# Student Rights Law, 5761-2000

**Purpose**

1. The purpose of this Law is to establish principles for student rights in the spirit of human dignity and the principles of the United Nations Convention on the Rights of Children, while protecting the dignity of the student, teaching staff, and Educational Institution staff, and maintaining the uniqueness of Educational Institutions according to their various types as defined in the Compulsory Education Law, 5709-1949, the State Education Law, 5713-1953, the Special Education Law, 5748-1988, and any other law, and to encourage the creation of a climate of mutual respect in the educational institution community.

**Definitions**

2. In this Law -

"Committee" – the Education and Culture Committee of the Knesset;

"Educational Institution," "Official Educational Institution," "Recognized Educational Institution," "Parents," "Youth," "Child" – as defined in the Compulsory Education Law, 5709-1949;

"Director General" – the Director General of the Ministry of Education;

"District Manager" – manager of a district office of the Ministry of Education;

"District Supervisor" and "General Supervisor" – supervisors appointed according to Section 34 of the State Education Law, 5713-1953;

"Educational Institution Community" – students, educational and administrative staff, and parents of students;

"Student" – one who studies in an Educational Institution;

"Minister" – the Minister of Education.

**Right to Education**

3. Every Child and Youth in the State of Israel is entitled to education in accordance with the provisions of any law.

**Publication of Regulations**

4. (a) The provisions of this Law shall be brought to the attention of Students and their Parents at the beginning of each academic year, as determined by the Minister with approval of the Committee.

(b) The Director General's instructions to the principals of Educational Institutions, as well as all instructions given by the principals of Educational Institutions regarding student rights and obligations, including rules regarding maintaining mutual respect in the Educational Institution Community and discipline rules, including prevention and treatment of violence, shall be published and brought to the attention of Students and their Parents in the manner determined by the Minister, with the approval of the Committee.

**No Discrimination**

5. (a) A local education authority, Educational Institution, or person acting on their behalf shall not discriminate against a Student for sectarian reasons, reasons of country of origin, socio-economic background reasons, reasons of sexual orientation or gender identity, or political viewpoint, whether of the child or their parents, in any of the following:
    (1) Student registration, acceptance, or expulsion from an Educational Institution;
    (2) Establishment of separate curricula and advancement tracks in one Educational Institution;
    (3) Holding separate classes in one Educational Institution;
    (4) Student rights and obligations, including discipline rules and their implementation.

(b) A person who violates the provisions of this section shall be liable to imprisonment for one year or a fine, as stated in Section 61(a)(3) of the Penal Law, 5737-1977.

**Permanent Expulsion of a Student from an Educational Institution**

6. (a) A decision regarding permanent expulsion of a Student from an Educational Institution and transfer to another institution shall be made only after the Student and their Parents have been given an opportunity to present their arguments; for the purposes of this section, providing an opportunity for the Student and their Parents to present their arguments shall be considered fulfilled if they were properly summoned twice and did not appear; the Minister, with Committee approval, shall establish regulations for this matter.

(b) A decision under subsection (a) shall be in writing and reasoned.

(c) Immediately after receiving a decision under subsection (a), the principal of the Educational Institution shall notify the Student's Parents and the Student that they may appeal the decision in writing to a hearing committee established as stated in Section 7, within 14 days of the notice being delivered thereto, and if the decision was to expel the Student immediately according to subsection (d)(2) – within ten days of delivery of the notice of the immediate expulsion decision; the decision shall be attached to the notice.

A Student shall not be expelled as stated in subsection (a) until an appeal is filed; if an appeal is filed, the Student shall not be expelled until the decision on the appeal has been received;

Despite the provisions of paragraph (1), the principal of an Educational Institution, with approval of the District Supervisor, and if there is no District Supervisor – with approval of the General Supervisor, may expel a Student as stated in subsection (a) immediately; the provisions of this paragraph shall not apply to permanent expulsion due to academic achievements as defined in Section 12b of the Compulsory Education Law, 5709-1949;

A principal of the Educational Institution who expelled a student immediately according to paragraph (2) shall immediately notify upon such expulsion those authorized by the Minister for this matter from among the ministry employees.

(e) The Minister shall establish provisions regarding arrangements and deadlines for filing appeals, as well as for the hearing and resolution thereof.

