

Implication of Parents in the Educational System: An Analysis of Spanish Legislation.

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A correct parents' involvement in their children's education has a undeniable importance. Many aspects need parents' commitment and a tight collaboration between parents and school in order to be able to achieve a comprehensive development of the child. Numerous authors agree with the great importance a correct action and cooperation have. Due to this importance, legal documents define the parents' rights and privileges as well as their duties, establishing also the procedures schools should follow to implicate parents in their children education. After accomplish a detailed analysis of the educational legislation in force in Spain, and more concretely in the Valencia Community, we have concluded that the relationship of parents and schools is based in three main aspects that are clearly defined: information, participation and cooperation.. Knowing how to cope with the three of them would contribute to get a better quality in education. Spanish legislation demarcates the field of action of schools and parents. On the one hand, parents should know what legislation allows them to do in the educational formal system and how to do it. On the other hand, teachers should know what obligations they have and how they should let parents collaborate in formal education.

Keywords: Education, family, legislation, participation, responsibility

Introduction

What factors influence academic achievement? A great number of studies have tried to answer this question from different points of view. Undoubtedly, there are many elements influencing the correct performance of a student, such as motivation, capacity, contents or age, among others. Nevertheless, there is an essential aspect, a factor we can not forget due to its huge influence on our students: their family. An African proverb says "To educate a child the whole tribe is needed". The child is born and raised in a social community, but the family environment is essential to his/her development, because this is where he/she experiences his/her first feelings and emotions.

The family acts as the first filter the child will use to interpret the reality. "The school is the main frame of the child's socialization, but the

principal socialization is a family responsibility (Savater, 2006).

The student's second learning context, in which the family is not present, or at least not directly, is school. School provides all kind of situations in which students should test their family values, checking if what they have learned is useful in the current society and learning new ways of coping with it. This context has two different levels of experience, depending on the amount of control adults have. The controlled experience is related to the one students acquire during the teaching-learning process that takes place inside the classroom and within an adult plan. The teacher determines and designs the situations, what contents should be worked on and the aims to achieve. However, the teacher may not control all the elements that converge in the situation or the way the student will learn. Because of this, we can't assume total control, despite the situation being determined and consciously designed. The second level of experience refers to all the spontaneous situations children need to handle; those which

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have lack of control or aim, such as the ones happening in the playground or leisure time.

Facing these two levels of experience students have to deal with in school, the existence of a concrete and planned attitude among the responsible adults, respond to all crises is essential. Those attitudes and decisions should be coherent and common between school and family, to avoid creating moral or fundamental conflicts in the students. That's why, school and family should share their image of human beings and the values they want to transmit.

That common image is transformed, in the school, into educational objectives. If teachers and families share these objectives, a child's correct development is facilitated (Sheldon & Epstein, 2002). This coherence is needed for the educational effort not to be in vain. We need the family to support the school and the school supporting the family to educate students in a comprehensive way.

Children and teenagers are very sensitive to incongruities and incoherencies, possible causing them crises that, depending on the intensity, may get expressed as personal or academic crisis, both closely related. Therefore, to give a correct education and foundation, there should be as few incoherencies as possible between the family and the school, what involves close collaboration between the two parties. "It's necessary that in that moment, school and family walk in the same direction, as teachers' authority gets diminished if it's not reinforced by parents" (Sheldon & Epstein, 2002), and vice versa.

Furthermore, "Parents' implication in the school activities and organization is also related to a high academic performance" (Garcia-Bacete, 2003). A close relationship between parents and school contributes to improve the quality of the education, both cognitively and socially.

But, current societies, or at least a great number of schools, tend to create only unidirectional relationships with parents. Rabusicová (2005), quoting Marjoribanks, presents two theories that classify the basic relationships between families and schools:

- Assignment theory: variation in the results depends mainly on the school, which is considered an active element, whereas the family is considered a passive element.
- Socialization theory: variation in the results is affected mainly by the context

and the family, which acts as an active element.

However, the author defends that both theories should be integrated because the children's academic performance is influenced by both family and school characteristics and activities. These activities may differ in many aspects, such as priorities, organization, expectations or level of formality, but both share the same objective: "to enable the child to develop as fully as possible".

Some countries give a fundamental responsibility to parents regarding children's education. "(...) In the Netherlands and the other countries studied, the prime responsibility for the education of children rests with the parents." (Smit & Driessen, 2005). What happens in Spain? That's one of the point we want to deal with in this paper.

