



BELIZE

**EDUCATION ACT
CHAPTER 36**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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CHAPTER 36

EDUCATION ACT (COMMENCEMENT) ORDER

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2. Commencement.

EDUCATION ACT (COMMENCEMENT) ORDER

(Section 1)

65 of 1991.

[1st June, 1991.]

1. This Order may be cited as the

Short title.

EDUCATION ACT (COMMENCEMENT) ORDER.

2. In exercise of the powers conferred upon me by section 1 (2) of the Education Act, and all other powers thereunto me enabling, **I, SAID W. MUSA**, Minister responsible for education do hereby appoint the 3rd day of June, 1991 as the day on which the said Act shall come into force.

Commencement
of Chapter 36.

MADE this 30th day of May, 1991.

(SAID W. MUSA)

*Minister of Foreign Affairs,
Economic Development and Education*

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CHAPTER 36**EDUCATION RULES***(Section 42)*

92 of 2000.
Act 6 of 1991.

*[16th September, 2000.]***PART I**
PRELIMINARY

Short title. 1. These Rules may be cited as the:

EDUCATION RULES.

Interpretation. 2. (1) In these Rules, unless the context otherwise requires:-

CAP. 36. “Act” refers to the Education Act;

“academic qualification” in connection with the requirements for license as a teacher, refers to the educational background of the person in the subject area(s) or curriculum content to be taught, and “professional qualification” refers to studies in relevant areas of the field of education to equip him with the required pedagogical competencies;

“agent” means a person or body selected by the party concerned to represent him;

“an attendance” means the attendance of a pupil at school for a session of school;

“average monthly attendance” means the average of the attendance for all sessions during the month;

“Belize Junior Achievement Test” or “BJAT” refers to a national examination

administered by the Ministry of Education to students at the end of six years of primary education to determine achievement in relation to specific areas of the primary school curriculum;

“Belize Primary School Examination” or “BPSE” refers to a national examination administered by the Ministry of Education to students at the end of primary education to determine achievement in relation to the primary school curriculum;

“booklist” refers to the list of textbooks and other learning materials to be used by a specific grade or class and which students are required to have personal copies of;

“Chief Education Officer” means the Public Officer appointed as such under section 4 (1) of the Act;

“child of compulsory school age” means any person who is between five years and fourteen years of age;

“community school” means a school or institution not owned by a specific person, organisation or group of organisations and which is managed by a board composed mainly of representatives of parent(s), school staff and local community organisations;

“Council” means the National Council for Education established under section 7 of the Act;

“CSEC” refers to the Caribbean Secondary Education Certificate offered by the Caribbean Examinations Council (CXC) recognising a level of proficiency in various subjects historically benchmarked with secondary level education;

“CXC” refers to the Caribbean Examinations Council system of examinations designed to test students attainment in specific subjects or subject areas at the secondary and sixth form levels of schooling;

“denomination” refers to religious denomination,

“Regional Council” means a Regional Education Council;

“education region” means a region of the country under the jurisdiction of a single Regional Education Council as determined by the Chief Education Officer;

“formal education” means mainstream education or the normal process and established progression of education from early childhood to tertiary level for the general population of the specified age range;

“government-aided school” means a school in receipt of a grant-in-aid from the Government in accordance with the provisions of the Act;

“licence” as it refers to a school, means a document issued by the Chief Education Officer authorising the operation of the school;

“licence” as it refers to a teacher, means a document issued by the Chief Education Officer, that authorises a person to be employed as a teacher;

“Manager, Managing Authority or Board of Governors or Trustees” means a person or committee appointed in accordance with Section 14 of the Act;

“material” in relation to educational material refers to any form of material, including printed, audio, video, electronic or multimedia;

“Minister” means the Minister responsible for education and “Ministry” shall be construed accordingly;

“non-coeducational” in relation to a school or college, means a school, college or other educational institution in which all students are of same gender;

“Ordinary or ‘O’ Level” in relation to an examinations system such as the CXC refers to a level of proficiency in a subject area historically benchmarked

with secondary education and “Advanced, or ‘A’ Levels” refers to a level of proficiency historically benchmarked with sixth form education;

“parent(s) in relation to any child, includes a guardian(s) or any person who has actual custody of the child;

“partners”, in education refer to churches, communities, community organisations and other non-governmental organisations who participate in the delivery of educational services through the establishment and management of schools or through other forms of involvement in and support of education;

“post-secondary institution” or “tertiary institution” refers to educational institutions whose normal matriculation requirements include completion of secondary schools or institutions;

“pre-school” means an educational institution or programme for children between the ages of three years and five years;

“prescribed” means determined by Rules made under the Act;

“primary school” means a school recognised by the Ministry of Education as providing instruction and training suited to the ages, abilities and aptitudes of children between the ages of five years and fourteen years;

“principal” means, in relation to any school, the teacher in charge of the school;

“Private school” means a school which is neither a Ministry of Education nor a government-aided school;

“professional staff” refers to personnel directly responsible for the academic and personal development of students, including counsellors, advisors, chaplains and sports coaches;

“proprietor” means-

- (i) in relation to a school, the person or body of persons responsible for the management of the school; and
- (ii) in relation to an application for a licence to operate a school, the person or body of persons proposing to be responsible for the management of such schools;

“pupil” refers to a child duly enrolled in a pre-school centre or primary school;

“recognised” in relation to a school means a school offering mainstream education and which in accordance with these Rules must apply for and obtain a licence to operate;

“registered student” means in relation to any school, a student recorded as such in the register kept in accordance with Rules made under the Act, but does not include any child who has been withdrawn from the school;

“school” or “educational institution” means an institution that provides pre-school, primary, secondary or tertiary education or other educational programmes;

“school attendance officer” means a person appointed under section 35 of the Act;

“school day” means the opening of school for a day to include prescribed hours of instruction;

“school year” means a period prescribed or approved as such under the Act or regulations made thereunder;

“secondary school” means a school recognised by the Ministry of Education as providing education and training suited to the ages, abilities and aptitudes of

students between the ages of twelve years and eighteen years;

“student” refers to a child duly enrolled in a secondary school or institution; where the term is not used with specific reference to a secondary school or institution, it shall be applied generically across the levels;

“teacher” means a person appointed by the manager or Managing Authority of a school for the purpose of instructing students;

“term” means a period during the school year as prescribed or approved under the Act or Rules or regulations made thereunder;

“walking distance” means, in relation to a child who has not attained the age of eight years, two miles; and in the case of a child eight years and above, three miles, measured by the nearest available route;

(2) A word or a phrase used but not defined herein shall have the corresponding meaning attached to it in the Act if it is defined therein.

PART II

MINISTRY OF EDUCATION

3. The Ministry of Education shall in consultation with partners in education develop and update on a regular basis a Handbook of Policies and Procedures for School Services describing, among other things:

Handbook of
Policies and
Procedures for
School Services.

- (a) the organisation of the formal and non formal systems of education, showing the levels of education and types of educational institutions;
- (b) the organisational structure of the Ministry of Education and system of school management;

CAP. 42.

- (c) Rules of Procedure for Boards of Management and Management Committee;
- (d) a calendar of the principal national education activities;
- (e) the Act and amendments to the Act;
- (f) these Rules, any amendments thereto and the procedures for additions or deletions to these Rules;
- (g) the School Teachers' Pensions Act and other related regulations;
- (h) Ministry of Education and other government circulars and notifications of regulations relating to policies and procedures for the conduct of schooling in Belize;
- (i) the national goals of education and the national curriculum for early childhood, primary and secondary education, including any related policies, e.g., language policy;
- (j) the system of examinations and other measures for the assessment and evaluation of student achievement;
- (k) professional requirements for licensing and retention of licence as a teacher;
- (l) the classification scheme for teachers, related salary scales and allowances;
- (m) the staffing schedule for Ministry of Education and government-aided schools;

- (n) policies related to duty and conditions of service as these are developed;
- (o) the system and policies for the training and professional advancement of teachers; and
- (p) policies for the construction and maintenance of school buildings, guidelines and regulations for school safety and emergency plans.

4. (1) The Chief Education Officer shall submit to the Minister and to the Council by no later than the end of August of each year a Report on the state of education at all levels of the system, including a review of: Annual Report.

- (a) management and delivery of educational services at the various levels of education including statistics on the number and location of schools, students enrolment and attendance data and staffing;
- (b) problems and developments related to access to schools including school transportation routes and availability of places;
- (c) developments relating to the quality of education including curriculum innovation, teacher training, text-books and other matters affecting educational quality;
- (d) student performance on national and regional examinations, school assessment and other measures of performance;
- (e) ongoing projects and new projects implemented; and

- (f) developments in and predominant problems constraining the management of the education system, including personnel and financial constraints.

(2) The Council shall at its first meeting after receipt of the report review the report and forward to the Minister its comments on any matter in or relating to the report as it considers expedient.

General
Functions of the
Chief Education
Officer.

5. The Chief Education Officer shall, in consultation and collaboration with partners in education, manage the education system including:

- (a) formulating recommendations of goals, strategies and long-term plans for improving access, quality, and cost-effective delivery of schooling at all levels of the education system;
- (b) organising the effective delivery of educational services at all levels of the system including the allocation of resources, provision and maintenance of adequate facilities, school attendance, school management and student safety;
- (c) determining standards for and monitoring the quality of education, especially at the pre-school primary and secondary levels;
- (d) overseeing plans and activities for educational quality assurance, including curriculum reform, teacher development and student assessment;
- (e) managing the operations of the Education Department, including the preparation of annual plans and budgets, supervision of technical staff, student assistance services at the primary and secondary

levels, such as the award of scholarships, bursaries and other financial assistance to students;

- (f) preparing the annual report on the state of education and other special reports as are requested by the Ministry of Education;
- (g) overseeing the development of proposals and projects for funding from external agencies;
- (h) maintaining communications with the various partners in education, with managing authorities, district education centres and with schools; and
- (i) supporting the operations of the Council and its committees in the execution of their responsibilities.

6. (1) The Chief Education Office shall establish Regional Education Councils to assist the Ministry in managing the delivery of educational services in various regions of the country.

Regional
Education
Councils.

(2) The area under the jurisdiction of a Regional Education Council shall be determined by the Chief Education Officer.

7. The functions and responsibilities of Regional Councils, including their composition, terms of reference for the officers and other matters incidental thereto shall be as specified in the schedule attached hereto.

Governance of
Regional
Council
Schedule.

8. (1) The Ministry of Education shall establish and maintain Regional Education Centres in each region for which a Regional Council is established.

Regional
Education
Centres and
duties of District
Education
Officers.

(2) Regional Education Centres shall house the administrative offices of the Ministry for the region and shall serve as the centre for planning and the conduct for promoting and implementing educational development in the region.

(3) Regional Education Centres shall be headed by the District Education Officer supported by other technical, administrative and development staff as may be determined for time to time by the Chief Education Officer.

(4) The duties of the District Education Officer shall include:

- (a) collaborating with the Regional Council and managing authorities to formulate recommendations on goals, strategies and long-term plans for improving access and quality of schooling at all levels of the education system in the region;
- (b) collaborating with Managing Authorities in planning and organising the efficient and cost-effective delivery of educational services at all levels of the system in the region;
- (c) collaborating with Managing Authorities to monitor schools to ensure compliance with these Rules and the Act, and to ensure adequate provision of education, including physical facilities and resources, the quality of teachers and teaching, the quality of educational leadership and management;
- (d) overseeing the operations of the Regional Education Centre, including the preparation of annual plans and budgets, supervision of the technical and support staff, and maintenance of the building, furniture, equipment, resources and external environment;
- (e) supporting and ensuring proper delivery of services to schools, students and to the general public including monitoring school attendance and school

transportation; supervising the distribution of materials, equipment and furniture provided by or through the Ministry to schools; and facilitating the triennial inspection of schools;

- (f) overseeing education development activities by the Ministry including teacher development and curriculum implementation activities and the administration of examinations;
- (g) liaising with and maintaining good communication with the various partners in education and the general public in the region, including distribution and collection of application forms and other documents, directing the collection and storage of information from schools, and directing the dissemination of information from the Ministry;
- (h) supporting the operations of the Regional Council and its committees in the execution of their responsibilities; and
- (i) assisting with the preparation of the annual report on the state of education and other special reports as are requested by the Chief Education Officer.

PART III

NATIONAL COUNCIL FOR EDUCATION

9. (1) In carrying out its function of advising the Minister on matters related to education, the Council shall periodically assess:

Matters for the
National
Council for
Education.

- (a) availability of, and access to, the different levels of education including continuing education and special

education;

- (b) factors limiting participation in education, including economic and cultural factors;
- (c) the goals of education and the relationships between schooling and the needs of the individual and between education and the development of Belize as a nation;
- (d) quality of schooling at the different levels, including issues of curriculum, textbooks and teacher performance;
- (e) the effectiveness of the management of the education system and of schools; and
- (f) the responsibilities and contribution of parent(s) and the community to education.

(2) Among the standing committees established by the Council shall be:

- (a) a Committee for Adult and Continuing Education to focus on the goals and strategies for improving the standard and level of literacy and continuing education needs in the adult population;
- (b) a Committee for School Services to focus on matters relating to availability and access to early childhood education, special education, primary education, secondary education and vocational education and on matters relating to the establishment and management of such schools;

- (c) a Committee for Higher Education to focus on matters relating to the availability and access to higher and professional education, to the establishment and accreditation of tertiary level institutions and to the recognition (accreditation) of local and foreign diplomas and degrees;
- (d) a Committee for Relevance and Quality to focus on matters relating to relevance and quality of early childhood education, primary education, secondary education and vocational training, including:
 - (i) the national goals of education and the curriculum;
 - (ii) standards of achievement and school performance targets;
 - (iii) quality and availability of textbooks and other educational materials;
 - (iv) national and international examinations; and
 - (v) adequacy of facilities and equipment;
- (e) a Committee for Teaching Services to focus on matters relating to:
 - (i) licensing and employment of teachers;
 - (ii) terms and conditions of service of teachers,
 - (iii) teacher welfare;

- (iv) the training of teachers; and
- (f) a Student Welfare Committee to focus on issues relating to protection of the student, student and parent responsibilities, problems of non-participation, health and well-being of students, textbook loan schemes and other student support schemes.

PART IV
MANAGEMENT OF SCHOOLS

SUBPART A

OWNERSHIP AND LICENSING
OF SCHOOLS

The system of schooling.

10. (1) The formal process of education shall be organised into four levels as follows:-

- (a) Early Childhood Education: providing educational experiences for early childhood socio-emotional, psychomotor and cognitive development for children between the ages of three years and five years;
- (b) Primary Education: providing instruction for children generally between the ages of five years and fourteen years of age focused on the attainment of functional literacy and numeracy and the acquisition of such other basic knowledge, competencies, attitudes and values required for personal growth and to function effectively in society;
- (c) Secondary Education: providing instruction for students generally between the ages of twelve years

and eighteen years of age focused on the acquisition of knowledge, competencies and attitudes at a pre-employment level, involving instruction in various subject areas at the level of CXC CSEC or at similar levels of other examining bodies, and

- (d) Tertiary Level Education: providing in-depth academic pursuit or professional studies in specialised fields and which require completion of secondary education for matriculation.

(2) The Minister, in consultation with the Council and with partners in education, may modify the whole or a part of the education system nationally or in a specific region of the country.

(3) Schools shall be and are hereby categorised based on the level and/or type of education offered. Current categories of schools in the formal system of education are:

- (a) Pre-school Centres: are schools providing one to two years of early childhood education;
- (b) Primary Schools: are schools providing basic education normally organised as eight years of schooling;
- (c) Secondary Schools: are schools providing general secondary education normally organised as four years of schooling and whose matriculation requirements include the completion of primary education;
- (d) Vocational Training Institutions: are institutions providing basic terminal vocational training in specific trades or employment areas to post-primary students,

- (e) Sixth Forms: are tertiary level institutions providing two years of study whose instruction in the various subject areas is geared specifically to preparing students to sit advanced proficiency or “A” level examinations;
 - (f) Junior Colleges: are tertiary level schools providing two years of studies leading to the award of the Associate Degree. The curriculum may include preparing students to sit advanced proficiency or “A” level examinations as part of a wider range of studies;
 - (g) Technical and Professional Institutions: are tertiary level institutions providing two to three years of technical or professional studies whose programme of studies prepares students to engage in a profession at the technician level; and
 - (h) Universities: are tertiary level institutions providing general and/or technical or professional studies whose program of studies leads to the award of a Bachelor Degree or higher and whose matriculation requirements include the completion of secondary education or higher.
- (4) Schools shall be and are hereby also categorized according to status with respect to grant-in-aid from the Government. The following are categories of schools based on this criterion:
- (a) Private Schools: are schools which do not receive grant-in-aid from the Government, regardless of type of proprietorship;

- (b) Grant-aided Schools: are government-aided schools which receive full grant-in-aid from the Government in accordance with the formula and conditions for grant-in-aid applicable at the time for the particular type of school;
- (c) Specially-assisted Schools: are government aided schools which do not have full grant-aided status but which receive grant-in-aid from the Government through the Ministry of Education under a special agreement with the Minister.

(5) Schools shall be and are hereby also categorized based on proprietorship. The following are categories of schools based on this criterion:

- (a) Denominational Schools: are schools which are owned by a religious denomination or group of denominations;
- (b) Community Schools: are schools which are not owned by any specific individual, group of individuals or organisations and which are managed by a Board composed of representatives of stakeholders and broad community interests;
- (c) Privately-owned Schools: are schools which are owned by individuals or organisations other than officially registered religious denominations; and
- (d) Ministry of Education Schools: are schools which are owned and fully funded by the Ministry of Education and whose staff are employees of the Ministry of Education.

(6) Home schooling of children of compulsory school age may be allowed where the parents satisfy the Chief Education Officer that there is good reason to so do and that the parents possess the competence and the capacity or will make the necessary provision for the proper education of the child.