(f) The Minister shall submit to the Committee, once a year, no later than the 1st of Cheshvan, a report on expulsions made according to this section in the academic year preceding the reporting date.

**Hearing Committee**

7. (a) A hearing committee shall be established in each district with the following composition:

    (1) The District Manager in whose district the Educational Institution is located, who shall be the chairperson;
    (2) A representative of the organization to which most teachers in the Educational Institution belong, as determined by the organization;
    (3) A representative of a national parents' organization from a list determined by the organization, unless the Student or Parents thereof requested that they do not participate in the hearing;
    (4) Head of a district student council or their deputy unless the Student or Parents thereof requested that they do not participate in the hearing.

(b) The appeal decision shall be made by the District Manager after hearing the Student and Parents thereof, if they desired, and after the District Manager heard the District Supervisor or General Supervisor responsible for the Educational Institution, or the Educational Institution’s Principal, or someone on their behalf, as well as the opinions of representatives who were properly summoned to the committee hearing.

(c) The appeal decision shall be in writing and reasoned.

(d) If the District Manager cannot perform their duties under this section, their duties shall be performed by whoever serves as District Supervisor or Supervisor of religious education in the district, and for this purpose, they are granted the District Manager's authorities under this section.

**Petition**

8. The appeal decision may be petitioned before the Administrative Court.

**Right to Take Matriculation Examinations**

9. Every Student is entitled to take government matriculation examinations held at the Educational Institution where they study, unless the Student did not meet conditions set by the Minister in consultation with the Committee.

**Disciplinary Measures**

10. Every Student is entitled to have discipline in the Educational Institution administered in a manner befitting human dignity, including the right that no physical or humiliating disciplinary measures be taken against them.

**Limitation on Punishment**

11. An Educational Institution shall not take punitive measures against a Student for an act or omission by their Parents.

**Realization of Rights**

12. An Educational Institution shall not prevent a Student from realizing their rights as stated in this Law or any other law.

**Student Council**

13. (a) An Educational Institution shall encourage the establishment of a student council and shall not take any action to prevent its establishment; the framework of its activities shall be determined in the Director General's instructions in consultation with the Student and Youth Council.

    (b) The provisions of this section shall not apply to kindergartens as defined in the Compulsory Education Law, 5709-1949.

**Confidentiality Obligation**

14. Anyone who received information about a Student due to performing a duty assigned to them under this Law is obligated to keep it confidential and may not reveal it except for the purpose of performing their duty.

**Implementation and Regulations**

15. The Minister is responsible for implementing this law and shall establish regulations for its implementation, with Committee approval, within 6 months of this Law's publication,

**Limitation of Application**

16. (a) The provisions of this Law apply to every Official Educational Institution.

(b) The provisions of this Law shall apply to a recognized, non-official educational institution, except for Sections 6, 7 and 13. However, the Minister may, with the approval of the Committee and taking into account the nature of the institution, apply to it by order the provisions of the said sections, in whole or in part.

**Preservation of laws**

17. The provisions of this Law shall only add to the provisions of any other law and shall not detract therefrom.

**Amendment to the Administrative Courts Law**

18. In the Administrative Courts Law, 5760-2000, in the First Addendum, in Item 3, in place of "and transfer," "expulsion and transfer" shall be inserted.

**Amendment to the Compulsory Education Law – No. 23**

19. In the Compulsory Education Law, 5719-1949, sections 3b and 3c are void.

**Amendment to the Supervision of Schools Law – No. 6**

20. In the Supervision of Schools Law, 5729-1969, in section 32, in subsection (a1), in place of "for ethnic reasons as stated in section 3b of the Compulsory Education Law, 5719-1949," "as stated in section 5 of the Student Rights Law, 5760-2000" shall be inserted.

**Special Instruction**

21. The provisions of this Law shall be brought to the attention of the Students and their Parents as stated in Section 4 for the first time within 45 days from the date of publication of this Law, even if the Minister has not established regulations under Section 4; If the Minister has not determined as aforesaid, the provisions of this Law shall be brought to the attention of the Students and their Parents by the principals of the Educational Institutions.

