

STATE EDUCATION LAW, 5713—1953*

1. In this Law —

"State education" means education provided by the State on the basis of the curriculum, without attachment to a party or communal body or any other organisation outside the Government, and under the supervision of the Minister or a person authorised by him in that behalf;

"religious State education" means State education, with the distinction that its institutions are religious as to their way of life, curriculum, teachers and inspectors;

"the curriculum" means a curriculum prescribed by the Minister for the official educational institutions with a view to attaining the object stated in section 2, and includes the "basic programme" to be prescribed by the Minister as an obligatory programme for every such institution;

"State-educational institution" means an official educational institution in which State education is provided, but does not include a religious State-educational institution;

"religious State-educational institution" means an institution in which religious State education is provided;

"supplementary programme" means a part of the curriculum to be prescribed or approved by the Minister under this Law and comprising not more than twenty-five per cent of the lesson hours in an official educational institution; supplementary programme for a religious State-educational institution" means a supplementary programme comprising the study of the written and oral religious law and aimed at a religious way of life, and includes religious observance and a religious atmosphere within the institution;

"pupil" means a child or an adolescent;

The other terms have the same meaning as in the Compulsory Education Law, 5709—1949¹ (hereinafter: "the Compulsory Education Law").

2. The object of State education is to base elementary education in the State on the values of Jewish culture and the achievements of science, on love of the homeland and loyalty to the State and the Jewish people, on practice in agricultural work and handicraft, on *chalutzic* (pioneer) training, and on striving for a society built on freedom, equality, tolerance, mutual assistance and love of mankind.

3. From the school year 5714 onwards, State education shall be introduced in every official educational institution; in an official educational institution which in the school year 5713 belonged to the Mizrahi trend or the Agudat Israel trend or the religious section of the Labour trend, religious State education shall be introduced.

4. The Minister shall prescribe the curriculum of every official educational institution; in non-Jewish educational institutions, the curriculum shall be adapted to the special conditions thereof.

5. The Minister may prescribe for every official educational institution a supplementary programme to be introduced therein — either one programme for the whole institution or different programmes for different or parallel classes; in the case

Inter-
pretation.Object of
State
education.State
education
from the
year 5714.

Curriculum.

Supple-
mentary
programme
prescribed by
the Minister

* Passed by the Knesset on the 1st Elul, 5713 (12th August, 1953) and published in *Sefer Ha-Chukkim* No. 131 of the 9th Elul, 5713 (20th August, 1953), p. 137; the Bill and Explanatory Note were published in *Hatsa'ot Chok* No. 170 of the 10th Tammuz, 5713 (23rd June, 1953), p. 242.

1) *Sefer Ha-Chukkim*, No. 26 of the 24th Elul, 5709 (18th September, 1949), p. 287.

of a religious State-educational institution, one of the supplementary programmes for a religious State-educational institution shall be prescribed.

Supple-
mentary
programme
on the demand
of the parents.

6. On the demand of the parents of pupils in an educational institution, the Minister may, on conditions prescribed by regulations, approve for that institution a supplementary programme other than that prescribed under section 5.

Supple-
mentary
programme
not to involve
extra
expenditure.

7. The Minister shall not exercise his power under section 6 if he is satisfied that another supplementary programme will involve extra expenditure; provided that if the extra expenditure devolves on a local education authority, he may exercise the said power with the consent of that authority.

Additional
programme.

8. The Minister may, on conditions prescribed by regulations, approve for an official educational institution, on the demand of parents of pupils in that institution, a programme for hours additional to the hours prescribed in the curriculum, provided that all the expenditure involved in implementing the additional programme shall be borne by the parents of the pupils educated thereunder or by the local education authority which has undertaken to defray it.

Experimental
curriculum.

9. The Minister may, for experimental purposes, introduce in a particular official educational institution a curriculum not in accordance with the provisions of this Law; provided that he shall give advance notice of its introduction, in a manner prescribed by regulations, before the beginning of the registration under section 20, and provided further that such an institution shall not be designated as the only nearby institution in respect of pupils living in its vicinity.

Amal-
gamation of
educational
institutions.

