthetic, social and moral development of pupils.

2 - The programmes of study of basic education will make appropriate provision in all cycles for an area of individual and social instruction, which can have as components ecological education, consumer education, family education, sex education, the prevention of accidents, health education, education for participation in institutions, civic services and others of a similar scope.

3 - The programmes of study of basic and secondary education also include the optional teaching of moral doctrine and Catholic religion, respecting constitutional principles of separation of churches and the State and the non-denominationality of public education.

4 - The programmes of study of basic education should be established on a national scale, without prejudice to the existence of flexible contents that include regional components.

5 - The programmes of study of secondary education will have a structure of national scope, and their components may have characteristics of a regional and local nature, justified namely by socio-economic conditions and by the need for qualified staff.

6 - The programmes of study of higher education concern each of the education institutions that provide the corresponding courses established, or to be established, in accordance with national and regional needs and from a perspective of integrated planning of this network.

7 - The teaching-learning of mother tongue should be structured so that all the other curriculum components of basic and secondary education contribute systematically to the development of the pupils skills on the level of understanding and production of oral and written Portuguese.

Article 51
Extra-curricular activities and school sports

1 - The curriculum activities of the different levels of education should be complemented by actions aimed at the overall development and at the personal fulfilment of learners with a view to creative and formative use of their free time.

2 - These extra-curricular activities are designed in particular for cultural and civic enrichment, physical and sports education, art education and the integration of learners into the community.

3 - Extra-curricular activities can be of a national, regional or local scope and, in the last two cases, be organised by each school or by groups of schools.

4 - Extra-curricular activities to occupy free time should encourage the participation and involvement of children and young people in their organisation, development and evaluation.

5 - School sports aims specifically to promote health and good physical condition, the acquisition of habits and physical conduct and an understanding of sport as a factor of culture, encouraging feelings of solidarity, cooperation, autonomy and creativity, and its management by pupils who play sport should be encouraged, without prejudice to their guidance by qualified professionals.

Article 52
Evaluation of the education system

1 - The education system should be subject to continual evaluation, which should take into account educational and pedagogical, psychological and sociological, organisational, economic and financial aspects and also aspects of a political-administrative and cultural nature.

2 - This evaluation focuses in particular on the development, regulation and application of this law.

Article 53
Research on education

Research on education is intended to evaluate and scientifically interpret the activity of the education system, and should be encouraged in particular in higher education institutions that have centres or departments of Education Studies, without prejudice to the creation of independent centres specialising in this field.

Article 54
Education statistics

1 - Education statistics are an essential tool for the evaluation and planning of the education system and should be organised so as to guarantee their due and universal availability.

2 - For this purpose general regulations should be established and the entities responsible for the collection, processing and diffusion of education statistics should be defined.

Article 55
Support structures

1 - The Government shall create appropriate structures to ensure and support activities aimed at curriculum development, at the promotion of innovation and at evaluation of the system and of educational activities.

2 - These structures should operate in coordination with schools and with education research and teacher training institutions.

Article 56
School inspection

School inspection works independently and is responsible for assessing and inspecting school education, with a view to compliance with the aims and goals established in this law and other complementary legislation.

CHAPTER VIII
Private and cooperative education

Article 57
Specific nature

1 - The State recognises the value of private and cooperative education as a concrete expression of the freedom to learn and to teach and of the family's right to supervise the education of its children.

2 - Private and cooperative education is governed by specific legislation and statute, which are subordinate to the provisions of this law.

Article 58
Coordination with the school network

1 - Private and cooperative education establishments that correspond to the general principles, purposes, facilities and objectives of the education system are considered an integral part of the school network.

2 - When extending or adapting the network, the State will also take into consideration private and cooperative initiatives and establishments, with a view to rationalisation and better use of resources and quality assurance.

Article 59
Running of establishments and courses

1 - Private and cooperative education institutions may, exercising the freedom to teach and learn, follow the programmes of study and course contents of State education or adopt their own plans and programmes, subject to the provisions of Paragraph 1 of the preceding article.