Hartsock (2005) makes a reference to Epstein and his classification of the six ways families can take part in education:

- Raising: families satisfy the basic needs and establish the conditions to learn at home.
- Communication: families contact with the school with different levels of communication quality.
- Willingness: families, voluntarily, support the school activities and programmes.
- Participation in the learning process: parents help during homework time or foster the realization of activities related to the curriculum.
- Decision-making: the members of the family take part in the decision-making, administration and support of parents' associations and school councils.
- Collaboration in the community: schools may coordinate resources and services for the families and pupils with the help of enterprises, agencies or other groups, providing services to the community.

Do Spanish families know how they can participate in their children's education? How can they do it correctly? Where does their responsibility begin and end? Where does the teacher's responsibility begin and end?

Currently, teachers lean towards defending their independence and autonomy, maybe to protect themselves against the great influence parents may have in their work, justifying themselves by their professionalism and experience. If parents get involved in the daily

work of the school, personal and professional tensions may arise between them. Facing this, Smit&Driessen (2005) explained that, to solve this tension, teachers should develop varied strategies to handle with different parents and they should be open-minded when dealing with parents from different socio-cultural contexts, developing useful and positive cooperative relationships. If we add to this parents' knowledge of how they can get involved and what strategies they can put into practice, their relationship would be more fluid and mutually beneficial.

"Galbraith said that 'All contemporary democracies live under the permanent fear to the ignoramus influence'. This is a point to think on; democracy permits everyone to vote, and therefore, the ignoramus -who unfortunately may be very numerous- can block adequate solutions, support fundamentalism, populist policies and savage solutions, and may influence, finally, sabotaging the democracy they are using. But it's not just the ignoramus' fault. People who let them be ignorant have also responsibility." (Savater, 2006) We can apply these thoughts to our analysis: teachers have the moral obligation to solve the parents' ignorance so as not to sabotage education.

Parents should be involved in their children's school education, but how? We can find an answer to this question in Spanish legislation; it is to say, in what the Spanish government expects parents to do in relation to their children's education inside the educational system.

I have analyzed current Spanish legislation related to education to define how it involves families. I have focused my attention on the school years in which students are more dependent: Infant education (3-6), Primary education (6-12) and Secondary education (12-16). I have organized all the information under three concepts that serve to define the parents' involvement in the Spanish educational system: information, participation and cooperation.

Aims

- To analyze current Spanish educational legislation, selecting all the aspects related to parents.
- To clarify the duties and rights the Spanish educational system establishes for parents.

- To define areas of parents' implication in schools.
- To create a guide in which legislation related to parents' involvement in the school is classified.

Family-school-relationship

Spanish legislation related to education is based on the 27th article of the Spanish Constitution, which says:

Article 27 [Education]

- (1) Everyone has the right to education. Freedom of instruction is recognized.
- (2) The objective of education shall be the full development of the human personality with respect for the democratic principles of coexistence and the basic rights and liberties.
- (3) The public authorities guarantee the rights which will assist parents to have their children receive the religious and moral formation which is in keeping with their own convictions.
- (4) Basic education is obligatory and free.
- (5) The public authorities guarantee the right of all to education through a general educational programme, with the effective participation of all the sectors affected, and the creation of educational centers.
- (6) The freedom of physical and legal persons to create educational centres which respect constitutional principles is recognized.
- (7) Teachers, parents, and in some cases, the students, shall participate in the control and management of all centres maintained by the Administration with public funds, under the terms established by law.
- (8) The public authorities shall inspect and standardize the educational system so as to guarantee compliance with the laws.
- (9) The public authorities shall help the teaching centres which meet the requirements established by law.
- (10) The autonomy of universities is recognized under the terms established by law.

All the organic laws, royal decrees, decrees, resolutions or orders must be in line with this

article, which acts as a framework for the Spanish Educational System. Spanish legislation accepts parents' main responsibility in their children's education. Starting from this point they designed some duties and some rights parents have, stated in the Organic Law 8/1985, 3rd of July, 4th article.

Developing this organic law, there are some legal documents which define more concretely the

relationship between parents and schools. After analyzing them, I've defined three concepts which help to clarify and explain this relationship. Let's define each of them briefly, highlighting all the possibilities legal documents state concerning them.