10. (a) The Minister may order a local education authority, or several local education authorities, to amalgamate official educational institutions situated within its or their area or areas; however, he shall not order the amalgamation of a State-educational institution with a religious State-educational institution.

(b) The Minister shall not order the amalgamation of official educational institutions situated in the areas of two or more local education authorities unless he has given advance notice in writing to the local education authorities concerned, and unless they have been given an opportunity to express their opposition, if any, to the Minister.

Non-official
recognised
educational
institutions.

11. The Minister may, by regulations, prescribe a procedure and conditions for the declaration of non-official institutions as recognised educational institutions, the introduction therein of the basic programme, the management and supervision thereof and the assistance of the State towards their budgets, if and to the extent that the Minister decides on such assistance.

The Education
Committee.

12. There shall be established a Committee on Matters of Education (hereinafter: "Education Committee"), the number of the members of which shall not be less than fifteen. The members of the Committee shall be appointed by the Minister with the approval of the Government, each for a period of four years. Those appointed shall be persons active in the field of education, employees of the Ministry of Education and Culture, whose number shall not exceed 25 per cent of the total membership of the Committee, and candidates of local authorities, the institutions of higher learning and the Teachers' Federation from lists submitted to the Minister upon his request.

The Council
for Religious
State
Education.

13. There shall be established a Council for Religious State Education; the members of the Council shall be appointed by the Minister with the approval of the Government, each for a period of four years. Two members shall be representatives of the Minister, six shall be appointed from a list of twelve candidates proposed by the Minister of Religious Affairs, three from a list of at least six candidates

proposed, in accordance with regulations, by teachers' organisations representing the religious teachers, and three from among the religious members of the Education Committee.

14. The Minister shall consult the Education Committee before exercising any of the powers vested in him by this Law, except his powers under sections 12, 29 and 32, and his powers under section 17 in respect of the first exercise thereof.

Powers of the Education Committee.

15. The Minister shall, in accordance with a procedure prescribed by regulations, consult the Council for Religious State Education before exercising any of the powers vested in him by this Law relating to religious State education, including the power to appoint the Director of the Religious Education Division in the Ministry of Education and Culture and the power to appoint inspectors, principals and teachers of religious State-educational institutions, but not including his powers under sections 12, 13, 31 and 32, nor his power under section 17 in respect of the first exercise thereof.

Powers of the Council for Religious State Education.

16. The supplementary programmes for religious State-educational institutions shall be prescribed by the Minister with the consent of the Council for Religious State Education.

Consent to supplementary programme.

17. The Minister shall enact statutes for the Education Committee and statutes for the Council for Religious State Education. The statutes shall lay down the procedure for the convening and work of the Committee and the Council and rules for filling the place of members who do not attend any meetings thereof, and such other provisions as the Minister may think necessary for carrying out the task of the Committee or the Council, as the case may be.

Statutes.

18. The Council for Religious State Education may, on religious grounds only, disqualify a person for appointment or further service as a principal, inspector or teacher at a religious State-educational institution. If a member of the Council objects to the disqualification decision, it shall not become effective so long as the objection has not been determined in a manner prescribed by regulations.

Disqualification of employees of religious grounds.

19. A teacher, or any other employee at an educational institution, shall not conduct propaganda for a party or other political organisation among the pupils of an educational institution.

Prohibition of propaganda

20. For the purpose of fulfilling the duty mentioned in subsections (aa) and (d) of section 3 of the Compulsory Education Law a pupil shall be registered —

Registration of pupils.

(1) at a State-educational institution or religious State-educational institution near his place of residence; or —

(2) if his place of residence is within the area of jurisdiction of a local education authority in which there is no official educational institution — with the local education authority; or

(3) if the pupil is to receive his elementary education at a recognised educational institution other than an official education institution — at that recognised educational institution.

21. The procedure for registration, the rules as to the responsibility for effecting the same, the rules for determining the educational institution near to a pupil's place of residence, and the conditions under which it shall be permissible to register a pupil otherwise than in accordance with the provisions of section 20, shall be prescribed by regulations.