(7) A detailed description of the education system and the categories of schools shall be maintained in the Handbook of Policies and Procedures for School Services. New categories of schools shall be added as these become recognised.

Licence to operate
a school.

11. (1) Any person or body of persons wishing to operate a pre-school centre, primary school or secondary level educational institution shall apply for a licence to the Chief Education Officer at least sixteen months prior to the proposed opening of the school.

(2) The application referred to in sub-rule (1) of this Rule shall be made on the form prescribed for this purpose. A copy of the form shall be included in the Handbook of Policies and Procedures for School Services.

(3) Within three months after these Rules come into force the Managing Authorities of all such schools and educational institutions already in operation shall apply for a licence to operate such schools, provided that:

(a) where such a school or institution is already approved or recognised by the Ministry, the Chief Education Officer shall automatically grant a licence; or

(b) where such a school or institution is not yet approved or recognised by the Ministry, the Chief Education Officer shall issue a temporary licence while processing the application for a licence to operate the school.

(4) Subject to sub-rule (3) of this Rule, the Chief Education Officer shall require any school found to be operating without a valid licence to cease operations within a month or as soon as possible thereafter as he deems expedient.

12. (1) The application for a licence to operate a school or other educational institution constitutes an agreement by the proprietor of the school to comply with the provisions of the Act, with the provisions of Rules made thereunder, and with directives from the Ministry of Education. Provided that where a proprietor is unable to temporarily comply with one or more provision of such Rules or directives, he may apply to the Chief Education Officer for a delay in compliance. The Chief Education Officer may grant such a delay where he is satisfied that the situation justifies such delay and that efforts are underway to ensure compliance in the shortest time possible.

Conditions of
licence.

(2) A licence to operate a school or institution shall be valid unless revoked by the Chief Education Officer.

(3) Any change in the particulars submitted on the application for a licence to operate a school or other educational institution, including ownership, location of the school and level and type of school shall require the prior written approval of the Chief Education Officer.

(4) A licence to operate a school does not constitute an agreement for grant-in-aid to the school by the Ministry of Education.

13. (1) Upon receipt of an application under Rule 11 of these Rules for a licence to operate a school or other educational institution, the Chief Education Officer shall refer the application to the appropriate Regional Education Council for its recommendations with specific reference to the suitability of plans and for the verification of particulars contained in the application including:

Requirements
for a licence.

- (a) provisions made for management and staffing of the school or other educational institution;

- (b) provisions made for the physical facilities and grounds of the school or institution;
- (c) the appropriateness of the location and environment of the school or institution's site;
- (d) the mission, goals, admission policies, programme of studies, academic requirements and other matters relating to its plan for the education of its students;
- (e) capability of the proprietor to finance and to sustain operation of the school or institution; and
- (f) the moral and legal suitability of the proprietor and Managing Authority to own and manage such a school or institution.

(2) The Chief Education Officer may, in writing, direct the applicant to furnish, within such period as may be specified in the directive, such additional information or documents as may be required to enable him to process the application. If the applicant fails to comply with such request within the time specified in the directive the Chief Education Officer may refuse the application and inform the applicant accordingly.

Approval or withholding of licence.

14. (1) Where the Chief Education Officer is satisfied that the particulars of and plans for the school or institution meet the requirements for the operation of such a school or institution, he shall issue a licence to operate the school or institution and shall add the school or institution to the Register of Schools.

(2) Where the Chief Education Officer is not satisfied that the particulars of and plans for the school or institution meet the requirements for the operation of a school or institution, he shall notify the applicant, in writing, of the specific deficiencies, inviting the applicant to rectify the deficiencies within

a specified period.

(3) If, upon receipt of notification in accordance with sub-rule (2) of this Rule, the applicant rectifies the deficiencies and otherwise complies with the requirements to the satisfaction of the Chief Education Officer, the Chief Education Officer shall, with the concurrence of the Council, issue a licence to the proprietor to operate the school or institution and shall add the school or institution, to the Register of Schools.

(4) Where the applicant is unable to rectify the deficiency or to otherwise comply with the requirements to the satisfaction of the Chief Education Officer, the Chief Education Officer shall refuse to issue a licence to operate the school or institution and shall inform the proprietor accordingly.

15. (1) The proprietor of a school or other educational institution wishing to transfer ownership, to relocate, to make changes in the level or type of institution or to modify any particular information on the basis of which the application for a licence to operate the school or institution was approved shall apply to the Chief Education Officer on the form prescribed for this purpose for approval of the proposed change. A copy of the form shall be included in the Handbook of Policies and Procedures for School Services.

Change in
ownership, etc.

(2) Upon receipt of an application made under sub-rule (1) of this Rule, the Chief Education Officer shall make a determination whether to approve or disallow the change requested and shall inform the proprietor in writing of the decision and of the grounds for the decision, if he refuses to allow the change.

(3) Where the proprietor of a school or institution intends to discontinue operation of the school or institution, he shall apply for a termination of licence on the form prescribed for this purpose no less than six months in advance of the date of closure and the Chief Education Officer shall grant such a request. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(4) If the Chief Education Officer finds that the proprietor is acting irresponsibly in closing a school or institution he may on future applications refuse to grant a licence to said proprietor to operate a school or institution.

Penalty for false declaration.

16. Where a person making an application for a licence to operate a school or other educational institution, a renewal of such a licence, a change in ownership or other matters relating to such a licence to operate a school of institution makes any statement therein which is false in a material particular, then if the falsehood is discovered before the issue of the licence, his application shall be disallowed and if it is discovered after the issue, the licence so granted shall be revoked; provided that the Chief Education Officer shall give the applicant an opportunity to explain why the application contained a statement which was false in a material particular.

Suspension, cancellation or termination of licence to operate a school or an institution.

17. (1) The Chief Education Officer may suspend or cancel a licence on any of the following grounds:

- (a) the proprietor of the school or institution fails to operate the school or other educational institution in accordance with the Act or with these Rules; or
- (b) the proprietor is convicted of any criminal offence which is, in the opinion of the Chief Education Officer, likely to interfere with the operation of the school or institution; or
- (c) the proprietor fails to comply with a directive from the Ministry of Education to rectify deficiencies in the standards and provisions made for the operation of the school or institution, which in the opinion of the Chief Education Officer, poses harm to students or staff or seriously impairs the achievement of standards for the level of education; or

(d) the school or institution has ceased to function.

(2) Where the Chief Education Officer intends to suspend or to cancel a licence under sub-rule (1) of this Rule, he shall so inform the proprietor and require the school to cease operating on or before the date the suspension or cancellation becomes effective; provided that in any case where the Chief Education Officer intends to suspend or cancel such a licence, he shall give the proprietor an opportunity to show cause why such licence should not be suspended or cancelled.

18. (1) Any person who is aggrieved by the refusal of the Chief Education Officer to issue a licence to operate a school, or by the suspension or cancellation of a licence granted under these Rules may, within thirty days of receipt of notification of such refusal, suspension or cancellation, make an appeal to the Arbitration Panel through the Council on the form prescribed for such a purpose. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Appeal of
refusal of a
licence etc.

(2) The Council shall, within seven days of the filing of an appeal, refer the matter to the Arbitration Panel, for its determination on the matter. Such determination shall be made within thirty days of receipt of said appeal.

(3) A fee to be determined by the Council shall be payable by the appellant prior to consideration of the case.

19. Any person who:

Offences and
penalties.

- (a) operates a school or other educational institution when there is not in force a licence granted to him by the Chief Education Officer to operate such a school;
- (b) uses or displays the word “registered” or “licensed” along with the name, title or description of any institution or school purporting to be a school or an educational

institution when there is not in force a licence granted to him by the Chief Education Officer to operate such a school or an educational institution;

- (c) having been granted a licence to operate a school, uses its premises otherwise than in accordance with the terms and conditions of such a licence;
- (d) fraudulently procures or attempts to procure a licence to operate a school;
- (e) forges or falsifies any records, register or other book required to be maintained under these Rules or the Act; or
- (f) obstructs, prevents or otherwise hinders the entry into any school or other educational institution by the Chief Education Officer or any person duly authorised by him in writing to carry out any examination, inspection, scrutiny or check therein, or otherwise hinders any such officer in the performance of his duties under these Rules;

shall be guilty of an offence and shall be liable on summary conviction to a fine of between Five Hundred Dollars (\$500.00) and One Thousand Dollars (\$1,000) or to imprisonment for a period not exceeding six months.

SUBPART B **FACILITIES AND HEALTH CONDITIONS**

- Site of School. 20. The site and location of any school or other educational institution which is proposed to be established shall:

- (a) be reasonably safe from natural, industrial and public hazards;
- (b) be reasonably accessible as appropriate to the type of schools or institutions; and
- (c) be in an environment conducive to the operation of the school or sufficiently removed from businesses and other operations which may be considered unacceptable to schooling and/or training.

21. (1) No building for a school or an educational institution or teacher's house shall be erected and no addition or major alterations to any such existing building shall be made without proper building plans which are prepared by persons certified or with the proven experience to prepare such plans and which are approved by the municipal authorities where so required.

Construction of school buildings and teachers' houses.

(2) Building plans shall take into account building standards and requirements against natural hazards, safety, the general comfort of the students and classroom design suitable for teaching and other educational activities.

(3) Construction shall be supervised by a person qualified to do so to ensure that plans and specifications are being adhered to.

(4) Whenever a building is completed, the Managing Authority shall submit a statement to the Chief Education Officer, accompanied where possible by a certificate from the individual or company responsible for the construction, testifying that the building was constructed according to the plans and specifications; is considered safe for occupancy as a school or an educational institution, and accepting liability for any harm arising from faulty planning and/or construction for a period to be specified in such certificate and approved by the Chief Education Officer.

(5) Subject to sub-rule (4) of this Rule, classes shall not be conducted in any such building unless and until the Chief Education Officer has received such a statement from the Managing Authority.

Schools in
existing buildings.

22. (1) Where a school or other educational institution is to be established in an existing building the Managing Authority shall submit to the Chief Education Officer a statement testifying that the building is safe and appropriate for occupancy as a school or an educational institution, and accepting liability for any harm arising from use of the building.

(2) The District Education Officer may approve the temporary use of an existing building for purposes of conducting classes. Such use shall not extend beyond one school year.

Requirements for
all school
buildings and
grounds.

23. The following and any other requirements which the Chief Education Officer may from time to time direct in writing, shall be complied with:

- (a) In every school or other educational institution there shall be a minimum floor space of fifteen square feet per student on roll.
- (b) The grounds adjoining a school or institution building shall be properly landscaped and shall be sufficient in area, safe and otherwise suitable for purposes of recreation for the number of pupils or students on roll.
- (c) There shall be an adequate and safe supply of drinking water with suitable arrangements for its use by the teachers, pupils or students.
- (d) Toilet facilities shall be adequate and sanitary with separate facilities for boys and girls in institutions that are co-educational. Similar provisions shall also be

made for staff.

- (e) School furniture and facilities, including desks, chairs and tables for pupils or students, shall be of a design and standard adequate for use by children of the age group and shall be sufficient in number for the pupils or students on roll.
- (f) Schools are encouraged to provide barrier free classrooms and ramp access where possible for the handicapped.

24. School or institution buildings, classrooms, furniture, laboratories, workshops, toilets and other facilities, and teacher's house shall be maintained on a regular basis and kept in an adequate state of repairs.

Maintenance of school buildings, etc.

25. (1) Areas posing a danger shall be out of bounds to children, unless properly supervised.

School Safety.

(2) Appliances and equipment shall be properly installed and maintained so as not to pose danger to students.

(3) All exits shall be clearly designated and shall be accessible at all times.

(4) The building and grounds shall be free of all hazards such as those arising from poorly maintained buildings, dangerous stairs, unfenced outdoor play areas, broken bottles and discarded articles.

(5) All dangerous or poisonous products shall be stored out of the reach of students unless and until used by students as part of their educational activities and shall be used in such a manner to ensure the safety of the children.

(6) Each school shall have on its premises fire extinguishers in working condition or other suitable alternative fire fighting equipment. Such fire extinguishers or other fire fighting equipment shall be readily accessible and be of an appropriate type.

(7) If pets are kept, adequate precautions shall be taken to ensure the safety of the children.

(8) First-aid supplies shall be available at all times.

(9) Furniture and equipment (including play equipment) shall be designed and used with consideration for the safety of students and staff.

(10) Outdoor play areas shall be so arranged that the children can be adequately supervised.

(11) Classrooms, labs and workshops shall be adequately lighted and ventilated and adequate safety devices provided.

(12) Schools shall take adequate safety precautions against natural and public hazards and shall practice an evacuation procedure once during the first week of every school term.

(13) The District Education Officer shall periodically cause an inspection for safety violations on school children transportation routes and shall inform the contractor in writing of such violations for the contractor to take the necessary measures to rectify the situation.

Use of school buildings for other purposes.

26. Use of school buildings for any purpose other than schooling and other official school functions shall require the permission in writing of the Managing Authority of the school. Uses which are inimical to the goals of education and the spirit of the Act and these Rules are prohibited.

27. (1) No child suffering from a disease or complaint deemed by medical authorities likely to be injurious to the health of other children in the school or institution shall be allowed to attend school. The Principal shall immediately report every such case to the health authorities.

Health
requirements for
attendance.

(2) No child shall return after a lengthy absence due to illness from a disease or complaint deemed by medical authorities likely to be injurious to the health of other children in the school unless the parent or guardian submits a certificate from a doctor or his clinic that the child is fit to return.

(3) Schools and institution at all levels shall check that immunisation of students is up-to-date upon entry to school and, where needed, arrange with the proper authorities for those who are not immunised to receive the necessary immunisation.

(4) Parent(s) are required to ensure that their children in any school or institution maintain good hygiene.

(5) Where a school or institution determines or suspects that a child is suffering from a chronic health condition such as malnutrition, the Principal shall consult with the parent(s) or guardian(s) and report the case to the District Health Officer or Social Welfare Officer for further action.

28. (1) Only vendors with the required certification from the health authorities shall be allowed to sell food on the school grounds.

Food services.

(2) The Principal shall ensure that any food prepared by the school or at the request of the school feeding programmes shall be prepared and served in accordance with standards specified by the health authorities.

29. (1) The Managing Authority or Principal of any school or institution shall comply with any notice of the health authority of the District in which such school or institution is situated; requiring him for a specified time, with a view to prevent the spread of disease, either to close the school or institution, or to

Public health.

exclude any pupil or student from attendance.

(2) Teachers are required to take proper medical precautions, including undergoing the necessary medical examinations, if and as required by the medical authorities, if a person in the house in which the teacher resides is suffering from a disease or complaint likely to be injurious to the health of other teachers or the children in the school or institution.

(3) Teachers are required, at any time during employment, to undergo such medical examinations to certify good health, if and when requested by the Managing Authority where there is reason to believe that he is suffering from a disease or complaint likely to be injurious to the health of other teachers or the children in the school or institution.

Inspection by
Health Officer(s).

30. (1) The District Medical Officer and/or any person(s) duly appointed by him, shall have the right to enter and inspect, for health related concerns, the premises of any school or institution during school hours with or without notice.

(2) The Chief Education Officer, in conjunction with the Ministry of Health, shall arrange for periodic medical and dental examinations to be carried out in all schools and/or institutions.

SUBPART C **MANAGING AUTHORITIES AND BOARDS**

Managing
Authorities.

31. (1) Every Ministry of Education and grant-aided pre-school centre, primary school and secondary-level school or educational institution shall have a Managing Authority responsible for the management of the school or institution.

(2) A Managing Authority may be a single manager, a board or committee, or an independent agency or organisation appointed by the proprietor

to manage the school or institution.

(3) The Managing Authority may authorise a representative to act on its behalf in the execution of its duties. Notwithstanding the foregoing, the Managing Authority shall be held responsible for any violation of the Act and these Rules by any school or institution which comes under its authority.

(4) A person appointed as a Managing Authority or as a representative of a Managing Authority cannot at the same time be actively employed or engaged as a teacher or principal, except in cases as stipulated in the Handbook of Policies and Procedures for School Services.

(5) Where a proprietor owns more than one school or institution, the proprietor shall maintain an adequate management system so that each school or institution can be given the attention required under these Rules.

32. (1) Managing Authorities shall ensure that proper physical conditions exist for the conduct of schooling through the regular maintenance of buildings and upkeep of the school or institution grounds; the provisions and maintenance of furniture, equipment and materials; the provision of conditions conducive to the health and safety of students and teachers; and the provision of the necessary support and environment for the education of the children.

Duties of
Managing
Authority.

(2) Managing Authorities shall be responsible for the recruitment and employment of teaching and support staff. In this connection, Managing Authorities shall ensure that systems and procedures are in place for personnel management functions including:

- (a) employing adequate system and procedures for recruiting and contracting staff;
- (b) payment of salaries, allowances and benefits;
- (c) processing leave applications and other entitlement

related to the terms and conditions of service;

- (d) conducting procedures related to performance appraisal and the professional development of staff;
- (e) maintaining personnel files and records of service on each member of staff including a copy of contract, leave records, biographical data, information on professional and, other qualifications related to teaching, licence to teach, salary and related information; and
- (f) providing copies of records of service and other relevant documents as may be required by other management's and the Ministry of Education in the event of transfer of teachers, students, etc.

(3) Managing Authorities shall be the main conduit for communication between the Ministry of Education and schools or institutions and in this respect shall:

- (a) ensure that all circulars and directives from the Ministry or Regional Council reach the school or institution; and
- (b) maintain a management information system for storing and retrieving information including information on student enrollment, staffing, physical facilities and shall submit to the Ministry such information as required by the Act or these Rules or as may be required from time to time by the Ministry.

(4) Managing Authorities shall be responsible for the financial affairs of the school or institution and shall ensure that proper accounts are

maintained.

(5) In the case of government-aided schools and institutions, Managing Authorities shall:

- (a) provide the Ministry of Education with quarterly financial statements to be received in the Ministry not later than the end of the month following the quarter for which the statement is due; and
- (b) provide the Ministry of Education with a copy of an annual financial report to be received in the Ministry not later than the end of November for the preceding school year.

