



# Education Act 2002

## 2002 CHAPTER 32

### PART 6

#### THE CURRICULUM IN ENGLAND

##### *Preliminary*

#### **76 Interpretation of Part 6**

In this Part—

“assess” includes examine and test, and related expressions shall be construed accordingly;

“assessment arrangements” means—

- (a) in relation to the foundation stage, the arrangements for assessing pupils in respect of that stage for the purpose of ascertaining what they have achieved in relation to the early learning goals; and
- (b) in relation to a key stage, the arrangements for assessing pupils in respect of that stage for the purpose of ascertaining what they have achieved in relation to the attainment targets for that stage;

“attainment targets”, in relation to a key stage, means the knowledge, skills and understanding which pupils of different abilities and maturities are expected to have by the end of that stage;

“early learning goals”, in relation to the foundation stage, has the meaning given by section 83(1);

“the foundation stage” has the meaning given by section 81;

“key stage”, or references to a particular key stage, shall be construed in accordance with section 82;

“maintained school” means—

- (a) any community, foundation or voluntary school maintained by a local education authority in England, or

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*Status: This is the original version (as it was originally enacted).*

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(b) except where otherwise stated, any community or foundation special school which is maintained by a local education authority in England and is not established in a hospital;

“maintained nursery school” means a nursery school which is maintained by a local education authority in England and is not a special school;

“programmes of study”, in relation to a key stage, means matters, skills and processes which are required to be taught to pupils of different abilities and maturities by the end of that stage;

“pupil” includes a child for whom funded nursery education is provided;

“school year”, in relation to a school, means the period beginning with the first school term to begin after July and ending with the beginning of the first school term to begin after the following July; and has a corresponding meaning in relation to the provision of funded nursery education otherwise than at a school.

## **77 Meaning of “nursery education” and related expressions**

- (1) In this Part “nursery education” means full-time or part-time education suitable for children who have not attained compulsory school age (whether provided at schools or elsewhere).
- (2) For the purposes of this Part, nursery education is “funded nursery education” in relation to a child if—
  - (a) it is provided in a maintained school or a maintained nursery school, or
  - (b) it is provided, by a person other than the governing body of any such school, under arrangements made with that person by a local education authority in England in pursuance of the duty imposed on the authority by section 118 of the School Standards and Framework Act 1998 (c. 31) and in consideration of financial assistance provided by the authority under those arrangements.
- (3) For the purposes of this Part, funded nursery education provided in relation to a child otherwise than at a maintained school or maintained nursery school is to be taken to be provided by the person with whom the arrangements referred to in subsection (2) (b) are made by the local education authority.