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Report

drawn up on behalf of the Committee on Cultural Affairs and Youth

on Community regulations for home study courses

Rapporteur : Mrs H. WALZ

By letter of 17 September 1974 the Committee on Cultural Affairs and Youth requested authorization to draw up a report on Community regulations for home study courses.

Authorization was given by the President of the European Parliament in his letter of 24 September 1974 for the Committee on Cultural Affairs and Youth to draw up a report on this subject.

At its meeting of 23 October 1974, the Committee on Cultural Affairs and Youth appointed Mrs Walz rapporteur.

It considered the draft report at its meeting of 21 November 1974, and unanimously adopted the motion for a resolution and the explanatory statement.

Present: Mr Broeksz chairman; Mrs Walz, rapporteur; Mr Delmotte (deputizing for Mr Calewaert), Mr Glesener, Mr Hougardy, Lord Lothian, Mr Meintz, Mr Pisoni, Mr Premoli, Mr Radoux (deputizing for Mr Laban), Mr Seefeld, Mr Terrenoire, Mr Thornley, Mr Vandewiele and Mr Walkhoff.

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The Committee on Cultural Affairs and Youth hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

on Community regulations for home study courses

The European Parliament,

- having regard to Article 57 of the EEC Treaty,
- having regard to previous opinions of the European Parliament on education and vocational training¹,
- having regard to the report of its Committee on Cultural Affairs and Youth (Doc. 416/74),

1. Is convinced that home study courses must be made subject to the supervision of the state authorities in the Community and that such supervision can best be applied by means of legislation;
2. Calls on the Commission to submit a proposal for a directive to the Council with a view to
 - approximating the legislation of Member States which already have such legislation on the basis of common principles;
 - including Member States which have no legislation to introduce laws based on the common principles referred to;
3. Considers that any legislation must include the following common principles:
 - official inspection of all courses, which must receive a State certificate of quality,
 - appropriate training and qualifications for teaching staff,
 - prohibition of the use of sales representatives,
 - protection of students (especially as regards conditions of payment, contractual obligations, credit transfers, withdrawal etc.);
4. Requests the Commission to draw up the proposal for a directive and submit it to the Council within six months;
5. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities and for information to the Governments and Parliaments of the Member States.

¹Resolution on youth and education policy within the framework of the European Communities (Doc. 232/71).
Resolution on the information policy of the European Communities (Doc. 246/71).

EXPLANATORY STATEMENTI. Introduction

Definitions given in the various Member States of the Community for the term 'home study' are fairly similar.

Home study can be defined as a process of planned transmission of abilities, aptitudes and knowledge over a distance, but should be supplemented at certain intervals by direct instruction.

Home study includes correspondence courses with teaching notes and exercises, tuition making use of television, radio, records, tapes and sound films.

Home study is above all an educational activity and is to a large extent carried out by the private sector, which in the opinion of your rapporteur must however be made subject to state supervision, given the extent to which it is abused.

All teaching should be fully integrated in the overall education system of our states. This requirement of integration imposes an obligation on the state to incorporate the sector of supplementary and further education, which at present in most states is left to the rules of the free market, into an organised system of state education and to assist students taking home study courses accordingly. Regulation of education and training as the decisive factor in determining the future opportunities of the individual and of society must, at a time when social structures are rapidly changing, be considered as one of the state's most urgent tasks.

The basic characteristics of home study courses are:

1. Spacial separation of teacher and student for the entire duration of the course or nearly so. In this sense, home study is distinguished from indirect study in which the separation occurs only part of the time.
2. The use of teaching materials which solve the problem of separation (printed notes, records, cassettes, radio and television, and sometimes seminars and weekend courses).
3. Control and goal-directedness in this type of teaching.

There is usually no direct contact with the teacher. He nevertheless has an effect on the student and on the teaching process as the author of the teaching material, chiefly as a corrector, possibly also as a school or course manager present at a supplementary course or as a long-distance advisor. In relevant literature to date, home study courses have thus been aptly termed

In the opinion of your committee, national laws on home study courses must contain four basic points, in order to preserve the soundness of further education:

1. All courses must be officially supervised.
2. The teaching staff must possess appropriate qualifications.
3. Education is not a product to be peddled by salesmen.
4. The student must be protected against unethical practices by unscrupulous operators and petty swindlers; he must be afforded consumer protection.

III. Consumer regulations for home study courses

1. Advisability and necessity of Community regulations

The need to make home study courses subject to state control is recognized, if not generally, then by the majority of persons with a professional interest or responsibility.

The initiative should of course be taken at national level. This is at present the case in the German Federal Republic.¹ But if it is agreed that there must be legislation on home study courses in every Community country then it may well be asked, given the right of establishment and the reciprocal recognition of diplomas, whether this is a Community task, on what legal basis such Community regulations should be founded and what form they should take.

2. The legal basis for action by the European Community on home study courses

The note (doc. PE 36.051) prepared by the Directorate General for Research and Documentation on home study courses refers to several articles of the EEC Treaty as a legal basis for Community action in this field.

(a) The provisions of Article 57 of the Treaty of Rome

Of the various articles, Article 57 should, in the opinion of your committee, be regarded as a primary legal basis.

Article 57 (1) states:

'In order to make it easier for persons to take up and pursue activities as self-employed persons, the Council shall, on a proposal from the Commission and after consulting the Assembly, acting unanimously during the first stage and by a qualified majority thereafter, issue directives for the mutual recognition of diplomas, certificates and other evidence of formal qualifications.'

¹ See W. German Parliament (Bundestag) 7th legislative period, Bulletin 7/1337, 4.12.73: bill by Mrs Walz, Mr Mikat, Mr Pfeifer, Mr Gölter, Mr Vogel (Ennepetal) and the CDU/CSU group on home study courses.