(6) In carrying out its responsibilities, Managing Authorities shall inspect schools and/or institutions for which they are responsible in each school year and shall submit a report on each school or institution to the respective Regional Education Council by the end of the school year.

33. (1) Any offence against the provisions of these Rules committed by any servant or agent of the proprietor shall be deemed to be an offence committed by that proprietor, unless he establishes that such offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of that offence.

Offences by
Agent and
Body
Corporate.

(2) The Managing Authority shall be held responsible for any violation of the Act and these Rules by any school which comes under its authority.

(3) Where a Managing Authority, under whose jurisdiction falls a school which has committed an offence under these Rules, is a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate or

was purporting to act in any such capacity shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of that offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all circumstances.

Appointment of
Managing
Authorities.

(1) In the case of government-aided pre-school centres and primary schools, the Managing Authority shall be appointed by the proprietor.

(2) In the case of Ministry of Education pre-school centres and primary schools, the Managing Authority shall be appointed by the Chief Education Officer.

(3) In the case of Ministry of Education and government aided secondary schools or institutions, the Board of Management shall be its Managing Authority.

School
Committees and
Boards of
Management.

35. (1) Each Ministry of Education or government-aided secondary school or institution shall have a Board of Management.

(2) Where a government-aided secondary school or institution is or was established by specific legislation, the Rules of Procedure for its Board of Management shall be as prescribed therein, provided that all matters specified in the Rules of Procedure of Boards of Management determined by the Ministry of Education shall apply where there is no conflict with the legislation establishing such an institution.

(3) Where an institution has more than one level of school, e.g., a secondary school and a sixth form or junior college, the Managing Authority of the school, in consultation with the Chief Education Officer, shall determine whether there shall be a joint Board or separate Boards of Management for the different schools.

(4) The proprietor of government-aided pre-school centres or

primary schools in an education region shall establish a Regional Board of Management to oversee the management of such schools in the region.

(5) The Ministry of Education shall establish Regional Boards of Management to oversee the management of Ministry of Education pre-school centres and primary schools.

(6) Each Ministry of Education or government-aided preschool or primary school shall have a School Committee to assist the Principal and Managing Authority in the operations of the school.

(7) The Rules of Procedure for Regional Boards of Management, Boards of Management for individual schools and School Committees including the roles and responsibilities, composition and the term of office of members shall be set out in the Handbook of Policies and Procedures for School Services.

SUBPART D **PROFESSIONAL STAFF**

36. (1) (a) Each school or educational institution shall have a Principal who shall be responsible for implementation of management decisions and policies and for working with the Management Authority to ensure that students at the school receive the best education possible.

Principals Vice-
Principals and
Heads of
Departments.

(b) In doing so, the Principal, in conjunction with the Vice-Principal(s), shall be responsible for the day to day administration of the school or institution, for recommending school rules and policies, for providing educational leadership and leading development of the school, for liaising with parents and the community and who shall have specified duties as an *ex-officio* member of the School Board or School Committee as applicable.

(2) A school or educational institution may have one or more Vice-Principal(s) who shall be responsible for assisting the Principal in the efficient administration of the school operations, in providing educational leadership, in liaising with parents and the community and in deputising for the principal as may be required.

(3) Principals and Vice-Principal(s) shall be allotted according to the staffing schedule for Ministry of Education and government-aided schools stipulated in the Handbook of Policies and Procedures for School Services; and

- (4) (a) Secondary schools or institutions may have departments of studies chaired by a Head of Department.
- (b) Departments of Studies shall be comprised of:
- (i) one or more related disciplines; and
 - (ii) no less than five teachers each of whose teaching load in the department is no less than one third of his total teaching hours.

Duties of
Principals and
Vice-Principals.

37. (1) Responsibilities of the Principal and Vice-Principal(s) related to the administration of the school or institution shall include:
- (a) overseeing admission, placement, promotion and graduation of students;
 - (b) enforcing school rules and maintaining a safe and proper school environment and culture conducive to schooling;
 - (c) assigning, directing and assessing staff;

- (d) organising the registration of students in examination and other processes;
- (e) maintaining school records, including medical records, as prescribed in these Rules and such other records generated from the application of these Rules and such other procedures and regulations prescribed in the Handbook of Policies and Procedures for School Services;
- (f) monitoring the state of facilities and the availability of materials, equipment and furniture;
- (g) preparing and adjusting, as necessary, the school's annual budget, and supervising financial and other business transactions as required; and
- (h) preparing such reports as may be required by the Managing Authority and the Ministry of Education.

(2) Principals and Vice-Principals shall be and are hereby required to provide educational leadership to the school or institution especially in the areas of pedagogy, curriculum and assessment. In this connection, Principals and Vice-Principals shall:

- (a) direct the formulation of the school curriculum, annual teaching plans, instructional schedules and book lists;
- (b) undertake the clinical supervision of teachers including teaching, students assessment and classroom management practices;
- (c) liaise with the Managing Authority, the Ministry of Education and other agencies on matters relating to

the introduction of new academic policies and practices relating to student assessment, textbooks and other materials or teaching practices in the school or institution;

- (d) identify staff development needs and coordinate staff development;
- (e) seek the participation of student in inter-school events such as the National Festival of Arts and sports meetings, and facilitate intra-school activities and clubs which contribute to the overall development of the students; and
- (f) teach as may be required.

(3) Principals and Vice-Principals shall be the primary liaison between the school and parent(s) specifically and between the school and the community generally.

In this regard:

- (a) Principals and Vice-Principals shall ensure that policies and rules of the school or institution are communicated to parents;
- (b) parent(s) or guardian(s) should be invited to meet the Principal and staff at least once in every term to receive reports on school activities for the term; and
- (c) Principals and Vice-Principals shall attempt to involve members of the general community in school activities.

(4) Principals shall also have responsibilities in relation to the overall management of the school. In this regard, Principals shall:

- (a) have specific duties relating to membership on School Boards or School Committees, as appropriate;
- (b) spearhead the formulation of school policies and rules;
- (c) spearhead the development of strategies and plans to meet operational and development needs of the school or institution;
- (d) spearhead decisions with respect to recruitment, selection and disciplining of staff, and
- (e) spearhead school development activities.

38. (1) Responsibilities of the Heads of Department related to the administration of the school or institution shall include:

Duties of Heads
of Department.

- (a) assisting with Overseeing admission, placement and graduation of students;
- (b) supporting the enforcement of school rules and maintenance of a safe and proper school environment and culture conducive to schooling;
- (c) advising and assisting in the deployment and assessment of staff;
- (d) assisting in the registration of students in examinations and other processes;
- (e) maintaining such records as are pertinent to the

department and school;

- (f) monitoring the state of facilities and the availability of materials, equipment and furniture for the department;
- (g) managing the ordering, storage and use of materials; equipment, books, etc. for the department and account for spending within the department's budget;
- (h) preparing and adjusting, as necessary, the department's annual budget and collaborating in the preparation and adjusting of the school's annual budget; and
- (i) preparing such reports as may be required by the school's administration.

(2) Heads of Department shall be and are hereby required to provide educational leadership to the school or institution especially in the areas of pedagogy, curriculum and assessment. In this connection, Heads of Department shall:

- (a) plan, implement and review the department's curriculum within the framework of a new academic policies and practices relating to student's assessment, textbooks and other materials, conduct clinical supervision of teachers in their respective departments including teaching, student assessment and classroom management practices;
- (b) liaise with the Principal and Vice-Principal(s) and teachers on matters and on matters relating to the introduction of new academic policies and practices relating to student assessment, textbooks and other

materials or teaching practices in the school or institution;

- (c) with respect to the department and school, identify staff development needs and coordinate staff development activities;
- (d) assist the Principal and Vice-Principal(s) in organising the participation of students in inter and intra-school events and activities which contribute to the overall development of the students; and
- (e) teach as may be required.

39. (1) Ministry of Education and government-aided schools shall be staffed according to a staffing schedule determined by the Ministry of Education and promulgated in the Handbook of Policies and Procedures for School Services.

Teaching staff of Ministry of Education and Government-aided schools.

(2) The Chief Education Officer shall authorise employment of temporary staff to replace permanent staff on extended sick leave, maternity leave, long leave or extended study leave approved by the Ministry of Education.

(3) Managing Authorities may recruit additional or replacement staff on a voluntary basis or at their own expense, provided that:

- (a) the Ministry of Education shall not be responsible for any benefits or allowances accruing to such staff;
- (b) the Managing Authority shall inform the Chief Education Officer of the recruitment and deployment of such staff, and
- (c) such persons shall meet the requirements for

employment of staff in accordance with provisions under these Rules.

Duties of teachers.

40. (1) Teachers are required to develop under the supervision of Principals, Vice-Principal(s), or Heads of Department as applicable, annual and weekly teaching plans with reference to the national and school curriculum and status and needs of their students in relation to the specified learning outcomes in the national curriculum.

(2) Teachers are required to prepare for and to conduct classroom and other intra-mural educational activities and to participate in extra-mural educational activities in accordance with their teaching plans and with the school policies and plan for the education of students.

(3) Teachers are required to regularly assess student progress, maintain records of such assessment and regularly report on student attainment to parents and school administration.

(4) Teachers are and shall be required to supervise and to monitor the well-being of students in their care and to identify and refer students requiring special attention to the administration.

(5) Teachers are and shall be required to maintain a record of student attendance and other pertinent school records.

(6) Teachers are and shall be required to participate in official school development activities as determined by the Managing Authority.

(7) Teachers are required to participate in home-school and community liaison efforts, including Parent Teacher Association meetings, for the improvement of communication and working relationships with parents and the community.

(8) Teachers are and shall be required to participate in educational and professional development activities as determined by the Principal and management.

(9) Teachers are required to participate in official civic ceremonies and activities, such as activities commemorating Belize's Independence, where such activities occur during normal school hours, or as agreed by staff.

41. Duties of ancillary staff shall be promulgated in the Handbook of Policies and Procedures for School Services.

Duties of
ancillary staff.

SUBPART E **SCHOOL RECORDS**

42. (1) The Principal of a pre-school centre, primary school or secondary school shall be responsible for ensuring that all required records are maintained and that records are accurate and are kept current and up-to-date.

Keeping of
records.

(2) All records shall be kept in a safe and secure location but where they can be readily accessed when needed. All records shall be made in ink, shall be clean and legible, and kept in the format stipulated by the Ministry of Education.

(3) The records, however obtained, are and shall be the property of the school. All records shall always be handled only by those authorised to do so and shall, as far as practicable, remain at the school.

(4) The Principal or a person duly authorised by him to do so shall produce the records for scrutiny by authorised personnel of the Ministry and the District Council whenever required to do so.

(5) (a) A teacher and/or an authorised agent of the teacher shall, upon request to the Managing Authority, have access to records personally relating

to him. The Managing Authority may require the teacher or agent to inspect the record in his presence or the presence of a person designated by the Managing Authority.

- (b) A teacher shall, upon request to the Managing Authority, be provided with copies of official correspondence relating to the teacher. If requested by the Managing Authority, the teacher shall be required to pay for the copies produced.

(6) Log books, admissions registers and pupil cumulative record sheets no longer in use shall be carefully preserved as a permanent record of the school. Other records not specified above need not be retained for more than five years after their completion.

Admissions
Register.

43. Each school or institution shall maintain an admissions register recording information on all students admitted to the school or institution in any given year, including biographical data, information relating to previous education and, where appropriate, intended programme of studies.

Attendance
Register.

(1) Each school or institution shall maintain one or more Class Attendance Register(s) with the record of attendance of all students enrolled at the school, grouped by class and disaggregated by gender.

(2) Roll call for each class is to be conducted for each session recording the presence or absence of each student and whether the student was late for the session; and noting the total number of boys and the total number of girls in the class present for each session for each class.

(3) The Principal shall maintain a School Attendance Register in which he shall record at the end of each day by reference to the Class Attendance Register(s), the total number of boys and the total number of girls attending for each session for each class.

45. (1) Attendance shall not be reckoned for any pupil or student until his name has been duly registered in the admission and attendance registers.

Conditions for
Reckoning
Attendance.

(2) For security and record purposes, a teacher shall keep a separate record of children who must leave school before the close of session.

Student
Permanent
Record.

46. (1) Each school or institution shall maintain a Permanent Record for each individual student enrolled at the school. The Permanent Record shall include:

- (a) biographical data, i.e., name, date of birth, sex, parents, address, medical or health information considered important for emergency purposes;
- (b) admission data, i.e., date of admission, previous school(s) attended;
- (c) in the case of pre-school centres and primary schools, an assessment record showing the status of the child in relation to the level of development of such knowledge, skills and attitudes as stipulated in the National Curriculum;
- (d) in secondary schools or institutions and where else appropriate, a cumulative record of all courses taken and grades for each course and any other pertinent data such as grade averages and class rank;
- (e) other relevant data on student achievement including scores on various national and international examinations; and

The Log Book
and Visitor's
Book.

- (f) anecdotal comments on noteworthy strengths and weaknesses in the student's character and abilities.

47. (1) The Principal of each school or institution shall maintain a Log Book in which he shall record important incidents occurring at the school or elsewhere and impacting on the conduct of schooling or any special circumstance or event considered by the Principal as deserving of record. Entries in the Log Book shall be made on the day on which the incidents occur, including:

- (a) significant departure from the instructional schedule or from activities in the ordinary work of the school;
- (b) interruptions of a class or of the school by unscheduled events such as severe weather, epidemics or other reasons explaining the reason for the deviation;
- (c) any deviation from the Education Rules and other regulations with the reasons for the deviation;
- (d) the receipt of all circulars from the Ministry of Education;
- (e) changes in the staff of the school; and
- (f) visits by officers of the Ministry of Education and other persons for purposes related to the operation of the school.

(2) The Principal of each school or institution shall maintain a Visitor's Book which he shall request visitors to sign and make observations related to the visit.

Inventory and
Stock Book.

48. (1) The Principal of a school shall maintain an inventory of non-expendable items which are the property of the school including books,

teaching apparatus, furniture, garden and other tools. The inventory, providing a description of each article and date of acquisition, shall be kept in an Inventory and Stock Book.

(2) The Principal shall oversee the proper care of all articles entered in the Inventory and Stock Book. If any article becomes irreparably damaged or otherwise unfit for use, or is lost or mislaid, the fact must be promptly recorded against the corresponding entry. Any loss or damage other than due to reasonable wear and tear shall either be explained by the Principal to the satisfaction of the Managing Authority or be made good by the Principal at his own expense or that of the person responsible.

(3) On the termination of his appointment, dismissal, transfer or leave, the Principal shall certify in the presence of two witnesses the correctness of the inventory and stock with such reservations as may be necessary. His immediate successor on taking up his appointment shall also certify as aforesaid in the presence of two witnesses, reporting immediately to the Managing Authority any discrepancy between the stock as certified by his predecessor and the articles actually found by him in the school.

Monthly
Returns.

49. (1) The Principal of a Ministry of Education or government-aided school shall complete and submit the Monthly Returns Form within two weeks after the end of the month for which it was due.

(2) A sample of the Monthly School Returns Form shall be included in the Handbook of Policies and Procedures for School Services.

(3) The Managing Authority shall review the information on each Monthly Return and determine what, if any, management action is required.

(4) The Managing Authority shall submit the form to the District Education Officer for review and inclusion in the Ministry of Education information system by no later than one month after the end of the month for which it was due.

School Data
Form.

50. (1) By no later than two months after the beginning of each school year Managing Authorities of Ministry of Education and government-aided schools shall submit completed School Data Forms to the Ministry of Education.

(2) Copies of School Data Forms shall be included in the Handbook of Policies and Procedures for School Services.

Triennial School
Inspection.

SUBPART F
INSPECTION OF SCHOOLS

51. (1) (a) The Ministry of Education shall through the respective Regional Education Councils cause an inspection to be made of each pre-school centre primary school and secondary school or institution once every three years or at such other shorter intervals as is considered expedient.

(b) In the course of such inspections, information will be gathered from all relevant stakeholders including teachers, principals, students and parents.

(2) The inspection shall take into consideration and the report made therefrom shall comment on and make recommendations on each of the following points:

(a) quality of teaching;

(b) student achievement with respect to prescribed curriculum and performance on national and international examinations;

- (c) availability of books and other educational materials;
- (d) availability of teaching resources;
- (e) discipline, punctuality and general behaviour of pupils or students;
- (f) general operation and administration of the school;
- (g) gender and other biases;
- (h) protection of the rights of the child;
- (i) condition of school premises, facilities, furniture and equipment;
- (j) health conditions;
- (k) home-school organisations and provisions for the social development of the pupils or students;
- (l) school discipline and culture conducive to education; and
- (m) availability and conditions of school records.

(3) The framework, procedures and mechanisms for triennial school inspection shall be promulgated in the Handbook of Policies and Procedures for School Services.

(4) The inspection report shall be sent to the appropriate Managing Authority who shall:

- (a) transmit copies of the report to the Principal of the

school and other relevant stakeholders; and

Authority to call
for additional
information.

- (b) initiate actions as required by the report and maintain concomitant oversight.

52. (1) The Chief Education Officer may at any time direct any proprietor to furnish him with any information or documents which he may consider necessary for the verification of the correctness of any particulars that have been supplied to him in respect of the school and to produce any records, registers or books relating to that school under inspection.

Power to entry,
inspection of
premises and
records.

(2) The Chief Education Officer may hold such inquiries as he considers necessary for the purpose of discharging his functions under these Rules.

