

# Saving competence obtained in liberal adult education to Koski data repository (HE 19/2021 vp)

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# Summary

- **Amendments to the Act on the National Registers of Education Records, Qualifications and Degrees**
  - New section 9d: Non-degree studies in liberal adult education
  - Amendment to recent section 9a: Data referred to in section 5.2 of the Compulsory Education Act also to be stored
    - "A person at compulsory education age who has completed basic education referred to in section 26(1) of the Basic Education Act and who does not have sufficient Finnish or Swedish proficiency to complete further studies after basic education may complete some of their compulsory education in education organised by a folk high school that follows the National core curriculum for integration training for adult immigrants referred to in section 20(2) of the Act on the Promotion of Immigrant Integration (1386/2010) or a recommended curriculum for education intended for immigrants prepared by the Finnish National Agency for Education."
  - Technical changes associated with legislative amendments made at the turn of the year.

# Summary

- **Amendments to the Act on the National Registers of Education Records, Qualifications and Degrees**
  - New section 6b: Scope and assessment of studies stored in the national data repository for education
  - Only courses whose scope has been defined as credits, for which a competence-based description is provided and in which the student's competence has been assessed can be saved to the data repository.
- **Storing records in the data repository would be possible from 1 August 2021.**
- The proposal does not contain changes to the system of central government transfers for liberal adult education.

# Why?

- Implements Government Programme objectives of continuous learning and

"drawing up national principles for identifying and recognising learning which will seek to make visible the competence which individuals have gained by various means in working life and in the education system."

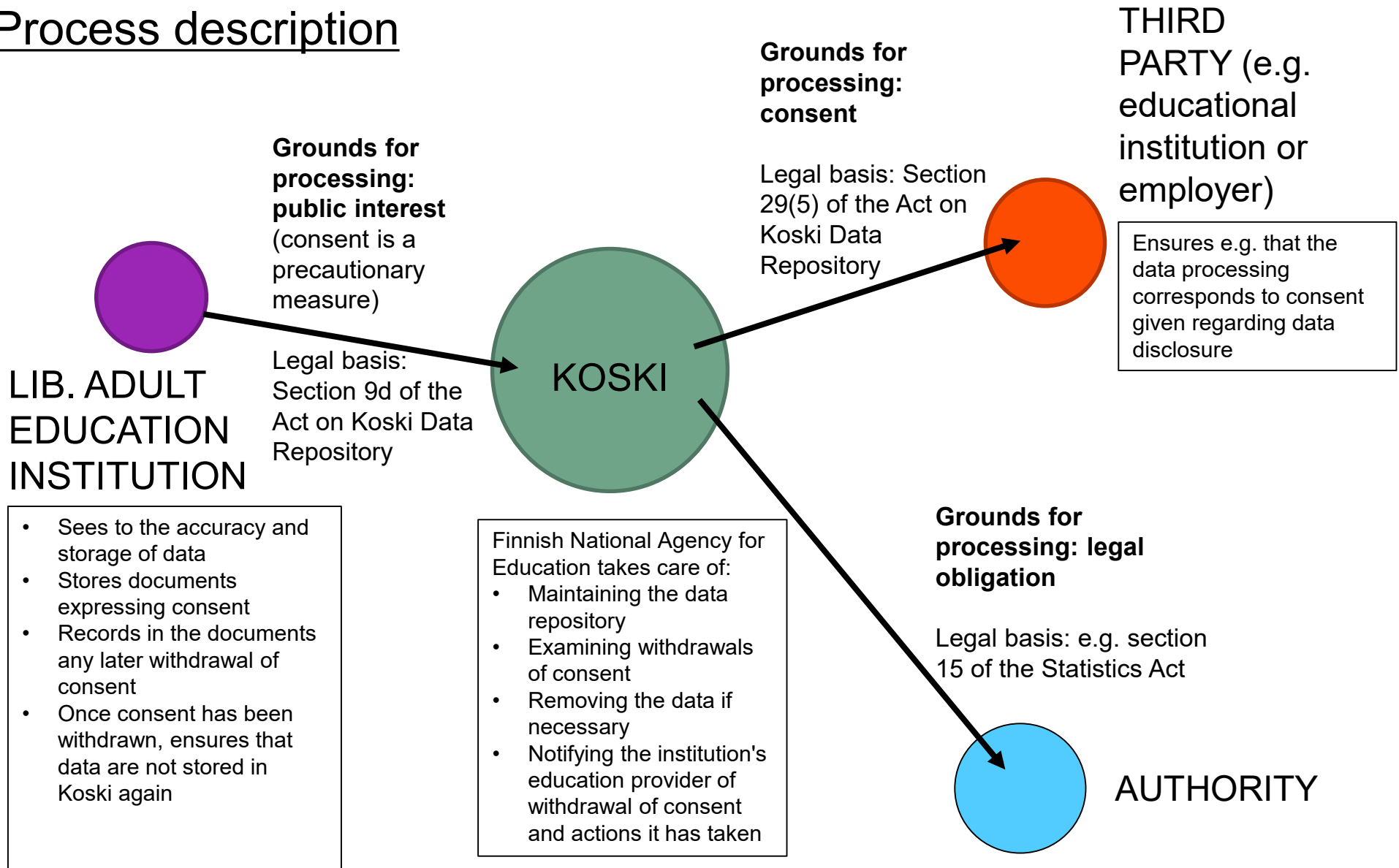
- The background to this are the proposals of a working group preparing the identification and recognition of competence acquired through liberal adult education
- A large part of adult education takes place in liberal adult education, which is why it would be important to make this competence more visible.

