

## THE SECONDARY EDUCATION LAW.

## (CAP. 205 and Laws 5 of 1950 and 18 of 1952.)

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## SECONDARY EDUCATION REGULATIONS.

1. These regulations may be cited as the Secondary Education Regulations.

## PART I.—SECONDARY SCHOOLS—GENERAL REGULATIONS.

2. Part I of these regulations shall apply to all registered Secondary Schools in the Colony, except where amended or added to in Parts II and III. Part II of these regulations shall apply only to Grant-aided Secondary Schools, and Part III only to Public-aided Secondary Schools.

3. The governing body of every secondary school shall appoint a person to act as correspondent on its behalf in all correspondence with the Director, and shall forthwith notify the Director of the name and address of the person so appointed.

First Appendix.

4. The Register of Secondary Schools shall be in the form set out in the First Appendix.

Second Appendix.

5. Application for the registration of a secondary school shall be made by the governing body to the Director in the form set out in the Second Appendix.

Third Appendix.

6. The return required to be made under section 9 of the Law shall be rendered by the governing body to the Director in the form set out in the Third Appendix.

Fourth Appendix.

7. The certificate of registration of a secondary school shall be in the form set out in the Fourth Appendix.

Fifth Appendix.

8. The Register of Secondary School Teachers shall be in the form set out in the Fifth Appendix.

Sixth Appendix.

9. Every person wishing to be registered or licensed as a teacher shall make application in writing through the Commissioner of the District in which he resides to the Director in the form set out in the Sixth Appendix.

Seventh Appendix.

10. The licence issued to every person registered as a teacher shall be in the form set out in the Seventh Appendix.

Eighth Appendix.

11. The provisional licence issued to every person licensed under the provisions of section 20 (3) of the Law shall be in the form set out in the Eighth Appendix.

12.—(1) The governing body of any secondary school to which section 23 of the Law applies or the governing body of any Public-aided secondary school may make regulations relating to all or any of the following matters, that is to say :—

- (a) the admission, attendance, classification and examination of pupils ;
- (b) the discipline to be enforced upon pupils both inside and outside the school ;
- (c) the punishment and expulsion of pupils ;
- (d) the health, cleanliness and medical inspection of pupils ;
- (e) the fees to be paid by pupils and the manner and time of paying them ;
- (f) the organization and management of the boarding house or hostel, if any, attached to the school ;
- (g) the duties and powers of the Headmaster and of other teachers ;
- (h) the holidays and vacations to be kept by pupils and teachers ;
- (i) the internal organization and management of the school.

(2) A copy of every such regulation and of any amendment or revocation thereof shall, within seven days of the making thereof, be forwarded to the Director and a copy shall be exhibited in a conspicuous place on the school premises for the information of all teachers and pupils at the school.

13. The governing body of every secondary school to which section 23 of the Law applies shall keep all accounts, records and documents relating to that school distinct and separate from accounts, records and documents relating to any elementary school for the supervision and maintenance of which the governing body is responsible.

14. A copy of these regulations and a list of the names and addresses of all members of the governing body shall be kept on the premises of every secondary school.

15. The Secondary Education Regulations, 1948, the Secondary Education (Public-aided Secondary Schools) Regulations, 1952, and the Secondary Education (Public-aided Secondary Schools) (Amendment) Regulations are hereby repealed, without prejudice to anything done or left undone hereunder.

#### PART II.—GRANT-AIDED SECONDARY SCHOOLS.

16. Any government body wishing to apply for a grant-in-aid shall make written application to the Director in the form set out in the Second Appendix, not later than the 31st day of March preceding the commencement of the school year in respect of which the application is made.

17. Save as hereinafter provided, no grant-in-aid shall be made in respect of any secondary school unless the governing body thereof satisfies the Director as to the fulfilment, in respect of the school, of all the following conditions, that is to say :—