53. (1) For the purpose of determining whether the provisions of these Rules are being complied with by a school, or for the purpose of making an inspection or a report in connection with an application for licence to operate a school, or an investigation of a charge or complaint about any school, it shall be lawful for the Chief Education Officer, District Education Centre personnel, persons authorised by the Chief Education Officer or persons authorised by the District Council, after informing the Managing Authority:

- (a) to enter any school premises at any reasonable hour in order to inspect the premises with a view to ascertaining all matters relevant to such purposes;
- (b) to require any person in charge of the school to produce the records, registers and books required to be maintained under these Rules; and
- (c) to examine such records, registers and books and to make copies from such records, registers and books.

(2) Where such visit is for the purpose of a regular triennial inspection, the District Council shall as far as practicable inform the Managing Authority and Principal of the school to be inspected of the inspection and the anticipated date it is to commence at least one month in advance. Intermediate inspection can take place with less or no notification.

SUBPART G
EMPLOYMENT OF PROFESSIONAL STAFF

Representation
by agent.

54. Teachers, individually and collectively, are entitled to representation by an agent in all matters related to their conditions of service.

Classification of
teachers.

55. (1) Teachers of the Ministry of Education and government-aided schools shall be paid in accordance with salaries for public officers on pay scales designated according to a classification scheme for teachers based on their academic and professional qualifications.

(2) The classifications scheme and salary scales for teachers will be promulgated in the Handbook of Policies and Procedures for School Services.

Licence to teach
and Register of
Licensed
Teachers.

56. (1) From the date on which these Rules come into force, every person employed on the teaching staff of a pre-school centre, primary school and secondary school shall be required to have a licence to teach issued by the Chief Education Officer.

(2) The licence shall be a permit to teach at one or more specified levels, and where appropriate, in one or more subject areas.

(3) Subject to the conditions for licensing under these Rules, a person who applies for and possesses the necessary qualifications for a licence to teach at the specified level(s) and, where appropriate, in the specified area(s) shall be issued a Full Licence to teach.

(4) A Full Licence shall remain valid unless the licence is suspended or revoked by the Chief Education Officer where the teacher fails to meet the requirements to maintain the licence or for such other causes or under such circumstances as stipulated under these Rules.

(5) For the purpose of these Rules, the Chief Education Officer shall cause to be maintained a Register of Licensed Teachers in which pertinent information about all licensed teachers shall be recorded including their biographical data, type of licence, level of teaching and any other information regarding the current status of the teacher.

(6) All teachers on the staff of a pre-school centre, primary school or secondary school or institution at the time these Rules come into force shall by no later than two months of the effective date apply for a licence to teach.

(7) All persons teaching in a pre-school centre, primary school or secondary school or institution at the time these Rules come into force shall be automatically granted a Temporary Permit to teach for a period not exceeding one year while the application for licence is being processed.

General
Requirements for
a licence to teach.

57. (1) In order obtain a Full-Licence to teach, a person shall:

- (a) have the necessary level of academic preparation in the subject area to ensure subject-matter competence for effective teaching at the specified level;
- (b) have the necessary professional qualifications in the field of education to:
 - (i) effectively design a course and/or teaching plan;
 - (ii) effectively teach and conduct classroom and other educational activities to develop

- students in terms of their knowledge, skills and attitudes specified by the curriculum of the school and in terms of other qualities consonant with the educational goals of the school and educational standards and targets set by the Ministry of Education;
- (iii) develop and apply instruments to measure and evaluate student achievement;
 - (iv) effectively manage the classroom and maintain responsible supervision of students under their care; and
 - (v) where appropriate, provide necessary physical care and emotional guidance;
- (c) have the necessary command of the English Language for effective communication in the classroom; and
- (d) demonstrate personal and behavioural qualities to be a positive role model to students consistent with:
- (i) a respect for the status of Belize as a nation, a commitment to civic obligations, a commitment to the preservation and development of Belize, and an appreciation of different people and cultures of Belize;
 - (ii) a respect for the rights and properties of others, a habit of fairness and equity in the treatment of others, respect for the law and respect for the basic values of society;

- (iii) a spiritual sense, a sense of right and wrong, the practice of moral conduct and a commitment to truth and honesty;
- (iv) a life style absent of personal conduct which may have a detrimental effect on children; and
- (e) have one year successful teaching experience in Belize.

(2) The requirements for academic and professional preparation for licence to teach at specified levels shall be as stipulated in the Handbook of Policies and Procedures for School Services.

(3) To maintain a licence to teach, a person shall be required to provide evidence of continued professional development through relevant studies in the content area and/or education or through other activities leading to enhanced competence in teaching. The professional development requirements for maintaining a licence to teach at specified levels shall be as stipulated in the Handbook of Policies and Procedures for School Services.

Provisional and other licences.

58. (1) Where a person does not possess all of the required academic and/or professional qualifications for a Full Licence to teach at the specified level, he may be granted one of the following special permits:

- (a) Provisional Licence, which is issued for an initial period not exceeding five years to a person who lacks some of the qualifications for a Full Licence, under the conditions that he will gain the necessary qualifications within the specified period of time;
- (b) Special Licence, which is a licence issued to a person who lacks some of the qualifications for a Full Licence

(usually the professional qualifications) to teach for an indefinite period with the deficiency because of the circumstances of the situation; and

- (c) Temporary Permit, which is a permit issued to a person not possessing a Full Licence, Provisional Licence or Special Licence but whose services are urgently required.

(2) A Provisional Licence as defined in sub-rule (1) (a) of this Rule shall be issued to allow a person to gain the necessary qualifications and shall be issued only when the person demonstrates the ability and willingness to obtain the necessary qualifications within the specified time. A person with a Provisional Licence may, upon application, be granted an extension if he demonstrates reasonable cause for not obtaining the required qualifications for a Full Licence during the initial period. If an extension is granted, such an extension shall be for no more than two years and no further extension shall be granted thereafter.

(3) A Special Licence as defined in sub-rule (1) (b) of this Rule shall be issued only under circumstances warranting the employment of the person on an indefinite basis without the requirement to obtain a Full Licence. Such a person may be required, however, to undertake specific short-term professional training to ameliorate deficiencies. The Special Licence shall be granted for periods not exceeding five years and shall be renewed where the circumstances warrant the continued employment of the person.

(4) A Temporary Permit as defined in sub-rule (1) (c) of this Rule shall be issued only under circumstances warranting the employment of the person on a temporary basis without the requirement to obtain a Full Licence. A Temporary Permit shall normally be granted for a period not exceeding one year and may be renewed only by testament of the Managing Authority showing that the circumstances warrant further or future employment of the person.

Application for
licence to teach.

59. (1) Any person desirous of obtaining a licence to teach shall apply in writing to the Chief Education Officer on the form prescribed for the purpose accompanied by certified copies of required documents and testimonials. Copies of the prescribed forms shall be included in the Handbook of Policies and Procedures for School Services.

(2) An application for a licence to teach shall constitute an agreement by the applicant to abide by the Act and all Rules and Regulations made thereunder.

(3) Upon receipt of an application, the Chief Education Officer shall verify the particulars contained in the application and shall refer the case to the appropriate District Council for its recommendation on the application.

(4) The Chief Education Officer may direct the applicant to furnish such additional information or documents as may be required to enable him to process the application. If the applicant fails to comply with such request, the Chief Education Officer may refuse the application and inform the applicant accordingly.

(5) If the Chief Education Officer is satisfied that the applicant meets the requirements for the licence applied for, he shall issue the licence specifying the type of licence, and the level of teaching and subject area, where applicable.

(6) Subject to Rule 60 of these Rules, where a person is currently employed as a teacher and does not meet the conditions for licence, the Chief Education Officer shall so inform the person and require him to cease teaching within a specified period of time.

Appeal against
refusal by Chief
Education Officer
to grant licence.

60. Any person aggrieved by the refusal of the Chief Education Officer to grant him a licence may within thirty days appeal to the Arbitration Panel through

the Council for its determination on the basis of the merits of the appeal. Such an appeal shall be on the form prescribed for this purpose. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Removal from
Register of
Licensed
Teachers.

61. The Chief Education Officer shall remove or temporarily remove, as the case may be, from the register of licensed teachers the name of any teacher whose licence has been revoked or suspended.

62. A licence may be revoked or suspended for:

(1) Conviction of a felony of a nature indicating unsuitability for the teaching profession.

(2) Dismissal on grounds stipulated in section 93 (1) (c), (f) and (g) of these Rules.

(3) Failure to meet the requirements to maintain the licence.

Appeal against
decision by
Chief Education
Officer to
suspend or
revoke a licence.

63. Any person aggrieved by the decision of the Chief Education Officer to revoke or suspend his licence may within thirty days appeal to the Arbitration Panel, through the Council for its determination on the basis of the merits of the appeal. Such an appeal shall be on the form prescribed for this purpose. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Requirement for
Employment.

64. (1) Any person employed at a school or educational institution must at the date of contract have been certified by a registered Medical Practitioner to be free of the use of illicit drugs, communicable disease and/or of any infirmity likely to interfere with the efficient performance of his job.

(2) Any person employed as a teacher at a pre-school, primary school or secondary-level school or institution shall possess a valid licence to teach at the level.

(3) Any person employed as a Principal or Vice Principal at a pre-school, primary school or secondary-level school or institution or Head of Department at a secondary-level school or institution, shall possess a valid licence to teach at the level.

(4) Any person employed as a Principal or Vice Principal at a pre-school centre, primary school, or secondary-level school or institution, or as Head of Department in a secondary-level school or institution shall possess certification from a teachers college or institution of higher learning showing successful completion of a programme of studies in educational leadership or management recognised for this purpose by the Chief Education Officer on the recommendation of the National Council for Education, provided that persons who hold such posts when these Rules come into force shall be allowed a period of three years to acquire the necessary certification. Programmes of studies recognised for this purpose shall be approved by the Chief Education Officer on the advice of the Council and shall be listed in the Handbook of Policies and Procedures for School Services.

(5) A parent or member of the community volunteering to assist in curricular and extra-curricula activities at a school shall meet the approval of the Principal who shall be satisfied of the person's suitability to provide the assistance required.

(6) Employment of all persons on the staff of any school shall be in accordance with relevant government Regulations and Laws regarding employment.

(7) Managing Authorities shall take proper measures to verify particulars regarding licence and other employment requirements prior to offer of contract to teach in a school or appointment as Principal, Vice-Principal in a pre-school centre, primary school or secondary-level school or institution or Head of Department in a secondary-level school or institution.

65. (1) Any person who:
- (a) teaches in a pre-school centre, primary school or secondary-level school or institution who is not in possession of a valid licence to teach in Belize;
 - (b) uses or displays the words “registered teacher” or “licensed teacher” in reference to himself as a teacher in a pre-school centre, primary school or secondary-level school or institution when he is not in possession of a valid licence to teach in Belize;
 - (c) having been granted a licence to teach, uses it otherwise than in accordance with the terms and conditions of such a licence; or
 - (d) fraudulently procures or attempts to procure a licence to teach

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding One Thousand Dollars (\$1,000.00) or to imprisonment for a period not exceeding four months, or to both.

(2) Any person who knowingly or through failure to take proper measures to verify particulars employs a person to teach in a pre-school centre, primary school or secondary-level school or institution who does not possess a valid licence to teach in Belize:

- (a) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00); and

Filling of
vacancies.

(b) may have his name removed from the Register of
Managing Authorities

66. (1) Teachers, Vice-Principals and Principals of Ministry of Education and government-aided pre-school centres and primary schools shall be appointed by the Managing Authorities of such schools on the recommendations of the Regional Board of Management.

(2) A vacancy for a teacher at a Ministry of Education or government-aided pre-school centre or primary school may be filled by transfer of another teacher from within the national established staff of the relevant management. Where the vacancy is not to be filled by such transfer, the vacancy shall be advertised minimally within the community and where possible within the education region.

(3) A vacancy for the post of Vice-Principal at a Ministry of Education or government-aided preschool centre or primary school may be filled by transfer of a person currently appointed as a Vice Principal or Principal, respectively, on the established staff of the relevant management.

(4) In the case of a vacancy for the post of Vice Principal of Ministry of Education or government aided secondary-level school or institution, the Board of Management may decide at a meeting of the Board to restrict advertisement to the staff of the school, inviting any and all qualified persons on the staff of the school to apply for the post.

(5) In the case of a vacancy for the post of Principal of a Ministry of Education or grant-aided secondary-level school or institution, the Board of Management shall advertise the post publicly. No person shall be appointed as Principal simply by virtue of his position as Vice-Principal but may, if no less qualified for the position than other applicants, be given first consideration.

(6) In filling vacancies on the staff of a Ministry of Education or government-aided school, preference shall be given to qualified non-retired nationals or permanent residents of Belize. Where a suitably qualified,

non-retired national or permanent resident is not available, a retired national may be employed with the permission of the Chief Education Officer, or a non-national may be employed in accordance with the procedures and labour laws of Belize.

(7) Any vacant post must be filled within twelve months of the post being declared vacant.

Acting
appointments.

67. (1) Only qualified persons shall be appointed to act in any post.

(2) Any such acting appointments against a non-vacant post shall not be for longer than one year but may be extended on an annual basis.

(3) Any such acting appointment against a vacant post shall not exceed one year.

Promotion after
acting.

68. If the appointment of a person who is acting in a vacant post is confirmed, he shall receive the full salary of that post from the date on which he assumed duties in the post, or the date on which the post became vacant, whichever is the later.

Transfers.

69. (1) A teacher may be transferred by a Managing Authority from one school to another but every attempt shall be made to staff schools with teachers who reside in the community where the school is located.

(2) Where transfers are effected, a copy of the Transfer Form shall be given to the teacher in question.

(3) Transfer is not to be used as a disciplinary measure or recourse for unsatisfactory performance. Transfer is to be used when it is mutually beneficial to the receiving school and the teacher, such as, to improve the staff of the receiving school or as a way to maintain on the established staff of the Managing Authority a teacher who is performing well and would otherwise be lost to the system.

(4) A teacher shall not be transferred more than once every three years except where the teacher so requests such transfer and after approval by the Managing Authority.

(5) Transfers are to be arranged so that the teacher takes up duty at the new school on the first day of the school term.

(6) Unless with his consent, a teacher who is to be transferred is to be given no less than two months' notice. Where the Chief Education Officer is consulted prior to the transfer and concurs with the need for the transfer, the Ministry of Education shall pay transportation costs (or full cost in exceptional cases) if the teacher has completed two years of continuous service as a licensed teacher. In all other cases, the management or the teacher shall meet the costs of transfer depending on who initiates the transfer.

Employment
Contract.

70. (1) For every person employed on the teaching staff of a school there shall be a contract of service between the Managing Authority and such member of staff, which shall be signed and executed by both parties and witnessed by a third party. A copy of a standard contract form shall be included in the Handbook of Policies and Procedures for School Services.

(2) Every contract between a Managing Authority and a teacher shall signify terms and conditions of employment in accordance with the Act and these Rules and shall further specify:

- (a) the date on which the appointment of the teacher is to become effective;
- (b) the salary scale and entry point at which the teacher is to be paid and which should not be less than the salary scale and point prescribed by the Government;

- (c) duties, school rules and other school related requirements where appropriate; and
- (d) such other rules and requirements as determined by the Managing Authority with the approval of the Chief Education Officer.

(3) A copy of such agreement with copies of the required documents, including the licence or permit to teach, medical certificate, references, birth certificate or other valid evidence and where warranted evidence of citizenship status or work permit shall be forwarded to the Chief Education Officer.

Date of
appointment.

71. The date of first appointment to a teaching post shall be the day as indicated in the contract of service.

First appointments shall ordinarily be made so as to take effect on the first day of the school year or on the first day of a school term.

Probationary
period.

72. (1) First appointment in the teaching profession shall be subject to a probationary period of up to one school year.

(2) During the probationary period, the teacher shall be assessed at least once every term by the Principal or by a person appointed by the Principal for this purpose and his performance shall be discussed with him. The Principal or person appointed by the Principal shall render all possible and necessary assistance to the teacher on probation to enable him to develop and maintain proper professional standards.

(3) No less than two months before the end of the final school term in the probationary period, the Principal shall make a recommendation to the Board of management, School Committee or Managing Authority, as appropriate, whether to confirm or to terminate the appointment of the teacher.

(4) Notice with regard to the confirmation or termination of

Pay related to
resignation or
termination of
services.

appointment shall be given at least one calendar month before the end of the final term in the probationary period of the initial appointment.

73. (1) A teacher who desires to resign shall give no less than one calendar month's notice.

(2) A teacher who fails or neglects to give the required notice may forfeit one month's salary *in lieu* of notice.

(3) Save and except in cases of dismissal for misconduct, a teacher is entitled in all cases to one month's notice of the termination of his service or to one month's salary *in lieu* of notice.

(4) Subject to the conditions of this Rule, where resignation or termination of service is to take effect in a month in which the end of a term occurs, resignation or termination of service shall be scheduled to take effect at the end of the term.

(5) Subject to the conditions of this Rule, a teacher who resigns or whose service is terminated after two consecutive full terms in any one school year shall be entitled to receive one month's salary beyond the effective date of resignation or termination of service in lieu of vacation.

(6) Subject to the conditions of this Rule, a teacher who has served for all three terms of a school year shall be entitled to salary for July and August.

Retirement.

CAP. 42.

Staff attendance
register.

74. The retirement of a teacher at a Ministry of Education school or of a teacher at a government-aided school for whom the school receives a salary grant in accordance with the current grant agreement shall be in accordance within the School Teachers' Pensions Act.

75. (1) The Principal of a pre-school centre, primary school or of a secondary-level school or institution shall maintain a register for recording attendance of all members of staff.

(2) Each member of staff shall record his time of arrival and departure for each session and sign the entry.

(3) The Principal or Vice-Principal shall record the absence of a teacher for a session making relevant remarks explaining the absence.

(4) The Principal or Vice-Principal shall record beside the entry for a teacher the time of departure and return and the reason for absence of any teacher who leaves the school premises at a time not ordinarily permitted.

(5) The Principal or Vice-Principal shall make such remarks relating to the entry for a teacher, which he considers pertinent.