# What will be stored?

- 1) Name and scope of the course;
- 2) Course end date;
- 3) Assessment.

- Requirements for storing the data:
  - The institution's education provider must be prepared to enable and make a decision on storing the data
  - Preparing a competence-based description of the course and defining its scope in credits
  - Assessment of the student's competence
  - Student's expression of will = consent

# Process description



# Sections of the Act on Koski Data Repository

## Section 4 *Purpose of the data repository*

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As an exception to the provisions laid down in subsections 1 to 5 above, the data subject decides themselves on the purposes for which the data referred to in section 9d are used.

# Section 5 *Joint controllers of the data repository and sharing of responsibilities*

The joint controllers of the data repository are organisers of education, institutions' education providers, the actor referred to in section 9.6 as well as the Finnish National Agency for Education. The Finnish National Agency for Education is responsible for the general operation of the data repository as well as for the technical interface for storing, processing and disclosing data.

Education and training providers, institutions' education providers as well as the actor referred to in section 9.6 are responsible for the accuracy of the data they store as referred to in Article 5.1(d) of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) as well as the data subject's right to rectification of data referred to in Article 16. The Finnish National Agency for Education is responsible for other controller's obligations laid down in the General Data Protection Regulation.

If the education organiser, the institution's education provider or the actor referred to in section 9 ceases to operate and the tasks of the controller in question are not transferred to another legal person, the Finnish National Agency for Education shall act as the controller of the data stored in the repository and for the consent referred to in section 9 d.



## Section 6 *Saving data to the repository*

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The Finnish National Agency for Education will issue more detailed provisions on how the parties storing data should keep such data up to date. The Finnish National Agency for Education will issue more detailed regulations on the data structures of the data referred to in sections 7 to 9 and 9a to 9d.

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# Section 9d § *Data concerning liberal adult education*

The provider of an educational institution referred to in the Act on Liberal Adult Education shall store in the repository the following data on the institution's students attending education that meets the conditions laid down in section 6b of the cited Act, other than education referred to in Chapter 7a of the cited Act or in section 5(2) of the Act on Compulsory Education if the institution's education provider has decided to offer data storage in the repository to students attending the education and the student consents to the storage of the data:

- 1) name and scope of the course;
- 2) end date of the course;
- 3) assessment of competence.

The student's consent referred to in subsection 1 above is given to the provider of the educational institution which stores the data at the beginning of the course. The consent must show that it was given voluntarily and explicitly. The consent of the custodian or other legal representative of a minor is also required for storing the data. The consent must be kept permanently on file, and if the consent is subsequently withdrawn, the withdrawal must be recorded. Consent can be withdrawn at any time by notifying the Finnish National Agency for Education. -> detail may be added in Parliament

## Section 10 *Disclosing data from the repository*

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The provisions laid down in subsections 1 and 2 above shall not apply to data referred to in section 9d.

## Section 28 *Purpose of the disclosure service of study and qualification records and the data to be disclosed*

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The disclosure service of study and qualification records is used to disclose the following:

1) data referred to in sections 7 to 9 and 9a to 9d contained in the national data repository for education, with the exception of the data referred to in section 9, subsections 2 to 5;

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## Section 29 *Disclosure of data using the service*

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The provisions laid down in subsections 2 and 4 are not applied to data referred to in section 9d.  
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# Entry into force

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This Act shall enter into force on \_\_ \_\_ 20\_\_. The provisions in force at the time of the entry into force of this Act shall apply to studies started before the Act entered into force.

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# Liberal Adult Education Act

## *Section 6b Scope and assessment of education stored in the National data repository for education*

When recording data concerning liberal adult education other than that referred to in Chapter 7a of this Act or section 5(2) of the Compulsory Education Act (1214/2020) to the data repository referred to in Chapter 2 of the Act on the National Registers of Education Records, Qualifications and Degrees (884/2017), the scope of the education shall be defined in credits, a competence-based description shall be provided, and a competence-based assessment shall be made. The scope of the course shall be defined as credits, with the student's average work input of 27 hours corresponding to one credit. When assessing the student's knowledge and skills, the provisions laid down in sections 25g(4) and 25k of this Act shall be applied. Competence shall be assessed with the grade pass or fail, or on an assessment scale.