- (a) the curriculum, the number of hours allotted therein to each subject and the books used shall be approved by the Director ;
- (b) the number of pupils taught together at one time shall not exceed fifty ;
- (c) no teacher shall be appointed on probation for a period or periods exceeding four years in the aggregate ;
- (d) every teacher who on the 31st day of August, 1935, had been continuously employed as a teacher at the school for the four school years immediately preceding that date and who was re-appointed as a teacher at the school for the school year 1935-1936 shall be deemed to have completed the period of his appointment on probation ;
- (e) where a teacher has completed four years on probation and is thereafter employed by the governing body, he shall be appointed to the permanent staff of the school. A member of the permanent staff shall not cease to be employed as a teacher by the governing body except—
  - (i) by mutual consent ; or
  - (ii) on his resignation, of which he shall give to the governing body not less than three months' notice ; or
  - (iii) on the cancellation or expiration of the licence granted to him under the Law ; or
  - (iv) at the end of the school year in which he attains the age of sixty years in the case of male or of fifty-five years in the case of female teachers ; or
  - (v) in the case of female teachers, on marriage ; or
  - (vi) subject to the approval of the Director, on the grounds of inefficiency or misconduct or for other good cause shown : Provided that if a teacher should cease to be employed by reason of ill-health or if the governing body can show that his post should be abolished, he shall be paid a gratuity calculated on his years of service ;
- (f) a pension or gratuity scheme approved by the Director shall be established for the benefit of all permanent members of the teaching and clerical staff ;

- (g) no person shall, except with the consent in writing of the Director, continue to be employed as a teacher after the end of the school year in which he attains the age of sixty years in the case of males or of fifty-five years in the case of females ;
- (h) the salaries of all teachers shall be fixed by the governing body ;
- (i) no teacher shall be required to teach more than thirty hours a week ;
- (j) the Headmaster shall be responsible for the supervision of the work of the teachers and pupils and of the internal organization and discipline of the school, and shall not be required to teach more hours than is compatible with the conscientious performance of such duties ;
- (k) whenever any question arises or is under consideration by the governing body, affecting—
  - (i) the appointment, punishment or dismissal of any teacher, or
  - (ii) the internal organization or discipline of the school,
 an opportunity shall be afforded to the Headmaster of expressing his opinion thereon ;
- (l) no pupil shall be refused admission to or excluded from the school except on reasonable grounds ;
- (m) no pupil shall be admitted to or retained in the school unless he is capable of profiting by the instruction provided for him ;
- (n) the school shall not be established or maintained for the private profit of any person ;
- (o) the income of the governing body from all sources in respect of the school shall be devoted solely to educational purposes approved by the Director ;
- (p) the accounts of the governing body shall be audited in the same manner as the accounts of those governing bodies to which section 23 of the Law applies ;
- (q) the governing body shall make regulations on all the matters prescribed in regulation 12 and the provisions of paragraph (2) of that regulation shall apply to all regulations so made ;
- (r) the governing body shall, if required so to do by the Director, amend, add to or revoke any regulations made by it hereunder ;
- (s) records of the proceedings of the governing body shall be kept and shall be open at all reasonable times to the inspection of the Director or any public officer authorized by him in that behalf ;
- (t) in all essential respects the teaching imparted in the school shall be efficient and the progress of the pupils satisfactory.

18. Any governing body aggrieved by the decision of the Director upon any matter mentioned in regulation 17 may, within fourteen days from the date of the notification of such decision, appeal to the Governor whose decision thereon shall be final and conclusive.

19.—(1) The Director may at his discretion pay grants-in-aid in respect of any school year to the governing body of any secondary school in respect of which the prescribed conditions are fulfilled during that school year.

(2) Grants-in-aid may be paid in respect of all or any of the subjects taught at the school.

(3) In considering the award and determining the amounts of such grants-in-aid the Director shall take into consideration—

- (a) the educational requirements of the Colony and of the district, town or village in which the secondary school is situated ;
- (b) the total amount of money available for distribution as grants-in-aid ;
- (c) the efficiency of the teaching imparted at the secondary school in every subject in respect of which a grant-in-aid is payable to the governing body.

(4) If at any time during the school year in respect of which a grant-in-aid is payable any of the prescribed conditions for the payment of grants-in-aid are not fulfilled, the Director may at his discretion withhold the whole or part of the grant-in-aid payable.

20. Notwithstanding anything in these regulations contained the Director may make such payments from the public revenue of the Colony as the Governor shall approve in respect of the elementary instruction given at any school which in addition to being registered under the Law is prescribed as an elementary school under the provisions of the Elementary Education Law or any law amending or substituted for the same.

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21. The Governor may, subject to such terms and conditions as he thinks fit, exempt any school from any of the provisions of these regulations.

PART III.—PUBLIC-AIDED SECONDARY SCHOOLS.

22. Any governing body which wishes the school over which it exercises authority or control to be declared a Public-aided Secondary School shall apply on the form set out in the Ninth Appendix.

Ninth Appendix.

