



Venezuela Publishes Student Participation in the Basic Education Subsystem Law

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The Student Participation in the Basic Education Subsystem Law was published on Feb. 23, 2023, in *Official Gazette* No. 6,737 Extraordinary.

The purpose of this Law is to "*promote and develop the means for participation and exercise of active citizenship of students from the Basic Education Subsystem, in order to defend, protect and guarantee education as a human right and fundamental social duty, as well as in the formulation, execution and control of public policies on education, in accordance with the provisions of the Constitution of the Bolivarian Republic of Venezuela and the law.*"

In accordance with the Organic Law of Education (LOE), the Basic Education Subsystem is one of the segments that make up the Venezuelan Educational System. The levels of this subsystem are initial, primary and secondary education. The initial education level includes the nursery and preschool stages aimed at the education of boys and girls between 0 and 6 years. The primary education level comprises six years and leads to obtaining the primary education certificate. The secondary education level includes two options: general secondary education lasting five years, from first to fifth year, and technical secondary education lasting six years, from first to sixth year (Article 25 LOE).

The Law is intended to:

1. guarantee education as a human right
2. promote the protagonistic participation and the exercise of active citizenship of students
3. guarantee the organization of students in Student Councils
4. contribute from student participation in the formulation, execution and control of public policies on education aimed at students
5. encourage peaceful school coexistence in the educational community

Among the most relevant rights incorporated in this Law, for the benefit of students, are the following:

1. Right and duty to lead participation for the exercise of their duties, rights and interests in the Basic Education Subsystem, in relation to its planning, execution and management.
2. Right to participate in the Basic Education Subsystem in conditions of equality without discrimination and gender equality.
3. Right and duty of indigenous students' participation within the framework of the protection of their uses, customs and indigenous socio-cultural environment.



4. Right and duty of students with disabilities to participate in a leading way to exercise their rights, duties and interests in the Basic Education Subsystem, as well as in the planning, execution and management of the subsystem.
5. Right to free association in the school environment. Therefore, students may associate for social, cultural, sports, recreational, ecological, religious, political, economic, labor or any other purposes, in the Basic Education Subsystem. In this regard, adolescents by themselves may constitute and register nonprofit legal entities, as well as carry out acts strictly related to their purposes. In order for legal persons made up exclusively of adolescents to be bound by assets, they must appoint, in accordance with their statutes, a legal representative with full civil capacity to assume the responsibility that may arise from these acts.

The Student Councils are defined as instances of organization and participation of students in the primary and secondary education levels belonging to the Basic Education Subsystem, which through a democratic process of election will choose their spokesperson, with the coordination and support of the Ministry of the People's Power with jurisdiction over education.

Said Student Councils, as well as the other forms of student organizations, will enjoy full autonomy as a student organization for its formation and development of its activities. The Student Councils will have the support and accompaniment of the instances with jurisdiction in education at the national, state and municipal level in a coordinated manner and in accordance with the Constitution of the Bolivarian Republic of Venezuela, the regulations and resolutions of this Law.

Regarding the National Student Congress, it is established that:

- it is a higher meeting point for the student spokespersons belonging to the educational institutions of the Basic Education Subsystem
- it will be integrated by the democratically elected student spokespersons, in accordance with its internal regulations
- its objective will be to deliberate and decide annually on the strategic lines and the programmatic action

The provisions of this Law are declared in it as of general interest and, consequently, its provisions are of public order.

Validity: This Law entered into force from its publication in the *Official Gazette* as of Feb. 23, 2023.

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