# Student Rights Regulations (Publication of Instructions and Expulsion of Students), 5762-2002

By virtue of my powers under Sections 4, 6 and 15 of the Student Rights Law, 5761-2000 (hereinafter – the Law), and with the approval of the Education and Culture Committee of the Knesset, I hereby promulgate the following regulations:

**Definitions**

1. In these Regulations –

"Supervisor" – as defined in the State Education Regulations (Supervision Procedures), 5717-1956;

"Local Education Authority" – a local education authority as defined in the Compulsory Education Law, 5719-1949;

"Hearing Committee" – as defined in Section 7 of the Law;

"Transfer Regulations" – State Education Regulations (Transfer), 5719-1959.

**Publication of Instructions**

2. (a) The provisions of the Law shall be published by each Local Education Authority following a notice of the date of registration for the Educational Institutions in its jurisdiction, as stated in Section 8 of the Compulsory Education and State Education Regulations (Registration), 5719-1959.

   (b) The provisions of the Law, the Director-General's circulars on the issue of Student rights and the instructions of the Educational Institution regarding the rights and obligations of the Student and regarding the rules of discipline in the institution, will be displayed in the Educational Institution, in a conspicuous place that is accessible to the Students and their Parents.

   (c) Copies of the instructions as stated in sub-regulation (b) will be provided at the secretariat of the Educational Institution, at the request of the Student or the Parents thereof.

   (d) The Ministry of Education will publish the instructions as detailed in sub-regulation (b) on the Ministry's website.

**Decision Following a Hearing**

3. Before making a decision to permanently expel a Student, or to submit a request for such expulsion, the principal of an Educational Institution or a Local Education Authority, as the case may be, shall ensure that a hearing is held as stated in Regulation 4.

**Discussion of Permanent Expulsion of a Student**

4. (a) The opportunity for the Parents and the Student to voice their arguments as stated in section 6(a) of the Law will be in a hearing conducted by the principal of the Educational Institution (hereinafter – the Hearing). The Hearing will be attended by the Supervisor of the institution, the educational counselor or the psychologist of the institution, as the case may be, the class teacher and the grade level coordinator, if there is one in that institution, as well as other officials concerned, at the discretion of the principal of the institution.

   (b) The Student and their Parents will be invited to the Hearing to present their arguments; an invitation will be sent by registered mail, and they will be entitled to voice their arguments themselves or by someone on their behalf.

   (c) If the Student or their Parents did not appear for the Hearing on the scheduled date, the Hearing will be postponed to another date to which they will be summoned in writing, as stated in sub-regulation (b); if they did not appear on the additional scheduled date, the Hearing will no longer be postponed for this reason.

   (d) The principal of the Educational Institution shall transmit in writing the main points of the Hearing to the Local Education Authority and the District Director, including the arguments of the Parents and the Student and the decision of the institution, if any, and its reasons, and if the arguments of the Parents and the Student were also submitted in writing, their letters.

   (e) If the principal of the Educational Institution decides to permanently expel a Student immediately, the principal of the Educational Institution shall forward the approval of the expulsion of the District Supervisor or the General Supervisor, to the Local Education Authority and to the District Director and shall notify the Director General of the Ministry of Education of the decision.

**Notice of Expulsion**

5. (a) The notice of the principal of the Educational Institution regarding the decision of the Local Education Authority to permanently expel a Student from an Educational Institution and transfer said Student to another institution (hereinafter – the Notice) shall be made in four copies: a copy shall be delivered to the Student, another copy shall be sent to the Student's Parents by registered mail, a third copy shall be forwarded to the District Director of the Ministry of Education, and a fourth copy shall be forwarded to the Director General of the Ministry of Education.

   (b) The Notice shall include the following details:

(1) The content of the decision and its reasons;

(2) The date of the decision;

(3) If there was a decision to permanently expel a Student immediately – written approval of the District Supervisor or the General Supervisor;

(4) The right of appeal of the Student and Parents within 14 days from the date of delivery of the Notice, and for the immediate permanent expulsion of a Student – within 10 days from the date of delivery of the Notice, as well as the ways to file the appeal.

**Appeal**

6. (a) An appeal shall be submitted in writing, by the Student or the Parents thereof, to the District Director.