(6) Members of staff shall be given an opportunity to peruse the Principal's or Vice-Principal's entries to satisfy themselves of the correctness thereof

Absence from
work.

76. (1) Permission for absence from work shall be granted in accordance with the types and conditions of leave stipulated in these Rules.

(2) The Principal shall approve such applications which are within his authority and shall forward the application with his decision to the Managing Authority for the record.

(3) Where authority for the decision rests with the Managing Authority, the Principal shall comment on the request and shall forward it to the Managing Authority who shall signify thereon his approval or reasons for disapproval of such application and shall inform the teacher through the Principal of his decision.

(4) Where authority for the decision rests with the Ministry of Education, the Managing Authority shall comment on the request and shall

forward the same to the Chief Education Officer for necessary action. The Chief Education Officer shall inform the teacher through the Managing Authority of his decision.

(5) Any claim for payment of salary in respect of any period of absence which is not approved may be disallowed.

(6) Except in the case of illness or other unavoidable circumstances, any teacher or member of staff of a school who absents himself from duty without permission shall be liable to disciplinary action.

Leave on Urgent
Private Affairs
etc.

77. (1) Leave with pay of up to five days per year in respect of unavoidable absences to deal with urgent private affairs may be allowed by the Managing Authority on satisfactory proof thereof.

(2) A Managing Authority may grant compassionate leave with pay of up to five days on any one occasion to a teacher in connection with the death of an immediate family member, or any other person considered to be a member of the teacher's extended family, especially where such person has lived with or raised the teacher or had a special relationship with the teacher such as a parent (biological, adopted, foster or step), spouse, child (biological, adopted, foster or step), grandparent, aunt, uncle, guardian, grandparent, i.e., husband, sibling, or other close family member.

(3) Where the Managing Authority of a school is not readily accessible on a daily basis, he shall authorise the Principal to approve up to two teaching days leave on urgent private affairs or compassionate leave at any one time on his behalf.

(4) A male teacher or male member of staff may be granted up to five days paternity leave per school year. As soon as possible but no later than one month after return to duty, the teacher is to present a birth registration certificate acknowledging paternity.

(5) A teacher or male member of staff shall apply for all such leave referred to in this Rule on the prescribed form for approval by the principal or the Managing Authority as appropriate. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(6) A teacher or male member of staff who takes leave under this Rule on a false basis shall be liable to disciplinary measures and loss of pay for the period during which the leave was granted.

Sick leave.

78. (1) A staff member may, in case of illness, be absent on sick leave with full paying for not more than sixteen days in any one calendar year. The staff member shall report each such absence to the Principal as soon as possible within the first day of absence and shall complete the prescribed form for sick leave and submit said form to the Managing Authority through the principal as soon as possible during or after the leave as the situation allows. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(2) If the absence exceeds two school days, the staff member shall forward to the Principal no later than the third day, a certificate from a registered medical practitioner stating the nature of the illness and, where appropriate, the further period of absence recommended by said medical practitioner. Where the services of a medical practitioner are not obtainable within the time specified in this Rule, a certificate of illness shall be furnished and signed by any other health practitioner or pharmacist in the region in which the teacher resides.

(3) If a staff member has already taken a total of six days of “uncertified” sick leave for the current school year or calendar year, the teacher may be required to produce a medical certificate stating the nature of the illness even when the absence is for two school days or less.

(4) (a) Should the illness of a teacher who is in possession of a Full Licence who has successfully completed his probationary year necessitate continuing absence

beyond normal sick leave entitlement, special leave up to a maximum of one hundred and eighty days may, with certification from a registered medical practitioner, be granted with full pay. This is contingent on a prognosis of eventual recovery and return to duty.

- (b) If the illness of the said teacher as certified by a registered medical practitioner requires absence exceeding one hundred and eighty calendar days, the question of his fitness for further service shall be taken up with the Director of Health Services. On substantial evidence that full recovery and return to duty is probable, the teacher may be granted further extension of special sick leave up to one hundred and eighty days on half pay.

(5) The Ministry of Education may require a teacher to obtain the opinion of a medical practitioner designated by the Ministry of Education in connection with his application for sick leave under sub-rules (4) (a) and (4) (b) of this Rule.

(6) Where a staff member has been frequently absent on sick leave, the Chief Education Officer on the advice of the Managing Authority shall request the Director of Health Services to advise whether the teacher should appear before a Medical Board to consider his fitness to continue in the teaching service.

Maternity Leave. (7) Non-school days shall not be counted as part of sick leave, except where such days are within the period of absence and in the case of extended sick leave as provided in sub-rule (4) of this Rule.

79. (1) A teacher or other member of staff shall proceed on a leave of absence for a total of three calendar months at least one month of which

shall be prior to the expected date of delivery as confirmed by a medical certificate. The teacher shall notify the Managing Authority, through the Principal, of maternity leave at least two calendar months prior to the commencement of the leave on the form prescribed for this purpose. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(2) In respect of the three calendar months of leave granted under this Rule, a teacher:

- (a) in possession of a Full Licence with more than three years service shall receive full pay for three months; or
- (b) who is not in possession of a Full Licence with more than three years of service or a teacher in possession of a Full Licence with less than three years of service but who has completed her probationary period shall receive two-thirds pay for the three months; or
- (c) who has not completed her probationary period shall receive half pay for the three months.

(3) The teacher or other member of staff shall make application to the Social Security Board for maternity benefits under the social security scheme. Government shall pay the teacher only the difference, or the portion of the difference as applicable, between her salary and the benefits payable by Social Security.

(4) Any teacher or other member of staff whose maternity leave expires during a vacation period shall be entitled to full pay as from the date on which the leave expires, the vacation period notwithstanding.

(5) In the case of a Ministry of Education or government-aided

Vacation Leave
for teaching and
professional
staff.

school, the Chief Education Officer shall allow for a replacement teacher or other member of staff for all or a portion of the period for which the teacher or other member of staff is on maternity leave as is expedient.

80. (1) A teacher shall be entitled to paid vacation leave of no less than thirty working days per year.

(2) Unless otherwise determined by the Chief Education Officer, teachers shall automatically be on leave during the Christmas and Easter school vacation periods and during the month of July.

(3) Notwithstanding sub-rule (2) of this Rule, a Principal may require a teacher to report to school during any of the vacation periods to complete lawful assignments such as the correction of examinations and the preparation of report cards.

(4) At such times when a teacher is not on vacation leave during the end-of-year school vacation, he shall be on call and shall report to work immediately if requested by the Principal, Managing Authority or Ministry of Education to attend workshops and other professional development activities or to perform school related duties such as curriculum development, preparation of annual teaching plans including development of student assessment.

(5) Unless requested to report to work in accordance with sub-rule (4) of this Rule, teachers do not have to report to school when on call.

(6) A teacher may be exempted by the Managing Authority from being called for duties for all or a portion of such periods that he is on call. The teacher shall apply for such exemption and it shall be treated as paid leave. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Long Leave.

81. (1) A teacher of a Ministry of Education or government-aided pre-school centre, primary school, or secondary school or institution shall qualify for leave with full pay for a period of four months after a total period of

nine years of satisfactory service as a teacher or administrator (any part of such period during which he was on leave without pay being excepted) provided that any such leave shall be granted during the period April to July or August to November, both inclusive.

(2) At the commencement of these Rules:

- (a) that period of service prior to the commencement of these Rules for which the person was employed as a teacher or administrator at a Ministry of Education or grant-aided primary school and which meets the conditions stated under sub-rule (1) of this Rule shall be counted towards eligibility for long leave; and
- (b) in the case of teachers at a Ministry of Education or government-aided pre-school centre or secondary school or institution, the period of service counted towards eligibility for long leave shall commence from April 1, 1991 provided that the requirements stated in sub-rule (1) of this Rule are satisfied.

(3) Application for such leave shall be made on the prescribed form at least two terms prior to the expected commencement of such leave. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(4) Subject to the conditions of this Rule, approval of such leave shall rest with the Managing Authority who shall determine when such leave shall be granted, provided that such leave shall be granted by no later than two years beyond the date of eligibility.

(5) Where the teacher and Managing Authority so agree and with the approval of the Chief Education Officer, the teacher for whom long leave is approved may be paid salary *in lieu* of leave for that portion of the leave

during which school is in session.

(6) Teachers who have been granted such leave shall be eligible for another period of leave under this Rule when they have completed a further period of nine years of satisfactory services beginning from the date of previous eligibility (any part of such period during which he was on leave without pay being excepted).

Professional
development
leave.

(7) The Chief Education Officer shall approve a salary grant for payment of a replacement for a teacher granted such leave upon application by the Managing Authority.

82. (1) Leave may be approved to a teacher to enable him to attend a course, conference or seminar on a matter connected to his professional development or to educational development in general.

(2) The applicant shall apply for such leave on the prescribed form and shall, at the time of application, provide evidence that he has been nominated or has been officially invited to attend the course, conference or seminar, and any other details as are required including the provisions that are being made for the students affected by such leave. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Study leave with
pay.

(a) A Managing Authority shall have the authority to approve requests for such leave up to ten consecutive school days.

(b) Authority for approval of requests for such leave exceeding ten consecutive school days shall rest with the Ministry of Education. The Managing Authority shall forward the request, with his recommendation on the matter, to the Chief Education Officer.

83. (1) A teacher or other member of staff may be granted leave with pay and /or other financial support from the government in order to enable him to undertake a course of study approved by the Chief Education Officer for his professional development or overall educational development.

(2) Pay in connection with study leave shall be granted according to the following formula: Up to 12 calendar months - full salary. Over 12 calendar months - 80% of salary.

(3) A teacher or other member of staff shall apply for such leave to the Managing Authority on the prescribed form at least three months before the anticipated date of course commencement. The Managing Authority shall forward the request, with his recommendation on the matter, to the Chief Education Officer.

(4) Every teacher or other member of staff proceeding on such leave shall enter into a bond with the Government of Belize to return at the completion of his course and work in the country as specified in the bond agreement.

(5) Prior to departure, the teacher or other member of staff proceeding on such leave shall sign a training agreement showing the nature and schedule of training and date of resumption of duties. Any change in the programme of studies or an extension of study leave shall require the explicit approval of the Chief Education Officer on the recommendation of the Managing Authority. Changes to programme of studies or failure to resume duties at the expected date without the approval of the Chief Education Officer shall result in disciplinary measures, including possible loss of pay and dismissal.

(6) Teachers or other members of staff on such study leave shall submit to the Managing Authority and copy to the Chief Education Officer progress reports at the end of each semester or term, signed by an appropriate officer of the institution. Failure to submit reports or reports showing less than

satisfactory progress may result in discontinuation of study leave with pay.

Special Leave.

(7) Copies of the relevant forms and agreements shall be included in the Handbook of Policies and Procedures for School Services.

84. (1) Special Leave on full salary may be approved by the Chief Education Officer for such purposes as he may deem in the public interest, including:

- (a) to enable teachers or support staff of a school who belong to the Belize Defence Force to attend annual training; and
- (b) to enable teachers or support staff of a school who are selected by the proper authorities to represent Belize at international sporting events, cultural events, seminars or conferences sponsored by churches or civic organisations, trade union courses or conferences,

Leave without pay.

(2) Any one such leave shall normally not be for more than two weeks and shall be restricted to a maximum of twenty school days of such leave in any school year. A teacher shall apply for such leave on the form prescribed for this purpose. A copy of the form shall be included in the Handbook of Policies and Procedures for School Services.

85. Leave without pay may be granted by the Chief Education Officer on the recommendation of the Managing Authority as follows:

- (a) to allow a staff member who is unable to resume duties at the expiration of sick or maternity leave to be kept on the staff of the school; or

- (b) for any special reason, including study, approved by the Chief Education Officer on the recommendation of the Managing Authority.

Pay for school vacation periods.

86. (1) Newly or temporarily employed teachers who have been employed for at least one full term immediately prior to the end-of-year vacation and whose employment will continue after the end of the vacation shall be paid for the end-of-year vacation.

(2) If a teacher is temporarily employed in a month in which the Christmas or Easter vacation falls, he shall receive pay for the vacation period if his employment continues after the end of the vacation. In other cases he is to be paid for the period taught.

Annual assessment.

87. (1) The performance of a teacher shall be evaluated twice during each school year by the Principal or any persons authorised by him and by students using the standard assessment forms for this purpose.

(2) The performance of a Vice-Principal shall be assessed twice annually by the Principal using the standard assessment form for this purpose. A teaching Vice-Principal of a pre-school centre or primary school shall be assessed as a teacher in accordance with sub-rule (1) of this Rule.

(3) The performance of the Principal shall be assessed at least once annually by the Managing Authority of the school or by a person designated by the Managing Authority and by teachers using the standard assessment forms for this purpose.

(4) After completion of the evaluation, the person conducting the assessment shall discuss the evaluation with the person being assessed. The teacher's performance ratings in the various areas are to be discussed, strengths identified, weaknesses analysed and actions to be taken by the teacher to address weaknesses determined.

(5) After the interview, the person being assessed shall sign the

form indicating only that he has seen the completed form. The completed form shall then be forwarded to the Managing Authority for placement on the file of the teacher and a copy given to the teacher.

(6) Copies of assessment forms, including supporting documents, shall be included in the Handbook of Policies and Procedures for School Services.

Increments and
incremental
dates.

(7) The performance of non-teaching staff shall be evaluated at least once during each school year by the principal.

88. (1) An annual increment shall accrue from the beginning of the month in which it becomes due, subject to sub-rule (4) of this Rule.

(2) Any additional increment for higher qualifications shall accrue at the beginning of the month following that in which the qualification was gained. This shall not alter the normal annual incremental date.

(3) In order to qualify for the annual increment, a teacher must have taught for no less than the equivalent of two terms within one school year.

(4) The incremental date will be the first day of the month if a staff member's date of appointment or promotion falls within the first to the fifteenth of the month. A staff member whose date of appointment or promotion is after the fifteenth day will have his incremental date on the first day on the following month.

Conditions for
granting
increments.

89. (1) Where a staff member is paid on a salary scale, an increment shall be awarded to such staff member provided that his services during the last year were satisfactory and that he has not yet reached the maximum of the scale provided.

(2) Managing Authorities shall submit to the Chief Education Officer for necessary action the annual increment form for each staff member under their management eligible for an increment stating whether or not the

staff member is to receive an increment. Completed forms are to be received in the Ministry no less than six weeks before the increment is due. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(3) In determining satisfactory performance, Managing Authorities are to take into account the performance assessments of the staff member as a major determining factor.

(4) Subject to any specific conditions of appointment, continuous temporary services for a year on the part of a staff member in a post to which an annual salary scale is attached will, if such service is satisfactory, be regarded as service qualifying for the grant of an increment to his salary.

Loss of
increments.

90. (1) Loss of increments shall take the following forms:

- (a) the increment may be withheld pending further evaluative reports. If such reports are favourable, the increment shall be restored from the date on which it was due. If such reports are unfavourable, the Managing Authority shall determine whether the increment shall be deferred or stopped;
- (b) the increment may be deferred for one year. If further evaluative reports on the teacher are favourable at the end of this period, the Chief Education Officer, on the request of the Managing Authority, shall give the teacher two increments thus restoring him to the point in the scale which he normally would have reached; or
- (c) the Chief Education Officer, on the request of the Managing Authority, may stop the increment of a teacher for one year or more, in which case the teacher

will not receive any increment for the period of stoppage.

(2) Where an increment is not approved, the teacher shall be informed by the Managing Authority of the reasons why the increment was not approved.

(3) Where an increment is not approved, the teacher shall have the right of appeal to the Chief Education Officer who shall refer the appeal to the Regional Council whose decision thereon shall be final.

(4) The appeal shall be made on the form prescribed for this purpose. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Special Awards. (5) If for any reason other than those allowed under these Rules, a teacher does not receive his increments for any particular year, he shall be paid the full increment due to him retroactive to the qualifying date.

91. (1) Any teacher who:

(a) shows leadership, commitment and is consistently outstanding; or

(b) shows exceptional zeal for his work, including undertaking additional relevant training for which salary increments are not awarded, and takes initiative to introduce innovation in his school may be granted upon recommendation by the Principal and request by the Managing Authority, a lump sum merit award equivalent to two increments or One Thousand Dollars \$1,000.00 (whichever is less), provided that he shall not be granted such merit award more than once every five years.

(2) The request for such special awards under the sub-rule (1) of this Rule must be reviewed and approved by the School Services Committee of the Regional Education Council.

(3) Any teacher who serves satisfactorily for three consecutive years in any designated rural hardship area shall be given a merit award equivalent to one increment at the end of the period of service, other allowances not withstanding.

(4) Any teacher who has successfully completed three years of service at the maximum of their maximum scale shall be given a long-service grant equal to three increments, qualifying in the usual way for the grant of annual increments. Such long service grant shall be made once.

Code of
Conduct and
work rules.

92. (1) Managing Authorities shall have the authority to prescribe and to enforce regulations and Standards governing the dress and conduct of staff, provided that such regulations:

- (a) are approved by the relevant Regional Council;
- (b) do not seek to impose restrictions or requirements outside the parameters of generally acceptable behaviour and standards;
- (c) are clearly stated and made explicitly known to staff in writing; and
- (d) are not prejudicial to the fundamental rights of the person.

(2) Managing Authorities shall have the authority to make and enforce regulations governing work requirements and practices, including hours of work, provided that such regulations:

Disciplinary
proceedings.

- (a) are approved by the respective Regional Council;
- (b) do not seek to impose work requirements beyond the duties of a teacher or ancillary staff;
- (c) are clearly stated and made explicitly known to staff in writing; and
- (d) are not prejudicial to the rights of the person.