Registration regulations

22. Every educational institution at which pupils have been registered under this Law and the Compulsory Education Law shall, in accordance with rules prescribed

Report on registration

by regulations, submit a report on such registration to the local education authority in whose area of jurisdiction it is situated.

Registration with an education authority in whose area there is no official educational institution.

23. At the time of registration with a local education authority under paragraph (2) of section 20, the registering parent shall state whether he opts for a State-educational institution or a religious State-educational institution. The procedure for making this statement shall be prescribed by regulations.

Statement in special cases.

24. In the case of a local education authority in whose area there is a State-educational institution, but no religious State-educational institution, or vice versa, the registering parent may, at the time of registration under paragraph (1) of section 20, state that he desires the pupil to be given an education not provided within the area of that local education authority.

Institution to be attended by the pupil.

25. A pupil registered at an educational institution under section 20 or 21 shall attend the educational institution at which he is registered; if the number of pupils registered at an institution exceeds the quota fixed for it in accordance with rules prescribed by regulations, the pupils exceeding the quota shall attend another educational institution determined for them in accordance with those rules, provided that a pupil registered at a State-educational institution shall not be assigned to a religious State-educational institution, and vice versa.

Institution opened in pursuance of statements.

26. If within the area of a local education authority an official educational institution is opened in pursuance of statements made under section 24, the pupils at the time of whose registration those statements were made shall be deemed to have been registered at that time at the institution opened as aforesaid.

Amendment of Compulsory Education Law.

27. The Compulsory Education Law shall be amended as follows:

(1) in section 1, the definitions of "Board of Education" and "recognised trend" shall be deleted:

(2) in section 3 —

(a) subsection (a) shall be replaced by the following subsections:

"(a) The parents of a child of 5 years of age are each under a duty to register him, at such time and in such manner as may be prescribed by regulations, with the local education authority in whose area of jurisdiction the child is resident. If one of them has effected registration, the other shall be relieved of his duty.";

(aa) The parents of a child of six years of age and over, or of an adolescent, are each under a duty to register him as specified in subsection (b) at an educational institution, or with a local education authority, as provided in sections 20 and 21 of the State Education Law, 5719—1953. If one of them has registered the child or adolescent, the other shall be relieved of his duty.";

(b) in subsection (b) —

(i) paragraph (2) shall be replaced by the following paragraph:

"(2) in respect of a child who at the beginning of the school year 5714 or at the beginning of any subsequent school year will be six years of age — at a time prescribed by regulations;"

(ii) the following paragraph shall be inserted after paragraph (4):

"(5) in respect of a child of compulsory education age, or of an adolescent of compulsory education age, resident within the area of a local education authority in which there is no official educational institution, but in respect of which that authority has

announced, in a manner prescribed by regulations, that it is about to open such an institution therein — within thirty days from the day of such announcement;”;

(c) in subsection (d) —

(i) in the opening passage, the words “with the local education authority in the area of whose jurisdiction he resides” shall be replaced by the words “at an educational institution or with a local education authority, as provided in sections 20 and 21 of the State Education Law, 5713—1953”;

(ii) the following paragraph shall be inserted after paragraph (4):

“(5) if the adolescent resides within the area of a local education authority in which there is no official educational institution for the elementary education of adolescents, but in respect of which that authority has announced, in a manner prescribed by regulations, that it is about to open such an institution therein — within thirty days from the day of such announcement;”;

(3) in section 10 —

(a) subsection (a) shall be repealed;

(b) in subsection (b), the mark at the beginning thereof and the words “for elementary education of a certain recognised trend or another official educational institution” in the fourth line shall be deleted;

(4) in section 14, the words “the Board of Education” shall be replaced by the words “the Education Committee”.

28. The Minister may order that the provisions of sections 1—19, 29 and 34 of this Law shall, with such modifications as he may in accordance with that purpose prescribe, apply to training colleges for teachers and kindergartners.

Application of Law to institutions for the training of teacher and kindergartners.

29. The Minister may delegate to another person all or any of the powers vested in him by this Law, except the power to make regulations and the powers conferred by sections 10(b), 12, 13 and 17. Notice of a delegation of powers under this section shall be published in *Reshumot*.