(b) If an appeal is filed, the District Director shall, within 14 days from the date of its submission, hold a Hearing before the hearing committee.

(c) The District Director shall summon the representatives set forth in Section 7(a) of the Law.

(d) The District Director shall summon the Parents of the Student and the Student to the Hearing to present their arguments, personally or by anyone on their behalf; the invitation shall state that a representative of the student council and a representative of a national parents' organization shall participate in the discussion, unless the Student or their Parents request that they not participate; the District Director shall also invite the District Supervisor or the General Supervisor in charge of the Educational Institution or the principal of the Educational Institution or anyone on their behalf to present their arguments.

(e) The District Director shall hold the Hearing before the hearing committee on the scheduled date, in any composition, provided that a lawful notice has been sent to the representatives of the committee, the Student, the Parents, the District Supervisor and the General Supervisor, who are in charge of the Educational Institution, and the principal of the Educational Institution.

(f) The main points of the hearing were conveyed by the principal of the Educational Institution in accordance with Regulation 4(d), as well as the decision regarding the expulsion of a Student as stated in section 6 of the Law and its reasons, shall be before the District Director and the representatives of the hearing committee at the time of the hearing of the appeal.

**Notice of Decision on Appeal**

7. The District Director shall notify in writing of the decision on the appeal within three days of the end of the hearing before the hearing committee to the principal of the institution, the Local Education Authority, the Student and their Parents, and the Director General of the Ministry of Education, the notice shall include the content of the decision and its reasons; the decision of the District Director shall be binding on the principal of the institution and the Local Education Authority.

**Appeal and Decision on an Appeal on an Immediate Permanent Expulsion**

7A. Notwithstanding the provisions of Regulations 6(b) and 7, upon the filing of an appeal against the permanent expulsion of a Student immediately, the District Director will hold a Hearing before the hearing committee and will notify in writing of the decision on the appeal, as stated in Regulation 7, within 10 days from the date of its submission.

**Limitation of Application**

8. Regulation 11 of the Transfer Regulations will not apply to the permanent expulsion of a Student from an Educational Institution, the rest of the Transfer Regulations will apply, *mutatis mutandis*, as the case may be.

**Student Rights Regulations (Conditions for Matriculation Exams), 5762-2002**

By virtue of my powers under Section 9 of the Student Rights Law, 5761-2000 (hereinafter – the Law), and in consultation with the Education and Culture Committee of the Knesset, I hereby promulgate the following regulations:

**The Right to Take the Exam**

1. A Student will be entitled to take the government matriculation exam in the Educational Institution in which said Student studies in the subject of the exam and at the level of the exam said Student has chosen, unless the following conditions are not met:
   (1) The exam subject is taught in the Educational Institution in which it is studied according to the curriculum set by the Ministry of Education for the exam subject and the level of the exam;
   (2) The Student has chosen and studied the subject of the exam and the level of the exam in which the Student has chosen to take the exam, and the curriculum in the exam subject of the grade in which the Student has chosen to take the exam is in accordance with the requirements of the curriculum set by the Ministry of Education, for the purpose of the matriculation exam in the subject in which the Student has chosen to take the exam.

**Qualifications**

2. (a) If the Student meets the two conditions in Regulation 1, the Student will be entitled to take the matriculation exam in the exam subject and at the exam level in which the Student chose to take the exam, unless the professional staff at the Educational Institution, including the principal of the institution, the educational counselor, the class teacher, the professional teacher who teaches the Student the subject of the exam, and the grade level coordinator, if any (hereinafter – the Professional Staff), did not authorize the Student to take the matriculation exam for special reasons that will be specified in writing.

   (b) The Student will be entitled to appeal the decision of the Professional Staff not to allow the Student to take the exam in the exam subject of their choice, before the General Supervisor of the Ministry of Education; The decision of the General Supervisor is final; in this Regulation, "General Supervisor," as defined in the State Education Regulations (Supervision Procedures), 5717-1956.

**The Principal’s Authority in Exceptional Cases**

3. Notwithstanding the provisions of Regulations 1 and 2(a), the principal of an Educational Institution may, in exceptional cases and with the consent of the majority of the members of the Professional Staff, permit the Student's participation in the matriculation exams even if the conditions for doing so are not met, in whole or in part.