23. The Register of Public-aided Secondary School Teachers shall contain the following particulars :—

- (a) name in full ;
- (b) nationality ;
- (c) date of birth (day, month, year) ;
- (d) place of birth ;
- (e) degree and/or diploma and date it was obtained (giving institution at which obtained, subjects studied, length of course, any other relevant details) ;
- (f) Teacher Training qualifications and details ;
- (g) annual salary and allowances from date of declaration of school as Public-aided Secondary School ;
- (h) record of all service of the teacher.

24. The grades and salary scales payable shall be as set out in the Tenth Appendix, and every teacher shall be placed by the Director on the grade appropriate to the teacher's qualifications, and at such point in the scale as the Director may decide, having regard to the teacher's previous experience of teaching :

Tenth Appendix.

Provided that with regard to any teacher who is appointed to a Public-aided Secondary School and whose name is contained in the application, the Director may accept—

- (a) the ability and attainment of the teacher as equivalent to a University Degree ;
- (b) the efficiency in, and experience of teaching as equivalent to Teacher Training.

25. Whenever it is necessary to appoint any new teacher after the declaration of the school as a Public-aided Secondary School, the following procedure shall be followed :—

- (a) the governing body, in consultation with the Director, shall prepare a statement of particulars of the new post or the vacancy to be filled and the Director shall cause such statement to be published in the *Gazette* ;
- (b) the governing body, in consultation with the Director, shall consider all applications received in connection with the publication as aforementioned and submit their recommendations to the Governor for his consideration.

26. Every teacher on first appointment to a secondary school which has been declared a Public-aided Secondary School shall be on probation for a period of two years after the completion of which, to the satisfaction of the Director, he shall be confirmed in his appointment :

Provided that no teacher whose name is included in the form of application shall be required to serve on probation.

27. No teacher shall be permitted to teach more than thirty hours a week.

28. The governing body shall select from among the teachers of a Public-aided Secondary School one teacher to be the headmaster of the school and also an adequate number of masters (hereinafter referred to as "senior masters") who shall be responsible, under the headmaster, for the organization of some branch of the school or of the teaching of some subject throughout the school :

Provided that there shall not be more than one senior master for the first hundred pupils and not more than one such master for every hundred pupils or part thereof in excess of fifty above the first hundred.

29. The headmaster shall be responsible for the supervision of the work of the teachers and pupils and of the internal organization and discipline of the school, and shall not be required to teach more hours than is compatible with the conscientious performance of such duties and, whenever any question arises affecting the appointment, punishment or dismissal of teachers or affecting the internal organization or discipline of the school, he shall be afforded an opportunity of expressing his opinion thereon.

30. The maximum number of pupils to be admitted to each Public-aided Secondary School shall be fixed by the Director, due regard being had to the number of qualified pupils seeking admission and the capacity of the school and the teaching staff :

Provided that, except with the consent of the governing body, such number shall not be less than the number of pupils shown in the application as enrolled in the school.

31. Pupils seeking first admission to a Public-aided Secondary School shall to the satisfaction of the Director be examined by the staff of that school on the basis of the elementary school programme of instruction in such subjects studied in the elementary schools as the Director may require and only those will be admitted who appear most likely to benefit from a secondary education.

32.—(1) The pupils selected for free places shall be those who are of more than average ability and whose parents would find it difficult to pay any fees and such pupils shall be distributed in approximately the same proportion throughout the different classes of the school.

(2) The selection for free places shall be made by the governing body on the results of the examinations on first admission :

Provided that, in the first year after the school is declared a Public-aided Secondary School, the selection of those in the second to the sixth classes shall be based on the previous year's work.

(3) A pupil selected for a free place shall not, thereafter, pay fees unless his record of work becomes so unsatisfactory that he no longer deserves a free place, in which case he shall be required to pay a fee and his free place shall be given to another pupil either in that class or in another class.

33. The governing body may, at any time cause the removal from a Public-aided Secondary School of any pupil whose record is such as to indicate that he is not likely to derive further benefit in the school and that his presence in the school impedes progress of the other pupils.

34. The number of pupils taught together at one time shall not exceed fifty.

35. A copy of these Regulations and a list of the names and addresses of all members of the governing body shall be kept on the premises of every Public-aided Secondary School.

36. Any governing body aggrieved by the decision of the Director upon any matter arising out of these Regulations may, within fourteen days from the date of the notification of such decision, appeal to the Governor whose decision thereon shall be final and conclusive.