93. (1) The Managing Authority of a school may institute disciplinary proceedings against any teacher or any other member of staff for any of the following matters:

- (a) where the person conducts himself in a manner, whether in the course of his duty or not, inconsistent with the expressed or implied conditions of his service, or in a manner prejudicial to the efficient or effective operation of the school, or in a manner which otherwise brings the teaching profession into disrepute or is considered inimical to the interests of education;
- (b) where the person fails to perform his lawful duties or wilfully disobeys legal orders given by those duly authorised to give such orders;
- (c) for repeated neglect of duty or failure to observe regulations and requirements under the Act, these Rules and approved school rules;
- (d) for incompetence or failure to improve performance, as determined through clinical supervision of teaching, performance assessment and other

measures;

- (e) for using without proper authorisation the property or facilities of the school;
 - (f) for any conduct which may be physically, morally or otherwise harmful to students or other members of staff;
 - (g) for activities involving dishonesty, for possession or use of illicit drugs, for moral turpitude or where the person is convicted of a criminal offence where the sentence is imprisonment;
 - (h) for participating actively in school for or against any political party or candidate in any National or Municipal election; and
 - (i) for actions directed at subverting the democratic process or the interest of the community and society.
- (2) (a) In instituting disciplinary proceedings against a teacher or other member of staff, the Managing Authority shall inform the teacher or other member of staff in writing of the charges against him and shall give the teacher or other member of staff reasonable opportunity to be heard in his own defence and to have an agent acting on his behalf present at hearings.
- (b) In instituting disciplinary proceeding against a teacher or other member of staff, no documentary evidence shall be used against the teacher or other member of staff unless he has previously been supplied with a

copy thereof or given access thereto.

Suspension and
Interdiction of a
teacher or other
member of staff.

(3) Where an accusation of misconduct by a teacher or other member of staff is brought to the attention of a Regional Council or the Ministry of Education, the matter shall be referred to the Managing Authority for necessary action in accordance with these Rules. The Managing Authority shall inform the Regional Council of actions taken on the matter.

94. (1) Where the Managing Authority has substantial grounds to believe that it is in the best interest of the students and the school, a teacher or other member of staff may be suspended while the Managing Authority investigates an accusation of misconduct against him. The person is to be informed in writing of the nature of the accusation.

(2) Where a teacher or other member of staff is suspended under sub-rule (1) of this Rule, the teacher or other member of staff shall receive full salary and shall be immediately reinstated without prejudice to his position if a formal case is not brought against him within 15 calendar days.

(3) Where disciplinary proceedings are instituted against a teacher or any other member of staff and where the Managing Authority considers that the interests of the students or school requires that the person immediately ceases to perform his functions, the Managing Authority may interdict the person from duties in which case a written report shall be submitted to the Regional Education Council. The person shall receive a portion of his salary being not less than 50% as approved by the Regional Education Council on the recommendation of the Managing Authority.

(4) Where a teacher or other member of staff is interdicted under sub-rule (3) of this Rule, if the case is not heard within thirty calendar days he shall be immediately reinstated without prejudice either to his status or his emoluments, provided that the teacher or other member of staff has presented himself at each and every scheduled hearing of the charge made against him.

(5) Where a disciplinary charge brought against a teacher or other member of staff who is under interdiction has not been established, he shall be immediately reinstated without prejudice either to his status or his emoluments, provided that the teacher or other member of staff has presented himself at each and every scheduled hearing of the charge made against him.

Cases involving weapons, drugs, pornography, etc.

95. (1) Where a Principal has substantial grounds on which to accuse or suspect a teacher or other member of staff of possession of illicit drugs, weapons, pornography, unlawful or subversive materials at school, a search may be conducted without prior warning by the police at the request of the Principal, or a person duly authorised to be acting on his behalf. Such a search shall be in the presence of the person and an adult witness and shall be subject to the laws of Belize governing search of a person and/or his property.

(2) Where substantial grounds exist to accuse a teacher or other member of staff of use of illicit drugs, the school may require him to undergo a drug test. Refusal to take the test may lead to dismissal.

Criminal proceedings.

96. (1) Where criminal proceedings are instituted against a teacher or any other member of staff, disciplinary proceedings upon any grounds involved in the criminal charge shall not be instituted pending the criminal proceedings and the determination of any appeal arising therefrom but this shall not prevent disciplinary proceedings being instituted against the person on other charges.

(2) Disciplinary measures cannot be imposed on a teacher or other member of staff for any charge for which he has been acquitted on the merits of the case but this shall not prevent disciplinary measures for other charges in the matter providing that such charges are not for matters which are substantially the same as that for which he was acquitted (e.g., acquittal on the grounds that witnesses have failed to turn up and give evidence in courts, or on legal technicalities or other similar grounds).

(3) Where criminal proceedings are instituted against a teacher or

any other member of staff and where the Managing Authority considers that the interest of the students or school requires that the person immediately ceases to perform his functions, the Managing Authority may interdict the person from duties. The person shall receive a portion of his salary being not less than 50% as approved by the Chief Education Officer on the recommendation of the Managing Authority.

Disciplinary
measures.

(4) Any teacher interdicted under sub-rule (3) of this Rule shall remain under interdiction while the case is being heard.

97. The measures which may be taken against a teacher or other member of a school staff against whom a disciplinary charge has been established are:

- (a) dismissal;
- (b) retirement in the interest of the profession;
- (c) demotion in rank;
- (d) suspension without pay or on half-pay;
- (e) deferment or stoppage of salary increment;
- (f) a fine or loss of salary;
- (g) written reprimand; or
- (h) revocation of licence vide section 93 of these Rules.

Termination
procedures

Appeal against
disciplinary
measures.

98. The suspension, release, dismissal or termination of service of a teacher or other member of staff shall be in accordance with Section 16 of the Act.

99. (1) Where disciplinary measures taken involve release, suspension, dismissal or termination of service and the teacher or other member of staff appeals the decision to the Chief Education Officer in accordance with Section 16 of the Act, the Chief Education Officer shall refer the appeal to the relevant Regional Council for its recommendation on the case.

(2) Where disciplinary measures taken do not involve release, suspension, dismissal or termination of service the teacher or other member of staff may appeal the decision to the Chief Education Officer who shall refer the appeal to the relevant Regional Education Council and whose decision thereon shall be final.

(3) A District Council which is dissatisfied by the decision of a Managing Authority not to institute disciplinary proceedings which the District Council deems warranted under these Rules or with the level of disciplinary action taken against a teacher or other member of staff by the Managing Authority shall inform the Chief Education Officer of the basis of its dissatisfaction and of its recommendation on the matter. The Chief Education Officer shall review the case and determine what actions, if any, are to be taken.

(4) Where the aggrieved teacher is not satisfied with the decision of the Chief Education Officer taken as a result of sub-rule (1) of this Rule or where disciplinary measure is taken as a result of sub-rule (3) of this Rule, the teacher or other member of staff may appeal the decision to the Arbitration Panel through the Council.

(5) Appeals shall be made on the form prescribed for this purpose. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

Penalties for
dismissal.

CAP. 42.

100. (1) Where a teacher or any other member of staff of a government or government-aided school is dismissed, penalties relating to retirement benefits shall be in accordance with the School Teachers' Pensions Act.

Legal
proceedings for
action in line of
duty.

(2) A teacher or any other member of staff convicted of a criminal offence for which he may be dismissed from the service shall not receive any emoluments from the date of conviction, pending disciplinary proceedings against him.

Strikes.

101. Where legal proceedings are instituted against any teacher or any other member of staff in a Ministry of Education or government-aided pre-school centre, primary school or secondary-level school or institution in respect of any act or omission in the lawful performance of his duties such teacher or other member of staff shall be entitled to assistance for the cost of legal representation. The extent of such assistance shall be determined and shall be payable by the Ministry of Education on the recommendation of the Managing Authority.

102. (1) If a trade dispute results in industrial action by teachers or other members of staff, salaries and wages of persons undertaking such action may not be paid for any day or portion of a day during which they are on strike.

(2) Teachers and other members of staff not on strike shall report to work unless circumstances beyond their control prevent them from so doing.

(3) It shall be the duty of the Managing Authority to maintain a record of those teachers not present at school during the period of the strike and to determine the reasons for their absence.

(4) It shall be the duty of Managing Authorities to take necessary measures to ensure that schools are open for classes and to ensure that there is safety of students and members of staff present at school.

Grant-in-aid.

PART V **SCHOOL FINANCING**

103. (1) Schools with government-aided status shall receive grant

funding on an annual basis for recurrent and/or capital expenditure according to such schedules and under such conditions as may be established by the Minister, in consultation with the Council.

(2) Notwithstanding the foregoing, the payment of all grant-in-aid shall be subject to the provision of the necessary funds by the National Assembly.

(3) The Minister may at any time change the schedule for determining grant-in-aid to schools, provided that grants may not be decreased by such changes without one year's prior notice.

(4) The Minister may at any time change the criteria for eligibility for grant-in-aid, provided that grant-in-aid may not be discontinued to a school by such changes without one year's prior notice.

Application for
government-
aided status.

104. (1) A Managing Authority wishing to obtain government-aided status for a school shall make an application to the Ministry of Education on the prescribed form accompanied by the required information. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(2) The request for government-aided status shall be submitted by no later than the end of September prior to the fiscal year during which grant-in-aid is to begin.

(3) Application for government-aided status constitutes an agreement by the Managing Authority to abide by all conditions pertaining to the receipt from the Ministry of Education of a grant for the operation of a school and requirements under the Act, these Rules and other regulations made by the Ministry of Education relating to government-aided schools shall at all times be complied with during the duration of receipt of such grant.

Application for
annual grant.

105. Each Managing Authority of government-aided schools shall apply annually for grant funds by completing the prescribed form and submitting it with all required information to the Ministry of Education by no later than the

Grant for
construction or
repair of school
building

end of September prior to the fiscal year for which it is requested. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

106. (1) No grant-in-aid in respect of any cost of construction or repair of school buildings shall be approved without prior submission of the plans and specifications for the works to the Chief Education Officer.

Advance
payment of
grant-in-aid.

(2) A request for grant-in-aid in respect of such works shall be received before the end of September preceding the fiscal year in which the grant is to be paid.

Withdrawal of
grant.

107. Where grant-in-aid has been approved for construction or repair of a school building, the Chief Education Officer may advance payment of 30% of the grant-in-aid at the commencement of construction. Further payment shall require certification of completion of work provided that not more than three-quarters of the sum to be paid as grant-in-aid shall be paid before the works have been completed in accordance with the plan and specifications.

108. The grant-in-aid to a school may be suspended or withdrawn in part or totally if:

- (a) the school fails to comply with the provisions of the Act or these Rules or other regulations governing the operation of a school or with the conditions for grant-in-aid specified by the Minister;
- (b) there is a change in the particulars under which grant-in-aid was approved without the prior approval of the Chief Education Officer;
- (c) it is discovered that a statement or some information submitted at the time of the application for grant-in-aid was false in a material particular;

- (d) the school is closed during any school year for a period of fifteen consecutive days or more, not counting those days which are public holidays or recognized school holidays, or such days when the school may have been closed with the approval of the Chief Education Officer;
- (e) the proprietor or Managing Authority fails within a specified time to take the necessary corrective action to rectify deficiencies in the provisions for schooling as requested by the Chief Education Officer as a result of a school inspection;
- (f) the management of a school refines or neglects after due warning in writing to furnish such returns on enrolment, staffing, courses of study and other information relating to the operation of the school required under these Rules or as may otherwise be required by the Chief Education Officer;
- (g) the management of a school fails to carry out a lawful directive from the Ministry of Education with respect to the policies and procedures for operating a school, or a directive arising out of an investigation of a charge against the school generally or a member of its staff;
- (h) the proprietor or Managing Authority or persons or body of persons acting on behalf of the proprietor or Managing Authority is found guilty of misappropriation of grant funds; or
- (i) a school shows disrespect for the government and for the status and symbols of Belize as a nation. Auditing of Accounts.

109. The Ministry of Education may require an audit of the accounts of a Ministry of Education or government-aided school at any time without prior notification by an auditor designated and paid for this purpose by the Ministry.

PART VI
SCHOOLING

Admission to
schools.

SUBPART A
GENERAL PROVISIONS AND RESPONSIBILITIES

110. (1) No citizen or resident of Belize shall be refused admission to any school on account of race, ethnicity, language, political affiliation, region of the country of origin, special needs or because of perceived social and economic status.

(2) No citizen or resident of Belize shall be refused admission to a Ministry of Education or governmentaided school on account of religion.

(3) No person shall be refused admission to any school on account of gender, except where such schools were originally established as non-coeducational.

Ages for
attendance and
enrolment.

(4) Where there is competition for space, first priority shall be given to citizens and thereafter to children of permanent residents and of overseas personnel on long-term posting in Belize.

111 (1) The ages for attendance of students at pre-school centres shall be between three years and five years, provided that a Principal may admit a child who shall have reached the age of three years by the end of January of the school year of admission.

(2) The ages for attendance of students at primary schools shall be between five years and fourteen years, provided that a Principal may admit a child who will have reached the age of five years by the end of January of the school year of admission and may retain a child who is older than fourteen

years at his discretion.

(3) Students shall be admitted to secondary schools after completion of primary education.

Gender and
special needs
sensitivity.

112. (1) The education system shall ensure equitable access to education at all levels for both genders.

(2) The education system on the whole, and schools in particular, shall take into account the needs of challenged students and shall provide schools with learning environments to address those needs, including teacher preparation.

(3) Schools shall be sensitive to students with special personal, economic or social needs and shall develop financial, social and student assistance programmes at the school to assist such students.

(4) A teacher shall bring to the attention of the Principal for further action, the case of any student who is at risk of dropping out of school for personal, social or financial reasons. The Principal shall take such measures as are possible through financial, social and student assistance programmes at the school, and if needed, shall report the case to the school Board and/or the Regional Educational Officer for further action.

Determination
of need.

113. (1) The Chief Education Officer shall cause to be conducted at least once every three years for all areas of the country a survey of access to pre-school centres, primary schools and secondary schools or institutions serving an area, school transportation routes and other matters determining access to basic education.

(2) The results of the survey, a projection of the enrollment at the pre-school and primary school levels, a projection of the demand for places at the secondary school level for the next three years and other relevant information

shall be used by the Chief Education Officer to determine requirements for establishment and expansion of schools and other strategies for ensuring reasonable access to basic education in a cost-effective manner.

Gender and other biases.

(3) The determination shall be used to inform decisions about the establishment of Ministry of Education schools and approval of government-aided status to new schools in areas where schools already exist and the amalgamation of Ministry of Education or government-aided schools.

114. (1) Coeducational schools shall be free of gender and other biases which contravene the Act or these rules and are contradictory to the goals of education and they are prohibited from engaging in activities and adopting structures which reflect such biases.

Protection from harassment, abuse and harmful influences.

(2) Teachers are prohibited from the conscious display of such biases and shall seek to avoid implied biases in what and how they teach and in textbooks and other resource materials.

115. (1) Schools shall maintain a culture free of intimidation in which students are free to participate in school activities, pursue individual interest, express opinions and are encouraged to be truthful.

(2) The Ministry of Education shall develop and Managing Authorities and Principals and Vice Principals shall enforce regulations to prevent sexual harassment and physical or psychological abuse of students.

(3) Dangerous weapons shall not be allowed at school. Pornographic, unlawful or subversive materials shall be prohibited from school.

(4) Schools shall establish regulations prohibiting, and measures for dealing with, the possession and/or use at school of illicit drugs and alcohol by students, the possession and/or use at school of illicit drugs by teachers and the unrestricted or indiscreet use of alcohol at school by teachers, including disciplinary procedures and measures, counselling and other drug education measures.

SUBPART B
CURRICULUM, INSTRUCTION AND CERTIFICATION

National
curriculum.

116. (1) The Ministry of Education shall establish and promulgate the national goals for education and the corresponding national curriculum for pre-school centres, primary schools and secondary schools or institutions, specifying the respective expected learning outcomes and the organisation and structure of the curriculum.

(2) The Ministry of Education shall establish benchmarks and standards for student achievement in core curriculum areas at the primary and secondary levels of education.

(3) The Ministry of Education, in collaboration with regional associations and accrediting agencies, shall approve academic standards for institutions of higher learning and professional preparation within the formal system of education.

School
curriculum.

117. (1) The Principal of a pre-school centre, primary school and secondary school or institution shall be responsible for developing a school curriculum or programme of studies organised into courses of study for each grade level.

(2) The school curriculum or programme of studies shall be directed at achieving all learning outcomes specified in the national curriculum and shall be developed and implemented in accordance with the curriculum policies set out by the Ministry of Education.

(3) Courses of study shall specify expected student achievement or capabilities in terms of knowledge, skills and attitudes relating to specified learning outcomes of the national curriculum.

(4) In accordance with section 25 of the Act, the Chief Education Officer may allow a school to introduce an alternative area of study for one prescribed in the national curriculum or in addition to those prescribed in the national curriculum, provided that:

- (a) the change or addition to the national curriculum is in keeping with the principles and philosophy of education set out by the Ministry and is consonant with the established goals of education;
 - (b) any change or addition to the curriculum does not violate Regulations under the Act, these Rules or other pertinent regulations; and
 - (c) any change to the curriculum does not violate national and community interests.
- Teaching plan.

118. (1) Each teacher shall prepare before the commencement of the school year or the relevant portion of the year, as the case may be, a Class Plan which shall outline the work to be done in each subject or course for the year for the class(es) for which the teacher is responsible. The Class Plan shall indicate by term such relevant information as the summary learning outcomes to be achieved, the scope and sequence of the content and related instructional objectives, teaching methodology and strategies, schedule and means of assessing student achievement, and resource materials, including textbooks, and reference sources.

(2) The Principal or person(s) authorised by him to so do shall review the Class Plan for each teacher and shall sign it to indicate that this has been done. Where the Principal considers it necessary, he shall comment on the Plan and suggest changes.

(3) Based on and with reference to the Class Plan each teacher

shall prepare a plan of work for the upcoming week (Weekly Teaching Plan) stating work to be done with respect to each course or subject, including the topics of instruction and related content and instructional objectives, teaching methodology and strategies, means of assessing student achievements, and reference to specific resource materials including textbooks and reference materials. Where specific resource materials are not available or are inadequate, teachers should have available notes of lessons developed from individual research.