Table 1 – Parents' rights and duties (translated from the Organic Law 8/1985, 3rd July)

PARENTS' RIGHTS Concerning their children's education...	PARENTS' DUTIES As the main agents responsible for their children's education...
<ul style="list-style-type: none"> a) To receive education, guaranteed the maximum grade of quality, following the purposes established in the Spanish Constitution, in the Autonomy Statute and in the educational laws. b) To choose a school, be it public or private. c) To receive a religious or moral foundation according to their own beliefs. d) To be informed on their children's learning process and socio-educative integration. e) To take part in their children's learning and teaching process. f) To take part in the school's organization, running, administration and assessment, in the terms established by the law. g) To be heard in those decisions affecting their children's academic and professional orientations. 	<ul style="list-style-type: none"> a) To adopt the measures needed, or ask for help in case of difficulty, for their children to attend compulsory education by going regularly to class. b) To provide, within their means, the required resources and conditions for academic progress. c) To stimulate them to carry out the required study activities. d) To take part actively in the activities established as a product of the agreements between families and school, to improve their children's academic performance. e) To know, participate and support their educative process evolution, in collaboration with the teachers and the schools. f) To respect and make their children respect the rules established by the school and the teachers' authority and educative indications and orientation. g) To foster respect for all the members of the school community.

Information

There are two main definitions of information: 1. knowledge acquired through experience or study and 2. knowledge of specific and timely events or situations. Spanish legislation establishes that both kinds of information should flow in a bidirectional way.

Education → parents

Parents' foundation

Parents, as adults, may need to extend their knowledge in parenting to be able to achieve their personal fulfillment. The Spanish Constitution establishes that there should be a life-long education process which should cover every adults needs for their personal and

professional fulfillment. This is reiterated in the Organic Law of Education. That's why the Spanish Educational System contemplates the creation of Schools for parents, managed by parents associations and favoured by governments.

But, concurrently, schools are asked to give the families all the information they may need to be able to provide a good education at home. Specific orientations or adapted strategies may be transmitted to the pupils' families to facilitate a correct attention to specific problems or situations, by both the government and the school.

Sometimes, parents' organizations provide the families with this kind of information, as it is one of their main duties.

School information

Each school may have a particular identity and some objectives they want to achieve. In the Spanish educational system, this information is specified in a document called "School Educative Project". Each school has to design this document and must publicize its contents within the school community. Parents, when applying to send their children to that particular school, are accepting this identity and its objectives.

There is another document called "Internal rules and regulations" in which the school should specify how teachers are going to communicate with families: means, frequency, sequence, etc. Parents have the right to be informed about these rules.

Teachers having direct responsibilities to their children education must inform parents about how their child reacts to the learning-teaching process, what they are learning correctly or what aspects are difficult for them and need reinforcement.

Recognizing their main responsibility, teachers should also inform parents about any corrective measure the school considers necessary to apply to their children.

Parents → Schools

On the other hand, families ought to give the schools all the information that may be important for the children's education. They have also the right to express their opinion when taking decisions which are important to the child's personal, academic and professional development.

To sum up, there are three kinds of information: the one from the school (how it works or which are its rules and plans), the one from the educational theories (how to educate or how to treat specific problems) and the one from the families (who know some aspects of the children deeper than the teachers). Spanish legislation establishes how this information must flow among parents, government and schools, defining rights and duties.

Participation

We should understand participation as a right parents have to decide and take part in deliberations concerning important points of

education. Parents have specific functions that should be respected by everyone.

Parents can make offers to add some aspects to the documents defining the school identity or the school annual planning. They can also take part in the elaboration, control and evaluation of the School code of conduct.

They have the right to present complaints, claims and suggestions to the school or to the Administration.

Moreover, there are two organizations created to permit parents participation: the School Council and the Parents association. Governments must favour and guarantee parents' participation and information about how to accomplish participation.

The School Council is usually made up of the management team, eight teachers, eight parents and a representative of the local administration among others. The current legislation establishes that this institution is the one who decides everything important that happens in the school. Therefore, parents here have a responsibility to make decisions about documents or concrete economical and pedagogical actions.

Parents associations, formed only by the school parents, have, among others, the objective of participating in the daily life of the school, implicating and informing parents on what should be decided.

As a maximum level of participation, the law establishes the possibility of parents creating and running school.

Spanish legislation has therefore defined parents' participation creating special institutions to enable it and specific procedures to facilitate parents taking part in essential school processes. Joining the great possibilities the law contemplates with a good formation about how to do it, parents' participation would become relevant when taking decisions concerning education.