2 - When private and cooperative education adopts its own plans and programmes, their official recognition is granted on a case-by-case basis, by way of positive evaluation resulting from analysis of their curricula and of the pedagogical conditions in which the teaching is provided, in accordance with regulations to be established by decree-law.

3 - Approval for the creation and running of institutions and courses of private and cooperative higher education, as well as the approval of their programmes of study and the recognition official of their diplomas, is conducted on a case-by-case basis by decree-law.

Article 60
Teaching staff

1 - Teaching at private and cooperative education establishments integrated into the school network requires, for each level of nursery and school education, the academic qualification and vocational training established in this law.

2 - The State may support the continuing training of teaching staff working at private and cooperative education establishments integrated into the school network.

Article 61
State Intervention

1 - The State provides pedagogical and technical supervision and support to private and cooperative education.

2 - The State provides financial support for initiatives and private and cooperative education establishments which, effectively fulfilling a public interest, are included in the education development plan, and monitors the application of the funds granted.

CHAPTER IX
Final and transitory provisions

Article 62
Development of the law

1 - The Government will publish within one year, in the form of decrees-law, the complementary legislation necessary for the development of this, covering, in particular, the following areas:

- a) Provision of free compulsory education;
- b) Teacher training;
- c) Careers of teaching staff and of other education professionals;
- d) School administration and management;
- e) Programmes of study of basic and secondary education;
- f) Higher education;
- g) Vocational training;
- h) Recurrent adult education;
- i) Distance learning;
- j) Portuguese language teaching abroad;
- l) Supplementary educational support;
- m) Private and cooperative education;
- n) Physical education and school sports;
- o) Art education.

2 - When the subjects referred to in the preceding paragraph have already been contained in a law of the Assembly of the Republic, the Government should, within the same period, submit the necessary bills.

3 - The *Conselho Nacional de Educação* should monitor the application and development of the provisions of this law.

Article 63
Development plan of the education system

The Government, within two years, should draw up and submit to the approval of the Assembly of the Republic, one development plan of the education system, with a medium term time frame and limit of the year 2000, that guarantees the phased implementation of this law and other complementary legislation.

Article 64
Transitional regime

The transitional regime from the current system to the system provided for in this law shall be laid down in regulatory provisions to be published in good time by the Government, and the established rights of teachers, pupils and non-teaching staff may not be affected.

Article 65

Transitional provisions

1 - Measures will be taken to provide basic and secondary education with professionally qualified teaching staff, by way of initial training models in compliance with the provisions of this present law, in order to make it unnecessary in the very short term to employ on a permanent basis teachers without professional qualifications.

2 - A system of on the job qualification for duly qualified teaching staff currently working or who enter teaching in order to guarantee them vocational training equivalent to that provided in the institution of initial training for the corresponding teaching levels.

3 - In the determination of the contingents to be established for the initial training of teachers, the competent entity should take into consideration the relationship between the number of teachers qualified already working and the estimated number of places available at the end of a transitional period of five years.

4 - Until the administrative regions are created, the powers and geographic scope of the regional departments of education referred to in Paragraph 2 of Article 47 will be defined by decree-law, to be published within one year.

5 - The Government shall draw up an emergency plan for the construction and restoration of school buildings and their outfitting in order to satisfy the needs of the school network, with priority for basic education.

6 - In the 1st cycle of basic education the functions of the current directors of the school district and the school delegates are of an exclusively administrative nature.

Article 66 Final provisions

1 - The provisions concerning the duration of compulsory education shall apply with respect to pupils who enrolled in the 1st year of basic education in the school year of 1987-1988 and for those who did so in subsequent years.

2 - A special law shall determine the administrative and educational support functions to be held by the municipalities.

3 - The Government should define by decree-law the system of equivalence between studies, degrees and diplomas from the Portuguese education system and those from other countries, as well as the conditions in which students of higher education can attend part of their courses at similar foreign institutions, as well as the criteria for determining transferable credit units.

4 - Conditions should be created to help young people with Portuguese emigrant parents returning to Portugal to enter the education system.

Article 67 Repealing clause

All legislation that goes against the provisions of this law is hereby repealed.