(4) The Weekly Teaching Plan shall be kept by the teacher in a book or binder as permanent record and shall be reviewed by the Principal or person(s) authorised by him to so do as early in the week as possible. The Principal or person(s) inspecting the plan shall sign it to indicate that this has been done and where it is needed, comment on the plan with suggestions for changes.

Schedule for
Instruction.

119. (1) Instruction and other routine activities shall follow a fixed weekly schedule. The Principal shall oversee the preparation of the weekly schedule for each class or instructional programme showing the schedule of instruction, related activities for each subject or course such as laboratory or workshop sessions and other routine activities such as study periods, lunch breaks and recess periods.

(2) Class or course teachers shall ensure that students have a copy of the weekly class schedule and that a copy of the schedule for a particular class is kept conspicuously affixed in the classroom usually occupied by the class.

(3) The Principal shall oversee the preparation of an annual school calendar showing dates of important academic and other activities scheduled during the school year including the beginning and ending of school terms, school vacation periods and other nonschool days, end-of-term examinations and other major school and external examinations, extracurricular activities, graduation and other major ceremonies, professional development activities for staff,

meetings with parents, application and admission deadlines.

Corporate
worship and civic
ceremonies.

(4) Class or course teachers shall ensure that students have a copy of the weekly class schedule and annual school calendar and, where appropriate and to the extent possible, that parents are informed of both.

120. (1) It shall be the duty of every class teacher in Ministry of Education and government-aided pre-school centres, primary schools and secondary schools or institutions to ensure that each school day begins with a class prayer or other form of worship. Each student is required to participate in this worship unless an objection from the parent(s) or guardian(s) is received in writing, dated and signed by said parent(s) or guardian(s).

(2) It shall be the duty of the Principal of Ministry of Education or government-aided pre-school centres, primary schools and secondary schools or institutions to ensure that students participate as a class or in larger groups at least once in each week in a civic ceremony including the raising of the flag of Belize and the singing of the Belizean National Anthem. All students, regardless of nationality, are required to participate in such ceremonies.

(3) Each Ministry of Education or government-aided school shall be required to erect a flag pole in a conspicuous location of the school and to fly the flag of Belize on each school day during normal school hours.

(4) A picture of current members of the National Assembly shall be displayed in the office of the Principal of every Ministry of Education and government-aided school. Class teachers are encouraged to do likewise and to also display pictures of the national symbols, pictures of the Prime Minister and the Governor General, a map of Belize and other important national pictures of Belize.

Religious
observance and
instructions in
assisted church
schools.

121. (1) Denominational schools may devote school time to instruction and observance in the faith of the denomination provided that the time devoted

to such instruction and observances as authorised shall not exceed one class period a day and shall be shown in the schedule of instruction; provided that it shall not be required as a condition of admission to or attendance at any such school which is government aided, that the student shall:

- (a) attend or abstain from attending a place of religious worship;
- (b) participate in religious observance or any instruction in religious subjects in the school or elsewhere; or
- (c) attend school on any day or part of day designated for special religious worship by the religious denomination to which he belongs where his religious denomination is different from that of the school.

Religious instruction in Ministry of Education and government-aided community schools.

122. In a Ministry of Education or government-aided community school an authorised and registered Minister of Religion or any other person authorised by a recognised religious body shall have access for the purpose of giving religious instruction to the students of such denominations, provided that:

- (a) such instruction shall not exceed one class period per week;
- (b) such instruction shall take place during the time provided for this purpose in the approved schedule of instruction;
- (c) materials required for the instruction shall be provided by the religious body;
- (d) the appointment of the person giving the instruction has been registered with the Managing Authority who

Objection to religious observances and instruction.

List of books and materials recommended for use and books and materials not approved for use as textbooks or required materials.

shall inform the Principal of such appointment; and

- (e) there shall be written acknowledgement by the parent(s) or guardian(s) of students affected agreeing to such instruction.

123. The parent(s) or guardian(s) of a student shall have the right to object to participation by said student in religious observances and/or instruction in a Ministry of Education or government-aided school, provided that such objection is stated in writing, dated and signed by said parent(s) or guardian(s) of the student.

124. (1) The Chief Education Officer shall publish and review biennially a list of books and other materials recommended for use as textbooks or other required materials in pre-school centres, primary schools and secondary schools or institutions.

(2) The list of books and other materials recommended by the Chief Education Officer for use by schools shall be based on an assessment of textbooks and other materials used by various schools and a survey of teachers and parents and shall be determined on the basis of:

- (a) relevance to the national curriculum, in terms of appropriateness of content and objectives to learning outcomes specified in the national curriculum;
- (b) appropriateness of implied or specified teaching approaches and requirements;
- (c) user-friendliness; and
- (d) cost-effectiveness or value for money based on considerations of cost, durability and ability to re-use, shelf-life, availability and other such practical factors.

(3) The Chief Education Officer, on the recommendation of the Council, may prohibit pre-school centres, primary schools and secondary schools or institutions from including a book or other material as a textbook or required material on its booklists if such a book or material contains misinformation or promotes positions and practices considered antagonistic to the goals of education.

(4) This shall not prohibit a teacher from proper use of such a book or material as reference material to achieve his teaching objectives, especially where such reference calls attention to the reasons why the particular position or practice promoted in the book is unacceptable. The teacher shall first inform the Principal of his desire to use the book or material and the Principal shall be responsible for determining whether the use is educationally acceptable and to approve its use as requested.

Schools
booklists.

125. (1) Principals of Ministry of Education or, government-aided pre-school centres, primary schools and secondary schools or institutions shall, by no later than the end of December, submit for the approval of the Management Board or Committee, the booklists for use by classes for the upcoming school year. In so doing, Principals shall call attention to any change made to the current booklist for a class and provide an explanation for the change.

(2) Pre-school centres, primary schools and secondary schools or institutions shall normally include on their booklists only books and other materials which are on the list of books and other materials recommended for use by the Chief Education Officer. However, books and other materials not appearing on the list of books recommended for use by the Chief Education Officer may be included with the approval of the Regional Council.

(3) In order to reduce expenses incurred by parent(s) or guardian(s) in connection with the purchase of school books and other required materials each year:

- (a) beginning no later than September 2000, student textbooks and other required materials on booklists in Ministry of Education or government-aided pre-school centres, primary schools and secondary schools or institutions shall not be changed more than once every three years unless with the approval of the Regional Council;
- (b) effective July 2000, Principals, School Committees and Management Boards or Committees of Ministry of Education and government-aided pre-school centres, primary schools and secondary schools or institutions shall collect and maintain a stock of student textbooks and other required materials which can be provided under an appropriate scheme to students who cannot afford to purchase such;
- (c) effective September 2000, student textbooks and other required materials used for the teaching of science, social studies, mathematics and language arts in the Ministry of Education and government-aided pre-school centres and primary schools shall be standardised among schools of the same management in the same education region; and
- (d) effective September 2000, Ministry of Education and government-aided secondary schools or institutions shall standardise student text-books and other required materials used in courses with externally prescribed syllabuses and for core curriculum courses.

School
assessment and
certification of
students.

126. (1) Each school shall develop its own internal policies and practices for assessing and evaluating student achievement in individual courses at the

various grade levels, provided that such policies and practices are in keeping with guidelines set out by the Ministry.

(2) Evaluation of student achievement shall be based on sound principles of measurement and evaluation of student achievement, good test development practices, multiple assessments and multiple bases for assessment.

(3) Each secondary school or institution shall develop and promulgate its academic requirements and standards, including promotion policies and graduation requirements, provided that the academic requirements of a school shall be in conformity with national curriculum standards and requirements set out by the Ministry.

Reports to
parents or
guardians.

127. (1) Parents or guardians of students at the pre-school, primary school or secondary school level are to receive at least once every term a written report on student progress signed by the class teacher or an appropriate agent of the school. The report is to contain an assessment of the student's achievement in each subject or area of the curriculum, a record of attendance and tardiness and any anecdotal comment on the student's overall academic performance and/or personal quality considered noteworthy.

(2) Parents or guardians of students at the pre-school, primary school or secondary school level are to receive at the end of the school year a written summary report on the student's performance for the year signed by the class teacher or an appropriate agent of the school. The report is to contain a summary assessment for the year of the student's achievement in each subject or area of the curriculum, a record of attendance and tardiness and any anecdotal comment on the student's overall, academic performance, ability or personal quality. The report is also to indicate whether the student has been promoted to the next grade level and, if not, what remedial action is required, where appropriate.

(3) Notwithstanding the provision of the end-of-term and end-of-year reports, schools are strongly encouraged to maintain frequent

communication with parents about student academic progress and behaviour. To this end, schools should arrange and make time available for teachers to meet each student's parent(s) or guardian(s) at least by the middle of the term and again at the time of issuing report cards. Where a parent or guardian does not visit the school to receive report cards and to become informed of student progress, the teacher should report the matter to the Principal for further action. Actions which may be taken include visits to the home by the teacher or by a teacher-parent liaison representative of the school, the school-community liaison officer of the Ministry, a social welfare officer or some other responsible person identified by the school or the Ministry for that purpose.

Promotion
between grades
and transition
between levels of
the system.

(4) Students who have been successful in a course of studies are entitled to receive certificates, diplomas or other indications recognising such success in the course of studies signed by the Principal and other relevant agents of the school or institution.

128. (1) As far as is practicable, the prescribed work for each grade level in primary schools should be completed by the end of the school year but continuity of learning should be ensured throughout a division and level.

(2) In the case of primary schools, students shall normally be allowed to progress each year to the next grade level. Schools shall develop special assistance programmes for students who do not meet some of the expected outcomes at the end of a grade or division.

(3) A primary school shall be required to keep on its enrolment any student who has completed the final year of primary schooling but who does not meet the standard for primary certification, provided that the student is less than fourteen years of age.

(4) At the end of each year, secondary schools shall determine, according to their academic policies and assessment practices, students who are to be promoted to the next grade level and in the case of students who are in the final year of studies, those who have successfully completed the

programme of studies and are to be certified.

National
assessment and
certification of
students.

129. (1) The Chief Education Officer shall each year cause to be developed and/or administered such national and international examinations for the purpose of determining the students' level of competence in relation to areas of the national curriculum at different levels of the system.

(2) No such examinations shall be introduced into the system without the approval of the Chief Education Officer on the advice of the Council, provided that notification of such examination(s) shall be given no less than two school years before such examination(s) is/are to be administered.

(3) No student shall be discouraged or prohibited from registering for any such examination, where the student meets the requirements for registering, as stipulated by the respective examining body.

(4) The Minister may approve national certification of students based on their performance in such examinations.

(5) The Ministry of Education shall each year cause to be published the results of such examinations and shall provide Regional Council and schools with a tabulation and an analysis of results for the purpose of self-review.

Mission and
profile of
schools.

130. (1) Each school shall formulate a statement of the mission and goals of the school, provided that these are not inconsistent with the national curriculum. Such statement shall be displayed in a prominent place in the school.

(2) The mission statement shall include a statement of the general characteristics of students predominantly served, the philosophy and type of education provided at the school, the status of the school and any other special feature of the school important in defining the school and its services.

(3) The school goals shall make reference to the expected outcomes

in relation to general qualities and capabilities of students who attended school there and standards and targets of the school in terms of indices such as national and international examinations.

(4) The Chief Education Officer shall periodically publish profiles of schools and institutions at the different levels of the system. The profiles shall be developed with reference to the triennial school inspection report and shall make reference to such factors as:

- (a) the mission of the school;
- (b) the school curriculum and extra-curricular programmes;
- (c) academic requirements and policies;
- (d) student assistance programmes;
- (e) staff qualifications;
- (f) quality of teaching and learning facilities including laboratories, workshops and libraries; and
- (g) performance of the school population in standard national and international examinations weighed against the type and level of student intake.

The School year.

SUBPART C
THE SCHOOL YEAR

131. (1) The school year shall commence on September 1 and shall end on August 31 of the following year.

(2) In the case of pre-school centres, primary schools and secondary schools or institutions, classes for the school year shall commence

on September 1 of each year, except that where September 1 is a day later in the week than Wednesday, classes begin on the first Monday after September 1; and classes for the school year shall end on June 30 of each year, except that where June 30 is a day earlier in the week than Wednesday, classes shall end on the Friday immediately before June 30.

(3) Pre-school centres, primary schools and secondary schools or institutions shall provide no less than 180 school days during a school year.

(4) Where a school will not meet the requirement of 180 school days within its regular schedule of school days, then unless otherwise approved in writing by the Chief Education Officer, special arrangements shall be made by such school to fulfil this requirement. Any such arrangement must be approved by the Chief Education Officer.

Organisation of
the school year
for pre-school
centres, primary
schools and
secondary
schools.

132. (1) The school year shall be divided into three terms each of approximately sixty school days, inclusive of end-of-term examinations.

(2) Alternative divisions of the school year, such as by semesters, may be allowed by the Chief Education Officer providing that the total number of school days amount to no less than 180 days and that schools adequate provisions are made for pay related issues vide Rule 73 (5).

(3) There shall be three major periods of school vacation, namely the Christmas vacation, the Easter vacation and the end-of-year vacation.

(4) The Christmas vacation period shall begin on the Monday before Christmas. Where Christmas falls on a day earlier than Wednesday, the vacation period shall begin on the Monday of the previous week. Classes shall resume on the first Monday of January. Where January 1 is a Sunday or Monday, classes shall resume on the second Monday in January.

(5) The Easter vacation period shall begin on the Monday before Good Friday. Classes shall resume on the Monday following Easter Monday.

Non-school days. (6) The end-of-year vacation period shall be between the end of classes for the school year in June and the beginning of classes for the next school year in September.

133. (1) Saturdays and Sundays and public holidays shall be non-school days.

Hours of Instruction per school day. (2) In addition to school vacation periods, Saturdays and Sundays and public holidays, the Chief Education Officer may approve up to a maximum of three days in any school year as non-school days, in the case of pre-school centres, primary schools and secondary schools or institutions. Approval for such non-school days may be granted upon request by the Managing Authority or for other reasons determined by the Chief Education Officer. A request for a non-school day shall be made in writing to the Chief Education Officer at least two weeks prior to the non-school day(s).

134. (1) The minimum hours of instructional time per school day shall be as follows:

- (a) Early childhood (Pre-school): three (3) hours;
- (b) Primary 1 & 2 (Infants 1 & 2): four (4) hours;
- (c) Primary 3 to 8 (Standards 1 to 6): five (5) hours; and
- (d) Secondary: six (6) hours.

(2) The school day shall normally be divided into two sessions with an intervening period for lunch and a break in each session of approximately fifteen minutes. The school day may also consist of one session with a break of no less than half-hour for lunch where the session goes beyond the noon hour.

(3) Pre-school centres shall have only one session in each school day.

PART VII
ATTENDANCE AND RESPONSIBILITIES

Enrollment of
Pupils and
Students.

135. (1) Children shall normally be admitted for the first time to a primary or secondary school or institution only during the first month of the school year.

(2) If a student has not attended school for a period of three successive months his name shall be struck off the roll of the school, unless such absence has been caused by illness or some other equally serious reason. Where the student is of compulsory school age, the school shall inform the District Education Officer for appropriate guidance and action. If said student returns subsequently, he shall be treated as a new admission.

(3) A school shall obtain prior approval of the Chief Education Officer before removing a student from its roll, except where it is otherwise provided in these Rules, or where the parent(s) or guardian(s) of the child request a transfer to another school.

Transfer of
Primary School
Pupils.

136. (1) No child who has previously attended a Ministry of Education or government-aided school shall be admitted to another Ministry of Education or government-aided school unless his parent(s) or guardian(s) present a transfer certificate on a prescribed form duly completed and signed. A copy of the prescribed form shall be included in the Handbook of Policies and Procedures for School Services.

(2) No transfer shall be issued in any Ministry of Education or government-aided primary school without the approval of the District Education Officer, who shall satisfy himself that good cause exists for such transfer.

(3) Subject to the provisions of these Rules, no request for transfer shall be refused when applied for by a child's parent(s) or guardian(s).

- Responsibility of parents or guardians to ensure attendance.
- (4) Whenever a pupil is being transferred from one school to another, the parent(s) or guardian(s) should request that the Principal of the school from which the pupil is being transferred to send a copy of the permanent record of the pupil to the Principal of the school to which the pupil is being transferred. The Principal of the school from which the pupil is transferring shall, within one month, comply with the request.
137. (1) It shall be the responsibility of parents or guardians to ensure that students attend school and arrive on time.
- School Rules.
- (2) A pupil in a pre-school centre, primary school or a student in a secondary school or institution who is absent from school for one or more sessions shall, upon return to school, present a note from his parent or guardian acknowledging and explaining such absence.
138. (1) Schools shall establish and promulgate rules and regulations governing the responsibilities, behaviour and dress of students. Such regulations shall dictate the behaviour, dress and responsibilities of students while at school but may also impose school-related responsibilities and dictate general deportment while not at school.
- (2) School rules shall be subject to the approval of Regional Councils.
- Disciplining students.
- (3) Principals shall ensure that parents and/or guardians are provided with a written copy of the school rules upon enrolment of a child and with written copies of any subsequent changes to such rules.
- 139 A student may be disciplined for behaviour which is disruptive to classroom or school activities, which constrains the effectiveness of the school, and for general disregard of school rules, including:

- (a) where the student conducts himself in a manner, whether at school or not, inconsistent with the expressed or implied values and principles of the school;
- (b) where the student wilfully disobeys legal orders given by those duly authorised to give such orders;
- (c) for repeated neglect of requirements or failure to observe duly constituted school regulations;
- (d) for using without proper authorisation, or for abusing, the property or facilities of the school;
- (e) for behaviour which may be physically, mentally or psychologically harmful or threatening to other students or teachers or to himself; and
- (f) for activities involving dishonesty, for possession or use of illicit drugs, for moral turpitude or where the student is convicted of a criminal offence.