Cooperation

Parents are asked to collaborate and cooperate with the schools at different levels.

Parents should promote study in their children, providing them with a good place to concentrate and to do homework. They should also assure a regular school attendance, with punctuality. They must supply their child with all the resources necessary, and when there are any

economic limitations, they have the duty of asking for grants or any other stipulated help.

Families due to respect and should make their children respect the School code of behavior and other rules established to facilitate its activity. Furthermore, they should respect all the people, facilities and materials that constitute the school community, as well as other people's rights.

Another very important area where parents have something to do is motivation. Families must stimulate and motivate students to study and learn, instilling the value of education in their children.

The law specifies in an article of the Decree 39/2009 that families must collaborate in the development of a responsible attitude when using the information and communication technologies (ICT).

Schools should support parents' collaboration and cooperation, introducing in their official documents all the planned collaborative measures. Teachers should orientate parents on how they can collaborate in the teaching-learning process, favouring it. Parents' organizations are also created to favour and facilitate parents' collaboration in school activities.

Spanish legislation, accepting that education is the main responsibility of parents, considers essential the collaboration between parents and teachers. How we can do it correctly? Under my consideration, a wide knowledge of our duties and rights, either as parents or teachers, and a complete exercise of all of them, is necessary for making such collaboration fluid and profitable.

Conclusion

Spanish education legislation considers parents as the agents with the main responsibility in matter of education. This is the principal point we must take into account when defining their implication in the educational system and it should be the trunk of any action. Bearing this in mind, Spanish government establishes, through different legal measures, how parents should get involved into the educational system.

Through a wide analysis of Spanish legislation, it can be concluded that the main points of the relationship between parents and school are sufficiently regulated, in relation to the three fields defined (information-participation-cooperation). Therefore, the first step for

establishing the basis of a correct relationship, it is to say, a wide specific legislation regulating parents' involvement in the school, is well built. Hence, putting this into practice, which is the next step to take, is a responsibility of parents and teachers, and it is, from my point of view, where we should address our efforts.

It is necessary for every person taking part in education to know what his/her duties are, exercising them, as well as the rights that have to be respected on others. Parents must know what they are obliged to do in order to support their child's education and what they can ask others to do. If parents and teachers are aware of all the orientations and limits the legislation establishes, their relationship would be easier and more productive, raising the quality of education.

Furthermore, parents and teachers should have a good foundation on how to educate correctly a child. They should argue when necessary to design a common and coherent project. They should learn from each other and teach each other, being in the same team. But this relationship can be difficult if the agents taking part are unaware of their rights and duties, the procedures to implement and the best way to accomplish it.

The government has the duty to regulate and favour this collaboration and should make of this one of its first goals, as the future of our society depends on how we teach and educate our children. Spanish universities and Schools for Parents should also consider the points of our legislation, which I have summarized in this article, as essential in their teaching programs. The whole society should be spending all its time and efforts in favouring a comprehensive education from all the possible means.

Analyzing legislation I have concluded that it is sufficiently developed, so what is really needed is the implementation of suitable measures that develop and make this rights and duties real.

The drawback that can be taken from our analysis is the great amount of legal documents parents and teachers should analyze to be able to know their rights and duties. Collecting, reading and deducing the main points of the education legislation is a hard task, so in order to facilitate the acquisition of such information, the aim of this analysis was to design a guide for parents and teachers in which all this important information is classified into three essential

concepts: information, participation and collaboration.

This guide is thought to serve as a tool for parents and schools to know what is legally possible in terms of collaboration. Once both parties know what they can and cannot do, they

should join forces to make use of all possibilities for the sake of students.

Only like this, knowing what we can do as parents and teachers and therefore doing it in the better way, we will be able to raise well educated citizens that will create a better future.

Legislation.

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- Organic Law 8/1985, July 3rd.
- Organic Law of Education 2/2006, May 3rd.
- Decree 233/1997, September 2nd.
- Decree 33/2007, March 30th.
- Order from the 27th of April 27th, 2007.
- Decree 39/2008, April 4th.
- Order 32/2011, December 20th.
- Order from the April 11th, 2006.
- Royal Decree 1630/2006, December 29th.
- Decree 37/2008, March 28th.
- Decree 38/2008, March 28th.
- Order from the June 24th, 2008.
- Royal Decree 1513/2006, December 7th.
- Decree 111/2007, July 20th.
- Order from the December 13th, 2007.
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