Delegation of powers.

30. From the day of the coming into force of this Law to the end of the school year 5714, a pupil shall not be transferred from one official educational institution to another without the approval of the Minister, unless he has changed his place of residence.

Transfer of pupils in the year 5714.

31. Where, in the school year 5714, a principal or teacher in an official educational institution is transferred from one official educational institution to another by reason of changes which have occurred or will occur in connection with the implementation of this Law, such transfer, notwithstanding any practice to the contrary, shall not serve as a ground for a claim for compensation or any other payment in respect of failure to give advance notice of the transfer.

Transfer of principals and teachers.

32. (a) Until a date to be determined by the Minister and to be published in *Reshumot*, the parents of a pupil who attended an official educational institution in the school 5713 may give written notice to the local education authority in whose area the institution is situated of their desire to have the pupil educated at a non-official educational institution with a specific programme which includes the basic programme.

Special provisions for the year 5714.

(b) If the number of pupils who attended a particular institution in the year 5713 and whose parents have given notice as aforesaid is two thirds or more of the

total number of pupils who attended the institution in that year, the local education authority shall submit to the Minister a report on the programme chosen by the said parents and on the number of the pupils concerned.

(c) If the programme is acceptable to the Minister and the number of pupils whose parents wish to have them educated thereunder is, in his opinion, sufficient to warrant the opening of an educational institution for them, the Minister may allot premises and equipment for the opening of such an institution, either of those that were held by the said official educational institution or other premises and equipment, or may direct or recommend the local education authority to allot premises and equipment as aforesaid.

(d) If the Minister is satisfied that the said institution has been opened and that premises and equipment have been placed at its disposal ensuring the regular provision of elementary education in accordance with the said programme, he shall declare that institution to be a recognised educational institution.

(e) The provisions of this section shall add to the provisions of sections 11 and 20(3) in respect of the school year 5714, and shall not derogate therefrom.

Respon-
sibility for
institution
opened under
section 32.

33. (a) The cost of the maintenance and management of an educational institution opened under section 32 shall be borne by the parents of the pupils, and they shall be jointly and severally responsible for any liability created by such maintenance and management.

(b) If premises have been allotted to such an institution, by the State or a local education authority, for a specific period, then, notwithstanding anything provided in any other law, the institution and any person holding them on its behalf shall vacate them upon expiration of that period.

Imple-
mentation
and regu-
lations.

34. The Minister is charged with the implementation of this Law and shall make regulations as to any matter relating to such implementation, including regulations as to —

(1) the procedure for the supervision of State-educational institutions and the appointment of the inspectors, principals and teachers thereof;

(2) the procedure for the supervision of religious State-educational institutions and the appointment of the inspectors, principals and teachers thereof, and the exercise of the right of the Council for Religious Education to propose candidates as teachers, principals and inspectors and to disqualify teachers, principals and inspectors for the continuation of their service, or to oppose their appointment, on religious grounds;

(3) the introduction of the basic programme in recognised educational institutions not being official educational institutions, and the supervision of the implementation thereof;

(4) the adaptation of all or any of the provisions of this Law to the requirements of the elementary education of non-Jewish pupils and the establishment of councils for such education;

(5) the procedure for the transfer of a pupil from one institution for elementary education to another;

(6) the cases in which he may order the closing of an official educational institution, or the provision of State education in such an institution otherwise than in accordance with section 3, if the number of its pupils falls short of the minimum, and rules for the provision of elementary education to such pupils;

(7) the conditions on which an official educational institution shall be opened in pursuance of statements under section 24 or in accordance with the option under section 23;

(8) the prevention of any party or political propaganda, in any form whatsoever, in an educational institution, whether by the teachers and employees of the institution or by outsiders.

35. This Law shall come into force on the day of its adoption by the Knesset.

Commence-
ment.

MOSHE SHARETT

*Minister of Foreign Affairs
Acting Prime Minister*

BEN-ZION DINUR

Minister of Education and Culture

YITZCHAK BEN-ZVI

President of the State