Investigation of charges.

140. (1) Where substantial grounds exist to accuse a student of use of illicit drugs, the school may require him to undergo a drug test. Refusal to take the test may lead to dismissal from the school. In the case of pupils of compulsory school age, the school shall inform the District Education Officer for appropriate guidance and action.

(2) Where a Principal has substantial grounds on which to accuse or suspect a student of possession of illicit drugs, weapons, pornographic, unlawful or subversive materials at school, a search may be conducted, without prior warning, by the Principal or by the police at the request of the Principal or a person duly authorised to be acting on his behalf. Such a search shall be in

the presence of the student and an adult witness and shall be subject to the laws of Belize governing search of a person and/or his property.

(3) Where the Principal has substantial grounds to believe that it is in the best of other students and generally of the school, a student may be suspended while the school investigates an accusation against him involving sexual abuse or harassment or other forms of harassment, abuse or intimidation, including possession of illegal or dangerous weapons, or with the possession and/or use of illicit drugs, or with the possession of pornographic materials or other unlawful or subversive materials at school.

(4) Where a student has been suspended from school pending the investigation of an accusation against him, the student and his parent(s) or guardian(s) shall be immediately notified in writing of the accusation against him and the student shall be given every opportunity to defend himself against such accusations. If the accusation is not heard within ten school days after suspension, he shall be immediately re-enrolled without prejudice to his status as a student; provided that the student and/or his representative has presented himself at each and every scheduled hearing of the accusation made against him.

Disciplinary
measures

141. (1) Disciplinary measures may be taken against a student for offences in the classroom or school-related offences but teachers shall be mindful of effective and acceptable methods of behavioural modification, including counselling.

(2) Subject to sub rule (3) below, where any punishment is used, such punishment shall not be excessive.

(3) For serious and repeated offences, corporal punishment may be administered as a last resort by the principal teacher, or by a senior member of the staff under the authority of the principal teacher.

(4) Where a student exhibits persistent negative behaviour, the

Principal shall arrange a meeting with the parent(s) or guardian(s) to set out appropriate measures to be taken, including determining the responsibilities of and actions to be taken by the parent(s) or guardian(s).

(5) For serious offences involving activities which bring the school into disrepute, serious physical harm, sexual and other forms of harassment and intimidation including possession of dangerous or illegal weapons, the possession and/or use of illicit drugs, the destruction of school property, or conviction on a criminal charge, the school may suspend the student for a period of no more than two weeks, demand a reasonable number of hours of in school or out-of-school community service, or dismiss the student. In suspending a student, care shall be taken not to have such suspension preclude examinations and other activities essential to successful completion of a course or programme of studies.

(6) Where a student of compulsory school age is to be dismissed in accordance with sub-rule (4) of this Rule, a written report documenting the nature of the incident(s) shall be immediately sent to the District Education Officer. The concurrence of the Regional Education Council is required for the dismissal of a student.

(7) Cases of students with serious behavioural or attitudinal problems as determined by the teacher shall be reported in writing by the Principal to the parent(s) or guardian(s) and to the District Education Officer for referral for specialised help. The District Education Officer shall refer the case to the District Social Welfare Officer for necessary action.

Responsibility
of parents or
guardians for
behaviour of
children.

142. (1) Parents or guardians are expected to supervise behaviour of students at home and monitor behaviour when students are otherwise outside of the formal supervision of school personnel to ensure conformity with relevant school rules.

(2) Parents or guardians are required to ensure that students dress according to the dress code for the school. The school shall give not less than a full school year's notice before a change of uniform or a change in the dress

code requiring major financial expenditure and shall not change such dress code or uniforms more than once every four years.

(3) Parents or guardians are required to ensure that students do homework and other out-of-school work assigned by the teacher(s).

(4) Parents or guardians are to ensure that students attend required school related activities outside normal school hours.

Appeal against
school.

(5) Parents or guardians are expected to pay such school fees and make required contributions as are approved by the Ministry of Education in accordance with Rule 146 of these Rules.

143. (1) A parent or guardian who, is aggrieved by the action(s) of a classroom teacher shall first report the matter to the Principal of the school who shall investigate the case and determine the appropriate action, if any, to take in respect of the complaint. The complaint and the results of the investigation by the Principal shall be recorded in the Log Book.

(2) Where the complaint is against the Principal or where the parent or guardian is aggrieved with the decision of the Principal in a case against a teacher, the parent shall report the matter to the Managing Authority who shall take action on the matter and report the case to the District Education Officer.

(3) The complaint and decisions or actions on the matter shall be recorded by the District Education Officer in a Log Book maintained at the Education Centre.

(4) If the parent or guardian is aggrieved with the decision or action of the Managing Authority, he shall report the matter to the Chief Education Officer, whose decision thereon shall be final. The Chief Education Officer shall act in accordance with the recommendation of the Regional Council in coming to a decision on the matter.

144. Where a parent or guardian or any other person acting in connection with a student abuses, threatens or assaults a teacher in connection with school matters, the Managing Authority of the school, with the approval of the District Education Officer may issue a letter of transfer to the student in question and appropriate action may be taken against said parent, guardian or other person. A written report shall be submitted to the District Education Officer documenting the incident(s) leading to the issue of the transfer and/or the initiation of legal action.

Recourse by schools against abusive parents, guardians or other persons.

School-Community Liaison Officers.

145. (1) School-Community Liaison Officers shall be appointed to address incidences and causes of non- participation of students in primary education associated with out-of-school factors.

(2) The duties of School-Community Liaison Officers shall be promulgated in the Handbook of Policies and Procedures for School Services.

PART VIII **FEES, SCHOLARSHIPS AND BURSARIES**

Tuition and other fees.

146. (1) A Managing Authority of a Ministry of Education and government-aided school may charge fees, subject to the approval of the Chief Education Officer or the Minister, as is required by the Act. In approving such fees, the Chief Education Officer or Minister shall consult with the District Education Council and the National Council for Education, respectively.

(2) The Chief Education Officer or the Minister, as the case may be, shall be informed of and give approval to any proposal to increase fees approved under subrule (1) of this Rule at least one full school year before any such increase shall take effect.

(3) A school shall have the right to withhold report cards, transcripts,

diplomas and other academic records for non-payment of approved fees.

Student financial
assistance.

(4) No Ministry of Education or government-aided primary schools shall prohibit attendance at school of a child of compulsory school age because of the ability of the parent(s) or guardian(s) to pay school fees and such children shall not be subject to discrimination by the school.

147. (1) All Ministry of Education and government-aided secondary schools or institutions shall set aside annually a student assistance fund, the minimum of which shall be equivalent to no less than 1% of gross income from fees and grant-in-aid, to augment student financial assistance programmes.

(2) Upon application of students to Ministry of Education and government-aided secondary schools or institutions, those parent(s) or guardian(s) in need of financial assistance shall complete and submit the necessary form and supporting documents required by the school in connection with the request.

(3) Schools shall determine the criteria for the award of financial assistance and identify the students to be awarded assistance in any school year in accordance with such criteria.

Ministry of
Education
scholarship and
financial
assistance
programmes.

(4) Schools shall submit to the Regional Council the list of students granted financial assistance for the current school year by no later than July 15 in each year.

148. The Ministry of Education shall publish a list of scholarships and financial assistance awards available from the Ministry and other governmental and non-governmental agencies with details of each award, including:

- (a) description of award i.e., nature and duration;
- (b) eligibility requirements;

(c) application procedures; and

(d) conditions of award.

PART IX

GENERAL AND MISCELLANEOUS

Arbitration
Panel.

149. (1) The Council shall, at the request of the Minister, establish an Arbitration Panel in accordance with section 41 of the Act.

(2) The Arbitration Panel shall consider appeals in accordance with section 16 of the Act and in accordance with these Rules.

(3) The Arbitration Panel shall consist of five members and shall include:

(a) the Labour Commissioner or his representative;

(b) a personnel manager from a private sector or quasi-governmental organisation;

(c) a representative of the Ministry of Public Service; and

(d) two persons selected from the Committee for Teaching Services of the Council.

(4) The Arbitration Panel shall be chaired by one of the representatives of the Committee for Teaching Services of the Council. An officer of the Ministry of Education shall be designated by the Chief Education Officer to act as Secretary to the Panel.

Handling of
appeals and
applications by
school
proprietors.

150. (1) A Regional Council shall submit applications for a licence to operate a school referred to it by the Chief Education Officer in accordance with these Rules to the relevant School Services Committee for consideration.

Application.

(2) The Council shall submit appeals by proprietors against the refusal of the Chief Education Officer to issue a licence to operate a school or suspension or cancellation of a licence to operate school to the Arbitration Panel for final determination.

151. (1) Except where expressly exempted herein, all Rules shall generally apply to Ministry of Education and government-aided pre-school centres, primary schools, and secondary schools or institutions.

(2) Unless a particular rule specifically indicates application only to Ministry of Education and government-aided pre-school centres, primary schools or secondary schools or institutions, the rule also shall apply to all pre-school centres, primary school and secondary- level schools or institutions.

(3) Except where expressly exempted herein, rules regarding the licensing of teachers shall apply to all persons teaching at schools offering early-childhood, primary and secondary schooling.

Repeals.

(4) Except where the application of a rule otherwise dictates, rules related to the conduct and employment of teachers shall apply to Principals, and Vice Principals and Heads of Department.

Sub. leg., 1991
Edn. Vol. I,
CAP 29, p. 5

152. (1) On and from the commencement of these Rules:

Sub. leg., 1991
Edn. Vol. I,
CAP. 29, p. 2, 4
and 39

(a) the Primary Education Rules shall stand repealed;

(b) the Compulsory Attendance Areas Order, the Crooked Tree Government School Order, the Queen Street and the Rockstone Pond Government Schools Order shall stand repealed; and

(c) any agreement, written or unwritten, entered into by the Ministry which is contrary to the letter and spirit

of these Rules shall forthwith be null and void; and any agreement, written or unwritten, entered into by the Ministry of Education which is not inconsistent with the Provisions of these Rules shall continue to be operative in full force and effect.

Commencement.

153. These Rules shall come into force on the 1st day of August, 2000.

MADE by the Minister of Education this 1st day of August, 2000.

(CORDEL HYDE)

Minister of Education and Sports

SCHEDULE
(RULE 7)

TERMS OF REFERENCE OF REGIONAL
EDUCATION COUNCILS

Function of
Regional
Education
Councils.

1. The function of Regional Education Councils is to assist the Ministry in planning and monitoring the delivery of educational services specified for geographical regions of the country.

Responsibilities
of the Regional
Councils.

2. In executing this function, Regional Education Councils shall:

(a) review all applications for a licence, renewal of licence, application for change in ownership, and other related factors, etc. by proprietors of schools in the region and submit its recommendations to the Chief Education Officer on the said matter;

(b) make recommendations to the Chief Education Officer

- about the suspension or cancellation of the licence of schools in the region where requested by the Chief Education Officer or where the Regional Education Council considers it expedient;
- (c) review and approve school rules and changes thereto for Ministry of Education and government-aided schools in the region;
 - (d) review and make recommendations to the Chief Education Officer on fees charged by Ministry of Education and government-aided schools in the region;
 - (e) review appeals submitted to it by parents or guardians with respect to decisions and actions by schools by which parents or guardians are aggrieved and shall submit their findings on such cases with recommendations for action to the Managing Authority of the school, copied to the Regional Board of Management responsible for the school and to the Chief Education Officer;
 - (f) cause a triennial inspection of all schools in the education region and shall forward the findings and recommendations for actions to be taken to the Chief Education Officer, copied to the Managing Authority of the school and to the Regional Board of Management responsible for the school;
 - (g) vet applications of teachers in the region for licences to teach and shall submit recommendations to the Chief Education Officer with reasons for disapproval, if negative;

- (h) review, as requested by the Chief Education Officer, appeals by teachers in accordance with the Act, these Rules and other regulations, and shall submit its findings and recommendations on such cases to the Chief Education Officer with reasons for disapproval, if negative;
- (i) review annual reports submitted by District Education Officers, other reports of relevance including reports on national and international examinations and assist in the formulation of plans for the development of education in the region; and
- (j) consider matters relating to the various levels and types of education in the education region and shall make representations to the National Council for Education and to the Minister of Education on any such matters as it considers expedient.

Composition of
the Regional
Council.

3. Each Regional Council shall consist of no more than eleven members from the education region to be appointed by the Minister as follows:

- (a) the District Education Officer in charge of the education region, who shall be an *ex-officio* member and shall serve as secretary to the Regional Council;
- (b) the Principal of a pre-school centre in the education region, selected by the Principals of the pre-schools in the education region;
- (c) the Principal of a primary school in the education region, selected by the Principals of the primary schools in the education region;

Officers of
Regional Council.

- (d) the Principal of a secondary school or institution in the education region, selected by the Principals of the secondary schools or institutions in the education region;
- (e) two local representatives of Managing Authorities of the primary schools in the education region selected by the Managing Authorities of the primary schools in the education region;
- (f) a local representative of the Managing Authorities of the secondary schools or institutions in the education region selected by the Association of Managing Authorities of Secondary Schools or Institutions (AMASS);
- (g) a local representative of the Association of Tertiary Level Institutions of Belize (ATLIB), selected by ATLIB;
- (h) a local representative of the branch of the teachers union having the widest membership in the education region, selected by the Executive of such union; and
- (i) two local representatives of the business and/or community interests in the education region, recommended by the District Education Officer in charge of the region after consultation with the Principals and the Managing Authorities of the schools in the education region.

4. (1) There shall be a Chairman, Vice-Chairman and Secretary of

the Regional Council.

(2) The Chairman and the Vice-Chairman shall be elected by members of the Regional Council from its membership at its first meeting.

(3) The District Education Officer in charge of the region shall be the Secretary of the Regional Council. Term of Office.

5. (1) The term of office of the members of the Regional Council, other than *ex-officio* members, shall be for two years from the date of appointment but members shall be eligible for reappointment.

(2) A normal term of office shall begin on July 1.

(3) The Chairman may at any time resign his office by informing the Minister in writing of his resignation.

(4) Any member of the Regional Council may resign his office by informing the Minister in writing, through the Chairman, of his resignation.

(5) The Minister, on the recommendation of the Regional Council, shall terminate the appointment of a member who is disruptive to the work of the Regional Council, who is incapable of carrying out the work of the Regional Council, who violates required confidentiality of Regional Council matters, who is absent from three consecutive meetings of the Regional Council without sufficient cause, in the opinion of the Regional Council, who no longer shows interest in the affairs of the Regional Council or who acts contrary to the interests of the Regional Council.

(6) A person shall cease to be a member of the Regional Council if he no longer holds the post based on which he was nominated to the Regional Council.

Meetings.

(7) Any vacancy on the Regional Council shall be filled by a replacement from the same category of persons as the former member and such a replacement shall be for the rest of the unexpired term of the person replaced.

6. (1) The Regional Council shall hold at least four meetings in every school year, one meeting being in July or August and one in each term of the school year.

(2) Notice of every meeting shall be given and the agenda of the meeting and minutes of the previous meeting there-of circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.

(3) The Chairman shall preside over all meetings of the Regional Council which he attends and in his absence the Vice-Chairman shall preside. When both the Chairman and the Vice-Chairman are absent or unable to preside the members present shall choose one of their numbers, other than the Secretary, to act as Chairman.

(4) Seven members of the Regional Council shall form a quorum at any meeting.

(5) Decisions of the Regional Council at meetings thereof shall be taken by a simple majority of members present and voting.

Special
meetings.

(6) No act or proceeding of the Regional Council or of any committee thereof shall be invalidated on account of any vacancy among the members of the Regional Council or such committee.

7. (1) The Chairman may, at any time, summon a special meeting of the Regional Council and shall call such a meeting within fourteen days if he receives:

- (a) a request for that purpose addressed to him in writing and signed by five members of the Regional Council; or
- (b) a directive to that effect addressed to him in writing by the Chief Education Officer.

(2) A request for special meeting shall state the specific purpose for which the meeting is required to be summoned and such meeting shall consider only the specific purpose for which it was summoned.

Minutes.

8. (1) Minutes of each meeting shall be kept by the Secretary or such person as the Regional Council appoints for this purpose, and shall be confirmed at the next regular meeting of the Regional Council.

(2) A copy of the confirmed minutes of each meeting shall be forwarded to the Chief Education Officer within two weeks of the meeting at which they were confirmed.

(3) The Regional Council shall maintain records of its proceedings.

Standing or ad
hoc committees.

9. (1) The Regional Council is empowered to appoint standing or ad hoc committees to execute specific responsibilities assigned under these Rules or as the need may arise from time to time; provided that among such standing committees to be appointed shall be:

- (a) a Pre-school Centre and Primary School Services Committee to oversee matters related to the establishment, management and operations of schools, and the licensing and employment of teachers in pre-school centres and primary schools;
- (b) a Secondary School Services Committee to oversee matters related to the establishment, management and operations of schools, and the licensing and

employment of teachers in secondary schools;

- (c) a Student Welfare Committee to consider matters relating to the well-being of students, including admission and attendance of students, problems of non-participation, student assistance programmes and the school-community relationship; and
- (d) a Standards and Quality Committee to monitor the performance of schools, curriculum and textbooks, teacher development and student performance in examinations.

(2) Each standing or ad hoc committee shall include members appointed by the Regional Council from among its members. However, the Regional Council can also appoint persons to standing or ad hoc committees who are not members of the Regional Council but who have specific expertise or interest in the portfolio of the committee.

(3) The Chairman of any standing or ad hoc committee formed by the Regional Council shall be a member of the Regional Council and shall be appointed by the Regional Council.

(4) The Regional Council shall decide on the terms of office, powers and functions of every ad hoc committee it appoints.

Secretariat.

(5) Decisions of standing or ad hoc committees shall be taken by a majority of members present and voting.

10. The Regional Education Centre shall act as the secretariat for the Regional Education Council.